



Procedure for Sponsorship of Faculty Member for Permanent Residency

Recent changes in immigration law require an employing institution to cover a portion of attorney fees associated with an employee's application for permanent residency. Since any legal fees paid by the College of Charleston require approval by the Attorney General of South Carolina before any commitment is made for such payment, the following procedure must be followed by any faculty member and Department Chair as part of the application for permanent residency.

The Chair, in consultation with the faculty member and/or dean, will determine the most appropriate time for the submission of an application for permanent residency. The first stage in the process, filing the Application for Permanent Labor Certification ([ETA Form 9089](#)), is significantly simpler if the application is submitted within 18 months of the date of hire, and a chair should consider this in deciding when to request sponsorship.

Before any consultation with outside counsel, the Chair must formally request that the College of Charleston sponsor the application of the faculty member for permanent residency. This written request should describe the history of the faculty member's employment at the College of Charleston as well as visa status and any associated deadlines. The Chair will submit the request for sponsorship to the Dean, who then forwards the request to Academic Affairs with a statement about whether he or she supports the sponsorship. Upon approval of the request by the Provost, the Chair and faculty member will consult with Legal Affairs to determine how to proceed with the application, including the determination of any outside counsel to represent the College in this matter.

The Office of Academic Affairs will cover costs (both attorney fees and filing fees) associated with both the Application for Permanent Labor Certification ([ETA Form 9089](#)) and the [Form I-140](#) (Immigrant Petition for Alien Worker). The faculty member is responsible for the costs (both attorney fees and filing fees) associated with the I-485 adjustment of status application for permanent residence.