



# ID&R

Identification  
and  
Recruitment

# HANDBOOK

Washington State Migrant Education Program



This publication is licensed under a Creative Commons Attribution 4.0 International License



# Acronyms & Abbreviations

---

Helpful acronyms and abbreviations used in this handbook include:

ACRONYM	DEFINITION
• <b>CAMP</b> .....	College Assistance Migrant Program
• <b>CEDARS</b> .....	Comprehensive Education Data and Research System
• <b>CNA</b> .....	Comprehensive Needs Assessment
• <b>COE</b> .....	Certificate of Eligibility
• <b>COS</b> .....	Continuation of Services
• <b>CPR</b> .....	Consolidated Program Review
• <b>DMS</b> .....	Data Management Specialist
• <b>eCOE</b> .....	Electronic Certificate of Eligibility
• <b>EOE</b> .....	End-of-Eligibility
• <b>FPD</b> .....	Federal Programs Director
• <b>HEP</b> .....	High School Equivalency Program
• <b>ID&amp;R</b> .....	Identification and Recruitment
• <b>LEA</b> .....	Local Educational Agency
• <b>MEP</b> .....	Migrant Education Program
• <b>MGS</b> .....	Migrant Graduation Specialist
• <b>MSA</b> .....	Migrant Student Advocate
• <b>MSDRS</b> .....	Migrant Student Data Recruitment and Support
• <b>MSIS</b> .....	Migrant Student Information System
• <b>OME</b> .....	Office of Migrant Education
• <b>OSPI</b> .....	Office of Superintendent of Public Instruction
• <b>OSY</b> .....	Out-of-School Youth
• <b>PASS</b> .....	Portable Assisted Study Sequence
• <b>PFS</b> .....	Priority For Service
• <b>QAD</b> .....	Qualifying Arrival Date
• <b>RC</b> .....	Records Clerk
• <b>RT</b> .....	Recruiter

# Table of Contents

---

**Contact Information** \_\_\_\_\_ Page 1

**Acronyms and Abbreviations** \_\_\_\_\_ Page 2

## **Section 1: Introduction**

Washington State Migrant Education Program _____	Section 1, Page 1
Identification and Recruitment Definition _____	Section 1, Page 1
Local ID&R Responsibility _____	Section 1, Page 2
Role of the Recruiter _____	Section 1, Page 3
Recruiter Job Description and ID&R Activities _____	Section 1, Page 4
Washington State Migrant Education Program _____	Section 1, Pages 5-7
General MEP Information-----	Section 1, Page 5
MEP Goal-----	Section 1, Page 5
Funding-----	Section 1, Page 6
Types of Services-----	Section 1, Page 6

## **Section 2: Eligibility Criteria**

Federal Definitions _____	Section 2, Pages 1-12
Child Eligibility -----	Section 2, Page 1
What is the definition “migratory child”?-----	Section 2, Page 2
Who is a “migratory agricultural worker”? -----	Section 2, Page 3
Agricultural Work -----	Section 2, Page 3
Who is a “migratory fisher”?-----	Section 2, Page 3
Fishing Work -----	Section 2, Page 3
Qualifying Move-----	Section 2, Page 4-5
Qualifying Work -----	Section 2, Page 6
Seasonal Employment -----	Section 2, Page 6
Temporary Employment -----	Section 2, Page 6
Move “due to economic necessity” -----	Section 2, Page 7
“personal subsistence” -----	Section 2, Page 8
“out-of-school youth”-----	Section 2, Page 8
“emancipated youth”-----	Section 2, Page 9
“Guardian”-----	Section 2, Page 9
Qualifying Move-----	Section 2, Page 10
Basic Eligibility for the Migrant Education Program-----	Section 2, Pages 11-16
Qualifying Move Factors -----	Section 2, Page 12
A Child Qualifying Move-----	Section 2, Page 12
A Worker Qualifying Move -----	Section 2, Page 13
Seasonal Employment -----	Section 2, Page 14
Temporary Employment -----	Section 2, Page 14-15
Agricultural Work -----	Section 2, Page 15
Fishing Work -----	Section 2, Page 15
ESSA Eligibility Flow Chart -----	Section 2, Page 16

# Table of Contents

---

## Section 3: Interviewing Migrant Families

Conducting a Successful Interview _____	Section 3, Page 1
The Interview -----	Section 3, Page 1
Interviewing Techniques -----	Section 3, Page 1
Interviewing a Migrant Family -----	Section 3, Page 1
Tips to Consider -----	Section 3, Page 2-3
Sample Door Knob Message -----	Section 3, Page 4
Recruiter Ethic Guidelines -----	Section 3, Pages 5-11
The Recruiter Instinct -----	Section 3, Page 5
Lessons Learned: Eligibility -----	Section 3, Page 5
Warning Signs -----	Section 3, Page 5
Quality Control -----	Section 3, Page 6
Falsification -----	Section 3, Page 7
Conclusion -----	Section 3, Page 7
Sample Recruiter Ethics Guidelines -----	Section 3, Page 11-14
Migrant Education Recruiter Standard of Ethics -----	Section 3, Page 8
Migrant Education Recruiter Standards of Conduct -----	Section 3, Page 8
Identify Fraud, Falsification or Misconduct -----	Section 3, Page 9
Report Fraud, Falsification or Misconduct -----	Section 3, Page 10-11

## Section 4: Eligibility Scenarios/Ruling

Eligibility Ruling _____	Section 4, Page 1
Eligibility Scenarios/Ruling _____	Section 4, Page 1-8
Children born after the QAD -----	Section 4, Page 1
Duration of Move -----	Section 4, Page 1
Early Moves -----	Section 4, Page 2
Economic Necessity -----	Section 4, Page 2
Emancipated Youth -----	Section 4, Page 2
Hauling -----	Section 4, Page 3
Moves of Short Duration -----	Section 4, Page 3
International Moves -----	Section 4, Page 4
Personal Subsistence -----	Section 4, Page 4
Qualifying Worker -----	Section 4, Page 5
School District Boundaries -----	Section 4, Page 6
Temporary Employment -----	Section 4, Pages 6-7
To Join Moves -----	Section 4, Pages 7-8
Vacation -----	Section 4, Page 8

# Table of Contents

---

## Section 5: Completing the Certificate of Eligibility

The Certificate of Eligibility (COE) _____	Section 5, Page 1
Purpose-----	Section 5, Page 1
Exceptions-----	Section 5, Page 1
Overview-----	Section 5, Page 1-2
Electronic COEs _____	Section 5, Page 2
General Instructions _____	Section 5, Page 3
Completing the Required Data Elements of the COE _____	Section 5, Pages 4-19
Family Data-----	Section 5, Page. 4-5
Qualifying Move and Work-----	Section 5, Pages 6-12
Comments-----	Section 5, Pages 13-14
Child Data-----	Section 5, Pages 15-16
Interviewee-----	Section 5, Page. 17
Eligibility Certification-----	Section 5, Page 18
Revalidation-----	Section 5, Page 19
Tools to Complete the Certificate of Eligibility _____	Section 5, Pages 20-23
Qualifying Activities and Crops-----	Section 5, Page 20
Reference Guide for Certificate of Eligibility Completion-----	Section 5, Page 21
The Certificate of Eligibility: Sample-----	Section 5, Page 22
Challenge COE Form-----	Section 5, Page 23

# Table of Contents

---

## Section 6: Local ID&R Responsibility

State Identification and Recruitment Guidelines for Local Education Agencies (LEAs) _____	Section 6, Page 1
State Identification and Recruitment Guidelines _____	Section 6, Page 2
Recruiter Job Description _____	Section 6, Page 3
Active ID&R: Finding Migrant Children _____	Section 6, Pages 4-6
Definitions -----	Section 6, Page 4
Types of Surveys-----	Section 6, Pages 5-6
Sample Forms _____	Section 6, Pages 7-11
Farm Contact/Employee Survey-----	Section 6, Page 7
Eligibility Survey (English form)-----	Section 6, Page 8
Cuestionario de Eligibilidad (Spanish form) -----	Section 6, Page 9
Do You Qualify? (English form)-----	Section 6, Page 10
¿Califica Usted? (Spanish form) -----	Section 6, Page 11
COE Distribution and Filing Guidelines _____	Section 6, Page 12-13
ID&R Activities: Recruiting Out-of-School Youth (OSY) _____	Section 6, Page 14-15
Eligible Ages -----	Section 6, Page 14
Out-of-School Youth-----	Section 6, Page 14
Where are they? -----	Section 6, Page 14
Special Issues-----	Section 6, Page 14
Graduate and GED Recipients -----	Section 6, Page 15
Social Service Assistance: Referrals _____	Section 6, Pages 15-16
What Is It? -----	Section 6, Page 15
Federal Register -----	Section 6, Page 15
State Plan -----	Section 6, Page 16
Social Service Agencies -----	Section 6, Page 16
Making the Referral-Tips for Making the Referral	Section 6, Page 17
Follow Up -----	Section 6, Page 17
Statewide ID&R Activities _____	Section 6, Page 18
Eligibility Rulings -----	Section 6, Page 18
100% Eligibility Accuracy Rate -----	Section 6, Page 18
Family Eligibility Reviews (FERs)-----	Section 6, Page 18
Examples of Social Service Agencies _____	Section 6, Page 19
MSIS and ID&R Retention Requirements _____	Section 6, Page 20
Recruiter Log _____	Section 6, Page 21
Recruiter Log Acronyms and Abbreviations _____	Section 6, Page 22
Putting “Active” Into Active ID&R _____	Section 6, Pages 23-24
Mapping the School District-----	Section 6, Page 23
Networking with Community Agencies and Migrant Employers	Section 6, Page 23
Canvas the Community-----	Section 6, Page 24
Plan on Getting Out -----	Section 6, Page 24
Creating the ID&R Plan-----	Section 6, Page 25
Recruiter Checklist -----	Section 6, Page 26

# Table of Contents

---

## Section 7: MSIS for the Recruiter

Eligibility	Section 7, Page 1-7
COE Eligibility Certificate	Section 7, Page 1
COE Generation Report	Section 7, Page 2
Revalidation Report	Section 7, Page 3
EOE Letter to Family	Section 7, Page 4
Possible Missed COE Report	Section 7, Page 5
Qualifying Arrival Date (QAD) Report	Section 7, Page 6
Termination Report	Section 7, Page 7

## Section 8: Reference Materials

Reference Materials	Section 8, Page 1-68
School Information	Section 8, Page 1
Recruiter Parent Packet	Section 8, Page 2
USDA Food & Nutrition Svc. MEP/LEA Memo	Section 8, Page 3-6
Guidance: Education of Migratory Children	Section 8
Under the Title I, Part C of the Elementary and Secondary Act of 1965	

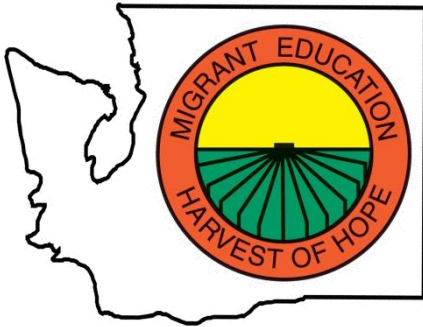


---

# INTRODUCTION

*Welcome to the  
Washington State  
Migrant Education Program*





## WASHINGTON STATE MIGRANT EDUCATION PROGRAM

---

Many migrant families move from school district to school district and from state to state. They withdraw their children from one school and enroll in another which interrupts their children's education. Often, children will be in a district for a limited time span and will return to their homebase or move to other areas where parents seek or obtain agriculture or fishing employment. These children represent many ethnic groups and may have limited English language skills. This, combined with irregular school attendance, poverty, often inadequate nutrition, poor housing and a high incidence of health problems, leads to low overall achievement and frustration, causing many children to drop out of school in their early teens.

