

Dr. R. Stephen Green
Superintendent/CEO



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Mr. Marshall D. Orson, Vice Chair
Mr. Stan O. Jester
Dr. Melvin Johnson
Mr. James L. 'Jim' McMahan
Dr. Joyce Morley
Mrs. Vickie B. Turner

RE: Affidavit of Exception Requirements

Dear Independent Contractor,

This letter is in reference to the Security & Immigration documents that have been provided by the DeKalb County School District (DCSD) for the DCSD Immigration & Security Certification requirements. If you do not currently have any employees and do not hire or intend to hire employees for the purpose of satisfying or completing the terms and conditions of any part or all of the contract with DeKalb County School District, please provide the following forms to update your vendor/purchase order file with the DeKalb County School District:

- **Immigration and Security Form – Attached**
- **Affidavit of Exception – Attached**
- **Copy of state issued driver's license or identification card**

To fill out *the Immigration and Security Form*, please follow the instructions provided below:

- Complete items 2B,
- Sign and date page 2
- Provide Firm Name (Use Business Name Listed on W-9 or Doing Business As (DBA))
- Provide Current Mailing Address
- Notarize Form (A Notary's Attestation is required)

To complete the *Affidavit of Exception*, please follow the instructions provided below:

- Print Firm Name (Use Business Name Listed on W-9 or Doing Business As (DBA) – Page 2)
- Sign Form
- Notarize Form (A Notary's Attestation is required)
- Provide a copy of state issued driver's license or identification card.

Please forward the original or photocopy of executed Immigration and Security Form and Affidavit of Exception, with a copy of your driver's license or state identification to the school/department requesting your service(s). If incomplete Immigration & Security form and Affidavit of Exception are received, you will not be allowed to provide services to DCSD until forms are completed as requested.

On behalf of the DeKalb County School District, we thank you for your service.

Best regards,

Carla L. Smith

Carla L. Smith
Purchasing Manager
CLS\bak
Attachments – Immigration and Security Form
Affidavit of Exception Form

IMMIGRATION AND SECURITY FORM

1) Covered public entities shall comply with the Georgia Security and Immigration Compliance Act, as amended, O.C.G.A. § 13-10-90 et. seq.

2) In order to insure compliance with the Immigration Reform and Control Act of 1986 (IRCA), D.L. 99-603 and the Georgia Security and Immigration Compliance Act, as amended by the Illegal Immigration Reform Act of 2011, O.C.G.A. § 13-10-90 et. seq. (collectively the "Act"), the **Contractor MUST INITIAL** the statement applicable to Contractor below:

(a) _____ **(Initial here):** Contractor warrants that, Contractor has registered at <https://e-verify.uscis.gov/enroll/> to verify information of all new employees in order to comply with the Act; is authorized to use and uses the federal authorization program; will continue to use the authorization program throughout the contract period; Contractor further warrants and agrees Contractor shall execute and return any and all affidavits required by the Act and the rules and regulations issued by the Georgia Department of Labor as set forth at Rule 300-10-1-.01 et. seq. **[Contractors who initial (a) must attach and return a signed, notarized Contractor Affidavit and Agreement];**

or

(b) _____ **(Initial here):** Contractor warrants that he/she does not employ any other persons, and he/she does not intend to hire any employees or to perform the Contract. **[Contractors who initial (b) must attach and return a signed, notarized Affidavit of Exception and a true and correct copy of the Contractor's state issued driver's license or state issued identification card];**

or

(c) _____ **(Initial here)** Contractor is an individual who is licensed pursuant to Title 26 or Title 43 or by the State Bar of Georgia and is in good standing when such contract is for services to be rendered by such individual and thus does not have to provide an affidavit.

3) _____ **(Initial here)** Contractor will not employ or contract with any subcontractor in connection with a covered contract unless the subcontractor is registered, authorized to use, and uses the federal work authorization program; and provides Contractor with all affidavits required by the Act and the rules and regulations issued by the Georgia Department of Labor as set forth at Rule 300-10-1-.01 et. seq.

