

## INTERNATIONAL FACULTY & SCHOLARS

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# Guidelines for Applying for Permanent Residency

International Faculty & Scholars (IFS) assists University of Arizona departments that wish to support eligible foreign nationals (FNs) in the **employment-based permanent residency (PR)** process.

U.S. Citizenship and Immigration Services (USCIS) provides several categories under which an individual may be sponsored for permanent residency. The two categories used by IFS for University of Arizona employees are:

- **Outstanding Professor or Researcher**, and
- **Optional Recruitment** (formerly known as *Special Handling*)

### Eligibility Requirements for Departmental Sponsorship

To support an FN for permanent residency in either of the above categories, **all of the following criteria must be met:**

- The position must be **full-time**
- The FN must have **no plans to cease employment** while the PR petition is pending
- The position must be **permanent in nature**

USCIS defines a *permanent position* as one that is **tenured, tenure-track, or for an indefinite or unlimited duration**, where the employee has a reasonable expectation of continued employment unless there is good cause for termination.

*Permanent does not mean employment for life.*

The sponsoring department must submit a **Department Letter of Support** (template available from IFS) confirming the permanent nature of the position.

### Non-Permanent Positions

Departments wishing to sponsor FNs who **do not hold permanent positions** with the University of Arizona must do so through **one (1) of the University's approved outside immigration attorneys**.

- These cases must be handled **entirely by outside counsel**
- Costs may be paid by either the **department or the individual**
- **Only UA-approved attorneys** are authorized to represent the University of Arizona in immigration matters
- IFS and individual departments **may not sign documents prepared by unauthorized attorneys**

Please contact IFS for a list of **approved immigration attorneys**.

## **Timing and Deadlines for Initiating the PR Process**

To ensure compliance with USCIS deadlines, departments should initiate the PR process as follows:

### **Optional Recruitment (Special Handling)**

- Immediately upon the faculty start date, but
- **No later than eighteen (6) months** from the date the selection committee chose the FN for the position

### **Outstanding Professor or Researcher**

- After **three (3) years post-Ph.D.**, and
- After completion of one (1) full year in H-1B status, but
- No later than the beginning of the FN's fifth year in H-1B status

**Example:** If an FN's H-1B status began on March 1, 2005, the PR process should begin no earlier than March 1, 2006, and no later than March 1, 2010.

## **Determining the Appropriate PR Category**

To determine which permanent residency category is most appropriate, departments or beneficiaries should contact IFS via email and include:

- An **updated CV**, and
- A **Google Scholar report**, <https://scholar.google.com/>

## **Important Disclaimer**

IFS facilitates the preparation and submission of employment-based PR petitions but **cannot guarantee approval**. All petitions are adjudicated by USCIS, and outcomes are determined solely by the agency.



# Outstanding Professor/Researcher (OPR)

Use this checklist to determine whether a foreign national (FN) may qualify for **employment-based permanent residency** under the **Outstanding Professor/Researcher (OPR)** category.

## 1. Permanent Employment Requirement

**Is the position permanent in nature?**

USCIS requires the position to be **permanent**, defined as:

*Tenured, tenure-track, or for an indefinite or unlimited duration, with an expectation of continued employment unless there is good cause for termination.*

*Permanent does not mean employment for life.*

Department can provide a **Department Letter of Support** confirming the permanent nature of the position (IFS template required)

## 2. Required Experience in the Academic Field

FN has **at least three (3) calendar years** of experience in **teaching and/or research** in the academic field.

**Notes on qualifying experience:**

- Teaching and/or research conducted while working toward an **advanced degree** may count **only if**:
  - The degree was completed, **and**
  - Teaching involved **full responsibility** for the course, **or**
  - Research has been **recognized as outstanding** in the academic field.

FN can **document** three (3) or more calendar years of qualifying experience.

**Documentation requirements:**

- Letters from **current and/or former employers**.
- Letters must include:
  - Writer's **name, title, and institutional address**
  - **Specific description of duties performed**
  - Dates of employment or engagement

## 3. International Recognition as Outstanding

FN can demonstrate **international recognition** as outstanding in the academic field by meeting **at least two (2) of the six (6) criteria** below:

- 1) **Major prizes or awards** for outstanding achievement (*e.g., Nobel Prize or comparable field-recognized awards*).
- 2) **Membership** in associations that require outstanding achievements for admission.
- 3) **Published material written by others** about the FN's work. Must include title, author, publication date, and English translation if applicable.
- 4) **Participation as a judge of the work of others** – e.g., peer review of articles, serving as a referee, panel reviewer
- 5) **Original scientific or scholarly research contributions** - Typically supported by **6–10 international expert letters** attesting to originality and impact.
- 6) **Authorship of scholarly books or articles** in internationally peer-reviewed journals. Excerpts and English translations required, if applicable.

