



education missions of the University.

FSU should strive to ~~be open to the world and to~~ reach out and connect with scholars and students from around the country and the world, as practicable, and to provide the University support that allows these visitors to meet any visa and administrative requirements.

## **II. II: POLICY**

### **A. II A: POLICY OBJECTIVES**

This document sets the general policies for all international FSU-unpaid visiting researchers, faculty, scholars, staff, and students, and all domestic visiting scholar/researchers, hereafter referred to as ~~unpaid~~ visiting scholars/researchers. These domestic and international visitors are not regular employees of FSU and occupying a position number at FSU, they are not degree seeking students at FSU-, nor are they paid full-time post-doctoral appointees (refer to procedures memo). These visitors may be sponsored by their home institutions or other government or private entities that do not involve and may include payments through a grant or contract with FSU- that would fund their salaries. These ~~unpaid~~ visiting scholars/researchers are given a visiting ~~courtesy~~ scholar appointment at FSU during their stay on campus. Individuals who hold such visiting ~~courtesy~~ scholar appointments may be given University privileges, such as an FSU identification card, library access, and a University email account and mailing address. They may also be provided access to other University resources, such as office space, laboratory space, computers, software and/or information systems, and specialty equipment.

International visitors may come as part of a number of federal visa programs and visa waiver programs. For instance:

“The [federal] Exchange Visitor Program promotes the interchange of knowledge and skills among foreign and American scholars. It does so by providing foreign scholars the opportunity to exchange ideas with their American colleagues, participate in educational and professional programs, confer on common problems and projects, and promote professional relationships and communications” (Federal Exchange Visitors Program in the Code of Federal Regulations (Title 22, Part 62, Subpart B, 62.21)).

In addition to access to University resources that may be provided to an individual filling a visiting ~~courtesy~~ scholar appointment, foreign nationals may participate in certain activities that require the University to meet the requirements of federal export control regulations. Under certain circumstances, the University may be responsible for obtaining permission from the Department of State, the Department of Commerce, ~~or~~ the Office of Foreign Assets Control, or other federal entities for foreign nationals to be involved in research utilizing specific technologies or sharing research information with persons who are not citizens or permanent residents of the United States.

These policies are meant to ensure that all visiting scholars/researchers and short-term visitors are properly identified, classified, and supervised during their stay on campus and that all applicable ~~University~~, state, and federal laws, and University policies and regulations are followed.

## **B. II B CATEGORIES/DEFINITIONS OF UNPAID-VISITING COURTESY-SCHOLAR/RESEARCHER APPOINTMENTS**

~~The unpaid visiting~~ Visiting scholars/researchers will be assigned within the following ~~courtesy~~ visiting scholar appointment classifications.

1. 1. Visiting ~~Courtesy~~ Scholar Professor – Appointee holds the position of full Professor at another university. The appointment involves full time research or scholarship; appointee works in collaboration with a faculty member at FSU. These invitations are for a maximum of two years, unless an extension is approved by the Visiting Scholar Oversight Committee.

2. 2. Visiting ~~Courtesy~~ Scholar Research Scholar/Scientist – The researcher does not hold the position of full Professor at another university and does not meet the FSU definition of Postdoctoral Associate. This researcher could be an assistant or associate professor, or researcher scholar at another institution-, but not a student. The appointment involves full time pursuit of research or scholarship; the appointee works in collaboration with a faculty mentor at FSU. These invitations are for a maximum of two years, unless an extension is approved by the Visiting Scholar Oversight Committee.

~~Visiting Courtesy Graduate Research Assistant~~ 3. Visiting Scholar Staff or Specialist from another university/organization – The appointment involves full time pursuit of research, scholarship, or administration; the appointee may demonstrate special skill or expertise; appointee works under the supervision of a faculty or staff mentor at FSU. These invitations are for a maximum of two years, unless an extension is approved by the Visiting Scholar Oversight Committee.

4. Unaffiliated Visiting Scholar – The researcher/scholar/specialist has credentials and skills to collaborate in research or creative endeavor but is not affiliated with or on leave from another university or organization. The scholar is supported by personal or private sponsor funds. The invitation is limited to one year, unless an extension is approved by the Visiting Scholar Oversight Committee.

5. Visiting Scholar Graduate Researchers– Appointee is a master’s or doctoral student at another university; the appointment involves full time pursuit of research or scholarship; appointee works under the supervision of a faculty mentor at FSU. This position is limited to a 12-month stay on FSU’s campus and no extensions are allowed.

~~3. Visiting Courtesy Staff or Specialist from another university~~ – The appointment involves full time research, scholarship, or administration; appointee works under the supervision of a faculty or staff mentor at FSU.

Graduate students from another university who are invited to conduct research or scholarly activities at FSU and who are not pursuing a degree program at FSU may not generally stay for more than 12 months. Visits of more than 12 months will be considered only if the graduate student is fully externally funded and the inviting faculty applies for and obtains a waiver approving a longer visit (of not more than two years) in advance of the visit from the Visiting Scholar Oversight Committee.

