



UNIVERSITY of
LOUISIANA
L A F A Y E T T E

POLICY FOR HIRING RESEARCH AND RESEARCH-RELATED SUPPORT POSITIONS

Policy # HR.0010.1

Responsible Executive:
Vice President for Administration and
Finance

Responsible Office: Human Resources

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I. Policy Statement

The University of Louisiana at Lafayette (“University”) will conduct its hiring of Research and Research-Related Support Positions, including graduate students in research fields, in compliance with the Higher Education Foreign Security Act of 2022 (“HEFSA”) (La. R.S. §17:1826.1-17:1826.4). Specifically, La. R.S. §17:1826.3 requires that all applicants seeking employment in a Research or Research-Related Support Position, or applying as a graduate student for a Research or Research-Related Support Position, or for a position as a Visiting Researcher will be screened for affiliation with Foreign Adversary countries. All University faculty, staff, and students will be required to comply with University requirements and Federal laws and regulations concerning Foreign Adversaries.

The University embraces the power of collaboration in research efforts and recognizes that partnering with our colleagues from across the globe leads to impactful research. As such, the University will continue to welcome our global colleagues while implementing this Policy to meet the requirements of HEFSA.

II. Purpose of Policy

The purpose of this Policy is to establish compliance with HEFSA, which requires the screening of Research or Research-Related Support Positions, or applying as a graduate students for a Research or Research-Related Support Positions, or for a positions as a Visiting Researchers **prior** to an offer of employment.

A. HEFSA

HEFSA requires the University to have oversight and transparency with respect to affiliations with Foreign Adversary countries. This Policy supports the University’s compliance with HEFSA’s requirements surrounding the screening of foreign researchers.

Screening foreign researchers according to HEFSA is intended to raise awareness about possible risks when hiring individuals affiliated with Foreign Adversary countries and to protect the University, its personnel, and their respective intellectual property. For example, the Policy will assist the University with gathering information important for export control compliance, to allow licenses to be obtained for foreign researchers to work on projects where technology could have dual use in military and everyday applications, where equipment used in a project is controlled by export control regulations, etc.

HEFSA may impact potential University students and/or employees in the following scenarios:

1. Visiting Researcher who is affiliated with a Foreign Adversary country;
2. Potential graduate student who attended an institution in a Foreign Adversary country; or
3. New faculty hire with affiliations in a Foreign Adversary country.

B. Screening Foreign Researchers

All individuals seeking employment at the University in a Research or Research-Related Support Position, as a Visiting Scholar, or as a graduate student for a Research or Research-Related Support Position will be screened by the University prior to offer of employment or issuance of visa in order to determine whether any of the following apply:

1. The individual is a citizen of a foreign country and not a permanent resident of the United States.
2. The individual is a citizen or permanent resident of the United States who has any affiliation with an institution or program with a Foreign Adversary.
3. The individual has at least one (1) year of prior employment or training in a Foreign Adversary country, except for employment or training by an agency of the United States government.

III. Applicability

This Policy applies to all current faculty and staff advertising for positions and processing applicants to Research or Research-Related Support Positions for Employees or graduate students. It also applies to all individuals applying for Research or Research-Related Support Positions, graduate students applying for Research or Research-related Support Positions, and Visiting Researchers.

IV. Definitions

1. **Contract**: is any agreement for the acquisition by purchase, lease, or barter of property or services by a foreign source for the direct benefit or use of any of the parties, and any purchase, lease, or barter of property or services from a Foreign Adversary.
2. **Foreign Adversary**: is any Foreign Government or foreign non-government person determined by the United States secretary of commerce to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons as listed in 15 C.F.R. § 7.4 (Determination of Foreign Adversaries, as amended or renumbered).
3. **Foreign Government**: is the government of any country, nation, or group of nations, or any province or other political subdivision of any country or nation, other than the government of the

United States and its states or political subdivisions, including any agent of the Foreign Government.

4. **Foreign Source**: are any of the following:
 - a) A Foreign Government or an agency of a Foreign Government.
 - b) A legal entity, governmental or otherwise, created solely under the laws of a foreign state or states.
 - c) An individual who is not a citizen of the United States or of a territory or protectorate of the United States.
 - d) An agent, including a subsidiary or an affiliate of a foreign legal entity, acting on behalf of any source defined in (a), (b), or (c).
5. **Gift**: as defined by HEFSA, is any Contract, gift, grant, endowment, award, scholarship, or donation of money or property of any kind, or any combination thereof, including a conditional or unconditional Pledge of a Contract, gift, grant, endowment, award, scholarship, or donation.
6. **Pledge**: is a promise, agreement, or an expressed intention to give a thing of value.
7. **Research Position**: is any individual in a principal investigator or co-principal investigator role funded by Gifts, grants, or Contracts.
8. **Research-Related Support Position**: is any individual in a research support role funded by Gifts, grants, or Contracts (e.g., graduate research assistant, research technician, post-doctoral fellow, research scientist, etc.).
9. **Visiting Researcher**: is a scholar from another institution who is temporarily employed by the University to teach, lecture, or perform research on a topic for which the visitor is valued.

