

St. Olaf Immigration Status Assistance Policy

Because St. Olaf College values diversity among its faculty, as well as its students, it has adopted the following policy concerning immigration status assistance to faculty members and candidates for tenure-track positions.

- 1) If a non-resident alien wishes to accept an offer of a tenure-track position, the prospective faculty member may request that the College make arrangements to obtain H-1B non-immigrant status for the prospective faculty member. If the College chooses to make such arrangements, the College shall pay its legal fees involved in obtaining the H-1B status for the non-resident alien.

Once H-1B status has been obtained for a prospective tenure-track faculty member, and the faculty member has become employed by the College, such faculty member may subsequently request that the College make arrangements to extend his or her H-1B status as needed. Such a request should be made at least seven months in advance of the expiration of the faculty member's current H-1B status. If the College intends for the individual to remain a tenure-track faculty member and chooses to make the requested arrangements, the College shall pay its legal fees incurred in the extension of status.

- 2) If a tenure-track faculty member has taught at the College for one semester, he or she may request assistance from the College in obtaining lawful permanent residence, i.e., a "green card." In cooperation with the tenure-track faculty member, the College will determine what process is appropriate for the individual to obtain his or her green card. The College and the tenure-track faculty member will cooperate in obtaining any information and documentation requested throughout the green card application process. The first step in such process generally will be obtaining approved labor certification from the Department of Labor. The College will take primary responsibility for this step. The tenure-track faculty member also may request that the College provide assistance in the additional steps of filing a permanent residence petition and applying for adjustment of status. The primary responsibility for these additional steps lies with the faculty member.
- 3) Any individual making a request under this policy must disclose to the College at the time of the request anything regarding the individual or his or her family that may make any application or process under this policy problematic or unusually expensive. In such instances, the College reserves the right to deviate from this policy in whatever manner it deems appropriate.
- 4) The Dean of the College, in consultation with the Affirmative Action Officer and the Director of Human Resources, in his or her discretion, may agree to loan up to \$7,500 per tenure-track faculty member for attorneys' fees incurred in the green card application process. In such cases, the affected faculty member shall pay any attorneys' fees incurred in the green card application process over \$7,500. The faculty member bears responsibility for paying any Immigration and Naturalization Service fees and any other related non-attorney's fees incurred in the green card application process. The faculty member or candidate must make reasonable efforts in obtaining documentation and information requested throughout the H-1B petition and green card application process to minimize attorney fees.

- 5) The amount of legal fees up to \$7,500 that are paid by the College is an interest-free loan to the tenure-track faculty member. The Loan Agreement will specify the terms and conditions of the loan, including a provision whereby repayment of the loan will not be required in recognition of the faculty member's service to the college.
- 6) In deciding whether to provide assistance, the College will take into account all relevant factors including, without limitation, the need for the candidate, the faculty member's progress toward tenure, and the estimated expense to the College of providing the desired assistance. If the College agrees to assist the candidate or faculty member, the College may, in its discretion, discontinue its assistance in the non-immigrant petition or green card application process at any time.

8/16/04