Congress established the National Migrant Education Program in 1966 in an effort to meet the special needs of these children. This legislation authorized federal funding for a specific group of children who had limited access to traditional school systems - the children of migratory agricultural workers and fishermen. Washington State's Migrant Education Program was developed in 1967, and was designed to provide services to help educate migrant children. Migrant children may receive supplementary basic skills instruction, supportive health services, and social service referrals, etc. The Washington State Migrant Education Program works closely with other state migrant programs in an effort to provide migrant students with the best possible education and increase the number of migrant students graduating from high school.

Children who qualify for the Migrant Education Program are eligible for three years from their qualifying arrival date (QAD).

## Identification and Recruitment

---

**Identification** means determining the location and presence of migrant children.

**Recruitment** means making contact with migrant families, explaining the Migrant Education Program (MEP), securing the necessary information to make a determination that the child is eligible for the MEP, and recording the basis of the child's eligibility on a Certificate of Eligibility (COE). Upon successful recruitment of a migrant family, eligible children may be enrolled in the MEP.



## Local ID&R Responsibility

### State Identification and Recruitment Guidelines for Local Educational Agencies

A local school or agency must comply with Federal and State ID&R guidelines and standards.

These guidelines are as follows:

- ☑ Provide ample time to conduct ID&R activities must be assured. Duties other than ID&R responsibilities should not be assigned to the migrant funded portion of the Recruiter's time.
- ☑ Eligibility interviews should be held in the dominant language of the interviewee. The school district/agency must clarify to OSPI how this is to be accomplished if the recruiter does not meet this language requirement.
- ☑ Flexible work hours are essential including a work schedule to accommodate impaction and the parent's daily work day/shift.
- ☑ A home visit should be made to determine the reason for a migrant student's absence from school at least 2-3 school days from the last date attended. If this service is provided to non-migrant students with basic or other funds, then this service should also be provided to migrant students with basic or other funds.
- ☑ A local job description outlining ID&R requirements and activities must be adopted. A sample is included in the Washington State Identification and Recruitment Handbook (Section 1, page 4). Training for any local staff members must be provided by MSDRS prior to ID&R activities taking place.
- ☑ LEAs will be required to demonstrate responsibility for active identification and recruitment of migrant students with a 100% COE/eligibility accuracy rate. Active ID&R consists of activities that lead to the location of all-migrant families and youth residing within school district boundaries. This includes networking, advertising, searching for and recruiting students outside of the school building and in the communities wherever migrant families may reside. In the absence of meeting this requirement, OSPI will require steps for corrective action as determined in WAC 392-164-410.
- ☑ A migrant recruiter log or other documentation to justify ID&R activities is required.
- ☑ Certificates of Eligibility (COE) must be completed accurately according to state and federal guidelines, and must be kept on file according to record retention requirements.

## Role of the Recruiter

---

Migrant Education is the only federal program that requires recruitment. The recruiter has a very special job. Some reasons why this is so important are:

- ☑ The children of migratory workers are often invisible. They quietly come and go, and do not attract very much attention. Sometimes they attend school on their own, and sometimes they do not. If the children were not recruited, many would not be in school at all.
- ☑ Because the eligibility requirements are complex and are often difficult to interpret, a trained recruiter is necessary to ensure that only eligible children are enrolled in the program.
- ☑ Migrant families tend to be very self-sufficient. They are not accustomed to looking outside of their own family for help. Unless they are recruited into the program, many will not seek out these services.
- ☑ Many migrant families do not speak English in their home, and frequently there are cultural differences between the home and school. For these and other reasons, it is important that someone provide a link between the school and home.



---

## Recruiter—JOB DESCRIPTION

---

### Directly Responsible to: MEP Grant Coordinator

Identification and recruitment includes seeking out and identifying children who potentially qualify for the program, completing the paperwork necessary to establish their eligibility and enrolling them in the program.

### Minimum Qualifications

---

- ☑ Must be able to read, write and speak fluently in English and/or the language spoken by migrant parents, spouse and/or a student at home.
- ☑ Must be a high school graduate and/or possess a GED.
- ☑ Must be able to work with people, be patient and willing to help parents, and/or student with questions, and provide resources, etc.
- ☑ Must be able to travel and possess a valid Washington State Driver's License and automobile insurance.
- ☑ Must be able to attend regional and state in-service training.
- ☑ Must be flexible, in order to work evening hours when needed.
- ☑ Must be able to complete accurate and timely reports.
- ☑ Must have the ability to develop relationships between the home, school and community.

### Job Description and ID&R Activities—Major Responsibilities

---

1. Actively identify and recruit all eligible migrant children residing in the school district/community from 0 through 21 years of age. This includes:
  - a. Survey the area on a regular basis to confirm the location and presence of migrant workers and their families.
  - b. Develop an identification & recruitment network with organizations and agencies that provide services to migrant workers and their families
2. Complete a Certificate of Eligibility according to state/federal guidelines for each eligible migrant family immediately upon arriving to the school district/community
  - a. For students in school and out-of-school
3. Annually revalidate all families' most recent move information.
4. Share with migrant parents and students information regarding the Migrant Education Program, as well as all school services/programs available to them.
  - a. This includes instructional programs, MSIS, physical exams, alternative educational programs, and options for Out-of-School Youth, preschool programs, adult basic education programs, GED programs, post secondary opportunities, etc.
5. Refer migrant families to appropriate, health, social or legal services in order to meet the needs of the migrant student's successful participation in school.
6. Prepare documentation such as a recruiter log, which reflects all recruitment time and activities.
7. Attend all required training sessions provided for the recruiter by the Migrant Education Program.

Washington State Title I, Part C, Migrant Education Program  
Revision Date 05/04/2012

## Washington State Migrant Education Program

The following is a brief overview of the Migrant Education Program (MEP) and the guidelines of Identification and Recruitment in Washington State.

Washington State's MEP program was developed in 1967 and began funding school districts throughout the state.



### General MEP Information

Migrant Education Program (MEP) Funds support high quality education programs for migratory children.

MEP funds help ensure that migratory children who move among the states are not penalized in any manner by disparities among states in curriculum, graduation requirements, or state academic content and student academic achievement standards. Funds also ensure that migratory children not only are provided with appropriate education services (including supportive services) that address their special needs but also that such children receive full and appropriate opportunities to meet the same challenging state academic content and student academic achievement standards that all children are expected to meet.

### MEP Goal

It is the goal of the Migrant Education Program to ensure that all migrant students reach challenging academic standards and graduate with a high school diploma or complete a General Education Diploma (GED) that prepares them for responsible citizenship, further learning, and productive employment.



MEP OVERVIEW

## Washington State Migrant Education Program

### Funding



The Migrant Education Program is authorized under Part C of Title I of the Elementary and Secondary Education Act of 1965, as amended.

Each state is appropriated Migrant funds through the Department of Education Office of Migrant Education in Washington D.C.

Federal funding is allocated on a yearly basis to the Washington State OSPI (Office of the Superintendent of Public Instruction) to fund school districts and state/regional offices within Washington State.

Federal funds are allocated to the Office of Superintendent of Public Instruction (OSPI) based on per pupil expenditure for education and counts of eligible migratory children, age 3 through 21, residing within the state. OSPI authorizes the sub-grants to local education agencies (school districts), institutions of higher education, and other public and nonprofit agencies.

### Types of Services

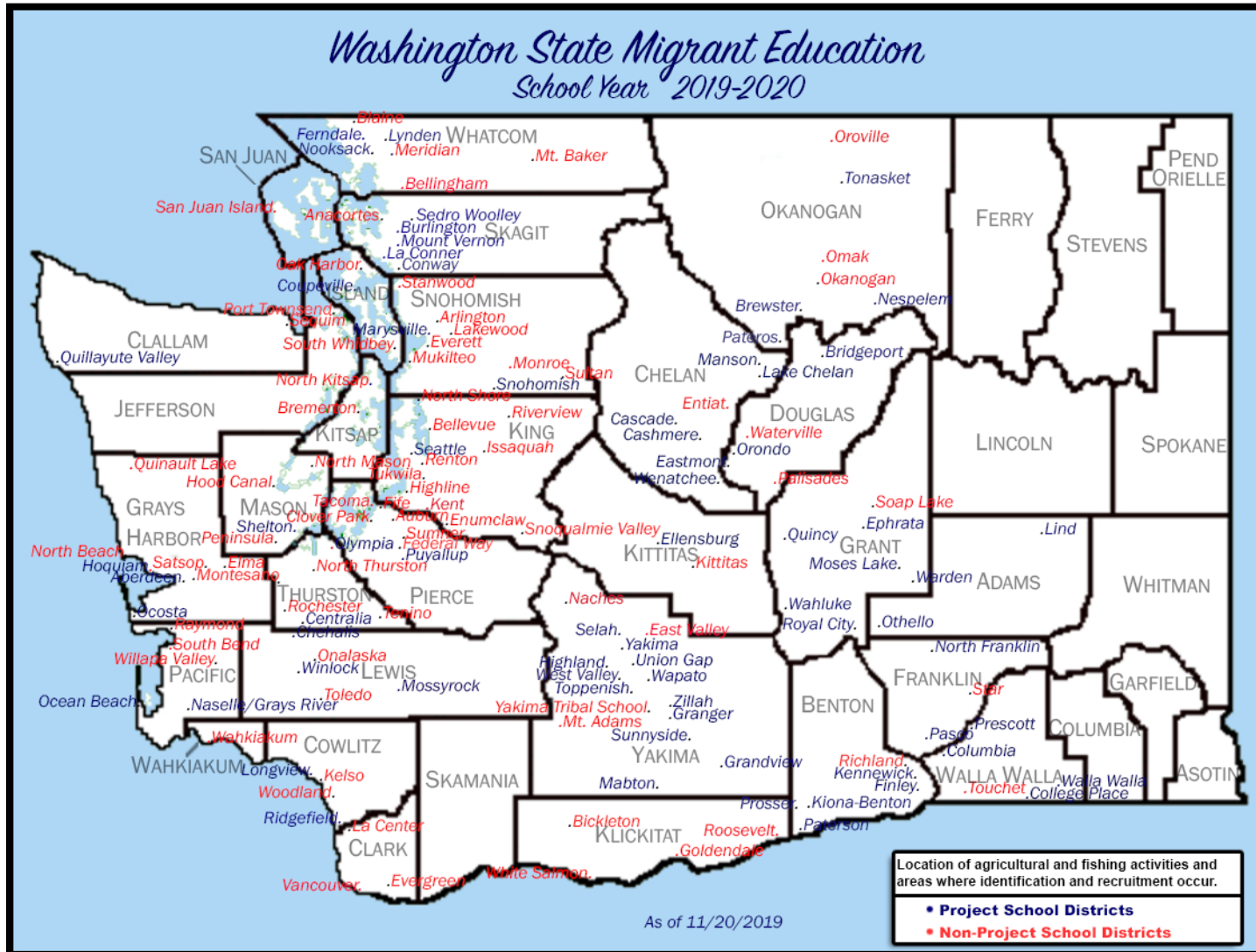
Funds are used to identify eligible children and provide education and support services. Services to migrant children and their families may include:

- Supplemental academic programs to assist in the achievement of state academic standards.
- Instructional training
- Health programs
- Preschool programs (readiness, transitioning to elementary education)
- Family home visiting and academic counseling services
- Parental involvement
- Migrant student data collection
- Student leadership opportunities
- Summer schools programs
- Secondary credit accrual and exchange
- Grants for supplemental secondary services, dropout prevention and retrieval, and alternative education program



Washington State Migrant Education Program

MEP Project/Non-Project School Districts SY 2019-2020





***Never assume a family does or  
does not qualify for the MEP***

***Always conduct a thorough interview***



### Federal Definitions

#### *Child Eligibility*

A child is eligible for the MEP (and thereby eligible to receive MEP services) if the child:

- a. Meets the definition of “migratory child” in section 1309(3) of the ESEA,<sup>1</sup> and is an “eligible child” as the term is used in section 1115(c)(1)(A) of the ESEA and 34 C.F.R. § 200.103; and
- b. Has the basis for the State’s determination that the child is a “migratory child” properly recorded on the national Certificate of Eligibility (COE).



