

**OFFICE OF CHIEF ACCOUNTABILITY OFFICER**  
**Summary of State Board of Education Agenda Item**  
**Consent Agenda**  
**December 17, 2020**

**DIVISION OF EDUCATOR LICENSURE**

- O. Approval to amend the application process to include verification of an applicant's Lawful Presence in the United States of America

Background Information: Mississippi Code Ann. §71-11-1 requires all agencies within the state of Mississippi to fully cooperate with federal immigration authorities in the enforcement of federal immigration laws. On November 6, 2020, the Commission on Teacher and Administrator Education, Certification and Licensure and Development (Licensure Commission) granted approval to amend the current licensure application process to include procedures for verifying an applicant's lawful presence in the United States.

Citizens of the United States will be required to submit appropriate documentation for verification once during their next most immediate licensure application submission. Non-US citizens will be required to submit appropriate documentation for verification with each licensure application submission, or when their United States Citizenship and Immigration Services documents expire, whichever comes first. Licensure application(s) shall not be processed if the applicant fails to answer the request for documentation required for verification of lawful presence in the United States.

Any initial or renewable license issued to an applicant who is not a United States citizen shall expire in accordance with the appropriate validity date required by a particular license type but, shall not exceed the expiration date of the applicant's authorized stay in the United States, whichever is the lesser period of time. A change in a Non-US citizen's lawful presence status will affect his/her ability to receive or continue to hold a Mississippi educator license. It shall be the responsibility of the prospective or practicing educator to obtain and provide the MDE with required documentation regarding his/her United States citizenship or lawful presence status. The Division of Educator Licensure is requesting approval as recommended by the Licensure Commission.

Recommendation: Approval

Back-up material attached



**Affidavit for Verification of Lawful Presence**

By executing this affidavit under oath, as an applicant for a **Mississippi Educator License**, as from the **Mississippi Department of Education**, the undersigned applicant verifies **one of the following** with respect to application for a public benefit:

- 1) \_\_\_\_\_ I am a United States citizen.
  
- 2) \_\_\_\_\_ I am a legal permanent resident of the United States.
  
- 3) \_\_\_\_\_ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: \_\_\_\_\_.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document with this affidavit.

**The secure and verifiable document provided with this affidavit can best be classified as:**  
\_\_\_\_\_.

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of Mississippi Code Ann. § 97-7-10, and face criminal penalties as allowed by such criminal statute.

Executed in \_\_\_\_\_ (city), \_\_\_\_\_ (state).

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name of Applicant

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE

\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires:

## List of Secure and Verifiable Documents for Confirmation of Lawful Presence

The following list of secure and verifiable documents contains documents that are verifiable for identification purposes, and documents on this list may not necessarily be indicative of residency or immigration status.

\_\_\_\_\_ A United States passport or passport card

\_\_\_\_\_ A United States military identification card

\_\_\_\_\_ A driver's license issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer

\_\_\_\_\_ An identification card issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer

\_\_\_\_\_ A tribal identification card of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. A listing of federally recognized Native American tribes may be found at:

<http://www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/index.htm>

\_\_\_\_\_ A United States Permanent Resident Card or Alien Registration Receipt Card

\_\_\_\_\_ An Employment Authorization Document that contains a photograph of the bearer

\_\_\_\_\_ A passport issued by a foreign government

\_\_\_\_\_ A Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard

\_\_\_\_\_ A Free and Secure Trade (FAST) card

\_\_\_\_\_ A NEXUS card

\_\_\_\_\_ A Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card

\_\_\_\_\_ A driver's license issued by a Canadian government authority

\_\_\_\_\_ A Certificate of Citizenship issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-560 or Form N-561)

\_\_\_\_\_ A Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-550 or Form N-570)

\_\_\_\_\_ In addition to the documents listed herein, if, in administering a public benefit or program, an agency is required by federal law to accept a document or other form of identification for proof of or documentation of identity, that document or other form of identification will be deemed a secure and verifiable document solely for that particular program or administration of that particular public benefit.