~~4.6. Visiting Courtesy Scholar Undergraduate Research Assistant\* Researcher - Appointee is a bachelor's degree student at another university; the appointment involves full-time pursuit of research or scholarship; appointee works under the supervision of a faculty mentor at FSU. This position is limited to a 6-month stay on FSU campus and no extensions are allowed.~~

~~5. Visiting Courtesy Postdoctoral Associate - Appointee was awarded a PhD or the equivalent from another university and meets the FSU definition of a postdoctoral scholar (<http://hr.fsu.edu/pdf/publications/employment/FSUPostdoctoralScholarDefinitionFinalAugust2014.pdf>); the appointment involves full-time research or scholarship; (32 hours per week minimum under federal regulations); appointee works under the supervision of a faculty mentor at FSU. The appointment does not allow teaching.~~

~~\* By US Department of State guidance, any visiting scholar/researcher entering the U.S. with a J1 visa who has not achieved the equivalent of a Bachelor's degree and who is a currently enrolled student at a non U.S. institution (a Visiting Courtesy Undergraduate Research Assistant) requires an in-depth training plan prepared/completed at time of application. This position is limited to a 6-month stay on FSU campus, unless an extension (not to exceed six months) is approved by the host faculty member because the U.S. State Department requires closer supervision and guidance for undergraduate researchers. This DS-7002 Training Plan will be prepared by the host faculty member in cooperation with the Exchange Visitor Advisor at the Center for Global Engagement and the form will need to be signed by the Visiting Courtesy Undergraduate Research Assistant prior to their check-in at FSU Visiting Scholars Oversight Committee. The program requires a final evaluation.~~

## **C. POLICY**

7. Unpaid Visiting Post-graduation Scholar: Recent international Florida State University graduates may be appointed as an Unpaid Visiting Post-graduation Scholar for up to one year after graduation provided that their volunteer activities are clearly related to degree, but distinct from previous duties as student assistants, and provide training and beneficial learning to the post-graduation scholar. Positions will involve 20-40 hours of volunteer activities per week, and duties must be clearly differentiated from degree- or lab-related work that the student had done while enrolled in and employed by FSU. These post-graduation scholars should not perform duties that others are performing for compensation and should complement, rather than displace, the work of paid employees. A visiting post-graduation scholar may – and often will – continue working with the same faculty members. Such unpaid visiting post-graduation scholar position

will not entitle the scholar to a paid job at the conclusion of the unpaid appointment.

Although they are not classified as volunteers for HR appointment purposes, visiting post-graduation scholars must meet the Florida statutory definition of Volunteer contained in Section 110.501(1) Florida Statutes.

There may be other temporary appointments of non-U. S citizens who are not visiting scholars but may still need to meet review requirements from either the Office of Research, Center for Global Engagement, Procurement, or Human Resources.

## **II C: APPLICATION AND COVERAGE**

The overall University policy is that no ~~unpaid~~ international or domestic visiting scholar/researcher will be accepted to come to the FSU campus for more than 14 days unless: (1) invited by a host FSU faculty or staff member with full approvals from the appropriate department chair/director and dean and the Vice President for Research or designee, (2) a criminal history background check questionnaire has been submitted to the Office of Human Resources ~~and any required background check conducted;~~ (3) ~~an Unpaid~~ Visiting Scholar/Research Agreement has been signed, and (4) ~~an~~ visiting scholar/researcher appointment for the visiting scholar/researcher has been entered into OMNI by Human Resources.

~~unpaid visiting scholar/researcher courtesy appointment for the visiting scholar/researcher has been entered into OMNI by Human Resources.~~

A criminal history background check will only be conducted on the ~~unpaid~~ visiting scholar/researcher if Human Resources determines that it is necessary under the University's Criminal History Background Check Policy.

~~Unpaid visiting scholars/researchers are not considered volunteers as per the Florida Statute definition of volunteer, Section 110.501-.504, Florida Statutes. (See details below in "Other Matters".)~~

This policy does not apply to "Users" of the National High Magnetic Field Laboratory (NHMFL) who are otherwise tracked through the NHMFL system and fall under the MagLab User Program funded by the National Science Foundation and other funding agencies.

This policy does not apply to participants in non-degree training and professional development programs, such a short-term professional conferences or seminars, student summer camp or campus visit programs.

This policy does not apply to visiting students who come as part of such programs as the National Science Foundation sponsored Research Experiences for Undergraduates or similar undergraduate group programs supervised by faculty and staff for the summer or shorter visits.

