

Title: Immigration Support Policy**Status:** Final**Original Policy Date:** September 12, 2023**Last Revised:** September 6, 2024**Oversight Executives:** Associate Dean for Academic and Faculty Affairs and Associate Dean for Administration**Applies To:** All School of Data Science Faculty and Researchers**Publicize Policy?:** Yes**Reason for Policy**

The School of Data Science (SDS) is committed to investing in its employees to foster a culture of diversity of people and perspectives. As a part of fostering this diversity, the school is dedicated to supporting employees that are foreign nationals in applying for and obtaining appropriate immigration status. Working with immigration services, SDS will provide support in obtaining information and filing paperwork, and in accordance with the stated guidelines, will cover associated costs. As is the case with all immigration processes and fees, providing as much advance notice for filing helps to streamline the filing and decrease expedited or administrative fees. Therefore, SDS expects the applicant and/or sponsoring PI or unit to provide requests and information in a timely manner to avoid just-in-time applications, and unnecessary additional fees. The purpose of this policy is to:

- Establish a set of guidelines to govern SDS support of immigration services and fees related to filings for working status.
- Streamline connections between the SDS, the [Office of Human Resources Immigration Services](#) and the [International Students and Scholars Program](#).

Policy Statement

The School of Data Science will support immigration services to the best of their ability for all employees by connecting individuals with the [Office of Human Resources Immigration Services](#) and the [International Students and Scholars Program](#) as appropriate and providing information and support in completing documents.

The School of Data Science will not cover any fees associated with work authorizations for post-docs, PRS, or employees who do not have classroom instructional responsibilities. Individual researchers may use research or discretionary funds to pay these fees if desired.

Financially, the School will support costs related to immigration services and fees for the following:

J-1 visas

SDS will cover the costs of new and renewal J-1 visa application fees for all employees on multi-year contracts with classroom instruction responsibilities. Application fees for employees who do not have classroom instruction responsibilities (including postdoctoral research associates), visiting guests, student interns, and J-2 visas are the responsibility of the sponsoring unit, area, PI, or the applicant.

H-1B & TN visas

SDS will cover the costs of new and renewal regular H1-B and TN fees for all employees on multi-year contracts with classroom instruction responsibilities. Expedited fees will only be covered when absolutely necessary to meet the deadline. The administrative team will work closely with Immigration Services to avoid the need to expedite work authorizations whenever possible. Application fees for employees who do not have classroom instruction responsibilities (including postdoctoral research associates), visiting guests, student interns, and J-2 visas are the responsibility of the sponsoring unit, area, or PI. H-1B visas are the responsibility of the employer, so an applicant may not be required to cover H-1B fees.

Permanent Residency

SDS will cover the employer sponsored permanent residency USCIS application fees and UVA Office of Human Resources Immigration Services attorney fees for all employees on multi-year contracts with classroom instruction responsibilities. This process may be initiated at the start of the second term of the first year, or the second academic semester (not including summer) of continuous employment in good standing. Expedited fees are the responsibility of the employee. All employer-sponsored permanent residency cases must be processed through the Office of Human Resources Immigration Services. Use of private outside counsel for employer-sponsored permanent residency may not be funded with university resources. University sponsorship of the permanent residency process, inclusive of fee payment, extends through completion of the I-140 process. The I-485 Adjustment of Status process is not University sponsored, and instead is the responsibility of the individual beneficiary, inclusive of all fees. This does not preclude individuals from applying for non-employer sponsored residency on their own.

O1-visas

The O-1 nonimmigrant visa is for individuals who possess extraordinary ability in the sciences, arts, education, business, or athletics. To qualify for an O-1 visa, the beneficiary must demonstrate extraordinary ability by sustained national or international acclaim and must be coming temporarily to the United States to continue work in the area of extraordinary ability. SDS does not typically sponsor O-1 visas, as the process for justification requires extensive legal engagement, and it is typically advantageous to invest in permanent residency if another visa option is not available. However, in circumstances where O-1 is the only viable option, SDS will cover O-1 fees for employees on multi-year contracts.

Procedures:

To initiate the process of immigration support, faculty should reach out to the Faculty Affairs Manager and copy the Associate Dean for Academic and Faculty Affairs. The school can make connections with the [Office of Compliance and Immigration Services](#) or the [Office of International Studies](#) as appropriate to help determine the best course of action depending on the specific circumstances. The Compliance and Immigration staff will serve as official advisors and provide necessary document support and connecting with governmental agencies as needed. The school will help compile documents and provide financial and administrative support to facilitate the process.



Related Information (*include links to related University policies or other documents*):

[*Appointments of Foreign Faculty and Researchers*](#)

[*Office of Compliance and Immigration Services*](#)

[*UVA HR—Immigration Policies and Procedures*](#)

Next Scheduled Review: 9/9/26

Approved by, Date: Academic Committee, 9/26/23; Sent to faculty for review and approval 10/4/23; returned to oversight for edits; approval by dean for posting on 9/9/24