

FORM A UMass Lowell Hiring Dept. Questionnaire

To be completed when sponsoring an International Employee or Researcher

PART 1 - Completed by the UMass Lowell Hiring Department

Date:	Proposed Visa Type:
Last Name:	First Name: Middle Name:
Citizenship:	Current Employer/Institution:
Is Employee NEW to UMass Lowell? Yes <input type="checkbox"/> No <input type="checkbox"/> or EXTENDING His/Her Appointment? <input type="checkbox"/>	

PART 2 - Completed by UMass Lowell Hiring Department

1. UMass Lowell Dept.:	2. Title of Appointment:
3. UMass Lowell Dept. Address:	4. Address where Int'l Employee or Researcher will Work - same as #3: Yes <input type="checkbox"/> No <input type="checkbox"/> If No, list full address of work location:
5. Dates of initial appointment at UMass Lowell for New Employee or Researcher: (Month/Day/Year): From _____ to _____	
Is this a benefited position? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, have you fulfilled the necessary HR requirements, including any required job postings? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Provide Bargaining Unit/Salary Floor (when applicable):	
Is this a Tenure-Track position? Yes <input type="checkbox"/> No <input type="checkbox"/> Is it a Permanent Staff Position? Yes <input type="checkbox"/> No <input type="checkbox"/> Is it a Temporary Position? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Will International Employee or Researcher's primary focus be: Teaching <input type="checkbox"/> Research <input type="checkbox"/> Both <input type="checkbox"/> Or is it a Staff Position <input type="checkbox"/>	
Will International Employee or Researcher be paid any direct funds from UMass Lowell? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Is position full-time <input type="checkbox"/>	Is position part-time <input type="checkbox"/>
If full-time, the proposed full time (37.5 hr/week) annual salary is \$ _____	If part-time, the proposed hourly rate is \$ _____ per hour for _____ hours per week

Provide the UMass Lowell grant # for scholar's salary, if applicable:

PART 3 - Institutional Compliance - To be answered by Visiting Scholar's supervisor

Patient Contact Information

Will there be ANY patient contact (human or animal): Yes No

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Patient Contact (animal or human) by UMass Lowell Non-Immigrants

The intent of some immigration regulations and the Health Insurance Portability and Accountability Act (HIPAA) is to encourage the best institutional practices against academic institutions allowing non-immigrant visa holders to have direct/unsupervised patient contact. All human or animal patient contact should be under strict supervision of a U.S. citizen or Permanent Resident worker (typically a tenured person within academic institutions). This is mainly to prevent abuse to patient privacy, HIPAA, or medical malpractice violations.

Required Certification Regarding Export Controls

Note: If you have questions about this section, or if an export license is required (e.g., if you have a Technology Control Plan in place and need to add a Foreign National or to have them work in the vicinity of any such project), contact Thomas_Porro@uml.edu at 978-934-3207.

- a. U.S. export control laws prohibit the release of controlled technology to foreign persons, even within the United States. Severe penalties can apply to both the University and to the supervisor of the Visiting Scholar (VS) for a violation of export control regulations.

As the person responsible for supervising the visa applicant listed in Part 1 (VS), I certify that I have reviewed:

- 1) The Commerce Control List – <http://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl>
- 2) The U.S. Munitions List – https://www.pmddtc.state.gov/regulations_laws/itar.html
- 3) The Department of Energy restrictions on providing assistance in nuclear activities - <https://www.law.cornell.edu/cfr/text/10/part-810>

And (you the supervisor of the VS listed in Part 1 MUST check one box):

A license or other authorization **is not required** from the U.S. Government to release such technology or technical data to the visitor (i.e., he/she will not be exposed to any listed technology/data, or any such technology/data qualifies as fundamental research or is otherwise available in the public domain); or

A license or other authorization **is required** from the U.S. Government to release such technology or technical data to the visitor, and I hereby certify that I will prevent access to the controlled technology or technical data by the visitor until and unless the University has received the required license or other authorization to release it to the visitor.