Information necessary to determine a child’s eligibility for the MEP, and to document such eligibility on the COE, is based on an interview with the child’s parent/guardian or spouse, the child (if the child is the migratory worker), or another individual who is not the child’s parent/guardian or spouse (e.g., an older sibling or other household member), but who has direct knowledge of the information needed by the recruiter to determine eligibility. (Recruiters are those individuals who contact migratory families, explain the MEP to them, and collect the necessary information to determine whether a child is eligible for the MEP.) While it is preferable to obtain information regarding qualifying work directly from the worker, workers’ statements may be relayed by the interviewee if the worker is not available at the time of the interview.

Each person reviewing the information contained on the COE, from the recruiter to the SEA-designated reviewer(s), must have confidence in the eligibility determination. Through the lens of recruiters’ and reviewers’ knowledge and experience, the information provided by the interviewee should generally be sufficient to determine eligibility. However, States may require additional documentation to substantiate the information provided by the interviewee if they believe such information is necessary to confirm eligibility for the MEP.

<sup>1</sup> Throughout this chapter, unless otherwise indicated, citations to the ESEA refer to the ESEA, as amended by the ESSA.

### **What is the definition of “Migratory Child”?**

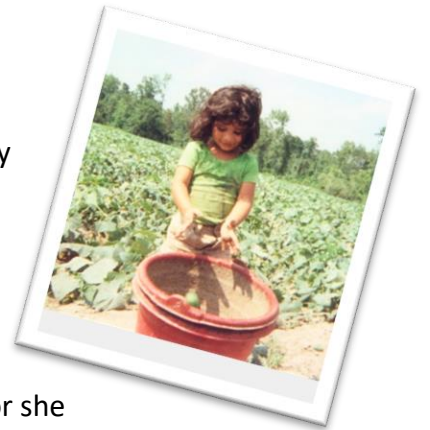
According to sections 1115(c)(1)(A) (incorporated into the MEP by sections 1304(c)(2), 1115(b), and 1309(3) of the ESEA, and 34 C.F.R. § 200.103(a)), a child is a “migratory child” if the following conditions are met:

1. The child is not older than 21 years of age; *and*
2.
  - a. The child is entitled to a free public education (through grade 12) under State law, *or*
  - b. The child is not yet at a grade level at which the LEA provides a free public education, *and*
3. The child made a qualifying move in the preceding 36 months as a migratory agricultural worker or a migratory fisher, or did so with, or to join a parent/guardian or spouse who is a migratory agricultural worker or a migratory fisher; *and*
4. With regard to the qualifying move identified in paragraph 3, above, the child moved due to economic necessity from one residence to another residence, and—
  - a. From one school district to another, *or*
  - b. In a State that is comprised of a single school district, has moved from one administrative area to another within such district; *or*
  - c. Resides in a school district of more than 15,000 square miles and migrates a distance of 20 miles or more to a temporary residence.

### Federal Definitions

#### ***Who is a “migratory agricultural worker”?***

Under section 1309(2) of the ESEA, a “migratory agricultural worker” is a person who, in the preceding 36 months, made a qualifying move and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agricultural (which may be dairy work or the initial processing of raw agricultural products).



Section 1309(2) provides that an individual who did not engage in such new employment soon after a qualifying move may still be considered a “migratory agricultural worker” if he or she meets both of the following criteria:

1. The individual actively sought such new employment, *and*
2. The individual has a recent history of moves for temporary or seasonal agricultural employment.

#### ***Agricultural Work***

##### **What is the definition of “agricultural work” for purposes of the MEP?**

“Agricultural work” is:

1. the production or initial processing of raw agricultural products, such as crops, poultry, or livestock; dairy work; as well as the cultivation or harvesting of trees, that is—
2. performed for wages or personal subsistence.

#### ***Who is a “migratory fisher”?***

Under section 1309(4) of the ESEA, a “migratory fisher” is a person who, in the preceding 36 months, made a qualifying move, and after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing.



Section 1309(4) provides that an individual who did not engage in such new employment soon after a qualifying move may still be considered a “migratory fisher” if he or she meets both of the following criteria:

1. The individual actively sought such new employment; *and*
2. The individual has a recent history of moves for temporary or seasonal fishing employment.

#### ***Fishing Work***

##### **What is the definition of “fishing work” for purposes of the MEP?**

“Fishing work” is:

1. the catching or initial processing of fish or shellfish; as well as the raising or harvesting of fish or shellfish at fish farms, that is—
2. performed for wages or personal subsistence

### Federal Definitions

#### “Qualifying Move”

**What is a “qualifying move”?** Under section 1309(5) of the ESEA, a qualifying move is:

1. made due to economic necessity; *and*
2. from one residence to another residence; *and*
3. from one school district to another school district.\*

\*In a State that is comprised of a single school district, a move qualifies if it is from one administrative area to another within the district. In addition, in a school district of more than 15,000 square miles, a move qualifies if it is over a distance of 20 miles or more to a temporary residence.



**What is a “residence”?** There is no statutory or regulatory definition of a residence for purposes of the MEP. However, the Department views a “residence” as a place where one lives and not just visits. In certain circumstances, boats, vehicles, tents, trailers, etc., may serve as a residence.

Consistent with the COE instructions, the Department recommends that recruiters provide a comment of the COE if there appears to be any other reason that an independent reviewer would question whether the child or worker’s move was from one residence to another residence.

**What does it mean to move “due to economic necessity”?** The Department considers this to mean that the child and the worker (if the child is not the worker) move because they could not afford to stay in the current location. The MEP is premised on the Federal government’s understanding that migratory children have unique needs in view of their mobility, and generally are in low-income families. However, the statutory requirement that a qualifying move be made due to economic necessity clarifies that, under ESEA, economic necessity is integral to a move that makes a child a “migratory” child.

Thus, a person who leaves from the place where he or she lives to, for example, (1) visit family or friends, (2) attend a wedding or other event, (3) take a vacation, (4) have an educational or recreational experience, or (5) take care of a legal matter, would not have “changed residence due to economic necessity” because the person did not go to a new place because of financial need. Similarly, this person would not have “changed residence due to an economic necessity” upon returning home from one of these visits. Consistent with the COE instructions, the Department recommends that recruiters provide a comment on the COE if there appears to be any reason that an independent reviewer would question whether the child or worker moved due to economic necessity.



### Federal Definitions

#### Qualifying Move—continued

- a. Engaged in new qualifying work soon after the move (provide comment if worker engaged ore than 60 days after the move), OR
- b. Actively sought new qualifying work after the move AND has a recent history of moves for qualifying work (provide comment)



### Federal Definitions

**Qualifying Work** means temporary employment or seasonal employment in agricultural work or fishing work.

**Seasonal Employment** means employment that occurs only during a certain period of the year because of the cycles of nature and that, by its nature, may not be continuous or carried on throughout the year.

**Temporary Employment** means employment that lasts for a limited period of time, usually a few months, but no longer than 12 months. It typically includes employment where the employer states that the worker was hired for a limited time frame; the worker states that the worker does not intend to remain in that employment indefinitely; or the SEA has determined on some other reasonable basis that the employment is temporary.



**a. Employer Statement** - The employer states that the worker was hired for a limited time frame, not to exceed 12 months;

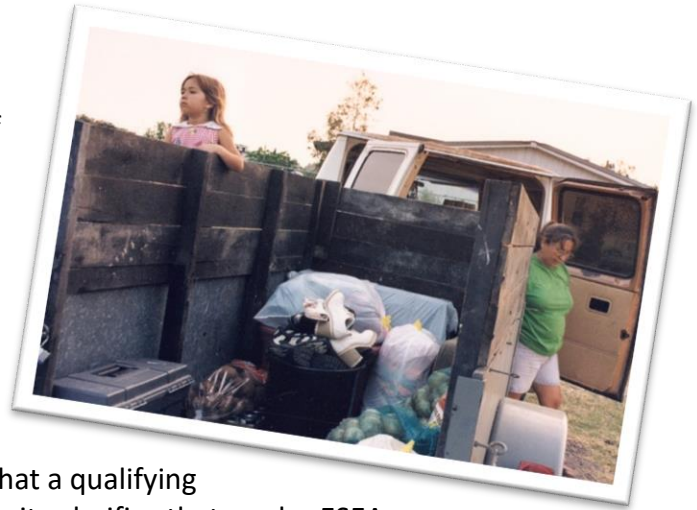
**b. Worker Statement** - The worker states that he or she does not intend to remain in that employment indefinitely (*i.e.*, the worker's employment will not last longer than 12 months)

### Federal Definitions

#### What does it mean to move “due to economic necessity”?

The Department considers this to mean that the child and the worker (if the child is not the worker) move because they could not afford to stay in the current location. The MEP is premised on the Federal government’s understanding that migratory children have unique needs in view of their mobility, and generally are in low-income families.

However, the statutory requirement that a qualifying move be made due to economic necessity clarifies that, under ESEA, economic necessity is integral to a move that makes a child a “migratory” child.



Thus, a person who leaves from the place where he or she lives to, for example, (1) visit family or friends, (2) attend a wedding or other event, (3) take a vacation, (4) have an educational or recreational experience, or (5) take care of a legal matter, would not have “changed residence due to economic necessity” because the person did not go to a new place because of financial need.

Similarly, this person would not have “changed residence due to an economic necessity” upon returning home from one of these visits.



Consistent with the COE instructions, the Department recommends that recruiters provide a comment on the COE if there appears to be any reason that an independent reviewer would question whether the child or worker moved due to economic necessity.



### Federal Definitions

#### “personal subsistence”

**What is the definition of “Personal subsistence”?**

Personal subsistence means that the worker and the worker's family, as a matter of economic necessity, consume, as a substantial portion of their food intake, the crops, dairy products, or livestock they produce or the fish they catch.



