




FLORIDA STATE UNIVERSITY  
OFFICE OF COMPLIANCE AND ETHICS

November 2, 2022

MEMORANDUM

TO: Academic Deans and Chairs

FROM: Robyn Blank   
Chief Compliance and Ethics Officer

RE: Guidance on Hiring of Foreign Workers (HB 7017)

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This memo updates previous guidance on HB 7017 screenings dated March 11, 2022, and is intended to provide information about the revised list of visitors, researchers, and employees who are required to undergo additional employment screening in accordance with 2021 House Bill 7017, codified at s. 1010.35, Florida Statutes. Thank you for all your efforts to this point in furtherance of our compliance obligations.

1. For What Position is the Person Being Considered?  
FSU has updated the list of job codes to now include tenure track hires with start dates on or after January 1, 2023. Please refer to the updated Job Code List attached. All candidates for positions in these job codes must be screened if they meet the criteria in 2a or 2b, below.

If you have made an offer to a faculty candidate prior to receipt of this memo and are unsure if they have been screened, please contact me at your earliest convenience.

2. Which Candidates are Subject to Screening?
  - a. Citizen of a foreign country (any country that is not the U.S.)
  - b. U.S. citizen or permanent resident (green card holder) who has a year or more of employment or training in a country of concern (China, Cuba, Iran, North Korea, Russia, Syria, Venezuela)

3. When Must Screening Occur?  
You may conduct interviews and have preliminary discussions about a job or visiting opportunity before the screening. Please discuss with serious international candidates the requirements of the statute and request that they begin document collection and outreach to previous employers to help expedite the process, should an offer be extended.

Conditional offers are allowed. If you make an offer prior to completion of a screening, the offer must expressly indicate that the offer is contingent upon successful completion of the state screening. You can use the following language for contingent hires: "This

offer is contingent upon the candidate meeting all qualifications and successful completion of all background checks, including any applicable screening required for foreign workers.”

1. What is the Mechanism for Ensuring Candidates are Screened?

We will continue to use the RAMP system for screening, in conjunction with the established Export Control process. Even if your candidate will not require Export Control screening, please submit a RAMP Export Control item so that we can track the screening and ensure it is completed prior to the candidate's start date. I am working with HR and your HR department reps to keep this process as smooth as possible.

2. What Are the Exceptions and How Do We Use Them?

This guidance is unchanged from the March 2022 guidance but is re-stated here:

- a. Employment prior to July 1, 2021: Any person employed at FSU prior to July 1, 2021 does not need to be screened prior to taking a position on the Job Code List. This includes a previously-appointed GA being appointed in a new semesterly position, an existing employee being appointed into a different job code, or a person receiving a promotion into a job on the Job Code List.
- b. Appointment into a non-research position: If the candidate will be appointed into a job code on the Job Code List but will not be engaging in or supporting research (e.g., a GA appointment that is teaching or grading only), please use the attached form to seek an exemption for that candidate. If an exemption is granted, please note that the candidate cannot be placed in a research-related position without being screened first. If you know that the person will be in a teaching position for a limited time and then engaged in research, it is at your discretion whether to conduct the screening at the time of initial hire or at the time of the future appointment.
- c. Fulbright Scholars: Fulbrights who are not from a country of concern may be exempt from screening but will still need RAMP approval.
- d. Professors Emeritus/Emerita: Screening is not required for these appointments.

Please contact me anytime for clarification, and thank you for your continued efforts to ensure compliance with these requirements.

Cc: Dr. James Clark, Provost and Executive Vice President for Academic Affairs  
Dr. Stacey Patterson, Vice President for Research  
Ms. Diana Key, Director, Research Compliance Programs

Attachments: Job Code List (updated)  
s. 1010.35 Exemption Form