



UNIVERSITY OF
SOUTH DAKOTA

NOTARY PUBLIC – I-9 COMPLETION

The Immigration Reform and Control Act (IRCA) requires all U.S. employers to verify the employment eligibility and identity of all employees hired to work in the United States after November 6, 1986. To implement the law, employers are required to complete Employment Eligibility Verification forms (Form I-9) for all employees, including U.S. citizens. The University of South Dakota's business requires the University to hire remote workers who are unable to visit our offices in Vermillion, SD to complete this process. A blank copy of the I-9 form is enclosed with this letter.

NOTARY AS EMPLOYER'S AGENT. The person presenting the I-9 form to you is a prospective employee for our company. Because it is not physically possible for this person to come to our offices in Vermillion SD to complete the I-9 paperwork, the United States Customs and Immigration Service (USCIS) allows employers to designate agents, such as you, to carry out their I-9 responsibilities. The law does not allow the employer to carry out I-9 responsibilities by means of documents faxed by an employee.

EMPLOYEE MUST COMPLETE SECTION 1 OF FORM. Our employee must complete Section 1 of the Form I-9. The employee's signature holds him/her responsible for the accuracy of the information provided. No documentation is required to substantiate Section 1 information provided by the employee, and no notarization of this section is required.

NOTARY MUST COMPLETE SECTION 2 OF FORM. The employer, or the designated agent, must review *original* documents and complete Section 2 of the Form I-9. We understand that while the Agent may be a commissioned Notary Public, the Agent is not acting in the role of a Notary Public for the purposes of this agreement, and that verification of the employee's documents is not a Notarial Act. The Agent is acting as a private citizen and notarization is not required. We are asking you to act as our agent and review the documents for us to satisfy this requirement. If you are not willing to complete section 2 of the I-9, you may also complete the *Notary Public I-9 Information Verification Certificate*, which will capture the required information.

GENUINENESS OF DOCUMENTS. You are not required to be a document expert. In reviewing the genuineness of the documents presented by an employee, employers are held to reasonableness standards.

PHOTOCOPIES OF DOCUMENTS NOT ACCEPTABLE. You cannot accept photocopies of identity or employment eligibility documents to fulfill I-9 requirements. Only the original documents, meaning the actual document issued by the issuing authority, are satisfactory with the single exception of a certified photocopy of a birth certificate. Please make copies of the documents presented by the employee to be sent with the completed I-9 form.

ENCLOSURES. Thank you for accepting this commission. Enclosed please find the original Form I-9, the *List of Acceptable Documentation* and the *Notary Public Information Verification Certificate*.

Please see the following process instructions for completion details:

- You must accept any document(s) presented which reasonably appears on its face value to be genuine and related to the person presenting it.
- You may not specify which document(s) are presented.
- All documents must be unexpired.
- Do not use whiteout to correct an error. If a mistake occurs, cross out the error, initial and date it, and insert the correct information.
- Record the following information in Section II for List A or Lists B and C (if you do not feel comfortable completing the information on the actual *Form I-9*, you may use the *Notary Public Information Verification Certificate*).
 - Document title
 - Issuing authority
 - Document number
 - Expiration date, if any
- Complete the Certification section:
 - Leave the employment beginning date blank
 - Sign and print your name
 - Under "business or organization name," fill in "for USD"
 - Fill in your (notary or other agent) title and complete address (including zip code)
 - Fill in date that the form is signed
 - Do not complete Section 3
- Attach a copy of the document(s) you reviewed to the I-9 form; return document(s) originals, completed I-9 and the *Notary Public Information Verification Certificate (if applicable)* to the USD employee.