#### “out-of-school youth”

**What is the definition of “out-of-school youth”?**

For the purposes of the MEP, the Department considers the term “out-of-school youth” to mean children through age 21 who are entitled to a free public education in the State and who meet the definition of “migratory child,” but who are not currently enrolled in a K-12 institution, and youth who are “here-to-work” only. It would not include children in preschool, nor does it include temporary absences (*e.g.*, summer/intersession, suspension, or illness). Enrollment in school is not a condition affecting eligibility for the MEP. Therefore, out-of-school youth who meet the definition of a “migratory child” are eligible for the MEP.



### Federal Definitions

#### “emancipated youth”

What is the definition of “emancipated youth”?

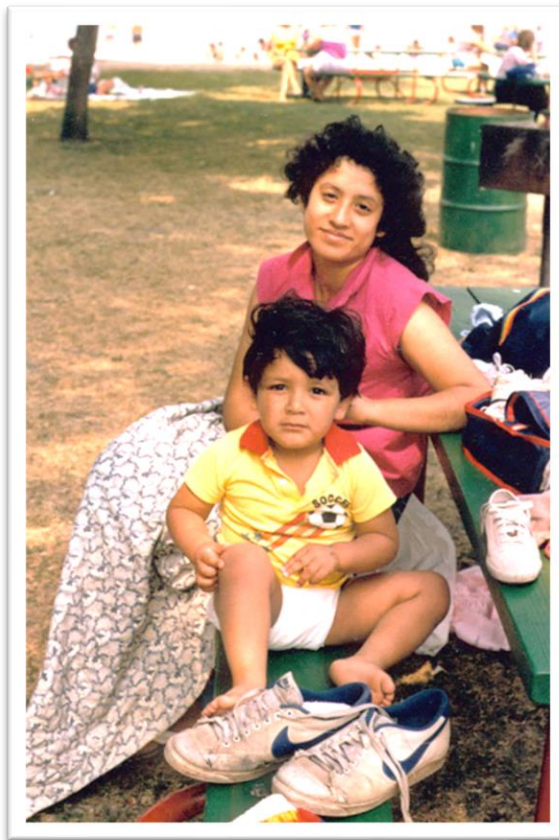
The Department considers emancipated youth to be children who have not yet reached adult age (in accordance with State law) who are no longer under the control of a parent/guardian and who are solely responsible for their own welfare.



#### “Guardian”

Who is a “guardian” for MEP Purposes?

The Department considers a guardian to be any person who stands in the place of the child’s parent (*in loco parentis*), whether by voluntarily accepting responsibility for the child’s welfare or by a court order.



### Federal Definitions

#### Qualifying Move

##### **Is there a minimum duration for a qualifying move?**

Although the statute and regulations are silent on the duration of a qualifying move, a migratory worker and a migratory child must stay in a new place long enough to show that the worker and child “moved,” *i.e.*, changed residence due to economic necessity. Recruiters should carefully examine and evaluate relevant factors, such as whether the move to work was a one-time act or a series of short moves to work in order to augment the family’s income. With respect to moves of such short duration (*e.g.*, less than a week) that an independent reviewer might question whether the move was a change in residence or “due to economic necessity,” the Department also recommends that the SEA establish a written policy for determining and documenting when and why these moves qualify for the MEP.



Consistent with the COE instructions, the Department also recommends that recruiters explain in the Comments section of the COE why they believe that a move of very short duration would be considered a qualifying move.

**Has a worker who travels back and forth between a residence and an agricultural or fishing job within the same day made a qualifying move?** No. Such worker is a “day haul” worker whose travel is a non-qualifying commute, not a qualifying migration involving a change of residence.

**How far back may a recruiter look in considering a “recent history of moves” for qualifying work?** The Department believes that the period of one’s “recent history” should not exceed 36 months prior to the date of the recruiter’s interview. We believe it is difficult to reasonably consider a period longer than 36 months to be “recent,” and think it makes sense to view the period of time within which a recent history of moves must occur as the same period in which a qualifying move must occur under the ESEA for an individual to be considered a “migratory agricultural worker” or “migratory fisher” under section 1309(2) and (4) of the ESEA.

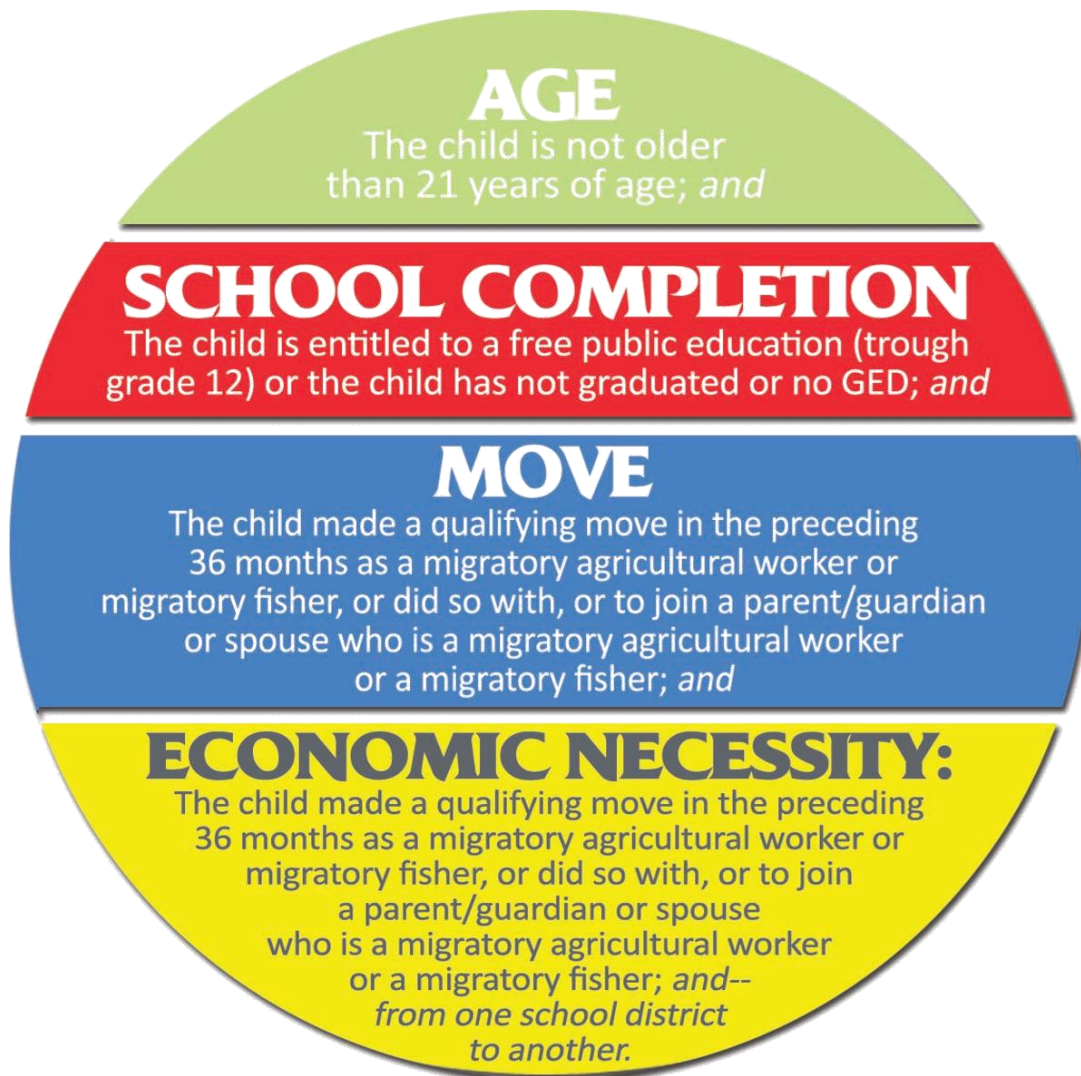


**How many moves would be considered a “recent history of moves”?** Given the plural form of the word “moves,” an individual must have made at least two moves for qualifying work within the time period the State establishes in which the “recent history of moves” must have occurred.

**Federal Definitions**

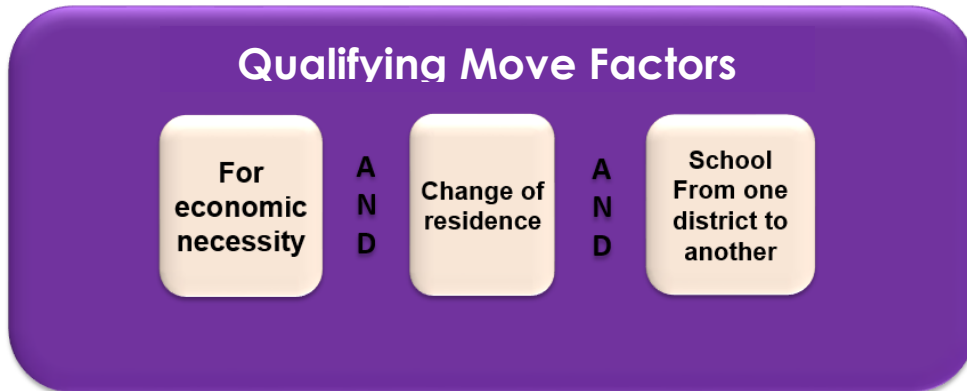
**Basic Eligibility for the Migrant Education Program (MEP)**

The objective of the Migrant Education Program eligibility guidelines is to streamline a smooth coherent process, which at the end result is to identify and enroll eligible migrant students into our educational system.



## Basic Eligibility for the Migrant Education Program (MEP)

### Qualifying Move Factors



In order for a student and parent/guardian to qualify for the MEP the child(ren) and parent/guardian need meet the Qualifying Move Factors and the Child Qualifying Move and the Worker Qualifying Move.

- ✚ A move for economic necessity; and
- ✚ And a move that resulted in a change of residence; and
- ✚ And a move that crossed school district boundaries

### A Child Qualifying Move



In order for the child(ren) to qualify for the MEP, the child needs to meet the Child Eligibility Move Criteria.

- ✚ The child is under the age of 22; and
- ✚ The child has no diploma or GED; and
- ✚ The child made a "Qualifying Move"; and
- ✚ The child moved with/to join or as a worker themselves;
- ✚ The child moved within the past 36 months.

