

RADFORD UNIVERSITY

Center for
Global Education and
Engagement

SPONSORING SHORT-TERM INTERNATIONAL VISITORS:

(Non J-1 visa)

DEPARTMENTAL GUIDELINES

- **Purpose**
- **Allowable Activities for Short-Term International Visitors**
- **Allowable Payments**
- **Considerations for Hosting an International Visitor**
- **Overview of Requirements**
- **Review Process**
- **Invitation Letters and Process**
- **Observing the Procedure**
- **Appendix**

Purpose:

Radford University welcomes visitors from around the world to our campus to engage with our students, faculty, staff and community in a broad range of activities. Radford University values the unique contributions these visitors make to our community of learners, and the cultural learning opportunities and experiences arising as a result of this engagement. While not all activities are appropriate for every visa status, there is almost always an appropriate visa category available to facilitate visits to our campus.

The purpose of this guide is to provide persons or departments interested in inviting foreign national visitors to Radford University, with a clear understanding of appropriate activities for the visitor whose visa is not directly sponsored by Radford University but rather for hosting persons in B-1/B-2 status or Visa Waiver Program who are not directly “sponsored” by Radford University. (i.e. “Sponsored by Radford University” would include only those visitors in J-1 Exchange Visitor Program as Scholars, Researchers, Teachers for six months or longer.) This guide will explain the process for requesting to host the individual and guidance to issue letters of invitations for these non-sponsored international visitors. This guide will help identify appropriate visa status, what the CGEE office can do to assist you, and the process to host a short- term international visitor from point of invitation to the visitor’s departure from our campus.

This guide does NOT address the process for bringing J-1 Exchange Scholars/Professors or the hiring of international faculty or adjuncts sponsored by Radford University. For hiring international individuals, please contact the Office of Human Resources. For J-1 Scholar engagements, please refer to the Center for Global Education and Engagement guidelines for *J-1 Exchange Visitor Scholar Program: Sponsoring International Scholars*.

Allowable Activities for Short-Term International Visitors:

Usual academic activity, as defined by U.S. Department of Homeland Security laws and regulations (8 CFR 214.8), includes but is not limited to lecturing, teaching, consulting, attending meetings, performing, or otherwise sharing knowledge, experience, or skills in master classes, readings, and performances when the audience is composed of non-paying students and/or open to the general public and general admission tickets to the public have not been sold.

Persons coming to Radford University to engage in independent (i.e., non-collaborative) research, who will receive no salary or income from a U.S. source and whose research will not benefit a U.S. institution, may remain at Radford University in B-1 visa status for up to 30 calendar days (cumulative). For those coming to engage in collaborative or other types of research, a J-1 visa is likely the most appropriate status. Please contact the Center for Global Education and Engagement for further information.

Types of Allowable Academic Activities include, but are not limited to:

Lecturer/Speaker or Guest Teacher

International visitors coming to Radford University to deliver a lecture(s), speech(s) or guest teach may do so in B-1 visa or Waiver Business (WB) status, following the regulation set forth by the Department of Homeland Security and U.S. Department of State. These regulations state that such persons may remain at Radford University in such status for up to 30 cumulative calendar days (UNLESS the visitor will receive an honorarium, in which case s/he may only remain at Radford University for 9 calendar days). These visitors may not receive income from a U.S. based source other than travel reimbursement for expenses incidental to their visit. It is, however, permissible for the visitor to receive an honorarium from institutions of higher education, affiliated or non-profit entities and non-profit government research institutions **if** the following criteria is true: Visitors may receive honorarium as long as the visitor's activities last no longer than 9 calendar days at any single institution or organization AND the visitor may not have accepted such payment or expenses from more than five institutions or organizations over the last six months.

Negotiations, Consultations, Conferences

Persons coming to Radford University to consult with associates, or participate in educational, scientific, professional or business conventions, conferences, festivals or seminars may do so in B-1 status for up to 30 days (cumulative). These visitors may receive no salary or income from a U.S. based company or entity. Reimbursement of expenses may be allowed.

Allowable Payments:

Honorarium: Visitors may receive honorarium as long as the visitor's activities last no longer than 9 calendar days at any single institution or organization AND the visitor may not have accepted such payment or expenses from more than five institutions or organizations over the last six months.

