

To: Deans of Schools  
Directors of Admissions  
Directors of Financial Aid

From: Peter Lange, Provost

Subject: Policy on Documentation of Non-Citizen Duke Students

Date: April 14, 2003

The senior officers of the University have now adopted a policy specifying procedures for dealing with issues related to Duke students who are not U.S. citizens. This action was taken following consideration of a report prepared by an ad-hoc committee chaired by Vice Provosts Judith Ruderman and Gil Merx, which was discussed in Deans Cabinet and amended following comments from the Deans.

As you will remember, the need for such a policy is triggered by several factors. Duke is required to report to the Federal authorities the numbers of non-citizen Duke students in all categories of immigration status (e.g. visa or work permit type). We have been unable to provide accurate reports because a number of students have failed to present their documentation to the International Office, despite requests to do so. Moreover, non-citizen students who desire Federal financial assistance are required to present accurate evidence of legal status in order to qualify for such aid.

This memorandum provides the **policy**, the **implementation** mechanisms, and the treatment of **transition** cases.

## **POLICY**

The policy adopted consists of the following provisions:

1. **All non-citizen students (undergraduate, graduate, and professional)** must present evidence of immigration status to the International Office by the first day of classes, and whenever, thereafter, their status changes. Failure to comply will result in withholding of initial enrollment or disenrollment of current students. Students who are outside the U.S. and who are therefore unable to comply (e.g. visa stamp delays) will be handled case by case.
2. **Graduate and professional students** who are not in lawful status will not be enrolled or permitted to continue enrollment. Such students will be allowed to enroll or to continue only after regaining lawful status.

3. **Undergraduate students** who are not in lawful status, but who honestly report their status, will be allowed to enroll. Such students will be advised of the risks to them of being out of status and of the importance of dealing with that situation through their own means and with private immigration counsel. Students who are not in lawful status are not eligible for Federal financial aid, but they may apply for Duke-based assistance.
4. **Individual cases** deemed worthy of a temporary exception to this policy due to unusual circumstances may be presented to a hearing committee, by the International Office or by the student's school or program, for consideration and a recommendation to the Provost. The hearing committee shall be composed of the Vice Provost for Academic and Administrative Services, the Vice Provost for International Affairs, and the appropriate representative from the student's school or program or the director of the International Office (depending upon the source of the appeal).

### **IMPLEMENTATION**

Duke administrative offices, in implementing the policy, will use the following guidelines, developing details appropriate to the academic calendar and administrative procedures.

1. Admissions offices and other Duke information sources will include statements of the policy in their information materials. Applicants and admitted students must be made aware of their reporting obligations and of the effects of failing to report or of not holding lawful status. Item 1 under "Policy" on the previous page provides appropriate language on the reporting policy. Items 2 and 3 under "Policy" provide language on the different "in status" requirements for undergraduate or graduate and professional programs respectively.
2. The International Office will review documents on or before the first day of classes, and thereafter as appropriate to the circumstance (e.g. extensions or changes of status as they occur), and will confirm status to the Office of the Registrar for accuracy of record keeping. At least 5 working days before the end of drop/add, the International Office will notify the deans of the appropriate schools of those students who have failed to comply with the reporting requirement (and thus who must be withdrawn) and of those students who do not hold lawful status.
3. Deans or their designates will either obtain immediate compliance with the reporting requirement or will block enrollment or disenroll students who fail to comply. Deans will take actions consistent with the stated policy regarding those students who do not hold lawful status.

### **TRANSITION PROCEDURES**

Students who were admitted and/or enrolled prior to the implementation of this policy will be subject to the following special transition procedures.

1. All non-citizen students who have not yet reported to the International Office have been asked to present documentation regarding their immigration status by May 01, 2003.

2. By May 05, 2003, the International Office will notify Vice Provost Judith Ruderman of those students who have failed to comply or who do not hold lawful status.
3. Vice Provost Ruderman will forward names to the appropriate deans, who will ensure immediate compliance with the reporting requirement. The deans will take other action generally consistent with the enrollment policy, but may submit cases, per Policy, Item 4, for consideration of the special circumstances of those students who matriculated before the policy was adopted.
3. Non-citizen students who have already been admitted for the 2003-2004 academic year must be contacted by their school's director of admissions regarding their need to comply with this policy.

Questions about immigration issues should be directed to the International Office at telephone number 681-8472 or by e-mail to

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