## Basic Eligibility for the Migrant Education Program (MEP)

### A Worker Qualifying Move

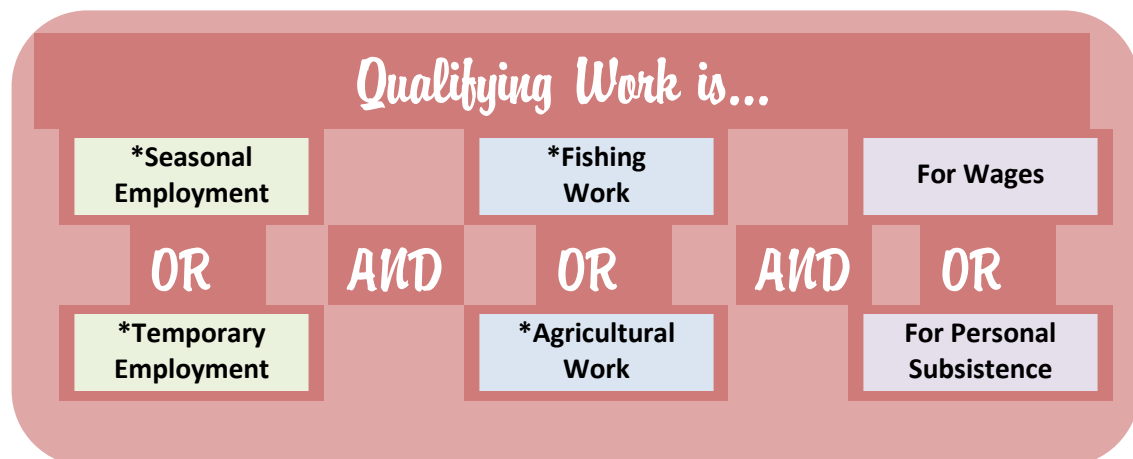


In order for the parent/guardian to qualify for the MEP, the parent/guardian needs to meet the Worker Eligibility Move Criteria.

- ✚ The worker moved due to economic necessity; and
- ✚ The worker moved from one residence to another; and
- ✚ The worker moved from one school district to another school district; and
- ✚ The worker engaged in agricultural or fishing work within 36 months; and
- ✚ The worker engaged in work that was season or temporary in agricultural or fishing or personal subsistence.

### Qualifying Work

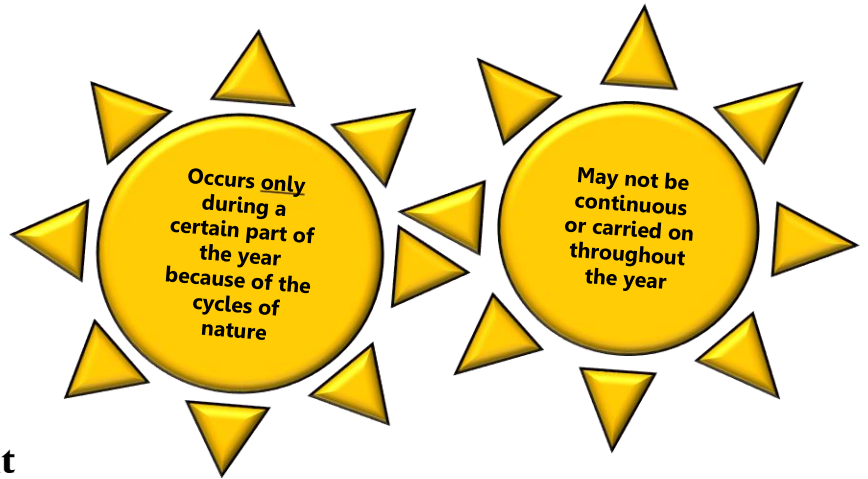
Qualifying work is seasonal or temporary employment in either fishing or agricultural industry for economic necessity or for personal subsistence.



### Basic Eligibility for the Migrant Education Program (MEP)

#### Seasonal Employment

Seasonal employment only occurs during a specific part of the year because of the cycles of nature. Seasonal employment cannot be continuous or carried on throughout the year.



#### Temporary Employment

Temporary employment can be identified under 2 criteria's:

1. **Employer's Statement:** A temporary employer's statement indicating the parameters of time of employment.
2. **Worker's Statement:** A worker's statement is when he/she states they will be employed for a certain period of time. For example: January-March or 4 months.

### Temporary Employment

- Employment that lasts for a limited period of time, usually a few months, but no longer than 12 months. It is determined based on...

**1. EMPLOYER'S STATEMENT** – e.g., the employer hires the worker for October, November, and December to prepare for the holiday season.

**2. WORKER'S STATEMENT** – e.g., the worker states that he plans to leave the job after a period of four months.

**Basic Eligibility for the Migrant Education Program (MEP)**

**Temporary Employment-continued**

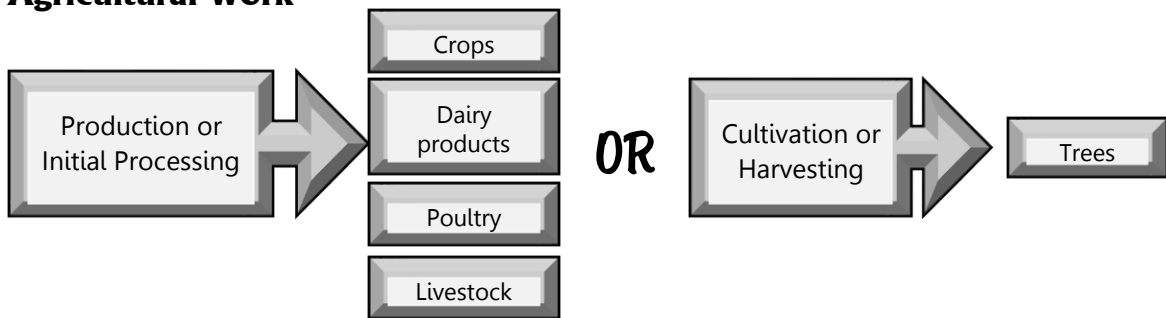
Indefinitely does not equal less than 12 months

When conducting an interview, and the worker states, “that he/she is unaware of the time frame they will be employed; where the temporary employment can last for a few

months or perhaps over a year, the time frame of temporary employment is “indefinite” then a recruiter should not complete a COE.



**Agricultural Work**



Agricultural Work is production or initial processing of:

- Crops
- Dairy Products
- Poultry
- Livestock

Or

Cultivation or harvesting of Trees

**Fishing Work**

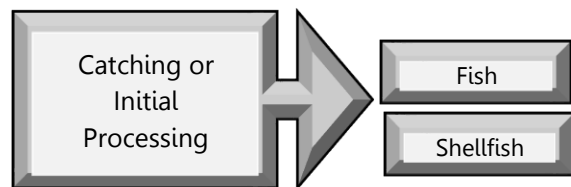
Fishing Work is catching or initial processing of:

- Fish
- Shellfish

Or

Raising or harvesting at fish farms.

- Fish
- Shellfish



OR

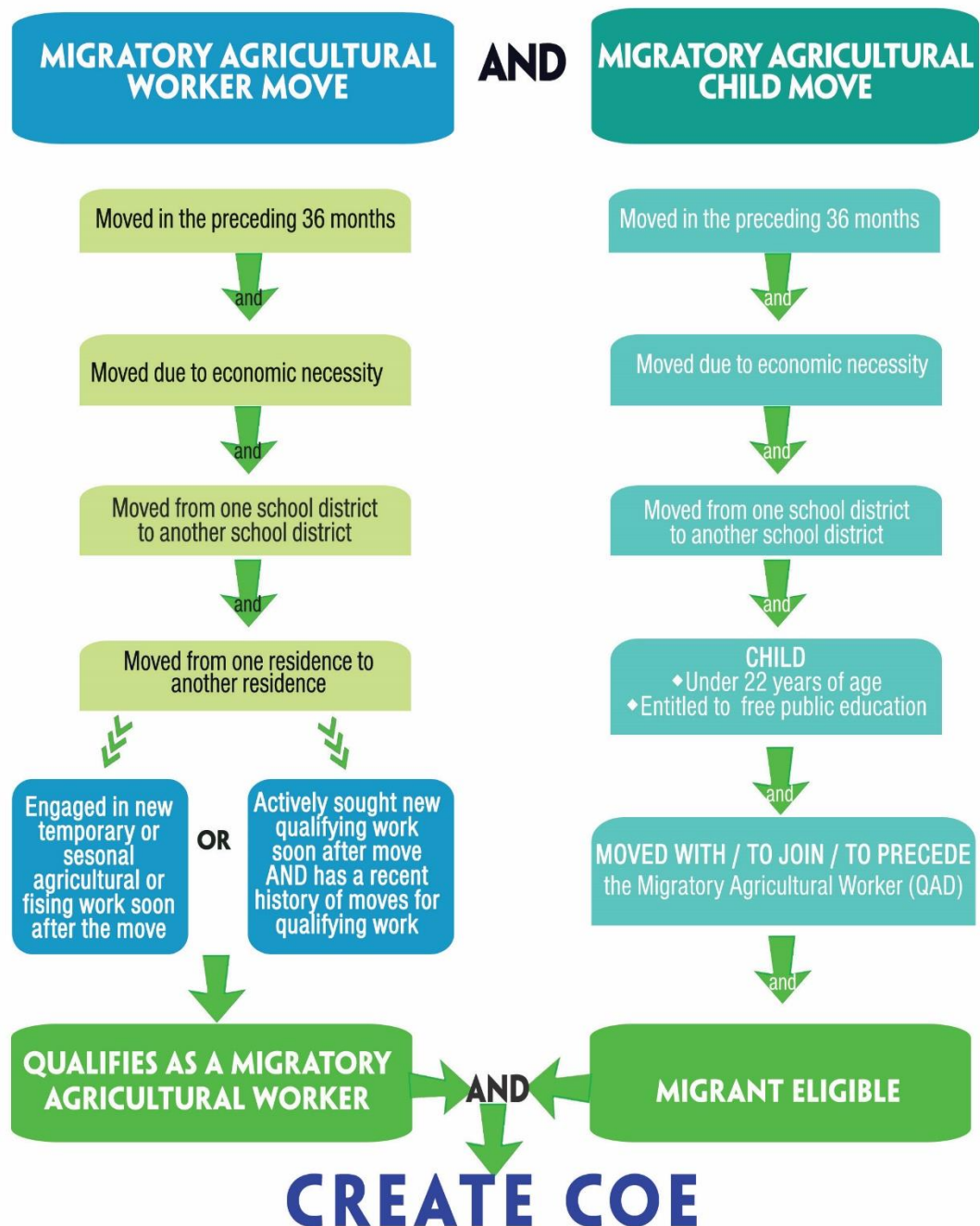




Basic Eligibility for the Migrant Education Program (MEP)



ESSA ELIGIBILITY FLOW CHART



## Section 3

## INTERVIEWING MIGRANT FAMILIES

---



Helpful  
Tips

- 1) *When interviewing migrant families, arrive on time.*
- 2) *Greet migrant parents and identify yourself when conducting a home visit.*
- 3) *Make sure there is plenty of time between home visits, don't rush the interview*
- 4) *Have a list of resources within the community available for families.*



# Section 3 INTERVIEWING MIGRANT FAMILIES

## Conducting a Successful Interview

### The Interview

The interview is the most important tool a recruiter must use when interviewing families/workers and making eligibility determinations for the MEP. It is not required for the families/workers to present any written proof of the information they provide verbally, therefore, the recruiter must rely on his/her interviewing skills to guarantee that the information obtained is accurate and reliable.

Respecting the fact that each recruiter has his/her own style of interviewing families, the information included in this section may be taken as guidance with recommendations and “tips.”



### Interviewing Techniques

1. **Self-introduction:** Identify yourself as a school district affiliate.
2. **Explain why** you’re making the home visit.  
**Examples:**
  - a) I understand you are new to the area.
  - b) The school told me that your children have recently registered.
3. **Develop rapport** with the family/worker. Through general conversation, eligibility questions can be answered and eligibility can be determined.
4. **Determine eligibility:** If the family is eligible, inform them. If not, explain why and refer them to any applicable programs/agencies.
5. **Complete a COE:** Explain to the family that the COE is confidential and is required for enrollment in the MEP.
6. **Provide MEP specifics:** Explain the services and available referrals.

