



I. 7.10.4 Visiting Scholars

Chapter 7 - Research and Sponsored Programs	Original Effective Date: November 2020
Section: 7.10 Research Administration	Date Last Reviewed:
Responsible Entity: Vice President for Research	Date Last Revised:

II. Purpose

The purpose of this policy is to establish standards and requirements for individuals who visit the University of Texas Health Science Center at San Antonio (UT Health San Antonio) to participate in or observe research activities or have access to research data or intellectual property as a Visiting Scholar, as well as outline the responsibilities of the sponsoring faculty, departments, centers and institutes

III. Scope

This policy applies to all Visiting Scholars (as defined by this policy) and all UT Health San Antonio faculty, staff, officers, and organizational units that play a role in screening, inviting, welcoming, training, and overseeing visitors to UT Health San Antonio who will participate in research related activities

This does not apply to faculty receiving a Visiting Professor title as defined in the Institutional Handbook of Operating Policies (IHOP) [3.1.1 Academic Titles](#), a non-UT Health San Antonio student enrolled at another institution of higher education as defined by IHOP [14.2.2 Visiting Students](#), minors as defined by IHOP [8.11.1 Minors in the Research Workplace](#), individuals seeking a Postdoctoral Research Fellow position as defined by IHOP [4.3.12 Postdoctoral Research Fellows](#), or Monitors as defined by IHOP [13.1.2 Access to Patient Electronic Medical Records by Research Sponsor Monitors](#).

IV. Policy

UT Health San Antonio recognizes the value that Visiting Scholars bring to UT Health San Antonio's mission to make lives better through excellence in education, research, health care and community engagement. Such visits foster collaboration, diversity and professional relationships.

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A. Eligibility

Visiting Scholars must have a sponsor who is a member of the UT Health San Antonio faculty and approval of their faculty sponsor's department chair or division chief, as applicable.

B. Visiting Scholar Categories

1. Observer

- a. Individuals who hold an undergraduate or higher degree with an interest in a biomedical or health care related field and seeking to observe (i.e. only to shadow, watch, listen and learn; no hands-on activities allowed) UT Health San Antonio research faculty, including UT Physicians conducting research. Observers cannot provide clinical care or perform research activities, data collection or any other hands on activities.
- b. Limited to one month in any one division/department.

2. Professional Trainee

- a. Individuals who hold an undergraduate or higher degree with an interest in a biomedical or health care related field and are seeking additional nonclinical hands-on training in research, for educational purposes or professional development, for their own benefit. Professional Trainees may participate in research activities, provided they have the requisite training and approval to do so. They may observe clinical practices but cannot provide clinical care and cannot have any type of direct patient contact.
- b. Limited one year.

3. Visiting Scientist

- a. Individuals who are established and accomplished scholars who can contribute to and enrich the university's research, intellectual and academic endeavors. Visiting Scientists should currently hold an appointment comparable to UT Health San Antonio faculty. Most Visiting Scientists are granted sabbatical leave from their home universities or research centers. The main purpose is to participate in collaborative projects, conduct collaborative research, and other non-clinical hands on activities. (Note: The Visiting Scientist category is not designed for those in the early stages of their career. These individuals can explore opportunities to enhance their training and research experience through the Professional Trainee category after identifying a faculty member at UT Health San Antonio who will serve in a mentoring role for the visitor).
- b. Minimum appointment is 6 months. Limited to one year with option for renewal. Appointment cannot exceed two years.

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C. Requirements

The Sponsor Department and the Sponsor must have the appropriate resources to oversee the Visiting Scholar and monitor the daily activities of the Visiting Scholar during their appointment.

The proposed Visiting Scholar must undergo a successful background check per IHOP [4.4.1 Criminal Background Checks](#). The background check must be completed prior to granting such Visiting Scholars access to UT Health San Antonio facilities, information systems, computers or equipment.

A Visiting Scholar Agreement (Agreement) must be fully executed prior to approving access to UT Health San Antonio facilities, information systems, computers or equipment. The term of appointment, roles and responsibilities of a Visiting Scholar may differ depending on the approved scope and intent of the visit. These details must be outlined in the Agreement.

Fair Labor Standards Act (FLSA) will apply to all Visiting Scholars. Sponsor Departments/Sponsors are expected to follow the hours of operations and break time (lunch/rest breaks) per IHOP [4.7.1 Hours of Operation and Official Workweek](#).