## **II D: DUTIES AND RESPONSIBILITIES**

Duties and responsibilities of the various responsible parties are outlined in the following: below. Specific forms and procedures are outlined in the “Visiting Scholars Appointment Procedures” memo maintained by the Visiting Scholars Oversight Committee and the Visiting Scholars Procedures Subcommittee. (See Appendix One)

### **1. II D 1: FSU Host Faculty Member**

An FSU faculty member ~~agrees~~ must agree to host the visiting scholar/researcher and to provide collaboration and oversight of the visitor. By this agreement, the FSU faculty member is ensuring that there is a positive benefit to the faculty member, the department and/or the University for this visit. The host faculty member is responsible for ensuring that the visiting scholar/researcher abides by all University policies and procedures. The host faculty member agrees to notify the CGE if any of the information from the original J-1 request changes, and to notify FSU’s Office of Environmental Health and Safety (EH&S) to ensure that appropriate authorizations, training or other required steps are taken to ensure access to laboratory areas as necessary for the visiting scholar/researcher. The FSU host faculty member must obtain written prior approval from the department chair/director, college dean, and the Office of Research Compliance Programs (ORCP) before the invitation is made to the visiting scholar/researcher ~~by completing a “Request to Invite an Unpaid Visiting Scholar/Researcher to Florida State University” form.~~

In the case where a non-faculty FSU administrator or staff member seeks to host a visiting scholar/researcher, the same policies will hold as for FSU faculty members.

In the event that the duration of the visit needs to be extended, hosts will follow the procedures given under Extension in the “FSU Procedures outlined for Inviting Unpaid seeking extension.

~~Visiting Courtesy Scholars/Researchers (<http://global.fsu.edu/Visiting-Scholars/FSU-Procedures-for-Inviting-an-Unpaid-Visiting-Scholar-Researcher>) Note that no extensions will be allowed for visiting scholars/scholars/researchers appointed as a Visiting Courtesy Undergraduate Research Assistant or as a Visiting Courtesy Researchers are limited to six months, unless an extension request (not to exceed six months) has been approved by the Visiting Scholars Oversight Committee.~~

Extensions beyond 12 months for Visiting Graduate Research Assistant-Researchers must be approved in a waiver prior to the visit and cannot exceed two years.

The inviting faculty member and department assume responsibility to ensure that J-1 visiting scholars follow all CGE requirements, including to attend the required CGE visiting scholar orientation within two weeks of arrival.

### **2. II D 2: FSU Department Chair/Director**

Prior to ~~an~~ invitation ~~of an unpaid~~ to a visiting scholar/researcher, the department chair/director must approve the host faculty member to supervise and collaborate with the visiting scholar/researcher. Potential visitors who do not have a host faculty member may not be invited to campus. The FSU department chair/director should also ensure that host faculty member has sufficient time within his/her assignment of duties to provide oversight of, and collaboration with, the visitor and that this assignment is documented in the faculty member's Assignment of Responsibilities (AOR). The department chair/director must also certify that adequate space and resources are available for the visiting scholar/researcher.

The department chair/director of the host faculty member must approve all invitations to visiting scholars/researchers, whether domestic or international, coming to campus to collaborate or conduct research or scholarly activities if the stay will exceed 14 calendar days.

**3. II D 3: FSU Academic Department Human Resources Representative**

The HR representative of the academic department hosting the visiting scholar/researcher (or the host faculty member) will collect all forms and appropriate documentation. This HR representative will prepare and process the criminal history background check questionnaire; the background check, if required; and the visiting ~~courtesy appointment~~ scholar/researcher appointment. Additionally, the HR representative will regularly monitor active Visiting Scholar appointments and terminate appointments in OMNI in a timely manner.

**II D 4: FSU Academic Dean:**

**4.**

The dean of the college of the host faculty member must approve all invitations for visiting scholars/researchers, whether domestic or international, coming to campus to collaborate or conduct research or scholarly activities if the stay will exceed 14 calendar days. The dean of the college is responsible for setting limits on the number of visiting scholars/researchers that a single faculty member can supervise at one time and limits on the number of visiting scholars/researchers that can be accepted in a given department.

**5. II D 5: FSU Office of Research Compliance Programs (ORCP)**

~~This office~~

The ORCP has responsibility to ensure compliance with federal, state, and other applicable policies related to research. These include the following.

- (a) Export Control: In accordance with FSU's Export Control Policy, the University will abide by the Export Control laws and regulations of the United States of America. If the visiting scholar/researcher is a non-U.S. person who will have access to FSU research laboratories or have access to or participation in any sponsored research, the FSU host faculty member must complete the Deemed Export Questionnaire- and other forms as required by the Office of Research Compliance Programs. In addition, the FSU host faculty member should be familiar with any applicable export control regulations regarding technology and

information transfer.

A U.S. person is defined as:

- A U.S. entity or a U.S. citizen,
- A person lawfully admitted for permanent residence in the United States (i.e., a green card holder), or
- A person who is a protected individual under the Immigration and Naturalization Act [8 U.S.C. § 1324b(a)(3)] (i.e., certain classes of asylees).