### Interviewing a migrant family

When interviewing a migrant family, take the following into consideration.














- How:** Interview your families in person.
- When:** As soon as you are able to and at family’s convenience.
- Where:** The interview should take place at the family’s home when possible. Also, during school conferences, family nights and student registration.



## Conducting a Successful Interview

### Tips to Consider

#### ▼ When Conducting Home Visits and Interviews ▼

-  Take **safety** precautions from the beginning.
-  Keep your **keys accessible**. Carry your keys in your pocket or hand. Don't carry a purse if you can avoid it. Lock it in the trunk of your car before you start your trip, not after you arrive at your destination.
-  **Anticipate** that the unexpected may happen and create a tentative plan of action.
-  **Smile**. Greet the family with a genuine and friendly smile. Smiles naturally put people at ease. Be yourself with the family. Let them know you are someone who cares and is there for support.
-  Talk to them with **respect and courtesy**. Never, ever talk down to them. People can tell if you are sincere and will respond accordingly. Let them know you are there in the interest of their child. Always thank the parents for their time meeting with you whether at home or another location.
-  When you arrive for your first visit, **introduce yourself** and present your credentials. Explain briefly the program's purpose and definitions. It is advisable that you not spend a lot of time explaining the program and building a parent's expectations to a high level until you determine if they qualify for the program. Once you have established that the children qualify for the program, then explain it in detail.
-  **Give-away** freebies (rulers, pencils, resource packets, etc.) at the beginning of the visit can ease any anxiety the family may have. Ensure the resource packet contains general information, that may apply to any family and therefore is not specifically singling them out.
-  **Talk to the children** in the home. It helps the parents feel more comfortable.
-  In **some cultures**, the family feels obligated to offer you food or a drink, even if it's a glass of water. You must understand enough about these situations so that you do not refuse what is offered, even if you are not thirsty.
-  **Be cautious** sharing personal information about yourself or your family.
-  **Talk** to them about their home and/or family. If they have something noteworthy about their lives, comment on that or discuss (let them discuss) what is immediately and obviously important to them. Listen to what they have to say. Begin with asking generic information about their child or children. This will capture interest and put them at ease as you reach specifics and lead into COE questions.
-  After obtaining all the COE information, **review** the information with the family to ensure it has been correctly entered.
-  Leave your program's **phone number and address** information in order for them to contact you or the advocate.

## Conducting a Successful Interview

### Recruiting Tips

- 1) **Starting Early** – Recruiting early before the school year begins is important. The recruiter can be at the school for the first few days to sign up families as they bring their children to school.
- 2) **Student Handbook** – As part of the reference materials, a copy of the student handbook from all of the schools in the areas can be collected. It is a good idea to become familiar with the school policies for attendance, discipline and graduation requirements and grading periods.
- 3) **Welcome Wagon Approach** - A packet of information for newly-arrived families is useful, including emergency phone numbers, directories of social service agencies, schools, churches, businesses, etc. This information may be gathered in a folder. Distribute the packets to new families as they arrive in town.
- 4) **Take School Officials on Home Visits** - The federal programs director, the superintendent, principals and other may be invited to accompany the recruiter on a home visit occasionally. This will help them understand the Recruiter role and may help break down barriers.
- 5) **Visit With an Experienced Recruiter** – A new recruiter may wish to ask an experienced recruiter in the area if he/she could accompany him or her on some home visits. After a few visits, ask if you could do a parent interview.
- 6) **Recruit at School Registration** – Set up a table at schools that have pre-registration before school starts, and have all parents pass by your station to be screened for eligibility. Those who qualify should be signed up on the spot. Other migrant personnel could be trained to help in other schools if families pre-register on the same day.
- 7) **Name Badge** – The recruiter should wear a name badge prominently displayed when going on home visits. Try to include the migrant logo on the name badge. It identifies the program to the parents, and the name badge reminds the parents on your association with the migrant education program.
- 8) **Business Cards** – Have some business cards printed up with the recruiter’s name, title, address, and phone number on them. Staple them to brochures, posters or flyers to advertise the program.
- 9) **Give – Aways** – Always have something to give to the parents or to the children that may be useful. It helps break the ice and the family feels that they have gained by your visit. Give-aways could include pencils, pens, calendars, brochures, key chains, etc.
- 10) **Door Knob Messages** – While you were out messages are available through the MSDRS. These signs are good to use when the family is not home. Check the appropriate message on forms and leave it on their door to let them know that you were there.
- 11) **Previous COE On Home Visits** – When visiting families take their previous COE and compare it with the new COE information. Specifically, compare the qualifying arrival dates and the children’s information.

## Section 3 INTERVIEWING MIGRANT FAMILIES

### Sample Door Knob Message

Washington State Migrant Education Program		
<b>800.274.6084</b>		
Programa de Educacion Migrante del Estado de Washington		
<b>Important Message</b> <b>Mensaje Importante</b>		
Sorry I missed you. Please contact me about:		
<input type="checkbox"/> Your signature may be needed to qualify for Migrant Education Program services (i.e. free breakfast and lunch)		
<input type="checkbox"/> Have you moved or had a change in residence within the last 12 months? If so, your Certificate of Eligibility (COE) may need updating.		
<input type="checkbox"/> Other (explanation): _____ _____ _____		
Siento no haberle encontrado. Por favor, póngase en contacto conmigo acerca de		
<input type="checkbox"/> Su firma puede ser necesaria para calificar para los servicios del Programa de Educación Migrante (es decir desayuno y almuerzo gratis).		
<input type="checkbox"/> ¿Se ha mudado o tenido un cambio de residencia en los últimos 12 meses? Puede ser necesario actualizar su Certificado de Elegibilidad (COE-ingles).		
<input type="checkbox"/> Otro (explicación): _____ _____ _____		
<b>MY INFORMATION / MI INFORMACIÓN</b>		
Name/Nombre: _____		
Title/Título: _____		
School District/Distrito Escolar: _____		
Phone/Teléfono: _____		

# Section 3 INTERVIEWING MIGRANT FAMILIES

---

## Recruiter Ethics Guidelines

---

The following information has been extracted from the 2012 OME ID&R Manual.

### The Recruiter's Instinct

Some experienced recruiters have said, "It only takes me about two minutes into the interview to tell if a child is eligible for the migrant program!" Can a recruiter truly develop an instinct or intuition for who is eligible and who is not? There are specific situations and places in which the new recruiter may begin to develop intuition. For example, in many parts of "receiving states," migrant families tend to live in particular housing units within the community (e.g., apartments in farming communities that offer short-term leases). Certain farms are more likely to employ migrant help. The recruiter can gather clues about eligibility from the way people answer questions, or from visual clues (e.g., a person who lives in a mansion or drives a brand new luxury car is not likely to be eligible for the MEP). Over time, most workers develop a sense about their jobs, and the recruiter is no different.

The new recruiter could use intuition as a guide on the most productive places to recruit, as well as when to probe deeper, look for more evidence, find another source, or ask a question a second time. However, when making a preliminary eligibility determination, the decision must be based on facts and evidence, not simply on "gut-feelings," because that may not result in making a reliable determination. If the same experienced recruiter who can make quick determinations was asked, "How long did you have to recruit before you could tell which families were eligible in two minutes," the answer would likely be "Years!"

### Lessons Learned: Eligibility

When making preliminary eligibility determinations, there are several areas where problems often arise. The recruiter should watch out for these problem areas.

**Warning Signs:** At the time of an interview, there may be certain warning signs or "yellow flags" that alert the recruiter that a child or youth may not be eligible for the MEP. In these cases, the recruiter would need to ask additional questions. The recruiter should note that the presence of these "yellow flags" would not automatically disqualify a child from being eligible for the MEP, but instead indicate that the recruiter needs to ask additional questions and, after concluding the interview, perhaps discuss the situation with others. Listed below are a few examples of warning signs that should prompt the recruiter to follow up:

- First agricultural or fishing move – the family has not performed agricultural or fishing work before.
- Moves to urban or non-traditional migrant areas – the family moves to an area where migrant work is not generally found.
- Households where some members have non-agricultural/fishing occupations – some members of the household are employed in occupations that aren't related to agriculture or fishing.
- The worker has an occupation that is not related to agriculture or fishing for part of the year (especially the worker goes back to this job regularly).
- A lifestyle where migration does not seem to be an important factor in the family's life (non-traditional migrant housing, no school interruptions).
- Non-entry-level occupations, especially for the non-qualifying work – the worker or other family members have positions that are not entry-level or positions that require training or higher education.
- New farm or industry with possibly new qualifying activities.
- Moves of short duration or short distance these types of moves might not be a change in residence due to economic necessity.
- Travel associated with vacations, family events holidays or other non-work reasons.
- Moves where the family arrives late in the season after agricultural or fishing jobs have been filled or early in the season before work is available.

## Section 3 INTERVIEWING MIGRANT FAMILIES

---

### Recruiter Ethics Guidelines

---

The following information has been extracted from the 2012 OME ID&R Manual

Other warning signs might include moves that are associated with vacations, family events, holidays or other non-work reasons, arriving late in the season after agricultural or fishing jobs have been filled or early in the season before work is available and short duration moves.

**Quality Control:** In the event that the recruiter misses warning signs or errors in some other way in making preliminary eligibility determinations, a quality control system for finding unintentional (or intentional) errors can make the process and the eligibility determination better. In understanding quality control, the recruiter should know the basics of quality control, and the federal and state requirements for ensuring the quality of child eligibility determinations. The recruiter should also be aware of his or her role in the state's quality control plan, and assist in developing state and local plans. Knowing the benefit of having an effective quality control system and the consequences of having an ineffective system are essential to the recruiter's understanding of quality control. A sound plan for quality control should examine many components of the ID&R process. For example, quality control should include:

- training for both new and experienced recruiters on how to determine child eligibility for the MEP;
- supervising and supporting recruiters;
- reviewing COEs to ensure that the documentation supports the eligibility determination;
- resolving eligibility questions raised by recruiters and supervisors, and transmitting written responses to those questions to all local operating agencies;
- confirming that eligibility determinations were made properly (re-interviewing a sample of migrant families);
- monitoring, at least annually, the identification and recruitment practices of individual recruiters;
- reporting cases of fraud or misconduct (see the following section for more information on this topic);
- documenting how the quality control system was implemented and recording actions taken to improve the system, if needed; and
- implementing corrective action in response to internal audit findings and recommendations.

An established plan for quality control can help the recruiter learn from mistakes and improve child eligibility determinations. Quality control can also help identify falsification in determining eligibility.



## Section 3 INTERVIEWING MIGRANT FAMILIES

---

### Recruiter Ethics Guidelines

---

The following information has been extracted from the 2012 OME ID&R Manual

**Falsification:** If the recruiter conducts thorough interviews and collects supporting documentation where needed, making preliminary eligibility determinations – including the process of resolving difficult cases – should be fairly straight forward. However, serious problems arise when the recruiter intentionally falsifies information on the COE. There are a number of reasons why the recruiter may consider “bending” the rules, including the following.

