

(School District or ISD)
CREATING A POSITION
(Policy/Guidelines – SAMPLE)

The Board of Education recognizes the need to establish positions which, when filled by competent, qualified professional staff members, will assist the District in achieving the education goals set by the Board. The District employs only U.S. citizens and others lawfully authorized to work in the United States.

The Superintendent shall verify all new full-time and part-time employees' right to work in the United States according to the Federal Immigration Reform and Control Act of 1986.

The Board reserves the right to:

- A. create new positions;
- B. specify the number of persons to be employed with each job category;
- C. set the initial salary for a new position not currently covered by a valid negotiated, collectively-bargained agreement.

In the exercise of its authority to create new positions, the Board shall give primary consideration to:

- A. the number of students enrolled;
- B. the special needs of the constituent districts;
- C. the special needs of the students;
- D. the operational services of the District.

The Board shall, upon the advice of the Superintendent, consider the advisability of creating a new position or of increasing the number of professional staff members in an existing position.

The Board of Education has reserved the right, in its discretion, to create new positions and specify the number of professional staff members in each category. In compliance with that policy the Board has adopted the following guidelines for the creation of a District position:

- A. Each position shall be preceded by the preparation of a job description for the new position.
- B. The title of the new position shall be the same as the title on the certificate required to hold that position wherever possible.
- C. Where the job title does not coincide with the certificate title, the job description will be sent to the Superintendent for approval.
- D. Following the Superintendent's approval, a determination will be made as to whether the new job falls within contract guidelines or is discretionary; salary will then be set for the position.
- E. The new position will be presented to the Board with a recommendation for adoption.

VERIFICATION OF EMPLOYMENT ELIGIBILITY

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

Completion of Form I-9

Form I-9 must be completed within three (3) business days of the date of the hire. If an individual is employed for less than three (3) days, the form must be completed before the end of the employee's first working day.

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

- A. persons hired before November 7, 1986
- B. persons who are employed by a contractor providing contract services
- C. persons who are independent contractors

The Superintendent 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 after November 6, 1986, will need to provide a document or documents that establish identity and employment eligibility. The following lists identify acceptable documents:

LIST A

Documents that establish identity **and** employment eligibility:

United States passport

Certificate of United States Citizenship (INS Form N-560 or N-561)

Certificate of Naturalization (INS Form N-550 or N-570)

Unexpired foreign passport which contains an unexpired stamp which reads "Processed for I-551. Temporary Evidence of Lawful Admission for permanent residence. Employment authorized;" or

Has attached thereto a Form I-94 bearing the same name as the passport and containing an 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

Alien Registration Receipt Card (INS Form I-151) or Resident Alien Card (INS Form I-551), provided that it contains a photograph of the bearer

Temporary Resident Card (INS Form I-688)

LIST B

Documents that establish **identity**:

For individuals sixteen (16) years of age or older:

State-issued driver's license or State-issued identification card containing a photograph. If the driver's license or identification card does not contain a photograph, identifying information should be included, such as name, date of birth, gender, height, color of eyes, and address.

School identification card with a photograph

Voter's registration card

United States Military card or draft record

Identification card issued by Federal, State, or local government agencies

Military dependent's identification card

Native American tribal documents

United States Coast Guard Merchant Mariner Card

Driver's license issued by a Canadian government authority

For individuals under age sixteen (16) who are unable to produce one (1) of the documents listed above:

School record or report card

Clinic doctor or hospital record

Day care or nursery school record

LIST C

Documents that establish **eligibility**:

Social Security number card, other than one which has printed on its face "not valid for employment purposes"

This must be a card issued by the Social Security Administration; a facsimile (such as a metal or plastic reproduction that people can buy) is not acceptable

An original or certified copy of a birth certificate issued by a State, county, or municipal authority bearing an official seal

Unexpired INS employment authorization

Unexpired re-entry permit (INS Form I-327)

Unexpired Refugee Travel Document (INS Form I-571)

Certification of Birth issued by the Department of State (Form FS-545)

Certification of Birth Abroad issued by the Department of State (Form DS-1350)

United States Citizen Identification Card (INS Form I-197)

Native American tribal document

Identification card for use of Resident Citizen in the United States (INS Form I-179)

Retention of Employment Eligibility Verification Form (I-9)

The Superintendent 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

U.S. Immigration and Naturalization Service (INS) or Department of Labor (DOL) Officers are required to give employers three (3) days advance notice before an inspection. The Superintendent's will assemble the I-9 forms in preparation for the inspection. Failure to provide the I-9 forms could result in civil monetary penalties for each employee for whom the form was not completed, retained, or presented.

Retention of Employee Identification and Social Security Number

The Board will retain a photo copy of either the employee's driver's license or passport showing the employee's identity and valid social security number.