~~(b)-~~ Restricted Party Screening: Certain entities and individuals are subject to sanctions or other restrictions under U.S. law. These restrictions apply to both domestic and foreign entities and individuals, and may restrict FSU's ability to engage in a project, collaboration or other transaction with that entity or individual. The U.S. Government maintains several lists of entities and individuals that are also forbidden access to certain materials and data of U.S. origin. The reasons for these prohibitions can vary, but are generally due to national security concerns. FSU hosts foreign national visitors on campus for many reasons. For visitors that have the potential to access sensitive scientific information, the ORCP will verify that neither the visitor, nor their affiliated institution, is on any of the lists. If the visitor is on a list, the ORCP will work with the department to determine whether it is still possible to allow the visit and maintain compliance with U.S. laws. The resolution will vary depending on the nature of the visit and the applicable restrictions associated with the list. Based on information provided to the ORCP, a restricted-party screening will be conducted on all foreign and domestic ~~unpaid~~-visiting scholars/researchers who will collaborate or participate in University research, research training, or scholarly activities; and all visitors who are nationals/citizens of ~~Iran, Sudan, Syria, Cuba or North Korea~~ countries listed as State Sponsors of Terror regardless of length of stay and regardless of the activity in which they will be participating at FSU.

(c)- Additional Compliance Information: Additional information regarding visiting scholars/researchers associated with research and scholarly activities can be found on the ~~Research Compliance website~~. Research Compliance website.

## **6. II D 6: Visiting Scholar/Researcher**

All international and unpaid domestic ~~unpaid~~-visiting scholars/researchers appointees will be required to complete all necessary application forms and procedures, and to sign the "Unpaid-Visiting Scholar/Researcher Agreement" form agreement. This agreement will include terms and conditions regarding use of facilities, infrastructure and services, confidentiality, access to information and materials, intellectual property rights, insurance compliance (for J-1 visa holders), and agreement to follow all applicable policies, rules, and regulations ~~(see "Unpaid-Visiting Scholar/Researcher Agreement Form")~~.

All international visiting scholars/researchers' appointees in J-1 status will be required to arrange to attend the international visiting scholar orientation within two weeks of arrival.



## **II D 7: Short-term Visitors**

In the case of all international visitors coming to campus for fewer than 14 days, the sponsoring faculty member must fill out the “Short-term Visitor Form” and submit to the Office of Research Compliance Program as outlined in the Policy for Short-Term Visitors in Appendix Two.

### **7. II D 8: FSU Office of Human Resources**

The Office of Human Resources will ensure that all policies and practices related to criminal history background checks are completed if required. The cost of any background check conducted will be paid by the hosting department. Human Resources will also process all visiting scholar/researcher ~~courtesy~~ appointments upon receiving the required documentation and approvals, ensure records are entered and maintained in the university system, and monitor compliance with all applicable labor laws.

The Office of Human Resources and host department HR representative will ensure that the Foreign Government Talent Recruitment Program Form is completed as a part of an appointment for any visiting scholars.

### **8. II D 9: FSU Center for Global Engagement**

The FSU Center for Global Engagement will process the immigration documents necessary for foreign national visiting scholar/~~researcher~~ researchers to apply for a J-1 visa if required once all required documents, including have been submitted as outlined in the fully signed “Request to Invite an Unpaid “Visiting Scholar/Researcher” form, completed request for a DS-2019 form and proof of English Scholars Appointment Procedures” memo.  
proficiency, and a completed P-PAF for a visiting scholar/researcher ~~courtesy~~ appointment are received.

If the J-1 Advisor identifies language proficiency concerns during orientation sessions, this will be brought to the attention of the Visiting Scholars Oversight Committee.

### **9. II D 10: FSU Environmental Health and Safety Office**

The EH&S Office, upon notification from the host faculty member, will assist with acquisition of any required authorizations before work begins, provide any required training (including record keeping), and provide assistance and surveillance in order to ensure continued compliance with standard EH&S-related regulatory compliance rules, regulations and laws, to the same extent as would otherwise be routinely performed for the type of work being performed by the visiting scholar/researcher.

## II E OTHER MATTERS

### **10. II E 1 Bench Fees from Visiting Graduate Students Scholars**

~~Graduate students from another~~

Bench fee payments from visiting scholar/researcher courtesy appointees are not required at FSU. Some visiting scholars to FSU may have bench fee funds available to help offset the costs of hosting them at FSU and the costs of their specific research activities and may offer bench fees. Host units may also decide to require bench fees from visiting scholars.

These bench fee funds can be used to offset the costs of hosting the visiting scholar/researcher, including expenditures on materials, lab or facilities time, conference travel, or faculty and staff time.

FSU requires clear records of the source of bench fee funds, the amount of bench fee funds, any agreements made in conjunction with bench fees, and the use of bench payment fees by host units.