#### 4. Next Steps

Department/Employer contacts International Faculty & Scholars (IFS) to confirm eligibility and consult on the appropriate path forward.

Foreign National (FN) provides:

- An updated CV, and
- **Google Scholar profile/report** (<https://scholar.google.com>)

IFS will review materials, set-up a meeting (if needed) and advise whether the case may proceed under the Outstanding Professor/Researcher (OPR) category.

#### ***Important Reminders:***

1. Meeting these criteria **does not guarantee USCIS approval**
2. Final adjudication is determined solely by **USCIS**



# Outstanding Professor/Researcher (OPR) Checklist.

## Immigration Documents (Beneficiary)

All documents must be **clear and legible**. Any document not in English **must include a certified English translation**. Evidence submitted without translation **will not included**.

- Copies of **I-94** (front and back, if applicable),
- **All passport pages**,
- **Visa stamp(s)**,
- **All prior approval notices** (e.g., I-797s).

## Departmental Support

### ☐ Department Letter of Support

- Must confirm the **permanent nature of the position**.
- IFS template required.

## Education & Credentials

### ☐ Degree documentation

- Must be the **degree required for the position** and the **highest/most recent degree**
- Degree must have been completed **at the time of offer**, unless otherwise stated in the job advertisement
- Diploma must list the **specific subject area**  
→ If not, include **official transcripts**

### ☐ Certified English translations, if applicable

### ☐ Professional credential evaluation

- Required if degree was awarded **outside the United States**.
- Must state the **U.S. degree equivalency**.

## Curriculum Vitae & Experience

### ☐ Curriculum Vitae (CV)

- Spell out all titles, degrees, and terms in full.
- No abbreviations.

### ☐ Experience letters documenting at least three (3) calendar years of teaching and/or research

- Letters from current and/or former employers.
- Must include writer's **name, title, institutional address**, dates, and **specific duties performed**.
- *No template provided*

## **Evidence of International Recognition**

*(Must satisfy at least two (2) of the six (6) USCIS criteria)*

### ☐ **International expert letters (6–10 required)**

- Experts must be **international (not domestic)**.
- Original, signed letters on institutional letterhead.
- Include **CVs of all experts**.
- Templates are **not provided** and letters should not mirror one another.

### ☐ **Authorship of books or scholarly journal articles**

- Copies of:
  1. Publication cover
  2. First three (3) and last three (3) pages
  3. Highlight your name wherever it appears
- Include journal information:
  - Peer-review status
  - International circulation
  - Publication frequency
  - **Impact factor(s)**

### ☐ **Published material written by others about you** *(Same document requirements as authorship evidence)*

### ☐ **Citations to your work**

- Same documentation requirements as authorship evidence
- *Note: Citations alone do not satisfy any single USCIS criterion*

### ☐ **Participation as a judge of the work of others**

- Evidence must show **actual service** (reviewer, referee, judge)
- Invitations alone are **not sufficient**
- Highlight your name wherever it appears

### ☐ **Memberships in professional associations**

- Copies of membership cards and/or proof of dues
- Information on:
  - Selection criteria
  - Membership tiers or categories
  - Outstanding achievement requirements

### ☐ **Awards or major prizes**

- Copies of awards/prizes
- Information about the awarding organization
- Highlight your name wherever it appears

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## Important Reminders

- ☐ Translations are required for all non-English materials.
- ☐ Meeting the criteria **does not guarantee USCIS approval.**
- ☐ Final adjudication is determined solely by **USCIS.**

## Filing Forms & Fees

- ☐ Form(s) **I-140, I-907** (*Premium processing*)
- ☐ USCIS filing fee: **\$700**
- ☐ USCIS Premium Processing fee: **\$2,805** (*Optional*)
- ☐ IFS fee: **\$6,000**

- IB (Internal Billing), or bank check/money order payable to “**The University of Arizona**”
- *No personal checks accepted*

- ☐ IFS Premium Processing fee: **\$350**

- IB (Internal Billing), or bank check/money order payable to “**The University of Arizona**”
- *No personal checks accepted*

## Optional Recruitment (OR) / Special Handling

Optional Recruitment (formerly Special Handling) is one avenue for employment-based Permanent Residency (PR) available to colleges and universities. Eligibility is governed by federal regulation, and all requirements must be met, there are no exceptions.