- b. Do you have any projects that are currently covered by a Technology Control Plan (TCP), or that require an export license? Yes No

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PART 4 - Due Diligence Guidance for Sponsoring Supervisor (For J visas only)

Complete recommended checks outlined below before inviting any international visiting scholar (VS) to UML.

NOTE: An offer/hiring letter should ONLY be sent to the VS AFTER all internal approvals are completed and the letter is reviewed by the ISSO and OIC.

The following guidance is for faculty for performing due diligence on prospective international visitors. This was developed in consultation with the President's Office of the University of Massachusetts after careful review of best practices for compliance with recent U.S. Department of State recommendations and regulations strengthening U.S. educational collaborations and maintaining academic and export control integrity.

We appreciate your interest in hosting an international Visiting Scholar (VS). Visiting scholars (students, professors, research scholars, and physicians) are invited, for a limited time-period, to campus for a specific academic or research purpose(s). UMass Lowell is responsible for **selecting, screening, and monitoring** visitors. The overwhelming majority of our visits are immensely successful. However, experience reveals that some such visitors may on occasion pose potential risks to your research data and future publications, including, but not limited to, issues with intellectual property, export controls, damage to reputation, financial risk, and cyber-security. Please remember that differing export controls can apply, depending on your research area and from where the person is visiting. (Any VS invited to work on projects that are export controlled must first be further vetted and approved by OIC.)

We ask for your assistance in mitigating these risks by performing a few simple due diligence checks before a detailed invitation is offered to first verify 1) the visitor is who s/he says s/he is; 2) the visitor is affiliated with an appropriate academic or research entity; and 3) that the visitor is well-suited and matched to your research pursuits and/or academic objectives.

During the review of your visitor, please bring any of the following issues to the attention of the International Students & Scholars Office (ISSO), as well as to the UMass Lowell Office of Institutional Compliance (OIC):

- (1) inconsistencies, gaps, misrepresentations, or omissions in the material you've reviewed;
- (2) foreign military affiliations;
- (3) mismatch between the visitor's academic record and their purported reason for the visit; and
- (4) any other issue or concern you may have regarding the visitor (e.g., fitness, character).

Below are some helpful suggestions that may be used to perform the checks:

- Academic search engines (e.g., googlescholar.com, sciencedirect.com, academic.research.microsoft.com, scicentral.com, or worldwidescience.org) are powerful tools. Such engines can be useful in efficiently performing due diligence.
- Verifying the visiting scholar's identity. Look for inconsistencies or omissions across their CV, website(s), search results, and publications.
- Verifying the visiting scholar's affiliations. Review the entities the visiting scholar is (and has been) affiliated with. Who is his/her employer? Does s/he have adjunct appointments? Does s/he work (or have they previously worked) for a corporation, government, or military? Again, compare their CV, websites, search results, and publications for inconsistencies, omissions or gaps.
- Finally, review their academic record. Ask yourself is this person an appropriate match for my research program? Why did this visitor choose me? What assets does this person bring to the table? Do any inconsistencies, omissions or gaps exist between their CV, website(s), search results, and publications? Does their CV accurately represent their publications?

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Email: isso@uml.edu

Phone: 978-934-2383 Fax: 978-934-3022

Here are some hypothetical examples of potentially problematic visitors:

- Visitor A: CV indicates publications on Doppler radar relating to weather research. However, search engine results indicate publications on utilizing Doppler radar for ballistics targeting.
- Visitor B: CV indicates interest in studying gravitational orbits of planets. Search engine results indicate publications on space warfare.
- Visitor C: CV indicates affiliation with University ABC. Search engine results indicate publications as adjunct faculty at foreign military academy.

Please direct questions about the diligence process or results to OIC: Thomas_Porro@uml.edu and/or Elaine_Major@uml.edu

I certify that I have performed a due diligence review of the proposed international visitor, as described in the Part 4 guidance above, and that the visitor: 1) is who s/he says s/he is; 2) is affiliated with an appropriate academic or research entity; and 3) is well-suited and matched to my research pursuits and academic objectives.