- Even though the recruiter knows the child doesn’t qualify for the MEP, the child really needs extra help.
- The recruiter does not believe that the government makes the best use of its funds; the recruiter believes it is better to spend this money helping needy children, regardless of their eligibility for the MEP.
- The recruiter, by having the authority to decide which families are eligible and which are not, gains status or importance in the migrant community.
- The recruiter feels that identifying more “eligible” migrant children makes his or her job more secure.

Although the recruiter may try to justify falsifying a COE for a “good reason,” knowingly falsifying information on a COE is a crime that is punishable by fines or imprisonment. If a recruiter falsifies a COE to make an ineligible child or youth appear eligible, the consequences can be dire for the state, local MEP, and recruiter. States are liable for money spent on ineligible children; local programs can lose MEP funding; and MEP staff (including recruiter) can face prosecution. Falsifying information undermines both the fiscal and programmatic integrity of the MEP.

However, mistakes are not crimes, so the honest recruiter need not worry. It is the job of everyone in the MEP to find and correct mistakes as soon as possible. In particular, data entry specialists, supervisors, state ID&R staff, and /or independent auditors may check COEs regularly. States are encouraged to implement a rigorous quality control system that regularly checks a random sample of eligibility determinations. In particular, states are encouraged to have individuals who were not associated with the original eligibility determination re-interview or re-verify the eligibility of randomly selected children. This ensures the quality of the recruitment system and of every recruiter’s work. This system helps the honest recruiter get better by finding, correcting and learning from mistakes.

**Conclusion:** The most important part of the recruitment system is making correct eligibility determinations. By gathering all of the information needed to make a determination and carefully applying the rules, the recruiter should have everything needed to make an accurate preliminary determination. Every MEP success story begins with a recruiter who made an accurate preliminary eligibility determination. Every migrant child who improves in reading, every migrant mother who learns how to better prepare her child for kindergarten, and every migrant teenager who graduates from high school began with a recruiter who found and correctly identified a migrant child.

## Section 3 INTERVIEWING MIGRANT FAMILIES

---

### Recruiter Ethics Guidelines

---

The following information has been extracted from the 2012 OME ID&R Manual

#### Sample Recruiter Ethics Guidelines

##### Migrant Education Recruiter Standard of Ethics

The recruiter's primary responsibility is to properly identify and recruit migrant children for the Migrant Education Program (MEP). In carrying out this work, every recruiter is expected to make a commitment to ethical professional behavior. This ethics policy explains what this commitment means.

Recruiters work with migrant farm workers and their families, who are often highly mobile, experience educational disruptions, encounter cultural and language barriers, live in poverty and rural isolation, and have health-related problems that inhibit their ability to do well in school. This policy is intended to serve as a basis for ethical decision-making in the conduct of identification and recruitment.

##### Migrant Education Recruiter Standards of Conduct

1. *Know the eligibility rules.* The recruiter should study and prepare to make proper eligibility determinations. The recruiter is expected to have up-to-date knowledge of the rules of eligibility established at both the federal and state level.
2. *Be objective.* Recruiters are expected to put aside personal beliefs and biases when making eligibility determinations and to base all decisions on objective facts. Gender, race, religion or age should have no bearing on recruiters' decisions. Other factors, including whether a particular child "deserves" assistance, should not be considered.
3. *Be honest.* The recruiter's job is to gather information, provide clear documentation on the Certificate of Eligibility, and help make the eligibility determination. Recruiters must not exaggerate, falsify or omit information. Falsification of program documents may deprive eligible migrant children of needed services, is against the law and could result in criminal prosecution. Honest recruiters keep the MEP safe so that eligible migrant children will continue to receive education services.
4. *Report fraud.* It's the recruiter's job to protect the reputation and integrity of the MEP. If the recruiter feels pressured to enroll a child who doesn't appear to be eligible or observes others who are being pressured or who are committing fraud, it is the recruiter's responsibility to report what he or she has observed.

## Section 3 INTERVIEWING MIGRANT FAMILIES

---

### Recruiter Ethics Guidelines

---

The following information has been extracted from the 2012 OME ID&R Manual

#### Sample Recruiter Ethics Guidelines

##### Identify Fraud, Falsification or Misconduct

The dictionary defines fraud as “intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right” or “an act of deceiving or misrepresenting.”<sup>1</sup> It defines falsify as “to represent falsely” or “misrepresent.”<sup>2</sup> It may be difficult to understand how these terms apply to the identification and recruitment (ID&R) of migrant children, particularly since it may not seem that any particular person is being deceived. In the case of fraud, intentional falsification or misconduct in ID &R, it is the federal government that is being deceived. Ultimately, when there is fraud, intentional falsification or misconduct in ID&R, the public at large, who pay taxes in the belief that federal funds are being spent as authorized by Congress, is being deceived, as is the federal government, which awards state funding on the assumption that state child counts are accurate. Furthermore, counting children who are not eligible for the MEP can affect the size of sub-grants within each state and can dilute services to eligible migrant children. This is why it is important to preserve the public trust by rooting out fraud, intentional falsification and misconduct in ID&R.

Although it is not possible to provide a complete guide of how fraud or misconduct would look in ID&R, here are some tip-offs or examples of possible fraud or misconduct.

- A supervisor tells a recruiter that the recruiter needs to give the supervisor 40 new COEs by the next week, even though it is impossible to find that many eligible children and interview their families in that amount of time.
- A recruiter picks out a needy family each year and enrolls their children in the MEP so they can get extra services, even though the recruiter knows they don't qualify.
- A data entry specialist points out missing information on a recruiter's COEs; the recruiter disappears for a few minutes and then returns with the information filled out. The data entry specialist thinks the recruiter made up the information since a recruiter couldn't possibly contact the family in that short amount of time.
- A supervisor announces that any recruiter who finds 5% more children than he or she found the previous year will get an expense paid trip to the National Migrant Education Conference.
- A local recruiting agency qualifies children whose parents supposedly moved to find work picking blueberries. However, none of the workers ever actually seem to get jobs in agriculture. Most, if not all, of the families find work in construction or other non-qualifying jobs.

## Section 3 INTERVIEWING MIGRANT FAMILIES

---

### Recruiter Ethics Guidelines

---

The following information has been extracted from the 2012 OME ID&R Manual

#### Sample Recruiter Ethics Guidelines

##### Report Fraud, Falsification and Misconduct

If a recruiter observes fraud, falsification or misconduct, some things he or she can do include:

- If the recruiter has been asked to do something he or she believes is inappropriate, the recruiter should make it clear that he or she isn't comfortable with what is being asked.
- Write down what happened with as much detail as possible (if others witnessed what happened, have them write down what they observed as well).
- Report what happened to the appropriate person (if the supervisor is involved, the recruiter should report the problem to someone who is at a higher level within the MEP).

The recruiter should not do things that he or she believes to be wrong, and should follow up on any concerns until they have been properly addressed. Furthermore, if the recruiter suspects that another recruiter is enrolling children in the MEP who are not eligible, the recruiter is obligated to report that as well. If the state MEP does not take the recruiter's concern seriously, the recruiter should report the problem to the federal Office of Migrant Education. Current contact information is available on the U.S. Department of Education's website at <http://www.ed.gov/misused>

Anyone suspecting fraud, waste or abuse involving U.S. Department of Education funds or programs should also call or write the Office of the Inspector General's (OIG) Hotline. The OIG keeps these complaints confidential; it will not release the recruiter's name, address, or any other identifying information. The OIG can be contacted using any of the following methods:

- Call the OIG Hotline's toll free number 1-800-MIS-USED. The Hotline's operating hours are from 9:00a.m. until 4:00 p.m. Eastern Time, Monday through Friday, except holidays;
- Send an e-mail message to [oig.hotline@state.gov](mailto:oig.hotline@state.gov).
- Complete and submit an electronic Complaint Form, which is available on the U.S. Department of Education's website at: <https://oig.state.gov/hotline-form>
- To ensure complete anonymity, download a hardcopy of the special complaint form, complete and mail to:

Inspector General's Hotline  
Office of Inspector General  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1510

## Section 3      INTERVIEWING MIGRANT FAMILIES

---

### Recruiter Ethics Guidelines

---

The following information has been extracted from the 2012 OME ID&R Manual

#### Sample Recruiter Ethics Guidelines

##### Report Fraud, Falsification and Misconduct-continued

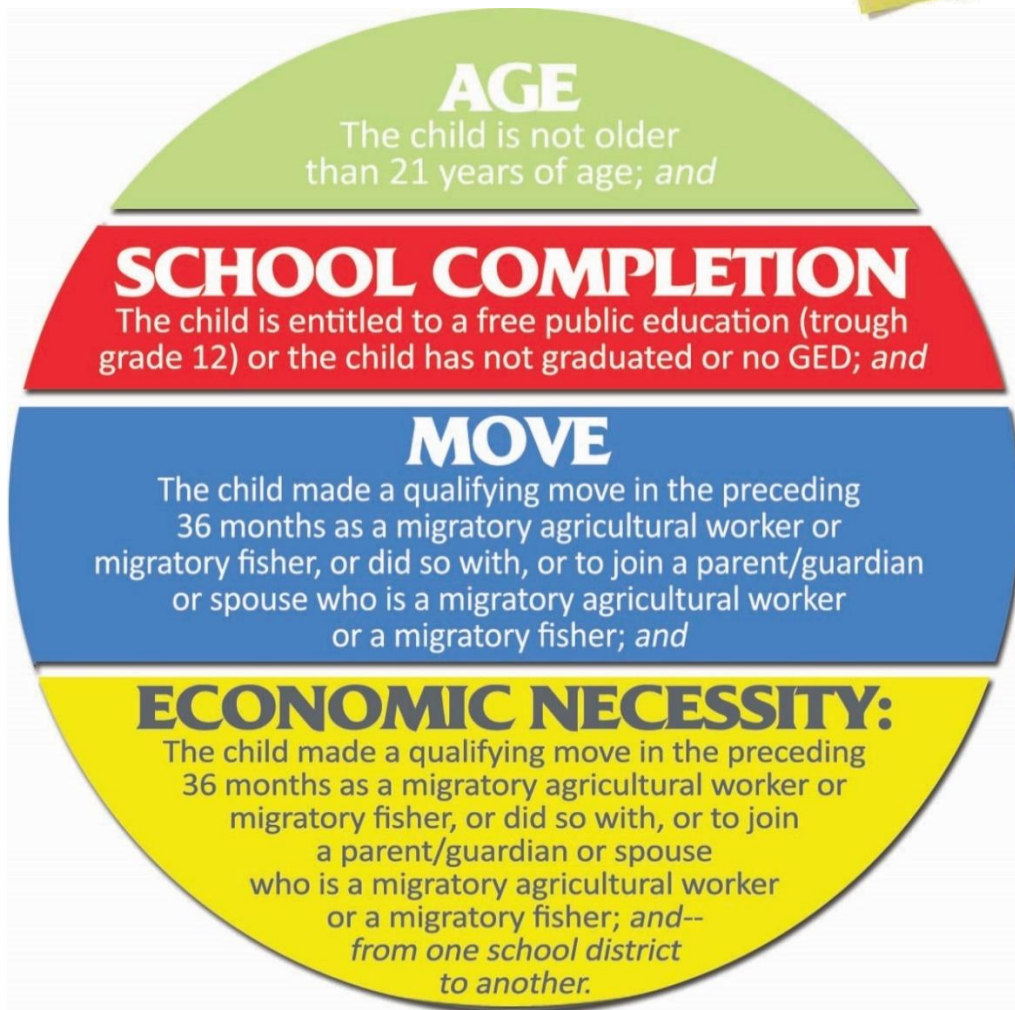
Fraud of intentional falsification is not something that should be taken lightly. Remember that the recruiter commits to the Code of Ethics every time he or she signs a Certificate of Eligibility, which has a statement like the following:

*I certify that these students are eligible for the MEP services based on the information provided by the parent/guardian/worker identified in the box to the left. I hereby certify that, to the best of my knowledge, the information is true, reliable, and valid. Any false statement provided herein is subject to fine or imprisonment pursuant to 18 U.S.C. 1001.*

The recruiter has a special opportunity to help migrant children receive needed educational services through the MEP. Every service that is provided starts with a competent and qualified recruiter who is doing his or her job correctly *and ethically*.