If bench fees are to be requested from or accepted from a visiting scholar, this must be indicated in the appropriate forms.

Any request for or agreement about bench fees must also be included in the letter of invitation to the visiting scholar.

If a request for bench fees to the visiting scholar changes after the university where request to invite form has been approved, a new "Request to Invite" form must be completed and approved with up-to-date and accurate information.

Under federal regulations, any new requirements or requests that visiting scholars provide bench fees cannot be made after the visiting scholar pays any federal visa fees.

Any bench fees payment will go into an appropriate account with the FSU Foundation, as outlined in the acknowledgement on the signature page of the "Request to Invite" form.

Any payments received must be processed as "non-gifts" through the FSU Foundation. The FSU Foundation policies and procedures on "non-gift" deposits must be followed. These policies and procedures are available at: <https://foundation.fsu.edu/forms-and-resources>.

Host faculty members/the Office of Research/FSU Foundation should also report any money received from foreign entities to appropriate university offices, as required by federal regulations on Foreign Gifts and Contracts.

If bench fee funds are to be accepted, appropriate forms and reporting are to be completed as outlined in the "Visiting Scholars Appointment Procedures" memo.

The “Visiting Scholars/Researchers: Bench Fees Payment Memo” must be completed within 30 days of the scholar’s arrival by the host faculty member and sent to the Chair/Director of host academic unit, and the Dean of the college or unit for approval and signature. The “Visiting Scholars/Researchers: Bench Fees Payment Memo” needs to be kept on file by the host faculty member and host department as would be the case with other financial records.

## **II E 2 Payments to Visiting Scholars**

Paid Visiting Scholars are invited by an FSU faculty member to conduct research or come to FSU to collaborate on research or scholarly activities at FSU, lecture, and who are not pursuing a degree program at FSU may/or observe (not stay identified through a search committee and not to fill a permanent, salaried FSU position) but will receive a part-time appointment from the FSU department. This appointment cannot be for more than 12 months. No extensions will be granted. half time (.5 FTE), unless the researcher is an international undergraduate student coming from outside the U.S. The minimum rate per hour must meet or exceed the rate for a comparable level of regular part-time appointment. This includes US citizens and US permanent residents as well as international visitors. Local domestic hires (live in the area and applied for a position at FSU) WOULD NOT be a Visiting Scholar).

### **11. Visiting Undergraduate Students**

Undergraduate students from another university who are invited to conduct research or scholarly activities at FSU, and who are not pursuing a degree program at FSU, may not stay for more than six months. No extensions will be granted.

### **12. Other Matters**

Unpaid generally considered to be visiting scholars/researchers are NOT volunteers. Volunteers are individuals that meet . The determination of the statutory definition of Volunteer contained in Section 110.501(1), Florida Statutes, [http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0110/Sections/0110.501.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0110/Sections/0110.501.html)). If application of this policy rests with the individual is a registered volunteer, meaning Visiting Scholar Oversight Committee, in consultation with the individual is providing goods or services of his/her own free, he/she will then be considered a volunteer and not an unpaid visiting scholar/researcher Office of Human Resources.

All visiting scholar appointments will be designated as such in the HR system. Departments must disclose the visiting scholar designation in the HR OMNI job offer when creating the appointment.

Adjunct teaching appointments for visiting scholars must match or exceed the comparable adjunct instructor rate for that academic unit.

Beginning and end dates must be included on all visiting scholar appointments.

### II E 3: Health Insurance

All visiting J-1 scholars/researchers coming to FSU will be required to show proof of purchase of required health insurance that covers the entire duration of the research visit and meets or exceeds Federal requirements for J-1 International Scholars prior to arrival at FSU (see procedures memo). Willfully misrepresenting insurance or cancelling an insurance plans requires termination of the J-1 status and the scholar's immediate departure from the U.S.

### II E 4: Worker's Compensation

Unpaid visiting scholars/researchers are not covered by FSU's Worker's Compensation Policy.

~~This policy does not apply to visiting students who come as part of such programs as the National Science Foundation sponsored Research Experiences for Undergraduates or similar undergraduate group programs supervised by faculty and staff for the summer or shorter visits.~~

~~All visiting J-1 scholars/researchers coming to FSU will be required to show proof upon check in at the Center for Global Engagement of health insurance that covers the entire duration of the research visit and meets or exceeds the following Federal requirements for J-1 International Scholars effective the date of this policy.~~

~~(a) — Underwriter is rated not less than A- by Best, ISI, or Fitch Ratings, Inc. or AA by S&P or B+ by Weiss, or A3 by Moody's Investor Services OR Policy is an employee group plan or HMO, OR Policy is backed by the full faith and credit of a foreign government; and includes medical benefits of at least \$100,000 per accident or illness; co-payment is 25 percent or less; deductible is \$500 or less per accident or illness; and the policy does not unreasonably exclude perils inherent to the visitor's program in the U.S.~~