As defined in 8 CFR 214.8 of the U.S. Department of Homeland Security, an *Academic Honorarium* is a gratuitous payment of money or other thing of value to a person for the person's participation in a usual academic activity for which no fee is legally required. Generally, the value of an honorarium may be of any dollar amount with no minimum or maximum dollar amount required, as distinguished from set compensation (i.e. salary) for services rendered on a continuing basis.

Travel Reimbursement: Visitors may receive travel reimbursement for allowable expenses such as travel, lodging and meals, if the department chooses to do so. All reimbursements will require supporting documentation (ie. Flight receipts, hotel receipts/invoices, and possibly meals and incidentals).

Departments offering honorarium payments or travel reimbursement to visitors should contact the Tax Compliance Manager at 540-831-7020.

Considerations for Hosting an International Visitor

It is important to note that responsibility for hosting an international visitor is held by the university department, entity or individual issuing the invitation. Prior to issuing a letter of invitation, departments should be aware that pre and post arrival responsibilities are also involved. Hosting an international visitor may include such responsibilities as providing office space, obtaining RU ID for access to facilities and technology, assistance with temporary lodging/housing, facilitating any payments of honoraria, stipend or reimbursement of expenses allowed for the specific visa holder, and orientation to the university, department and community. A *Department Checklist: Sponsoring Short-Term International Visitors*, is attached in the appendix of this document.

The Center for Global Education and Engagement can provide information pertaining to immigration restrictions for paying an international visitor based on the intended visa classification for entry to the United States, as well as offer suggestions for general orientation materials. A *Visa Instruction* form is attached in the Appendix of this document, and is to be provided by the department/entity, along with the invitation letter, to the international visitor.

Please note there are persons and institutions/entities throughout the world that are not allowed to enter the United States, accessing certain sensitive technologies in the U.S. or visiting certain laboratories. Those seeking to invite visitors to Radford University should be sure they know who is requesting the invitation. Some of the people/entities prohibited from accessing entry are known to "fish" for invitations.

In addition, there are implications for protection of Radford University intellectual property. Please see the [Research Compliance Office](#).

Overview of Requirements

An international short-term visitor is any foreign national coming to Radford University to engage in lecturing, presenting, demonstrating, and other academic engagements, whose visa is not directly sponsored by Radford University. This does not apply to permanent residents (green card holders), DACA individuals (Dream Act), or U.S. Citizens.

All short-term international visitors whose visa is not directly sponsored by Radford University must be reviewed by the inviting department's Chairperson, Dean, Center for Global Education and Engagement Director, Associate Vice-Provost and Provost regardless of whether payment will be made. The same documentation is required for international visitors whose visa IS directly sponsored by Radford University's J-1 Exchange Visitor Program. The proposed short-term international visitor will either need an invitation letter to support their application for a visa, or the visitor will already have a visa.

The visitor's proposed activities must meet the activity criteria outlined above. The CGEE Director and Provost has the final authority to determine whether a visitor's proposed activities meet the criteria and is approved to engage in activities at Radford University.

Visitors wishing to engage in activity resulting in salary or income should likely be in H-1B or J-1 visa status. Please contact the Human Resources Office for hiring international employees and the H-1B process. Please contact the Center for Global Education and Engagement further information on the J-1 Exchange Visitor Program visa classification.

If a department is paying the international visitor a travel reimbursement or honorarium, the visitor must be in B-1 or WB status and you must contact both the Center for Global Education and Engagement and Rhonda Mah, the International Tax Compliance Officer (rmah@radford.edu). For visitors wishing to engage in these activities more frequently than outlined above, a J-1 visa is likely the more appropriate visa. Please contact the CGEE for further information on the J-1 Exchange Program.

Review Process

To initiate the required review process, please complete the "*Short-Term International Visitor Information Form*", including the department chair and dean signatures, along with the visitor's CV, to the Center for Global Education and Engagement Director. For groups of individuals who will be participating in the same activities, the form should be completed for each individual.

Invitation Letters and Process

Upon approval, the inviting department is responsible for issuing invitation letters to the short-term international visitor(s). A sample template for the invitation letter is attached in the *Appendix* of this document.

