

CHAPTER 7
PROOF OF LEGAL PRESENCE

282—7.1(256) Purpose. This chapter outlines a uniform process for applicants and licensees of the board of educational examiners to establish proof of legal presence pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. §1621).

[ARC 8806C, IAB 1/22/25, effective 2/26/25]

282—7.2(256) Applicability.

7.2(1) Applicants and licensees who are U.S. citizens or permanent resident aliens may be requested to produce evidence of their lawful presence in the United States as a condition of initial licensure or license renewal.

7.2(2) Applicants and licensees residing in the United States, other than those described in subrule 7.2(1), may be requested to provide evidence of lawful presence in the United States at the time of initial licensure and with every subsequent renewal.

7.2(3) Evidence will not be required by foreign national applicants or licensees who are not physically present in the United States.

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282—7.3(256) Acceptable evidence. The board will accept as proof of lawful presence in the United States any acceptable document that establishes a U.S. place of birth or indicates U.S. citizenship or naturalization, or any documentation acceptable under the Immigration and Naturalization Act as amended to November 1, 2023, to establish alien status. Legible copies of documents will be accepted. Original documents will not be required unless a question arises concerning the documentation submitted.

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These rules are intended to implement the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. §1621).

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