~~(b). International visiting scholars/researchers are additionally required to have medical evacuation to home country provided in the amount of \$50,000 or greater and repatriation coverage of \$25,000 or greater.~~

### ~~D.~~ II F SUPPORTING DOCUMENTS

~~FSU Procedures for Inviting Unpaid~~

- ~~1.—The list of supporting documents is outlined in detail in the “Visiting Scholars Appointment Procedures” memo, to be maintained by the Visiting Scholars/Researchers~~
- ~~2.— FSU Form: Request to Invite an Unpaid Visiting Scholar/Researcher to Florida State University~~
- ~~3.— FSU Form: Deemed Export Questionnaire for Unpaid Oversight Committee and the Visiting Scholars/Researchers Procedures Subcommittee.~~
- ~~4.— FSU Form: Unpaid Visiting Scholar/Researcher Agreement~~
- ~~5.— FSU Form: Unpaid Visiting Scholar/Researcher Courtesy Appointment~~

## II G VISITING SCHOLAR OVERSIGHT COMMITTEE

The Visiting Scholar Oversight Committee will be responsible for the implementation and oversight of this policy, and other responsibilities as outlined in Appendix One.

## ~~III.~~ III LEGAL SUPPORT, JUSTIFICATION, AND REVIEW OF THIS POLICY

~~The Florida Constitution, Article IX, Section 7 provides that the Florida Board of Governors (BOG) shall establish the powers and duties of the individual Boards of Trustees (BOT), which are charged with governing the University. The BOG has enacted BOG Regulation 1.001 providing the individual BOTs with specific authorities with which to govern the 12 State Universities. The Florida State University BOT has, in turn, delegated certain governance functions by Resolution to the BOT Delegation to President of the University. The Florida State University Policy 2-1 establishes the University policy for development and approval of policies relevant to the University operation. Authority for academic affairs rests with the President Delegation to Provost/Executive Vice President for Academic Affairs and Provost.~~

Florida Constitution, Article IX, Section 7

BOG Regulation 1.001

BOT Delegation to President.

President Delegation to Provost

FSU Policy 2-1

FSU Policy 4-OP-C-7-B-11 CRIMINAL HISTORY BACKGROUND CHECK

~~A.~~

~~B.~~ The primary export control regulations are located in the Code of Federal Relations (15 CFR 730-774; 22 CFR 120-130; and 31 CFR 500-598C. 6 CFR 27.230 the Chemical Facility Anti-Terrorism Standard, Risk Based Performance Standards-). Item 12 deals specifically with Personnel Surety:

Perform appropriate background checks on and ensure appropriate credentials for facility personnel, and as appropriate, for unescorted visitors with access to restricted areas or critical assets, including,

- (i) Measures designed to verify and validate identity;
- (ii) Measures designed to check criminal history;
- (iii) Measures designed to verify and validate legal authorization to work; and
- (iv) Measures designed to identify people with terrorist ties;

~~C. Florida State University Policy~~

~~4-OP-C-7-B-11 CRIMINAL HISTORY BACKGROUND CHECKS~~

## Other Federal Regulations

For visitors of up to six months, the Federal Exchange Visitors Program in the Code of Federal Regulations (Title 22, Part 62, Subpart B, 62.21), states:

§ 62.21 Short-term scholars.

(a)Introduction. Lecture, observe, consult, and to participate in seminars, workshops, conferences, study tours, professional meetings, or similar types of educational and professional activities.

(b)Purpose. The Exchange Visitor Program promotes the interchange of knowledge and skills among foreign and American scholars. It does so by providing foreign scholars the opportunity to exchange ideas with their American colleagues, participate in educational and professional programs, confer on common problems and projects, and promote professional relationships and communications.

(c) The Department of State may, in its sole discretion, designate bona fide programs which offer foreign nationals the opportunity to engage in short-term visits for the purpose of lecturing, observing, consulting, training, or demonstrating special skills at research institutions, museums, libraries, post-secondary accredited educational institutions, or similar types of institutions.

<https://ecfr.io/Title-22/pt22.1.62#se22.1.62> 121

For professors and visiting scholars, the Federal Exchange Visitors Program in the Code of Federal Regulations (Title 22, Part 62, Subpart B, 62.20), states:

b) Purpose. The purpose of the Exchange Visitor Program, in part, is to foster the exchange of ideas between Americans and foreign nationals and to stimulate international collaborative teaching, lecturing and research efforts. The exchange of professors and research scholars promotes the exchange of ideas, research, mutual enrichment, and linkages between research and educational institutions in the United States and foreign countries. It does so by providing foreign professors and research scholars the opportunity to engage in research, teaching and lecturing with their American colleagues, to participate actively in cross-cultural activities with Americans, and ultimately to share with their countrymen their experiences and increased knowledge of the United States and their substantive fields.

