

Immigration laws have an impact on who a church can call as pastor or hire as staff

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SAN ANTONIO—Claudia Munoz feels called to serve on church staff and is doing everything she can to prepare herself to fulfill that calling. She received a student visa and traveled from her home country of Chile to enroll at Baptist University of the Americas. She went on to graduate and began optional career training, working as a graphic artist at the school, the same position she hopes to hold one day on a church staff in Chile.

Months before her student visa expired, she applied for a religious visa so she could work on a church staff in the United States while her husband finished his master's degree. Months after it expired, she continues waiting. Munoz remains in the country legally, but she can't legally hold a job. She and her husband, who also is on a student visa, are living off the

support they receive from their parents.

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“I’m still waiting, hoping and praying I receive it soon because I need to work,” she said.

Her situation is not unique. The U.S. immigration system affects who churches can call as ministers. Immigrants and churches generally do not understand the intricacies of immigration law or how to access immigration officials to obtain more information. And the situation has been exacerbated by a government report that indicated a 33 percent fraud rate in the country’s religious visa program, which allows individuals to immigrate into the United States in order to work in churches. The study led to increased scrutiny of religious visa applications.

One Midwest director of missions has waited nearly a year for his Southern Baptist Convention North American Mission Board-appointed church

starter to arrive because of the immigration system. The pastor-to-be has not received final approval for his religious visa despite already being in the country legally on a student visa.

[Baptist University of the Americas](#) in San Antonio, where 20 percent of its student population is in the country on a student visa, has high interest in the visa situation. Many who enter the country on student visas apply for religious visas through a church that hires them.

Krista Gregory, consultant with the [Baptist Immigration Services Network](#) of the Baptist General Convention of Texas, encourages congregations to ask potential staff members about their citizenship status to determine if an individual is not a citizen or is in the country on a visa. “The only time they need to ask that question is if they are thinking about hiring them as a full-time status,” she said.

A religious visa is connected to a specific church. If a person with a religious visa becomes employed by another congregation, that individual and church must apply to get the religious visa changed to that congregation. A person with a religious visa also cannot hold another job, meaning the church would need to support that individual. People who hold student visas are not supposed to earn money outside of a work-study job through the school they are attending. Congregations cannot legally pay a person with a student visa to be a permanent staff member.

Students can take the option to hold full-time jobs while they are in college if the school requires it as part of career training. But that position cannot last longer than two consecutive semesters. Students also have the option to devote the year after they graduate to a full-time job as part of optional career training. At the end of the year, they must leave the country, apply for citizenship or apply for a different visa.

Mary Ranjel, BUA director of admissions, said most of the time requests for

visas go right through, but the government is taking a harder look at this situation. Recently a student told her a government agent visited him, taking pictures of the building where the student wanted to work. "Basically all the information is pretty standard," she said. "But after 9-11 it's been much more rigid."

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