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| <h1>SEVEN<br/>GENERATIONS<br/>CHARTER SCHOOL</h1> | SECTION: EMPLOYEES                       |
|   | TITLE: 304.1 – EMPLOYEE IMMIGRANT STATUS |
|   | ADOPTED: August 8, 2017                  |
|   | REVISED:                                 |

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| Policy                       | <p>In response to increased immigration enforcement by the federal government, the Board of Trustees (“Board”) for the Seven Generations Charter School (“School”) adopts the following policy regarding employees who are immigrants to the United States. A Memorandum was issued by the Department of Homeland Security (“DHS”) on February 20, 2017 increasing efforts to deport illegal immigrants from the United States.</p> <p>The Board declares it to be its policy to have updated information regarding its employee’s immigration statuses, insure that all employees I-9 forms are up to date, and kept in a separate employee file. If any employees cannot provide updated immigration documents required on an I-9, that employee should be terminated.</p> <p>Furthermore, if the School is presented with a government warrant for immigration records, it should contact legal counsel for review before providing those records.</p>   |
| Delegation of Responsibility | <p>The Board of Trustees of Seven Generations Charter School authorizes the Chief Executive Officer (CEO) or his/her designee to establish procedures which implement the below guidelines.</p>   |
| Guidelines                   | <p>The School shall ensure that all of its employees’ I-9 forms are up to date and all supporting documentation is on file.</p> <p>The School shall require all new hires to complete and sign an I-9 form, and present required documentation upon hire. Within three business days of hire, the School shall review the form and supporting documentation. If the I-9 form is compliant and required documentation is presented, a representative from the School should sign the I-9 form. .</p> <p>All I-9 forms and other immigration forms should be kept in a separate file, or an immigration compliance file. While copies of government-issued documentation (such as Social Security cards, driver’s licenses, and birth certificates) may be kept in an employee’s regular file, copies should also be kept with the I-9 forms in an employee’s immigration compliance file. If an employee at the School is not a citizen, but legally permitted to be in the United States and permitted to work in the United States, then copies of any immigration documents showing legal work status and/or documents required by the I-9 form must be kept in the file.</p> <p>The School should take note of the expiration of any I-9 form required documents, and if any of those documents are expired or nearing expiration, ask the employee for updated documentation.</p> |

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| References | <p>It is the policy of the School to not employ undocumented immigrants. If an employee cannot provide the School with documentation that he/she is able to work in the United States legally, the employee shall be terminated. It is a violation of the law for a School to continue to employ an undocumented immigrant. .</p> <p><b>Warrants:</b></p> <p>If the School is presented with a warrant from the Office of Immigration and Customs Enforcement (“ICE”) for immigration purposes, or for any purpose, the School should present that warrant to legal counsel for review before it complies with the warrant.</p> <p>ICE Administrative warrants are not warrants signed by a judge or judicial officers. These warrants are signed by federal immigration officials, and do not require the same burden of proof that a judicial warrant requires. The United States Supreme Court has held that constitutionally sufficient warrants are issued only upon oath or affirmation of facts submitted to a judicial officer, one who is neutral and detached from enforcement activities. <i>Coolidge v. New Hampshire</i>, 403 U.S. 443, 450 (1971). A warrant not signed by neutral judge is not constitutionally sufficient and may not need to be followed. If presented to the School, these warrants should be reviewed by legal counsel to determine whether the School must comply.</p> <p>Federal Regulations – 8 C.F.R. 274a.2(b)(i) and (ii); 8 U.S.C.A. § 1324a</p> |
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