(c) Designation. The Department of State may, in its sole discretion, designate bona fide exchange visitor programs, which offer foreign nationals the opportunity to engage in research, teaching, lecturing, observing, or consulting at research institutions, corporate research facilities, museums, libraries, post-secondary accredited educational institutions, or similar types of institutions in the United States.

(d) Visitor eligibility. An individual may be selected for participation in the Exchange Visitor Program as a professor or research scholar subject to the following conditions:

(1) The participant must not be a candidate for a tenure track position.

<https://ecfr.io/Title-22/pt22.1.62#se22.1.62> 120

**Review**

This policy shall be reviewed by the Assistant Provost, International Initiatives, every seven years for its effectiveness. The Assistant Provost, International Initiatives, shall make recommendations to the Provost/Executive Vice President for Academic Affairs, for any modification or elimination. The Vice President for Faculty Development and Advancement, Vice President for Research, Vice President for Student Affairs, and Vice President for Finance and Administration or designees shall be responsible for reviewing may also review the provisions of this policy and ~~for making~~ suggest any needed changes to the Provost/Executive Vice President for Academic Affairs.

**Signature**

\_\_\_\_\_  
Provost and Executive Vice-President for Academic Affairs

\_\_\_\_\_

## **Appendix One:**

### **Visiting Scholar Oversight Committee**

#### **Membership:**

Members are appointed for one year terms by the Provost/ Executive Vice President for Academic Affairs, in consultation with the Vice President for Faculty Development -and Advancement, Vice President for Research, Vice President for Student Affairs, and Vice President for Finance and Administration.

Members will include representatives from the following units:

Office of Research

Office of Human Resources

Faculty Member

Director, CGE (Co-chair)

Visiting Scholar Visa Officer/Advisor, CGE (ex-officio)

Assistant Provost, International Initiatives (Co-Chair)

#### **Background and Context:**

The visiting scholar/researcher program offers an opportunity to foster the exchange of ideas between Americans and foreign nationals by working together for a defined period of time on research or creative projects. The university supports faculty members who seek to enhance research collaborations by hosting research colleagues on campus by providing multiple services to support the program, including:

Review of research partners and plans to ensure compliance with FSU, state, and federal laws and policies by the Office of Research;

DS-2019 issuance for Visiting Scholars coming to FSU as J-1 Exchange Visitors by the Center for Global Engagement to facilitate entry to the country in compliance with federal regulations.

Courtesy or paid appointments by Human Resources as scholars/researchers to allow visitors to gain access to campus facilities and services as appropriate, while ensuring health and safety.

The visiting scholar/researcher program is distinct from other ways in which we invite and incorporate non-faculty into campus research programs, including programs such as post-doctoral fellows, graduate students, OPS workers, or new faculty.

The goals, policies, and procedures for the visiting scholars/researchers program advances the mission of the university by supporting outreach and excellence in research and creative pursuits,



and by enhancing our faculty members' research capabilities and impact:

"Florida State University preserves, expands, and disseminates knowledge in the sciences, technology, arts, humanities, and professions, while embracing a philosophy of learning strongly rooted in the traditions of the liberal arts. The university is dedicated to excellence in teaching, research, creative endeavors, and service. The university strives to instill the strength, skill, and character essential for lifelong learning, personal responsibility, and sustained achievement within a community that fosters free inquiry and embraces diversity."

The FSU policy on visiting scholars is published at [policies.fsu.edu](http://policies.fsu.edu). This includes detailed outlines of policies and procedures.

<https://regulations.fsu.edu/sites/g/files/imported/storage/original/application/6c60d4d2cd86fd76e65232cf6e8dc829.pdf>

The FSU policies and procedures for faculty to apply to host a visiting scholar are published at: <https://fda.fsu.edu/faculty-employment/appointments/procedures-for-inviting-an-unpaid-visiting-scholar-researcher>

Orientation sessions for incoming visiting scholars are held on a regular basis by the Center for Global Engagement.

### **Visiting Scholar Oversight Committee Responsibilities**

1/ Provide ongoing oversight and direction for the visiting scholar/researcher program, including reviewing an annual listing/report of scholars.

Review the number of scholars received, purposes of visits, any reports of outputs from collaborations

2/ Ensure the quality and integrity of the visiting scholar/researcher program at Florida State University, and that it is serving university goals.

Identify how the activities described in the annual listing/report are serving to advance the research and creative mission of the university.

3/ Serve as a forum to receive and consider concerns from staff, faculty, and visiting scholars about policies, procedures, and specific visiting scholar invitations and performance.

Any concerns identified by staff, faculty, or visiting scholars can be discussed by the committee, with decisions and recommendations as appropriate.