This category allows a university to proceed with labor certification when the foreign national (FN) was selected as the best qualified candidate through a competitive recruitment process.

**Eligibility Requirements:** *(All must be met)*

### ☐ Classroom Teaching Requirement

- Employee must engage in **actual classroom teaching**.
- No minimum percentage of teaching time required.

### ☐ Qualifying Recruitment Advertisement

- Position was advertised in a **national, professional, printed publication**.
- A **copy of all printed advertisements** must be available.

The advertisement **must include** all of the following:

- ☐ Employer name and **campus location**.
- ☐ **Specific job title(s)** (Assistant, Associate, Full Professor).
- ☐ **Detailed duties** for each title if multiple titles are listed.
- ☐ **All minimum requirements** - If non-Ph.D. candidates were considered, the ad must include language such as:
  - “ABD considered,” or
  - “Degree must be completed by start date”

### ☐ Application instructions (method by which applicants could apply)

### ☐ Publication Information

- Name of the publication and **date(s) of publication** must be visible.
- May appear on the ad itself or on the journal cover/page.

### ☐ Selection Timing Requirement

- The employee must have been **selected** for the position **within the past 18 months**.
- This is the date the **search committee selected the candidate**, **not** the offer letter date.



## Initial Documentation:

- ☐ National **print** journal advertisement, including journal name and date of publication.
- ☐ Letter from Search Committee Chair stating the date Beneficiary was selected for teaching position pursuant to a competitive recruitment and selection process. The date of selection is not the date on the letter of offer.

## Department Documentation:

Upload all of the following documentation together to [MyGlobal](#).

- Two (2) Notice of Labor Certification Postings. Posted for ten (10) consecutive business days. Both originals must be retained by IFS. *\*IFS will provide the postings via MyGlobal request portal.*
- Verification of Notice of Labor Certification Posting
- Letter/Report from the Search Committee Chair outlining the recruitment and selection process\*, including:
  1. Composition of search committee;
  2. How applications were solicited (journal ad, UArizona website, internal postings);
  3. Description of competitive selection process, indicating:
    - a. total number of applicants and
    - b. screening process: advertising, interviewing, etc. and
    - c. elimination process describing why beneficiary is more qualified than each US worker who was available, able and willing to accept the job
  4. Statement of beneficiary's classroom teaching responsibilities; and
  5. Detailed statement attesting to the degree of the beneficiary's qualifications and achievement emphasizing that the beneficiary was more qualified than any US workers who applied for the position.
- Candidate referral form (usually an excel document) or other similar departmental form prepared for Affirmative Action.
- Copy of the online UArizona human resources posting and any other "in-house" media used by department to advertise position.
- Form 9089 to be completed with beneficiary. Template provided through MyGlobal, online portal.

## Department fees:

- ☐ **\$6,000.** eDOC. Labor Certification costs, i.e., IFS fee **must** be paid by the department. *This fee is due upon acceptance of the case/request.*
- ☐ DOL Fee: DOL does not currently charge a fee for submitting a LC. However, a fee is expected to be assessed in the future, Part 2 the I-140.

Once all required documentation has been compiled, the Application for Permanent Employment Certification (PERM) will be submitted to the U.S. Department of Labor (DOL) through the FLAG system (Foreign Labor Application Gateway). Processing times are estimates only and are not guaranteed; certification is currently estimated to take 6+ months from the date of submission. Upon certification, International Faculty & Scholars (IFS) will follow up with the foreign national and the sponsoring department to collect the required documentation and prepare the Form I-140 immigrant petition for submission to USCIS.

**\*\*Recruitment Report for Retention** template, edit as needed and print on department letterhead\*\*

[Date]

United States Department of Labor  
Atlanta National Processing Center  
Harris Tower, Room 233  
233 Peachtree Street, N.E., Suite 410  
Atlanta, GA 30303

Dear Certifying Officer:

**RE:** Application for Permanent Labor Certification (Optional Recruitment)

This letter is submitted in support of **Dr. [Beneficiary Full Name]**'s application for **permanent labor certification**. The **University of Arizona, [Department Name]**, selected Dr. **[Last Name]**, a citizen of **[Country of Citizenship]**, on **[month/day/year]** for the position of **[Official University Title]**, as Dr. **[Last Name]** was determined to be **more qualified than any U.S. workers** who were available, able, and willing to accept the position.