If the proposed Visiting Scholar is intending to arrive on a J-1 visa sponsored by UT Health San Antonio, additional criteria must be met. The Office of International Services must be informed a J-1 is required and the minimum requirements for a J-1 visa must be met before the Visiting Scholar is appointed.

International visitors who are waiting for employment authorization are not eligible for a Visiting Scholar appointment or allowed to perform any services they will be performing for compensation once they receive employment authorization per IHOP [4.3.8 Non-Employee Service](#).

Visiting Scholar appointments must be reevaluated at least annually.

D. Standards of Conduct

All Visiting Scholars must uphold the highest level of professionalism during their appointment at UT Health San Antonio and abide by the standards of conduct as defined in IHOP [10.1.2 Code of Ethics and Standards of Conduct](#).

Violation of IHOP 10.1.2 is grounds for dismissal of the Visiting Scholar appointment as defined by Section F, of this IHOP policy.

Visiting Scholars must abide by IHOP Chapter 8 – Health and Safety. Serious violations of IHOP Chapter 8 will immediately be reported to Sponsor, Sponsor Department Chair and, if applicable, UT Police Department for follow-up or action.

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E. Responsibilities

1. Sponsor/Sponsoring Unit

- a. Initiate the Visiting Scholar application process and ensure accurate and completed submission of all required forms, documents, and records.
- b. Communicate policy requirements and other relevant information to Visiting Scholar applicant and monitor compliance.
- c. Work with the Office of International Services to ensure Visa requirements are met (if applicable).
- d. Ensure that all required and necessary training is completed.
- e. Provide comprehensive orientation and onboarding assistance.
- f. Abide by the terms and conditions of the Agreement.
- g. Monitor activities of Visiting Scholar daily and promptly report noncompliance or professional misconduct to the appropriate authority.
- h. As applicable, Sponsors must disclose on their Other Support all non-financial resources or in-kind support related to their research (including Visiting Scientists) in accordance with National Institutes of Health (NIH) [NOT-OD21-073](#).
- i. Complete proper exit procedures and paperwork along with ensuring the required security measures have been met upon completion of the visit. This includes, but is not limited to, returning ID badges, devices, parking permits, keys, inactivating access to systems, and completing any exit evaluations.

2. Visiting Scholar

- a. Identify a Sponsor.
- b. Satisfy all application requirements of UT Health San Antonio, as well as any requirements of the affiliate sites engaged in research, to include the appropriate insurance requirements (medical and repatriation/medical evaluation) as mandated by the Department of State requirements for J-1 exchange visitors, and their dependents.
- c. Complete all required training, orientation, and onboarding requirements.
- d. Comply with all terms and conditions associated with visit, including (without limitation) following all applicable laws, regulations, UT System Board of Regents' Rules, UT System and UT Health San Antonio policies.
- e. Disclose all research related outside activities in accordance with IHOP 10.1.6 Conflict of Interest in Research and Disclosure.
- f. Abide by the terms and conditions of the Agreement.
- g. Complete all required and assigned UT Health San Antonio training.

F. Performance Administration

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Appointment of Visiting Scholar is subject to the approval of the Sponsor Department Chair at the discretion of UT Health San Antonio.