After the required export and activities review is completed, and approvals are obtained as evidenced by signature on the Short-Term International Visitor Information Form, the CGEE will notify the inviting department of final approval. The department may then issue the invitation letter, and send the visitor pre-arrival and visa information details. A copy of the invitation letter sent via email to the CGEE Director is appreciated.

Observing the Procedure

Short-Term International Visitors found to be on campus who have not adhered to the procedures outlined in this guide are not permitted to participate in any university scholastic programs. The Assistant Provost for Academic Programs and Center for Global Education and Engagement will have the authority to deviate from these guidelines, subject to applicable laws and restrictions, on a case- by-case basis.

APPENDIX I

DEPARTMENT CHECKLIST

SPONSORING SHORT-TERM INTERNATIONAL SCHOLARS

PRE-ARRIVAL:

_____Identify Department Contact: Identify the individual(s) departmental sponsor who will work with the scholar to facilitate all aspects of the program.

_____Agreement: Create an agreement specifying duties and responsibilities of Radford University and the scholar.

_____Travel Authorization: If Radford University is making payment or reimbursement of expenses, a travel authorization form must be completed. See travel procedures at:

_____Radford University paperwork, as set forth in the “Sponsoring Short-Term International Visitors: Departmental Guidelines”. Biographical information for the visitor and departmental information is required on the Short-Term International Visitor Information form.

_____Arrange Payments to Scholars, if applicable: Contact Rhonda Mah (rmah@radford.edu) regarding contracts and tax implications for payments made to the intending short-term international scholar.

_____Logistical arrangements: Departments are responsible for providing assistance for housing, RU ID cards and access to facilities, and other logistical concerns set forth in the Departmental Guidelines. Contact the CGEE for further information.

POST-ARRIVAL FOR ALL SCHOLARS:

_____Radford University ID Card – Obtain RU ID card and any spouse/dependent ID cards, if needed. Heth Hall, first floor.

_____Radford University Parking – register vehicle and obtain visitor parking tag, if needed. Heth Hall, first floor.

_____Online Accounts – Activate Radford University computing account or guest account, if needed. If needed, contact the IT Help Desk, Heth Hall.

_____Departmental/Campus Orientation – Secure and acclimate to office or work space allocations, university guidelines, campus tour, and introductions to community, as needed.

APPENDIX II

SHORT-TERM INTERNATIONAL VISITOR INFORMATION

Please answer each item. All information is required by the U.S. government for completion of certain immigration documents, or university processes. Please type fill-in fields, print, then send for approval signatures as described.

International individuals coming to Radford University's campus require an appropriate visa in order to receive payment from RU or engage in activities of the university. In some cases, the Center for Global Education and Engagement must issue the necessary immigration document for the individual to obtain a visa. **Please submit the following information at least three months in advance of the proposed visit.**

International Visitor Information

LAST NAME: _____ FIRST NAME: _____ MIDDLE NAME: _____
PREFERRED MAILING ADDRESS _____

DATE OF BIRTH Month: _____ Day: _____ Year: _____

CITY OF BIRTH _____ COUNTRY OF BIRTH _____

COUNTRY OF LEGAL PERMANENT RESIDENCE: _____ CITIZENSHIP: _____

GENDER: _____ Male; _____ Female PHONE NUMBER: _____

EMAIL ADDRESS: _____ @ _____

EMERGENCY CONTACT _____
(Name) (Phone)

OCCUPATION _____

DATES OF INTENDED VISIT TO RADFORD UNIVERSITY: _____

INTENDED DATES OF TRAVEL to R.U. _____

Other than vacation, if you had any previous stay in the United States, please complete the following:

Visa Type: F-1; _____ J-1; _____ Other, please specify _____

Dates of Previous stay in the United States: Month: _____ Day _____ Year _____ until Month: _____
Day _____ Year _____.

Accompanying Dependents, if any

LAST NAME: _____ FIRST NAME: _____ MIDDLE NAME: _____

DATE OF BIRTH Month: _____ Day: _____ Year: _____

CITY OF BIRTH _____ COUNTRY OF BIRTH _____

I hereby grant permission for the department and the Center for Global Education and Engagement to begin the process of inviting an international visitor to Radford University, as specified herein, to perform services for the university for the duration of time and the detailed amount of payment.