### **I. Composition of the Search Committee**

[Describe the search committee composition, including the number of members, titles/roles, departments or disciplines represented, and any relevant expertise.]

### **II. Recruitment and Solicitation of Applications**

Applications for the **[position title]** were solicited through the following methods:

- Advertisement placed in **[name of national, professional, printed publication]**
- Posting on **[name of website, if applicable]**
- Direct outreach, including letters or notices sent to **[relevant programs, professional organizations, or academic leaders]**

These recruitment efforts were conducted in accordance with university and federal recruitment requirements.

### **III. Competitive Selection Process**

A total of **[number]** completed applications were received and reviewed for **one (1)** available position.

Applications were evaluated based on the **advertised minimum and preferred qualifications**. The search committee conducted an initial screening of all applicants, resulting in:

- **[number]** applicants recommended for interview, and
- **[number]** applicants eliminated from further consideration.

Dr. **[Beneficiary Name]** was interviewed **[in person/virtually]**, after which an offer of employment was extended.

Dr. **[Last Name]** was ranked **first** among all applicants for the following reasons:

[Provide a detailed explanation comparing the beneficiary's qualifications to those of U.S. workers, clearly explaining why the beneficiary was more qualified than each U.S. applicant who met the minimum requirements.]

These qualifications and achievements demonstrate that Dr. [Last Name] is particularly well suited for the [teaching position/faculty role] in the [Department Name].

#### IV. Classroom Teaching Responsibilities

[Provide a clear statement describing the beneficiary's classroom teaching responsibilities, including courses taught, level (undergraduate/graduate), and role in instruction.]

#### V. Beneficiary's Qualifications and Achievements

[Provide a detailed statement attesting to the beneficiary's academic credentials, teaching experience, research accomplishments, and overall qualifications, emphasizing why the beneficiary is more qualified than any U.S. worker who applied for the position.]

If additional information is required, please do not hesitate to contact me.

Sincerely,

[Signature]

[Name]

Chair, Search Committee

[Department Name]

University of Arizona

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#### Internal IFS Notes (optional – not part of the letter)

- Must clearly state “**more qualified than any U.S. workers**”.
- Selection date must be **within 18 months** of filing.
- Teaching duties must be explicit.
- Letter must align with **advertisement language** and recruitment record.

## Part 2: I-140 Optional Recruitment (Labor Certification) Checklist

Once the Department of Labor (DOL) certifies the Labor Certification (LC) application, International Faculty & Scholars (IFS) will file **Form I-140** with U.S. Citizenship and Immigration Services (USCIS) on behalf of the foreign national (FN).

USCIS has indicated that it may impose a **forty-five (45) day filing window** following labor certification. It is **critical** that all required documentation be provided to IFS **immediately upon LC certification** to ensure timely filing.

- Form I-140. Portions related to you, not The University of Arizona.
- USCIS fee: **\$700**. *\*USCIS no longer accepts paper checks of any kind.*
- USCIS Premium Processing fee: **\$2,805**. *\*USCIS no longer accepts paper checks of any kind.*
- IFS Premium Processing fee: **\$350**. Interdepartmental Billing (IB)/eDoc, or bank check/money order made payable to “The University of Arizona.” *No personal checks.*
- Must be the degree *required for the position* and the most recent/highest level degree. Must have the required degree at the time of offer if no mention was made in the advertisement of a different time. Must state specific subject area on diploma; if not, include a copy of transcripts. If not in English, must have a certified translation.  
  
*\*If your degree was awarded by an educational institution outside of the United States, you MUST submit a professional credential evaluation stating the U.S. equivalent of your degree.*
- Copy of Curriculum Vitae.
- Copies of Immigration Documents (Passport, Visa, Approval Notices, & copies of back and front of I-94).

Once all of the required documentation has been compiled, your EB-2 Petition will be submitted to USCIS for adjudication. You will receive tracking notification when the application is sent and when it is received by USCIS. Email notification from IFS will be sent as soon as any physical notices have arrived.

Visit <https://egov.uscis.gov> to check case status.

To view USCIS’s current processing times visit: <https://egov.uscis.gov/processing-times/>

### Questions?

AZ International – International Faculty & Scholars

email: [uaifs@arizona.edu](mailto:uaifs@arizona.edu)

website: <https://international.arizona.edu/ifs>



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