

## Advertising, Interviewing and Hiring International Faculty

The International Students and Scholars' Office, Scholar Services (ISS) group, coordinates all Purdue-sponsored employment-based immigration processes for international faculty, staff and scholars. This page discusses three elements related to searches for new faculty: advertising, interviewing and hiring. Please contact the ISS liaison for your department/unit if you have any questions.

### (1) ADVERTISING FOR INTERNATIONAL TEACHING FACULTY

It is a condition of tenure that international faculty must pursue permanent residence. U.S. law creates a "special" (shortcut) permanent residence process for college and university teachers, which is more time and cost-effective than the "regular" permanent residence process otherwise available to highly skilled professionals. The "legal" papertrail for the permanent residence process begins with the advertisement(s) placed as part of the search for teaching faculty. To qualify for the "special" permanent residence process, the advertisement(s) must satisfy the above-listed elements. Doing so saves Departments *money and time*.

The Advertisements must:

- Be in a "National Journal"
  - The print or electronic edition of
  - A national *journal* (publishing both research and industry news)
  - For not less than thirty-day listing
- Be a full ad
  - Cannot be a pointer ad directing candidates to another location to review the opportunity
  - Pointer ads may be used *in addition to* a main national journal ad  
*But if multiple ads formats exist, they cannot disagree with each other about the core requirements.*
- Include
  - The Job Title(s) for which the institution is hiring
    - Multiple job titles may be included in one ad
    - Permissible to state "rank dependent on qualifications"
  - Job Duties
    - "Teaching" must be a listed job duty
    - The "special" permanent residence process is available only to college/university teachers. If the search is not for a teaching role, then the special procedure does not apply and the "special" advertising criteria do not apply.*
  - Job Requirements
    - Experience, if required, should be quantified
      - The candidate must document satisfaction of any experience requirement listed
    - Education
      - Degree level and field must be stated
      - Include "or related" to allow maximum flexibility
      - If ABD is acceptable for faculty, specifically state that
    - Preferences are considered to be requirements, and might result in the Department of Labor requiring a higher wage to be paid. Accordingly:
      - Do not avoid listing preferences, but be thoughtful about which preferences are listed
      - Consider whether it is possible for ONE candidate to satisfy all the requirements and preferences.
    - Specify the deadline by which each requirement must be satisfied. Without stated deadlines, the law assumes requirements must be fully satisfied by the date of *selection*
- Be accessible
  - The ad must be viewable without the payment of a subscription and/or membership charge
- Be documented
  - ISS must receive a print-copy of *all* advertisements, as well as confirmation of the start and end dates of each
  - ISS recommends also retaining:
    - A *receipt* for publication in the national journal, and
    - A "Proof of Publication" from the publisher of the national journal confirming the ad ran for 30 days
  - Beginning Fall 2017, ISS will contact Search Committee Chairs *directly* for information about why a given International Candidate was selected. If there is a better person to provide this information, please notify your Department Liaison.  
<http://www.iss.purdue.edu/IntraPurdue/ISSLiaisons/>



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## FREQUENTLY ASKED QUESTIONS ABOUT ADVERTISING FOR INTERNATIONAL TEACHING FACULTY

**Q1.** *Don't the advertising requirements discriminate against international candidates?*

**A.** No. The criteria apply only if (1) an international candidate is hired *and* (2) permanent residence will be sponsored through the "shortcut" special procedure available for university teaching roles. It is not discriminatory to place conditions on a benefit.

**Q2.** *Does this create two standards when searching for new faculty: the "normal" standard and the "international" standard?*

**A.** No. Search committees ought not to know whether a candidate is US or international until the offer is made and accepted. If at the start of a search it seems likely that an international candidate will be selected, then it is more cost- and time-effective to adopt an approach to the search effort that accommodates the unique "rules" listed above.

**Q3.** *What happens if the Department does not follow the above-listed recommendations for advertising?*

**A.** By following the guidelines above, the international faculty member should be eligible for the "special" shortcut permanent residence (PR) process. If the above guidelines are not followed *at all* and an international candidate is selected, an alternative PR process will need to be chosen. However, not all faculty will qualify for all of the alternative categories. Depending on which alternative PR process is chosen, the Department's cost also might double.

**Q4.** *Is there an "approved" list of National Journals?*

**A.** No. The Chronicle of Higher Education is the only publication specifically acknowledged by extensive caselaw to be acceptable. In general, forums or publications that do not publish both research and industry news will not be considered "journals". Please contact International Scholar Services if you have questions about a specific publication or online forum.

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## (2) INTERVIEWING

**Certain international candidates for employment with Purdue must undergo "restricted party screening" prior to being interviewed on campus.** This rule applies only to certain candidates who require a formal invitation (letter or email) from Purdue specifically for either a visa application or physical admission to the U.S. If a candidate requests such a formal document *and* the candidate appears to be "from" Syria, North Korea, Iran and Sudan (based on information directly listed in the CV or other documents provided to the Department), *then* screening is required. Departments need not (and should not) request or review additional documents or information to make this determination. Contact your ISS Liaison before issuing an invitation.

**Why?** Some research at Purdue is subject to Export Control regulations (U.S. Federal law) which ensure that certain items, technology, software or information is not available to or accessed by countries, institutions, or individuals for which the U.S. government has concerns. Failure to comply with export control regulations could result in fines up to \$1M and criminal charges against the organization and/or responsible individuals. For information regarding Export Control regulations, contact [exportcontrols@purdue.edu](mailto:exportcontrols@purdue.edu). For information on the screening process itself, contact your ISS liaison or [intlscholars@purdue.edu](mailto:intlscholars@purdue.edu).

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## (3) HIRING

**Contact your ISS liaison when hiring an international candidate**, even if immigration sponsorship by Purdue does not seem necessary. Examples include international candidates who have independent work authorization (EAC or EAD), or who are Canadian and thus seem eligible to work in TN (NAFTA) status.

**Why?** TN status, and other sponsorships, are not always as simple as they appear to be. Involving ISS helps to protect you, your department, and Purdue from unintended oversights and ensures the candidate's transition to the U.S. occurs without incident.

## Resources

International Scholar Services provides more information and resources relating to the immigration-based rules relating to searching, interviewing and hiring international teaching faculty (and teaching staff) on its Sharepoint site. To access these resources go to:

- Purdue's ISS website at <http://www.iss.purdue.edu/>
- Click on "International Faculty Staff and Scholars"
- Click on "IntlScholars Sharepoint"
- Click on "International Faculty Searches"

