



Georgia Department of Early Care and Learning

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Nathan Deal
Governor

Amy M. Jacobs
Interim Commissioner

MEMORANDUM

To: SFSP Private Non-Profit Sponsors, SFSP and CACFP Churches and Faith-based Organizations, CACFP Sponsors of Centers (Affiliated or Unaffiliated) and Sponsors of Day Care Homes

From: Falita Flowers, Nutrition Services Director

Date: August 20, 2014

Subject: Employment Eligibility Verification (E-Verify)

Legal Authority: O.C.G.A. 13-10-91

The purpose of this memorandum is to inform new and participating Summer Food Service Program (SFSP) and Child and Adult Care Food Program (CACFP) institutions/sponsors of an additional program application requirement. Per Georgia Code O.C.G.A. 13-10-91 (a) and (b)(2), effective January 1, 2014, every public employer, including, but not limited to, every municipality and county, shall register and participate in the federal work authorization program to verify employment eligibility, using E-verify, of all newly hired employees. Additionally, a contractor shall not enter into any contract with a public employer for the physical performance of services unless the contractor registers and participates in the federal work authorization program.

This statute directly impacts: (a) private non-profit SFSP sponsors, (b) CACFP sponsors of affiliated and/or unaffiliated centers, and (c) CACFP sponsors of day care homes. The reason being, these sponsors receive an administrative fee from DECAL for services rendered, which include, but are not limited to, Program administration to its sponsored sites, facilities and/or homes; ensuring program compliance via monitoring, evaluation and training; reimbursement to facilities; etc.

Government, Military Installations, School Food Authorities (SFAs) and Colleges/Universities are excluded from E-Verify. CACFP independent centers are also exempt from the statute since those facilities are required only to operate a non-profit food service, which is automatically required by State child care licensing standards. Specifically, independent centers are reimbursed solely for volunteering to

enhance their already existing meal service, and are not in agreement with DECAL to perform CACFP program administration functions of sponsored facilities.

In order to comply with Georgia Law and establish or maintain participation in the CACFP or SFSP, sponsors must complete the following process within 30 days upon receipt of notification from Bright from the Start:

1. Enroll their business in the federal work authorization program known as "E-Verify," by going to the website: <http://www.uscis.gov/e-verify>.
2. You will be required to register, sign the agreement, remember a user name and password and take several tutorials and mastery test before you can access the system and receive your federal work authorization number. The number is a six digit number that will appear at the top of your business profile name.
3. Once you receive your federal work authorization number, you must complete the attached **Immigration Affidavit and Agreement** and submit the document by mail to: ATTN: Tammie Baldwin, Nutrition Services, Bright from the Start, 2 Martin Luther King Jr. Drive, SE, Suite 754, East Tower, Atlanta, GA 30334. **Please Note:** The Immigrant Affidavit Agreement must be an original signed document. Please do not submit copies, or send a copy of the agreement via email or facsimile.

If you have any questions concerning this memorandum, please feel free to contact Sonja Adams, Policy Administrator at (404) 651-8193.



IMMIGRATION AFFIDAVIT AND AGREEMENT

SFSP Sponsor/CACFP

Institution Name: _____

Agreement #: _____

Name of Public Employer: Georgia Department of Early Care And Learning

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the Georgia Department of Early Care and Learning has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization *Company* User Identification Number
(not user log in ID)

Date of Authorization

Name of Contractor (Principal and/or Program Contact)

I hereby declare under penalty of perjury that the foregoing is true and correct.

Printed Name (Principal and/or Program Contact)

Title

Signature (Principal and/or Program Contact)

Date Signed

Executed on _____, _____, **2014** in _____ (city), _____ (state).

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ **DAY OF** _____, **2014**

NOTARY PUBLIC

[NOTARY SEAL]

My Commission Expires: _____