Name _____	_____	_____
Department Chair	Signature	Date
Name _____	_____	_____
Dean	Signature	Date
Name _____	_____	_____
Associate Vice-Provost, Academic Programs	Signature	Date
Name _____	_____	_____
Provost	Signature	Date
Name _____	_____	_____
Assistant Provost, Center for Global Education and Engagement	Signature	Date

Please return to Center for Global Education and Engagement, P.O. Box 7002 after all except final signature has been obtained. Director of CGEE will sign and processing of necessary immigration documents for the visitor will begin at that time.

APPENDIX III

VISA INSTRUCTIONS

Most visitors should apply for a B-1/B-2 visitor visa at the U.S. Embassy/Consulate in order to enter the U.S. as a Business/Tourist visitor. Please review the Department of State website (<http://tinyurl.com/b1b2visa>) for more information on this type of visa. The length of a visitor's initial permission to stay in B-1/B-2 visa the U.S. is determined by the officer at the port of entry.

Some individuals may be eligible to enter the U.S. on the Visa Waiver Program (WT) instead. The Visa Waiver Program allows visitors from certain countries to visit the U.S. for pleasure or business up to 90 days without a visa. For a complete list of participating countries, please visit the department of State website (http://travel.state.gov/visa/temp/witout/without_1990.html#countries). Visitors must also meet certain requirements to participate in the program. Eligible visitors do not need to visit a U.S. Consulate or apply for a visa prior to visiting the U.S. Visa waiver travelers will instead be required to register their travel plans in the ESTA (Electronic System for Travel Authorization) a minimum of 72 hours prior to departure for the U.S.

Individuals on the Visa Waiver Program are not eligible to change status, nor may they apply for an extension of their stay beyond 90 days. Individuals who previously experienced visa denials or who believe they may be ineligible for a visa should contact their local U.S. Embassy or Consulate prior to attempting travel on the Visa Waiver Program.

Visitors should be aware that precise entry and exit information will be kept electronically. This means anyone who "overstays" his or her visit in the U.S. will have that information immediately and permanently available to immigration officers. If visitors come in B-1 or B-2 status, or the Visa Waiver Program, remember they are only allowed to be in the U.S. until a specific date which is stamped in the passport upon entering the U.S. If the visitor does not leave by that date, they will be considered an "overstay". Consequences of overstaying a visit to the U.S. may vary from a "review with immigration officials to removal from the United States or even a bar from future entry, depending on individual circumstances.

APPENDIX VI

SAMPLE INVITATION LETTER

DATE _____

VISITOR'S NAME

VISITOR'S TITLE

VISITOR'S

INSTITUTION

VISITOR'S ADDRESS

Dear VISITOR TITLE/NAME,

It is my pleasure to invite you to visit Radford University on **DATES**. During your stay here you will be hosted by Radford University **RADFORD HOST NAME(S)/TITLE(S), DEPARTMENT(S)**.

The purpose of this visit is **PURPOSE**. During your visit to Radford University, you will **ACTIVITIES VISITOR WILL ENGAGE IN**.

I understand that during your stay in the United States, **VISITOR'S FINANCIALLY RESPONSIBLE PARTY** will be financially responsible for all medical insurance and medical expenses, including emergency expenses, as well as **ALL OTHER EXPENSES VISITOR IS RESPONSIBLE FOR (i.e. HOUSING, MEALS, TRANSPORTATION, COMPUTER & SUPPLIES, ETC)**. This invitation does not constitute any financial obligation on the part of **RADFORD UNIVERSITY HOST NAME(S)**, Radford University, or its affiliated centers/departments during your stay in the U.S. other than **RADFORD UNIVERSITY FINANCIAL OBLIGATIONS (i.e. HONORARIUM, REIMBURSEMENT OF EXPENSES, OFFICE SPACE, ETC)**.

We wish you a pleasant and productive visit to Radford University. Please contact me with any questions or for additional information.

Sincerely,

HOST NAME/TITLE/DEPARTMENT

APPENDIX IV

SHORT-TERM INTERNATIONAL VISITOR AGREEMENT

This agreement, effective as of _____ (date), is by and between **Radford University**, a state agency and educational institution of the Commonwealth of Virginia, with Center for Global Education and Engagement office located at 105 Cook Hall, Jefferson Street, Radford, VA 24142 (hereinafter “University”) and _____.