IMMIGRATION AND SECURITY FORM (PAGE 2)

4) _____ **(Initial here)** Contractor agrees that, if Contractor employs or contracts with any sub-contractor in connection with the covered contract under the Act and DOL Rules 300-10-1-.01, ET. seq. that Contractor will secure from each sub-contractor at the time of the contract the sub-contractor's name and address, the employee-number applicable to the sub-contractor, the date the authorization to use the federal work authorization program was granted to sub-contractor; the subcontractor's attestation of the subcontractor's compliance with the Act and Georgia Department of Labor Rule 300-10-1-.01, et seq.; and the subcontractor's agreement not to contract with sub-subcontractors unless the sub-subcontractor is registered, authorized to use, and uses the federal work authorization program; and provides subcontractor with all affidavits required by the Act and the rules and regulations issued by the Georgia Department of Labor as set forth at Rule 300-10-1-.01 et. seq.

5) _____ **(Initial here)** Contractor agrees to provide all affidavits of compliance as required by O.C.G.A. § 13-10-90 *et seq.* and Georgia Department of Labor Rules 300-10-1-.01, et. seq. within five (5) business days of receipt.

Signature Date

Firm Name: _____

Street/Mailing Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Email Address: _____

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

_____ DAY OF _____, 20____

Notary Public
My Commission Expires: _____

AFFIDAVIT OF EXCEPTION

The undersigned, in connection with a proposed contract or subcontract on behalf of the DeKalb County School District for the physical performance of services under O.C.G.A. 13-10-90, et seq. (the "Contract"), hereby affirms and certifies under penalties of perjury that:

(a) I am a sole proprietor or single member entity; and **I do not employ** any other persons.

(b) I do not intend to hire any employees or to perform the Contract.

(c) A true, correct and complete copy of my driver's license is attached hereto.

If at any time hereafter I determine that I will need to hire employees to satisfy or complete the services under the Contract then **before** hiring any employees, I will:

(i) immediately notify the School District in writing at: DeKalb County Schools Contracting Department, 1701 Mountain Industrial Blvd, Stone Mountain, GA 30083 and

(ii) register with, participate in and use, a federal work authorization program operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91, as amended; and

(iii) Provide the School District with all affidavits required by O.C.G.A. § 13-10-90 *et seq.* and Georgia Department of Labor Rules 300-10-1-.01, et seq.

I agree that I will not employ or contract with any subcontractor(s) to provide services on behalf of the DeKalb County School District, school, or DeKalb County Board of Education, unless at the time of the contract said subcontractor:

(i) is registered with and participates in the federal work authorization program;

(ii) provides me with a duly executed, notarized affidavit with the same affirmations, agreements, and information as contained herein and in such form as required under applicable law; and

AFFIDAVIT OF EXCEPTION (PAGE 2)

(iii) agrees to provide me with notice of receipt and a copy of every sub-subcontractor Affidavit or other applicable verification procured by subcontractor at the time of contract with the sub-subcontractor(s) within five (5) business days after receiving the said Affidavit or verification.

If I do contract with such subcontractors, I agree to maintain records of such compliance and to provide notice of receipt and a copy of each such subcontractor Affidavit or other permissible verification (i.e.: sub-subcontractor affidavits and all other lower tiered affidavits) at the time the subcontractor(s) is retained to perform such service or within five (5) days after receiving the said Affidavit or verification, whichever first occurs.

Attached hereto is a true and correct copy of my state issued driver's license or state issued identification card. I understand that a driver's license or identification card shall only be accepted if it is issued by a state within the United States and such state verifies lawful immigration status prior to issuing a driver's license or identification card. I understand that the Georgia Attorney General/State Law Department's website posts an annually updated list of the states that verify immigration status prior to the issuance of a driver's license or identification card and that only issue licenses or identification cards to persons lawfully present in the United States.

BY: Printed Name

Signature

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

____ DAY OF _____, 20____

Notary Public

My Commission Expires:_____