

U. green card policies not in step with other schools

By: Michelle Walbaum / University Editor

The Daily Targum

Posted: 1/25/08

<http://media.www.dailytargum.com>

From the home page of the Daily Targum, enter search term(s) from the title of this article to locate it on their website.

After his green card application was denied, Associate Research Professor Maxim Gorbunov spent a month in Russia and then the rest of a year in Canada. But Rutgers University, Gorbunov's employer, couldn't vouch for him when he applied for a green card in 2002.

"Rutgers terminated my contract," he said. "Basically, within one day, I lost my job."

It's much easier for immigrant faculty members to receive green card status if they have the institution that they work for as their sponsor.

The University, as a general rule, can't sponsor employees who are not tenured or not on their way to a tenured position.

Gorbunov's department at the University was supportive. They appealed directly to the University and managed to bring him back from Canada by filing another type of petition to extend his visa.

Generally, there are few exceptions, said Executive Vice President for Academic Affairs Philip J. Furmanski through e-mail correspondence.

Furmanski said the reason for the University policy is the obligation that comes with taking on an employee at financial risk.

"If, for example, they are being paid on a grant and the grant terminated ... the University would be responsible for supporting them," he said. "That means we would need to pay their salary and benefits from state funds or student tuition, and it would be inappropriate to do either. It would be the same as if you co-signed a loan for a car for a friend or coworker. If they lost the ability to pay the loan, you would be responsible. As a state university, we can't take on such obligations."

But the University lies in contrast to some other public universities who sponsor non-tenured employees - as listed in their policy - as long as the academic departments in which they work have the funds available to support the person for a good number of years.

Pennsylvania State University will sponsor faculty all the way down to research associate positions, as long as they have secure funding for three years, according to the International Programs Web site. They must also be currently teaching, said Michele Barosh, the assistant manager of International Scholars and Faculty Visa Services of Penn State.

Other state universities that will provide support for faculty - provided they stay for multiple years - include Iowa State University, University of Colorado at Boulder, University of Illinois, Ohio State University and New York University, according to their Web sites.

Some well-known private schools are more lenient as well.

Cornell University sponsors all academic positions, as long as they aren't completely transient positions like a "visiting" professor, or a post-doctorate student, said Laura Taylor, the associate director of the International Students and Scholars Office.

In addition to the schools who put it into practice, Gorbunov also said federal regulations do allow faculty who will continue to receive funding independent of the university to be labeled as "permanent" members of the faculty, regardless of if they're on their way to a tenured position or not, according to the U.S. Citizenship and Immigration Service handbook. If they're labeled as permanent, then by the University's definition, they could be eligible to be sponsored for a green card.

Because Gorbunov has funds independent of the University-he has a grant from the U.S. Department of Defense-he might have been considered a permanent faculty member at another school. As a permanent faculty member, he would have been sponsored for a green card. But that's not the case. Gorbunov began his grant research at Rutgers.