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MEMORANDUM

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

From: Peter Lange 

Date: November 18, 2013

Subject: Policy on Documentation of Non-Citizen Duke Students

On April 14, 2003, senior officers of the University adopted a policy and implementation 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 then Vice Provosts Judith Ruderman and Gil Merckx, which was discussed in Deans Cabinet and amended following comments from the Deans.

This policy has been reviewed by Duke University legal counsel and outside legal counsel. Based on this review, this policy and implementation has been updated as follows:

POLICY

1. All non-citizen students (undergraduate, graduate and professional) must present evidence of immigration status to the Duke Visa Services Office before the first day of classes and whenever, thereafter, their status changes. Failure to comply will result in the inability to enroll for classes. Students who are outside the U.S. and who are therefore unable to comply (e.g. visa stamp delays) will be handled on a case by case basis.
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 accurately report their status, will be allowed to enroll. Such students will be advised of the risks to them of being out of status and 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 Duke Visa Services or the appropriate departmental representative, for consideration and recommendation to the

Provost. The committee shall be composed of the Vice Provost for Academic Affairs, the Director of Visa Services and the appropriate representative from the student's school or program.

IMPLEMENTATION

Duke administrative offices, in implementing the Policy, will use the following guidelines, developing details appropriate to 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 students must be 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 and graduate and professional programs respectively.
2. The Visa Services 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 recording keeping.
3. Visa Services will block enrollment for any students who fail to comply with this Policy. If the students do not submit the appropriate evidence of nonimmigrant status, Visa Services will report this information to the Office of the Registrar and the Vice Provost for Academic Affairs for distribution to Deans or their designates to obtain immediate compliance or the disenrollment of students who fail to comply.

Questions about immigration issues should be directed to the Visa Services Office at telephone number 919-681-8472 or by email to

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