

## Trinity Valley Community College

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Trinity Valley Community College  
107501

HIRING PRACTICES

DC  
(LEGAL)

### TRUSTEE EMPLOYMENT

The College District may not employ or contract with an individual who was a member of the Board of Trustees of the College District before the first anniversary of the date the individual ceased to be a member of the Board of Trustees. *Education Code 130.089*

### VERIFICATION OF EMPLOYMENT ELIGIBILITY

A College District must verify employment eligibility, pursuant to the Immigration Reform and Control Act, and complete Form I-9 by the following dates:

1. Within three business days of initial hiring. If the College District hires an individual for employment for a duration of less than three business days, the College District must verify employment at the time of hire.

A College District shall not be deemed to have hired an individual if the individual is continuing in his or her employment and has a reasonable expectation of employment at all times.

When the College District rehires an individual, the College District may, in lieu of completing a new I-9, inspect a previously completed I-9 executed within three years of the date of rehire, to determine whether the individual is still eligible to work.

2. For an individual whose employment authorization expires, not later than the date of expiration.

*8 CFR 274a.2(b)(1)(ii), (iii), (vii), (viii)*

### SOCIAL SECURITY NUMBERS

It shall be unlawful for a College District to deny to any individual any right, benefit, or privilege provided by law because of the individual's refusal to disclose his or her Social Security number.

## EXCEPTIONS

The above provision does not apply to:

1. Any disclosure that is required by federal statute. The United States Internal Revenue Code provides that the Social Security number issued to an individual for purposes of federal income tax laws shall be used as the identifying number for taxpayers;
2. Any disclosure to a College District maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted before such date to verify the identity of an individual; or
3. Any use for the purposes of establishing the identity of individuals affected by any tax, general public assistance, driver's license, or motor vehicle registration law within the College District's jurisdiction.

## STATEMENT OF USES

A College District that requests disclosure of a Social Security number shall inform that individual whether the disclosure is mandatory or voluntary, by what statutory authority such number is solicited, and what uses will be made of it.

*5 U.S.C. 552(a); Pub. L. 94-455, Stat. 1520 (1976)*

## ACCESS TO POLICE RECORDS OF CERTAIN APPLICANTS

The College District may obtain criminal history record information pertaining to an applicant for employment for a security-sensitive position. The College District may deny employment to an applicant for a security-sensitive position who fails to provide a complete set of fingerprints upon request.

Security-sensitive positions shall be restricted to those in which employees handle currency, have access to a computer terminal, have access to a master key, or work in an area of the College District that has been designated as a security-sensitive area. A security-sensitive position shall be so identified in the job description and advertisement for the position.

*Education Code 51.215*

## NEW HIRE REPORTING

The College District shall furnish to the Directory of New Hires (Texas Attorney General's Office) a report that contains the name, address, and Social Security number of each newly hired employee. The report shall also contain the College District's name, address, and employer identification number.

The College District may also provide, at its option, the employee's date of hire, date of birth, expected salary or wages, and the College District's payroll address for mailing of notice to withhold child support.

The College District shall report new hire information on a Form W-4 or an equivalent form, by first class mail, telephone, electronically, magnetic media, or as determined by the College District and in a format acceptable to the attorney general.

## DEADLINE

New hire reports are due:

1. Not later than 20 calendar days after the date the College District hires the employee; or
2. In the case of a College District transmitting reports magnetically or electronically, by two monthly transmissions (if necessary) not less than 12 days nor more than 16 days apart.

New hire reports shall be considered timely if postmarked by the due date or, if filed electronically, if received by the agency by the due date.

*42 U.S.C. 653a (b)(c); Family Code 234.101-234.104; 1 TAC Ch. 55, subch. I*

## RETIREES

The College District may employ a person who has retired under the Teacher Retirement System (Subtitle C, Title 8, Government Code) or the optional retirement program (Chapter 830, Government Code) if:

1. The Board determines that the employment is in the best interest of the College District; and
2. The person has been retired for at least 30 days before the effective date of the employment, except that a person retired under the optional retirement program may be rehired after retirement without a break in service.

The Board may pay a person employed an amount considered by the Board to be appropriate, notwithstanding any other provision of law.

*Education Code 51.964*

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DATE ISSUED: 02/21/2005

UPDATE 19

DC(LEGAL)-LJC

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