

VERIFICATION OF EMPLOYMENT ELIGIBILITY

The Board of Education will comply with all aspects of the Immigration Reform and Control Act of 1986. The Board will delegate to the Superintendent the responsibility of establishing procedures to assure compliance with this Act.

Federal law requires that all employers and employees, hired after November 6, 1986, complete an Employment Eligibility Verification Form (Form I-9) provided by U.S. Citizenship and Immigration Services (“USCIS”). All such employees must provide documents that establish both identity and employment eligibility in order for Form I-9 to be completed and signed by both the employee and the District official.

Form I-9 must be retained for three (3) years or for one (1) year past the end of the employment of an individual, whichever is longer. Such forms must be made available for inspection to a Department of Homeland Security (“DHS”) or Department of Labor (DOL) officer upon request.

In order to comply with federal law the following verification of employment eligibility procedures will apply:

Completion of Form I-9

The Superintendent or his/her designee will ensure that Section 1 of Form I-9 is completed no later than the time of hire, and that Section 2 of Form I-9 is completed within three (3) business days of the date employment begins. If an individual is employed for less than three (3) days, the form must be completed at the time employment begins.

The following individuals do not need to complete Form I-9:

- A. Persons who provide labor to this District but who are employed by a contractor providing contract services.
- B. Persons who are independent contractors.

The Superintendent or his/her designee is also responsible for re-verifying employment eligibility of employees whose employment eligibility documents carry an expiration date.

Acceptable Documents for Verifying Employment Eligibility

All employees hired will need to provide an unexpired document or documents that establish identity and employment authorization. The following documents are acceptable:

LIST A

Documents That Establish Both Identity and Employment Authorization:

- A. U.S. Passport or U.S. Passport Card.
- B. Permanent Resident Card or Alien Registration Receipt Card (Form I-551).
- C. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa.
- D. Employment Authorization Document that contains a photograph ((Form I-766).
- E. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien’s nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.
- F. Passport from the Federated States of Micronesia (“FSM”) or the Republic of the Marshall Islands (“RMI”) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI.

LIST B

Documents That Establish Identity:

For individuals eighteen (18) years of age or older:

- A. Driver’s license or ID card issued by a state or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address.
- B. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address.
- C. School ID card with a photograph.
- D. Voter’s registration card.
- E. U.S. Military card or draft record.

- F. Military dependent's ID card.
- G. U.S. Coast Guard Merchant Mariner Card.
- H. Native American tribal document.
- I. Driver's license issued by a Canadian government authority.

For individuals under age eighteen (18) who are unable to produce one (1) of the documents listed above:

- A. School record or report card.
- B. Clinic, doctor or hospital record.
- C. Day care or nursery school record.

LIST C (Document on List C must accompany a document from List B)

Documents That Establish Employment Authorization:

- A. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States.
- B. Certification of Birth Abroad issued by the Department of State (Form FS-545).
- C. Certification of Report of Birth issued by the Department of State (Form DS-1350).
- D. Original or certified copy of a birth certificate issued by a state, county, municipal authority or territory of the United States bearing an official seal.
- E. Native American tribal document.
- F. U.S. Citizen ID Card (Form I-197).
- G. Identification Card for Use of Resident Citizen in the United States (Form I-179).
- H. Employment authorization document issued by the DHS.

Documents listed in A satisfy identity and employment authorization requirements. If a document from List B is submitted, then it must be accompanied by a document from List C.

Retention of Employment Eligibility Verification Form (Form I-9)

The Superintendent or his/her designee must retain Form I-9 for three (3) years or for one (1) year past the end of the employment of the individual, whichever is longer. Such forms will be retained in a separate file and shall be considered to be confidential and used only for employment eligibility verification purposes.

Preparation of Documents for Inspection

DHS or DOL Officers are required to give employers three (3) days advance notice before an inspection. The Superintendent or his/her designee will assemble the I-9 forms in preparation for the inspection. Failure to provide the I-9 forms could result in civil money penalties for each employee for whom the form was not completed, retained, or presented.