V. Policy Procedure

A. **Screening Process**

Every individual seeking employment at the University in a Research or Research-Related Support Position, as a Visiting Researcher, or as a graduate student for a Research or Research-Related Support Position is required to provide the following **prior** to being offered a position:

1. A complete resume and/or curriculum vitae (“CV”);
2. A copy of form DS-160 (as applicable for foreign applicants);
3. A copy of passport (as applicable for foreign applicants); and
4. Complete and submit the Research and Research Support Screening Form 2023-2024.

B. **Resume and/or CV Requirements**

Each individual seeking employment at the University in a Research or Research-Related Support Position, as a Visiting Researcher, or as a graduate student for a Research or Research-Related Support Position is required to provide the following within their resumes and/or CV:

1. Every institution of higher education attended;
2. Employment history since the individual's eighteenth (18) birthday;
3. A list of all published material for which the individual received credit as an author, researcher, or as a significant contributor to the research, writing, or editorial support;
4. A list of individual's current and pending research funding and its amount, from any source, including individual's role on the project and a brief description of the research;
5. A full disclosure of noninstitutional professional activities, including any affiliation with an institution or program in a foreign Adversary Country;
6. Conflicts of interest; and
7. Places of residence since the individual's eighteenth (18) birthday.

C. Licenses

All affiliations submitted by an individual will be screened for restricted parties in accordance with the University's Export Control Policy and screened for Foreign Adversary countries. If concerning affiliations are noted or if an individual will be working in an area of research that would require a license from the Bureau of Industry and Security, Directorate of Defense Trade Controls, or the Office of Foreign Asset Control, the individual will be notified that licenses, which can take up to six (6) months to be granted, may be needed in order for them work on the designated research or participate in the indicated research program. If the individual is willing to wait for the license determination, the Office of Research Integrity ("ORI") will work with other University units (e.g., hosting department, etc.) and the individual to gather the needed information for the license application and file the application on behalf of the University. Results of the license request will be shared with the appropriate offices (i.e., hosting department, HR, the Graduate School, and the Office of Global Engagement) who will communicate with the individual.

D. Research-Related Support Position Information Verification

For Research-Related Support Positions only, upon submission of the requisite documentation noted in Section V.A. herein, HR and ORI will collaborate to review all documentation.

HR will verify each individual's information by performing the following:

1. Contacting employers from the previous ten (10) years to verify employment; and
2. Contacting all institutions of higher education attended to verify enrollment and educational progress.

ORI will assess foreign affiliations (i.e., coauthors and institutions within the last two (2) years) for concerns by:

1. Searching public databases (e.g., Google Scholar, LinkedIn, PubMed, Research Gate, Scopus, and additional databases can be found at [Smithsonian Databases for Science Research](#));
2. Searching public conflict of interest records (e.g., eRA Commons FCOI reports or ProPublica – Dollars for Profs (last updated in December 2019)) to identify any research publication or presentation that may have been omitted from the individual's submission;

3. Searching public listings of individuals subject to sanctions or restrictions under federal or state law; and
4. Requesting further investigation, including but not limited to a second background check performed by the Federal Bureau of Investigation, the Louisiana State Police, or any other qualified local law enforcement agency, if any of the individual's information provided on the online non-immigrant visa application Form DS-160 raises any security concerns for the institution about the individual's relationship with a Foreign Adversary; and

E. Risk-Based Assessment

In making hiring determinations of individuals seeking employment at the University in a Research or Research-Related Support Position, as a Visiting Researcher, or as a graduate student for a Research or Research-Related Support Position, HR and ORI, after consultation with and advice from the hiring supervisor, shall approve each individual for hire based on a risk-based determination considering the nature of the research and the background and ongoing affiliations of the individual.

VI. Enforcement

The Vice President for Administration and Finance is responsible for enforcement of this Policy.

Violations of this Policy will be reviewed by the Chief Human Resources Officer & EEOC Officer, and the University's legal counsel to determine the appropriate action.

A. Employee Sanctions

Failure to comply with this Policy and/or failure to disclose foreign affiliations may result in no offer of position being made or sanctions which may include, but not be limited to, disciplinary action up to termination of employment, as may be determined by the Vice President that an individual reports to upon the recommendation of the Office of Human Resources.

B. Student Sanctions

Failure to comply with this Policy and/or failure to disclose foreign affiliations may result in no offer of position being made or sanctions which may include, but not be limited to, disciplinary action up to expulsion, as may be determined by Student Rights and Responsibilities upon the recommendation of the Dean of the Graduate School.

VII. Policy Management

Upon adoption, the Vice President for Administration and Finance shall be the Responsible Executive for this Policy in charge of the management of this Policy. The Chief Human Resources Officer & EEOC Officer is the Responsible Officer for this Policy. Human Resources is the Responsible Office for this Policy.

VIII. Exclusions

This Policy shall not apply to existing employees or graduate research assistants transferring to a new project, or persons being hired into non-Research or non-Research-Related Support Positions.

IX. Effective Date

This Policy shall be effective as of July 1, 2023.

X. Adoption

This Policy is hereby adopted on this 9/7/2023.

DocuSigned by:

Joseph Savoie

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Dr. E. Joseph Savoie
President

XI. Appendices, References and Related Materials

- ✦ [Smithsonian Databases for Science Research](#)
- ✦ [Research and Research Support Screening Form 2023-2024](#)
- ✦ [Export Control Policy](#)
- ✦ [UL Lafayette Code of Conduct and Ethical Behavior Policy](#)

XII. Revision History

- ✦ Original adoption date: 9/7/2023.