Yes No

Please indicate the method(s) used to perform this review:

- I have a long-standing professional relationship with this visitor, and can attest to his/her suitability through my personal experience.
- I have used academic search engines to review the visitor's available publications.
- I have used other available methods (internet searches, personal references, etc.) to verify the scholar's identity and affiliation, and confirm my findings matched the visitor's representations in his/her CV, correspondence, e-mails, etc.
- I have reviewed the visitor's academic record, and confirm he/she is an appropriate match for the proposed position at UMass Lowell.
- Other:

PLEASE NOTE: As a sponsor of a J-1 Exchange Visitor you are legally required, as per Department of State regulations, to inform our office within a 24-hour period (at isso@uml.edu) of any of the following incidents: Exchange Visitor Missing; Exchange Visitor Death; Exchange Visitor Serious Illness or Injury; Litigation in which the J-1 Exchange Visitor or its UMass Lowell sponsor/sponsoring department may be a named party; Incident Involving the Criminal Justice System (e.g. arrest, charges, law enforcement, etc.); Sexually-Related Incidents or Abuse (e.g. exploitation, harassment, abuse, etc.); Negative Press involving the Exchange Visitor or their UMass Lowell/sponsor; Negative Foreign Government Involvement; Serious Export Control Violations; Other Negative Situations impacting the Exchange Visitor (e.g., natural disasters, civil unrest, outbreaks of violence, etc.) Failure to do so will place the university in legal jeopardy of losing our J-1 Program.

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- The Employee's Supervisor MUST inform the International Students & Scholars Office (ISSO) of every significant change to employment/visitor status (i.e. any change in job title, salary, termination date, job functions, change of UMass Lowell Dept. or Supervisor, etc.).
- The Supervisor is legally bound to continue to pay the employee the minimum prevailing wage salary as approved by this process. To ensure this, ISSO will inform Payroll upon the approval of all H-1B, O-1 and TN hires of the legal salary approved at the time of this processing.
- The UMass Lowell visa document is ONLY valid for employment/visitation within UMass Lowell as per the specifics detailed on this form. Should employee wish to work elsewhere, she/he will need to seek the advice of the International Students & Scholars Office PRIOR to agreeing to any off-campus employment. Concurrent employment is often allowed, but only if the employee obtains approval from U.S. Citizenship & Immigration Services for each U.S. employer.
- In the event of H-1B or O-1 employment termination prior to the expiry of the visa validity period, the sponsoring department is legally obligated to pay expenses for return travel back to the scholar's home country
- All employment based categories such as the H-1B, O-1, TN, etc., are very job and employer specific. Please refer to our website for detailed information on the common work visa types (J-1, H-1B, O-1, TN), [HERE](#)
- International Scholars will be required to maintain health insurance coverage for themselves and their dependents. This is especially true with J-1 Scholars: [Health Insurance Confirmation Form](#)

Confirm that you have read and understand your legal requirements as listed on Part 3-5: Yes

Is the Visiting Scholar listed in Part 1 from a UMass Lowell Partner school?

Yes No

If so, please list the school _____

Please refer to our [website](#)

Print Name of Director Supervisor

Signature of Direct Supervisor

Date

Email a copy of the following to isso@uml.edu

CV or Resume

Approved Contract and/or Offer Letter

Job Description, a must

Job Posting - when applicable

Job Ad(s) – when applicable

- Mr. Thomas Porro, Export Control Compliance Manager, (thomas_porro@uml.edu) may be in contact with you to obtain additional information and/or approval signatures.
- Ms. Ruby Carnevale, Director of Employment Services, (ruth_carnevale@uml.edu) may also contact you if she has any questions or additional HR compliance requirements which may need to be fulfilled.

The above-mentioned paperwork will give us the opportunity to start the visa issuance process, but please note that we will be unable to finalize the documentation until both Mr. Porro and Ms. Carnevale give us the clearance to proceed. We'll keep you posted throughout the process.