1. Procedure for Bringing a Grievance
 - a. Visiting Scholars shall informally present the complaint to their Sponsor within five (5) working days from the date of the action which is the subject of the complaint. If the Sponsor is the subject of the complaint, the Visiting Scholar may address the complaint to the Sponsor Department Chair or Director.
 - b. If the complaint is not satisfactorily resolved by the Sponsor within five (5) working days, the Visiting Scholar may present the complaint in writing within five (5) working days to the Sponsor Department Chair or Director for review and action. A written decision will be emailed to the Visiting Scholar within ten (10) working days of receipt of the complaint.
 - c. Complaints not satisfactorily resolved by the Sponsor Department Chair or Director may be appealed in writing to the appropriate Dean for the Visiting Scholar's Sponsor Department or Vice President of the applicable discipline within five (5) working days of the date of the appeal. In the event of a conflict of interest for the Dean or Vice President, the appeal will be reviewed by the Vice President for Research. Within a reasonable time, not to exceed thirty (30) days following receipt of the appeal, the Dean or Vice President, shall prepare and email a written decision to the Visiting Scholar. The Visiting Scholar is permitted one appeal and the decision of that appeal is considered final.
2. Procedures for Dismissal
 - a. All dismissals must be reviewed by Sponsor Department Chair or Director prior to Visiting Scholar notification.
 - b. Intent to Term:
 - i. The Sponsor shall inform the Visiting Scholar of the basis for any planned disciplinary action resulting in dismissal and allow the Visiting Scholar the opportunity to respond before a final decision is made. Where possible, the notification will be made 30 days prior to dismissal effective date and serves as an opportunity for the Visiting Scholar to present additional information to their Sponsor for consideration.
 - ii. The Office of International Services will immediately be notified of an intent to dismiss a Visiting Scholar on a J-1 visa.
 - c. Where possible, before reaching a final decision to dismiss the Visiting Scholar:
 - i. The Sponsor shall inform the Visiting Scholar in writing, of the factual basis for the planned dismissal.
 - ii. The Visiting Scholar may request access to information the Sponsor used to make their decision.

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- iii. The Visiting Scholar shall have an opportunity to respond in writing to the Sponsor about the planned dismissal within two business days. The Visiting Scholar has the opportunity to provide additional information stating why the facts for which the planned dismissal action is unwarranted.
- iv. If upon review of the Visiting Scholar's response, the decision to dismiss still stands, the Sponsor, after confirming with Sponsor Department Chair, may proceed with dismissal.

3. Appeals

Dismissal may be appealed by the affected Visiting Scholar pursuant to the process set out below. The time limits set forth in the appeal procedure must be complied with by both the Visiting Scholar and the appropriate Department and administrative leaders unless extended for good cause by the appropriate Dean. Failure by the Visiting Scholar to process the appeal in a timely manner to the next level constitutes a withdrawal of the appeal. Failure of the Department or administrative leader to make a timely response to an appeal shall constitute authorization for the Visiting Scholar to appeal to the next step. The Visiting Scholar's appeal shall contain:

- i. A clear and concise statement of why the dismissal disciplinary action is inappropriate;
- ii. The reason(s) the Visiting Scholar believes the dismissal action decision should be changed;
- iii. The name(s) of any witnesses that may have information relevant to the Visiting Scholar's written appeal; and,
- iv. The specific remedy sought by the Visiting Scholar;
- v. Any additional relevant information to be considered in support of the Visiting Scholar's written appeal; and,
- vi. The name and contact information of the Visiting Scholar's representative, if any.

V. Definitions

When used in this document with initial capital letter(s), the following words have the meaning set forth below unless a different meaning is required by context.

Sponsor— a UT Health San Antonio faculty member or program administrator that wishes to sponsor a Visiting Scholar and will assume daily oversight of the Visiting Scholar.

Sponsor Department- a UT Health San Antonio department, center or institute that appoints the Sponsor and will assume general oversight of the Visiting Scholar.

Visiting Scholar Agreement —is an agreement with UT Health San Antonio, the Visiting Scholar, and, where applicable, the Visiting Scholar's home institution that establishes

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and confirms the terms of the Visiting Scholar’s temporary appointment to UT Health San Antonio. The agreement includes the rights, responsibilities, duties, and obligations of each party in connection with the Visiting Scholar’s temporary appointment to UT Health San Antonio.

VI. Related References

Institutional Handbook of Operating Policies (IHOP)

[3.1.1 Academic Titles](#)

[4.3.8 Non-Employee Service](#)

[4.3.12 Postdoctoral Research Fellows](#)

[7.1.3 Managing Effort Commitments and Documentation of Compensation on Sponsored Programs](#)

[7.1.7 Export Controls](#)

[7.10.1 Research Data Ownership, Retention and Access](#)

[8.5.8 Pre-Employment Immunization](#)

[8.7.9 Keys, Identification Cards and Access Requests](#)

[8.11.1 Minors in the Research Workplace](#)

[14.2.2 Visiting Students](#)

[12.1.1 Intellectual Property Policy](#)

[Programs for High School Students](#)

VII. Review and Approval History

The approving authority of this policy is the University Executive Committee.

Effective Date	Action Taken	Approved By	Date Approved
04/2023	Policy Origination	Executive Committee	04/2023