WHEREAS, _____ desires to utilize existing expertise, facilities and equipment at the University to _____ (conduct research, teach, lecture, or other purposes); and

WHEREAS, the collaboration described in this agreement is consistent with and mutually beneficial to the educational and scientific purposes of the parties; and

WHEREAS, the purpose of this agreement is to establish terms and conditions under which the University will allow _____ to use University’s facilities and perform activities described herein.

NOW THEREFORE, the parties agree as follows:

1. The period of this agreement is from the effective date of _____ through _____, unless terminated earlier by either party by written notice.
2. The University authorizes _____ to use facilities of the university to perform said activities detailed above.
3. The principal technical contract at the University shall be _____ and the principle administrative and/or contractual contact for the University shall be the Director of the Center for Global Education and Engagement.
4. The services to be provided by the University and the technical scope of the activities of the International Visitor at the University, including any materials that the International Visitor may bring to the University, are described in attachment A of this agreement.
5. During the terms of this agreement, it will be appropriate and necessary for the International Visitor to have access to certain University technical expertise, materials and equipment. Unless informed otherwise, the parties agree that the project, its related data and information, the results of the project, and the University expertise shall not be considered confidential information. In the event that either party anticipates any disclosure of confidential information, the parties shall enter into a confidential disclosure agreement prior to such disclosure.
6. The Short-Term International Visitor remains and employee of _____ and is not employed by Radford University. The University will not provide compensation in any form other than potential honorarium to the International Visitor. The International Visitor is responsible for any travel costs to and from the University. In addition, the International Visitor understands that the University will not make any employer contributions to retirement, Workers compensation, or any other funds on

behalf of the international visitor, nor will the university provide the international visitor with health, life or other insurance.

7. Any creative ideas, developments, products, and inventions, whether patentable or not developed or conceived during performance of the project shall be the property of the creating party's institution. The parties agree to promptly disclose all such ideas, developments and inventions to the other party. In the event a party determines that these matters are of sufficient importance to merit patent, copyright, or other legal protections, the parties will cooperate fully, as may be requested, in the prosecution of such matters. The International Visitor agrees to grant the University a royalty free non-exclusive perpetual license to use any intellectual property created by the International Visitor for noncommercial and educational purposes.
8. The University acknowledges that the International Visitor is coming to the University from _____ and participates in any on-going research. The University will not claim any interest in any technology or materials, including any materials that the International Visitor may bring to the University. Further, the University acknowledges that it will not claim any interest in products that the International Visitor conceived, generated or reduced for practice prior to the period of the agreement and/or which do not involve the use of information of materials provided by the University. _____ represents and warrants that the International Visitor has full rights to any materials that may be brought to use at the University.
9. Neither party will use the name of the other party in any advertising or make any form of representation or statement in relation to the activities undertaken which would constitute an express or implied endorsement of any commercial product or service without first having obtained written permission of the other party.
10. The International Visitor agrees to be bound by all University policies and procedures, and by applicable state and federal rules and regulations pertaining to the use of University facilities and to the conduct of the project under this agreement. The International Visitor agrees to the full extent allowed by law that the University shall not be liable under any circumstances for injury or damage done or suffered to the Visiting Scholar's person or property while on the University premises, and the International Visitor shall assume all risk of such injury or damage while on the University premises, to the extent not covered by the state torts act.
11. This agreement shall be governed by and interpreted in accordance with the laws of the Commonwealth of Virginia, without giving effect to principles of conflict of law.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed and delivered as of the dates shown below.

RADFORD UNIVERSITY:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: Assistant Provost, CGEE

Date: _____

Date: _____

INTERNATIONAL VISITOR'S ACCEPTANCE: I have read and understand this agreement, and agree to perform my obligations as an International Visitor at Radford University under this agreement.

By: _____ (International Visitor)

Print Name: _____

Date: _____

ATTACHMENT A:

Description of the technical scope of activities of the Visiting Scholar/International Visitor at Radford University, including a list of any materials that the Visiting Scholar/International Visitor may bring to the University includes: