University of Nebraska
Policy on Sponsorship for Permanent Residency

In certain instances, the University of Nebraska-Lincoln (UNL) will file petitions on behalf of non-immigrant employees seeking permanent residency. The International Student and Scholar Office (ISSO) is the sole authority for filing H-1B temporary worker, permanent residency, and any other employment-based immigration petitions on behalf of UNL. The role of the ISSO is limited to those aspects of document preparation and submission that are directly related to the University's interests and responsibilities as an employer.

The decision to sponsor for permanent residency must be authorized by the appropriate Dean's office in consultation with ISSO and the Senior International Officer. No promises can be made to current or prospective employees that the University will sponsor them for permanent residency. The petitioning process is lengthy, and the final decision to grant the permanent residency must be made by U.S. Citizenship and Immigration Services. It is never a certainty that the permanent residency will be approved, and therefore it cannot be promised as an enticement.

The University may undertake sponsorship for permanent residence only on behalf of

- **Tenured and tenure-eligible teaching faculty:** The University may sponsor tenured and tenure-eligible faculty for legal permanent residence in the United States upon the recommendation of his/her department or center director and college dean, and with approval of the Senior International Officer.
- **Research professor and professor of practice faculty:** The University may sponsor highly qualified non-tenure-eligible faculty for legal permanent residence upon the recommendation of his/her department or center director and college dean, and with approval of the Senior International Officer.
- **Professional staff:** The University generally does not sponsor professional staff for legal permanent residency; however, under exceptional circumstances the University may choose to sponsor a professional staff member for legal permanent residency. Exceptional circumstances are considered to exist when the long-term services of such an employee are deemed to be in the best interests of the University and would serve to further the University's missions of instruction, research and public service. In addition, there must be reasonable assurances of a long-term commitment on the part of both the employing department and the employee. Such requests must be submitted to the college dean/unit head or appropriate Vice-Chancellor in which the employee’s office is situated and only will be granted when it is clear that the staff member's contributions to the functioning of the University would be difficult, if not impossible, to be filled by anyone else. Both the college Dean and the Senior International Officer must review and approve the request before ISSO can process the petition. Per government regulations, the hiring department must be able to demonstrate that there was no U.S. citizen or permanent resident applicant for the position who met the minimum qualifications.

UNL will not sponsor permanent residency applications for classified temporary staff (i.e., post-doctoral fellows, lecturers, graduate assistants) because of the temporary nature of these positions.

Note: Sponsorship is not an entitlement. Decisions are based solely on institutional need for the unique skills and expertise the foreign national employee possesses. The final decision to sponsor the employee will be based on the best interest of the University.

**Approval Process**

1. The department requesting to sponsor a foreign national employee for legal permanent residency will complete the *Sponsorship for Permanent Residency Request Form*, signed by the sponsoring department chair, relevant college dean, and appropriate Vice Chancellor, and submit it to the Senior International Office (SIO) for review and approval.
   a. An individual employee cannot initiate a request for institutional sponsorship for Legal Permanent Residency.
   b. An individual employee or department may not hire an outside attorney to prepare and/or sign any immigration documents on behalf of the University of Nebraska-Lincoln.
   c. Pursuant to the Department of Labor regulations, sponsoring departments cannot require or allow a foreign national to pay employer/university related attorneys fees. These costs are the responsibility of the sponsoring department.
2. Upon approval, the SIO will route the form to the ISSO.
3. The ISSO will send an application packet to the department for completion. ISSO will guide the department and the foreign national through the process.
4. The department and foreign national are responsible for gathering all necessary documentation to support the permanent residency petition.