

# SOUTHEASTERN UNIVERSITY

## GENERAL ADMINISTRATIVE POLICY

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**TITLE:** U.S. Legal Permanent Residency Sponsorship Requests

**POLICY NUMBER:**

**EFFECTIVE DATE:**

**REVISION DATE:**

**ACCREDITATION STANDARDS:**

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**POLICY:**

Provided that certain qualifications and budgetary concerns are met, SEU will consider sponsoring a foreign national through a Permanent Residency (PR) or “Green Card,” which allows foreign nationals an opportunity to remain indefinitely in the United States with legal, unrestricted work authorization.

Any full-time, permanent position requiring a Bachelor’s Degree or higher will be considered for Permanent Residency Sponsorship. PR Sponsorship is not available for adjunct, part-time, or temporary positions. Exceptions to the above criteria will only be considered under extraordinary circumstances on a case-by-case basis.

In order for an employee to be considered for PR consideration, the employee must currently be employed in a full-time, permanent position at SEU and the employee must have been employed with SEU for a minimum of two years.

SEU reserves the right to decide which PR cases it will approve. Meeting all of the above qualifications, does not guarantee that an employee will be approved for a PR Sponsorship.

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**PURPOSE:**

To inform departments of the procedure that must be followed for requesting to sponsor an employee through Permanent Residency.

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**SCOPE:**

This policy applies to employing supervisors of current foreign national employees seeking to obtain employer-sponsored Permanent Residency status.

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**DEFINITIONS:**

Permanent Residency Sponsorship or “Green Card” - Allows foreign nationals an opportunity to remain indefinitely in the United States with legal, unrestricted work authorization

Foreign National - Any person other than a U.S. Citizen or legal resident alien

Beneficiary - The foreign national seeking to obtain Legal Permanent Residency status

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**FORMS AND APPLICABLE DOCUMENTS:**

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1. Permanent Residency Department Request Form - Part A (Faculty)
2. Permanent Residency Employee Profile Form - Part B (Faculty)
3. Permanent Residency Department Request Form - Part A (Staff)
4. Permanent Residency Employee Profile Form - Part B (Staff)

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### PROCEDURES:

#### Internal Approval Process

PR requests for Faculty positions will be reviewed and approved first by the Department Chair and Dean of the requesting department, secondly by the Vice President for Academic Affairs, thirdly by the Executive Committee, and finally by the President and Board of Regents.

PR requests for Staff positions will be reviewed and approved first by the Director of the requesting department, secondly by the appropriate Vice President, and finally by the Executive Committee.

#### Authorization to Sign

The Office of the President has the authority to sign U.S. Permanent Resident immigration documents on behalf of Southeastern University. In the case of absence, the authority to sign is given to the Vice President for Finance and Administration.

#### Procedures for Requesting a Permanent Residency Sponsorship

The following steps are required for requesting PR sponsorship consideration through SEU:

#### 1. EMPLOYING DEPARTMENT

The department seeking to sponsor the foreign national would initiate a request for approval of a Permanent Residency sponsorship by completing the Permanent Residency Department Request Form and attach all required supporting documentation to the form. Once all signatures are obtained, the packet should be submitted to Human Resources along with a letter including the following information:

- a. Rationale for the request
- b. Statement describing the individual's special abilities
- c. Evidence of department funding (at least 3 years' salary plus PR costs - see USCIS Fees section)

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### 2. FOREIGN NATIONAL

The foreign national must complete the Permanent Residency Employee Profile Form and attach all supporting documentation to the form. This form must be submitted in the same packet as the Permanent Residency Department Request Form.

### 3. HUMAN RESOURCES

Once all documentation is compiled and all approval signatures obtained, the requesting department should schedule a meeting with the Benefits Coordinator in Human Resources to review the file and discuss the next steps in the filing process. Human Resources will then coordinate the permanent residency application process serving as liaison among the requesting department, the beneficiary, and the attorney.

#### U.S. Citizenship & Immigration Services (USCIS) Fees and Legal Requirements

Following are the steps required for filing a Permanent Residency Request with USCIS and the costs associated with each item:

1. Labor Certification: \$4500 (paid by employing department)
2. Recruiting: \$400 - \$800 (paid by employing department). As part of the requirements by law, each PR position must be posted for 3-4 months in locations and job boards specified by the USCIS, in order to prove that a position cannot be filled with a non-immigrant worker. Human Resources will be the department responsible for posting the position and ensuring compliance with the recruiting component.
3. I 140: \$475 (paid by beneficiary)
4. I485: \$1010 (paid by beneficiary)
5. Legal fees: \$4000 approximately (paid by beneficiary)

Pursuant to the Department of Labor regulations, sponsoring employers cannot require or allow a foreign national to pay employer/university-related fees for Labor Certification or Recruiting.

The entire PR process takes approximately 3-5 years, and the beneficiary would be required to work for SEU during the entire process or his/her application would become void. Sponsorship for permanent residency does not constitute a guarantee of lifetime employment.

The university utilizes the law firm, Gorman Miotke & Associates, P.A., and it is recommended that the beneficiary utilize the established law firm.

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**APPROVAL:**

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**DISTRIBUTION:**

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