4/ Review senior scholar applications for language proficiency following FSU Language Proficiency Procedures, March 2019:

In very limited cases, where the prospective EV is a senior faculty member or professional who is well-established in the academic or professional field and has demonstrated extensive use of spoken and written English, the inviting faculty member should provide a signed statement on their FSU department's letterhead attesting to the scholar's English proficiency. This should include a comprehensive list of the visitor's publications and presentations that were published or presented in English with links when available along with the prospective EV's CV for review by the Visiting Scholar Committee. If the documentation is not sufficient, the visitor will be required to submit one of the above alternative forms of documentation.

5/ Publicize the research and creative accomplishments of collaborations among FSU faculty and visiting scholars/researchers.

Identify possible story ideas for colleges and the Internationalization Communication and Outreach Working Group. Send notes of thanks to faculty hosts.

6/ Provide advice and recommendations on policies, procedures, strategic priorities, and directions for the visiting scholar/researcher program.

Undertake at any time or on an annual basis a review to determine if any revisions to goals, policies, or procedures are needed.

Make recommendations to the appropriate parties, such as the Provost, Dean of Faculty Development and Advancement, Vice-President for Research, Center for Global Engagement/Vice-President for Student Affairs, Office of Human Resources/Vice-President for Finance and Administration.

7/ Establishment of a Visiting Scholars Procedures Subcommittee to implement procedures for HR representatives in academic department regarding completion of required forms and use of online process and maintaining the "Visiting Scholars Appointment Procedures" memo.

Procedures of different offices will be coordinated by this subcommittee.

Members will be appointed by the Visiting Scholars Oversight Committee for terms of one year.

A "Visiting Scholars Appointment Procedures" memo will be maintained and updated by the Visiting Scholars Procedures Subcommittee and approved annually or as needed by the Visiting Scholars Oversight Committee.

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#### **Visiting Scholar Oversight Committee Procedures:**

The Visiting Scholar Committee will meet at least twice per year to review items in its areas of

responsibility.

Items may be reviewed and discussed by the committee between face-to-face meetings by e-mail and/or a secure organizational web site, and these will be formally noted in the agenda and approved minutes of the bi-annual committee meetings.

The Visiting Scholar Oversight Committee will prepare an agenda and record approved minutes to note discussions and approvals at each of its bi-annual meetings.

The standing agenda for each committee meeting will include the following:

Call to order/attendance

Approval of Agenda

Approval of Minutes

Review of annual report on visiting scholars; number, projects, faculty hosts, service to university goals

Review of quality and integrity of the visiting scholar/researcher program at Florida State University, and that it is serving university goals.

Review concerns from staff, faculty, and visiting scholars about policies, procedures, and specific visiting scholar invitations and performance.

Provide advice and recommendations on directions, strategic priorities, and directions for the visiting scholar/researcher program to appropriate Vice-Presidents and the Provost.

Receive updates and advice from the Visiting Scholars Procedures Subcommittee; review and approve revisions Visiting Scholars Appointment Procedures memo.

Any other issue concerning international academic exchange agreements.

Adjourn.

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## Appendix Two:

### FSU Policy 3A-101 Short-term International Visitor Registration

[https://regulations.fsu.edu/sites/g/files/upcbnu486/files/policies/fda/FSU%20Policy%203A-101\\_20200305.pdf](https://regulations.fsu.edu/sites/g/files/upcbnu486/files/policies/fda/FSU%20Policy%203A-101_20200305.pdf)

#### 3A-101 SHORT-TERM INTERNATIONAL VISITOR REGISTRATION POLICY

Responsible Executive: Vice President for Faculty Development and Advancement

Approving Official: Vice President for Faculty Development and Advancement

Effective Date: March 5, 2020

Revision History: New

#### I.INTRODUCTION

For a variety of security and health and safety reasons, Florida State University is gathering information in order to track short-term international visitors that come to campus for purposes such as research collaboration, observing, training, etc. This policy is designed to supplement Florida State University Policy 3A-100, Visiting Scholar/Researcher Policy, and to cover visiting researchers who will be at FSU for fourteen days or less. It does not apply to:

- short-term visitors with U. S. ~~citizenship~~ citizenship or permanent residency status.
- visitors staying for more than fourteen days (who fall under Florida State University Policy 3A-100, Visiting Scholar/Researcher Policy).
- visitors coming to campus as part of an organized university event, e.g. to attend a conference or give a talk.

#### II.POLICY

The hosting FSU employee of a short-term international visitor must submit the following information to the Office of Research Compliance Programs (ORCP), at [research-compliance@fsu.edu](mailto:research-compliance@fsu.edu), located within the Office of the Vice President for Research, at least two weeks before the visit.

- 1.Name of visitor
- 2.Country of citizenship
- 3.Home address
- 4.Affiliation (school, government, etc.)
- 5.Name of faculty host
- 6.Host's department or unit
- 7.Purpose of visit
- 8.Dates of visit

In the majority of cases, this registration will be sufficient. ORCP may occasionally contact faculty sponsors to ask for further information.

/s/ Dr. Janet Kistner [Proof of approval retained in file]

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