

Personnel

General Personnel - Immigration Investigation

Under the Immigration Reform and Control Act of 1986 (Act), the Board is prohibited from hiring an employee knowing he/she is an unauthorized alien or without verifying that the individual is not an unauthorized alien by examining certain prescribed documents. The District is required to attest that such verification has been made. In addition, the employee is required to attest that he or she is a citizen or national of the United States, an alien lawfully admitted for permanent residence, or an alien authorized for such employment.

In order to comply with the Act, the Superintendent or his/her designee will obtain an Employment Eligibility Verification (I-9) form from all District employees hired on or after November 7, 1986, the effective date of the Act. All employees hired on or after November 7, 1986 who continue to be employed by the District must complete the form immediately upon receiving it from the Superintendent. All newly hired employees must complete the form no later than three (3) business days following their first working day. If an individual is unable to provide the required documents to complete the form within the three (3) day period, the individual must present a receipt for the application of the documents within three (3) days of hire and present the required documents within twenty-one (21) days of hire.

In completing the I-9 form the Superintendent or his/her designee shall physically examine documents that evidence both the individual's identity and employment eligibility. The Act and proposed rules specify particular types of documents which will be deemed acceptable:

1. The following documents are acceptable to evidence both identity and employment eligibility:
 - a. United States passport (unexpired or expired);
 - b. Certificate of United States citizenship (INS Form N-560 or N-561);
 - c. Certificate of Naturalization (INS Form N-550 or N-570);
 - d. An unexpired foreign passport which:
 - (i) Contains an unexpired stamp therein which reads, "processed for I-551" or
 - (ii) Has attached thereto a Form I-94 bearing the same name as the employment authorization stamp, so 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 I-94;
 - e. Alien Registration Receipt Card (INS Form I-151 or INS Form I-551), provided that it contains a photograph of the bearer;
 - f. Unexpired Temporary Resident Card (INS Form I-688) or unexpired Employment Authorization Card (INS Form I-688A), provided that it contains a photograph of the bearer;
 - g. Unexpired Reentry Permit (INS Form I-327);

- h. Unexpired Refugee Travel Document (INS Form I-571); or
 - i. Unexpired Employment Authorization Document issued by the INS (INS Form I-688B), provided that it contains a photograph of the bearer.
2. The following documents are acceptable to establish identity only:
- a. A State issued driver's license or identification card containing a photograph, or if the document does not contain a photograph, identifying information should be included such as: name, date of birth, sex, height, color of eyes 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, sex, 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; or
 - i. Driver's license issued by a Canadian government authority.

For persons under age 18 who are unable to present a document listed above:

- j. School record or report card;
 - k. Clinic, doctor or hospital record; or
 - l. Day-care or nursery school record.
3. The following documents are acceptable to establish employment authorization only:
- a. A social security card other than one not valid for employment purposes;
 - b. A Certification of Birth Abroad issued by the Department of State (Form FS-545 or DS-1350);
 - c. An original or certified copy of a birth certificate issued by a State or recognized subdivision thereof establishing birth in a State;
 - d. Native American tribal document;
 - e. U.S. Citizen ID Card (INS Form I-197);
 - f. ID Card for use of Resident Citizen in the United States (INS Form I-179); or
 - g. Unexpired employment authorization document issued by the INS.

Copies of the inspected documents shall be made and attached to the I-9 form. The completed I-9 form shall be retained by the District for three years after the date of hire or one year after the date the individual's employment is terminated, whichever is later. The form shall be made available to the Immigration and Naturalization Service or the Department of Labor upon request.

LEGAL REF.: Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.

Adopted: August 14, 1997
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