As mentioned previously, fraud is a crime; intentional falsification should be taken seriously by everyone and should be reported immediately.

Basic Migrant Child Eligibility Factors



### Eligibility Rulings

The following information has been gathered from the United States Department of Education, Office of Migrant Education, Office of Superintendent of Public Instruction or the Migrant Student Data, Recruitment and Support (MSDRS) office.

Federal and state definitions of migrant student eligibility are clear. However, some cases have so many variables that eligibility may not seem so obvious. The following section compiles questions with situations that the Migrant Student Data, Recruitment and Support office has already dealt with and has a ruling on. Some rulings are similar in nature. This repetition is purposeful to ease the reader in directing attention to one specific topic.

**NOTE:** As defined in the federal register, reference to a “**qualifying worker**” also includes: parents, spouse, guardian(s), the child or a member of the immediate family as the “qualifying worker.”

A **guardian** is a “**person standing in place of a parent.**” This could be a member of the immediate family including the child’s brother, sister, aunt, uncle, cousin or grandparent.

### Eligibility Scenario/Rulings

TYPE OF MOVE	RULING
<p><b>Children Born After the QAD</b></p>	<p><b>Scenario:</b> Mrs. Gutierrez moved from Ephrata, WA to Othello, WA on July 7, 2017, to pack potatoes; two weeks later she gives birth to a baby boy. Her three other children have been qualified as migrant and are on an existing COE. Can the newborn baby be added to the COE?</p> <p><b>Ruling: No.</b> Children born after the QAD do not qualify and cannot be documented on the COE.</p>

TYPE OF MOVE	RULING
<p><b>Duration of Move</b></p>	<p><b>Scenario I:</b> The Sanchez family moved from Polson, MT to Yakima, WA on 08/30/2017 to pick apples. The recruiter filled out the COE on 09/03/2017. Did the family establish residency?</p> <p><b>Ruling: Yes.</b> Washington Migrant Education Program states the family needs to reside for a minimum of 48 hours in order to establish residency.</p>

Eligibility Rulings-continued

TYPE OF MOVE	RULING
<p><b>Economic Necessity</b></p>	<p><b>Scenario 1:</b> The Skywalker family moves annually from Chelan, WA to Mossyrock, WA to cut Christmas trees on 11/25/2017, the income is necessary to assist the family during the winter months. On 12/20/2017, work ended in Mossyrock and family returned to Chelan. Does the family qualify?  <b>Ruling: Yes.</b> The family qualifies, they meet all the criteria in “what is a qualifying move”. (see chart below)</p> <p><b>Scenario 2:</b> The Ling family moved from Lynden, WA to Forks, WA to visit family on 06/28/2017. While in Forks they went to the beach and dug for clams for recreational activities. Family returned to Lynden on 07/06/2017. Does the family qualify?  <b>Ruling: No.</b> The family does not qualify because the move was not for economic necessity as they went to visit family and for recreational purposes.</p>
<p><b>Emancipated Youth</b></p>	<p><b>Scenario 1:</b> A 14-year old student made a qualifying move on his/her own. Is the student eligible?  <b>Ruling: Yes.</b> The student is considered emancipated and is eligible. The student may sign his/her COE.</p> <p><i>NOTE: If a qualifying child is currently traveling without a parent or guardian, he/she is considered to be eligible for migrant program services. This “emancipated youth” may certify himself/herself.</i></p> <p><b>Scenario 2:</b> If a student living by himself/herself moves in search of qualifying agricultural/fishing work, is this student eligible to receive Migrant Education Programs services?  <b>Ruling: Yes.</b> This student can serve as the qualifying worker on his/her own, and is eligible to receive Migrant Education Program services. No previous move history or moves with a parent/guardian and/or qualifying worker are necessary. The student can sign his/her COE.</p>



Eligibility Rulings-continued

TYPE OF MOVE	RULING
<p><b>Hauling</b></p>	<p><b>Scenario 1:</b> The Zapata family moved from Pharr, TX to Othello, WA on 08/10/2017. Mr. Zapata hauls potatoes for A&amp;B Farms from the fields to the packing shed. Is this a qualifying activity?  <b>Ruling: Yes.</b> Hauling any agriculture product <u>on</u> a farm or ranch is a qualifying activity.</p> <p><b>Scenario 2:</b> The Conner family moved from Redding, CA to Aberdeen, WA on 09/06/2017. Mr. Conner works for B&amp;C Fish. Mr. Conner’s work is to haul fish to local grocery stores. Is this a qualifying activity?  <b>Ruling: No.</b> Hauling agricultural or fish products to a market or wholesaler is not a qualifying activity.</p>
TYPE OF MOVE	RULING
<p><b>Moves of Short Duration</b></p>	<p><b>Scenario 1:</b> The Littlefoot family moves from Wapato, WA to Randle, WA to pick huckleberries during the weekends. The family moves four to five times during the summer with a recent move on 08/14/2017, they do this to augment their income. Is this a qualifying move?  <b>Ruling: Yes.</b> Moves of short duration that happen subsequently and for economic necessity qualify for the MEP. Comments are needed on the comment section of the COE as to <i>how the move was of economic necessity; why the move was of brief duration; how was it determined the family had a change of residence and indicate that the move is not a one-time event but a series of events.</i></p> <p><b>Scenario 2:</b> The Guther family moves from Centralia, WA to Ocean Beach, WA once a year during the spring just for the weekend to fish for salmon. Is this a qualifying move?  <b>Ruling: No.</b> Moves of short duration and a onetime event do not qualify for the MEP.</p>

Eligibility Rulings-continued

TYPE OF MOVE	RULING
<p><b>International Moves</b></p>	<p><b>Scenario 1:</b> The Plazola family moved from Nejapa, El Salvador to Toppenish, WA on 04/28/2017 to work in the hops. Is this a qualifying move?</p> <p><b>Ruling: Yes.</b> A move from another country to the USA qualifies if the worker engaged in qualifying work.</p> <p><b>Scenario 2:</b> The Montemayor family moved from Oroville, WA to Osoyoos, BC Canada to pick apples for a month. Is this a qualifying move?</p> <p><b>Ruling: No.</b> The qualifying move has to be within the United States in order for a family to qualify for the MEP.</p>
TYPE OF MOVE	RULING
<p><b>Personal Subsistence</b></p>	<p><b>Scenario 1:</b> The LaRoche family moved from Goldendale, WA to Vancouver, WA to fish for salmon on 07/18/2017. The LaRoche family catches salmon and consumes what they catch. Is this a qualifying move?</p> <p><b>Ruling: Yes.</b> As part of their economic necessity, the family consumes a substantial portion of their catch.</p> <p><b>Scenario 2:</b> The Tuckers moved from Yakima, WA to La Push, WA on 06/30/2017. They went to the beach to dig for clams. They returned to Yakima on 07/02/2017. Is this a qualifying move?</p> <p><b>Ruling: Yes.</b> The move was back to Yakima due to economic necessity. As part of their economic necessity, the family consumes a substantial portion of their catch. Short duration* move comments required.</p> <p>*For Short Duration Ruling see: Section 4, Page 3.</p>

Eligibility Rulings-continued

TYPE OF MOVE	RULING
<p><b>Qualifying Worker</b></p>	<p><b>Scenario 1:</b> An aunt moved with her niece to allow the niece to work in agriculture. The niece is 17 years old; the aunt has two children. Is this a qualifying move; who is the qualifying worker and do two COEs need to be completed?</p> <p><b>Ruling: Yes.</b> The qualifying worker is the niece, and two COEs need to be completed. The niece would be on the first COE <i>on own as a worker</i>, and also listed below on the <i>Child/School Data</i>. On the second COE the niece would be listed as the qualifying worker with the aunt’s two children listed in the <i>Child/School Data</i>. The niece or the aunt can sign the COE. A comment is needed explaining the relationship of the qualifying worker to the children.</p> <p><b>Scenario 2:</b> A grandmother, a young mother and her child made a qualifying move. The grandmother is sorting apples. How is the COE completed; are two COEs necessary?</p> <p><b>Ruling:</b> One COE is adequate, listing the 16 year-old mother and her child in the <i>Child/School</i> section of the COE. The qualifying worker would sign the COE.</p>

Eligibility Rulings-continued

TYPE OF MOVE	RULING
<p><b>School District Boundaries</b></p>	<p><b>Scenario 1:</b> A family moves from a Mabton residence in the Mabton School District to a Mabton residence located in the Granger School District. How would the Qualifying Move and Work Data #1 of the COE be completed?</p> <p><b>Ruling:</b> The COE should read “From a residence in: Mabton School District, Mabton, WA, USA To a residence in: Granger School District, Mabton, WA.” If a family moves across school district boundaries, but the town in which they reside is the same, also list the name of that school district. Write a note in the comments section explaining the difference between the home address and QAD location.</p> <hr/> <p><b>Scenario 2:</b> A family made a qualifying move in the summer from Fresno, CA to Mount Vernon, WA on June 8, 2017 (residing in the Conway School District). The students were served through the Mount Vernon Summer School. If the family remains in the area through Fall enrollment, which district receives the original COE?</p> <p><b>Ruling:</b> The original COE would be filed in Conway School District at the start of school. A copy is kept in the Mount Vernon Summer School file.</p>
TYPE OF MOVE	RULING
<p><b>Temporary Employment</b></p>	<p><b>Worker’s Statement</b></p> <p><b>Scenario 1:</b> Mrs. Tobias and her family moved from Granger, WA to Cashmere, WA to pack apples on 02/10/2017. Mrs. Tobias stated that she would pack apples for two months then move to Toppenish to cut asparagus. Are comments needed on the COE?</p> <p><b>Ruling: Yes.</b> Worker stated that she would be working on a temporary basis for two months, comments are needed on the COE indicating the length of time employed.</p>

Eligibility Rulings-continued

TYPE OF MOVE	RULING
<p>Temporary Employment</p>	<p><b>Employer’s Statement</b></p> <p><b>Scenario 2:</b> The Ramirez family moved to Tonasket, WA from Sunnyside, WA on 08/10/2017. Mr. Ramirez was hired by Monson Orchards to fix apple bins for 3 weeks. Are comments needed on the COE?</p> <p><b>Ruling: Yes.</b> The employer hired Mr. Ramirez on a temporary basis. Comments are needed on the COE indicating the length of time employed.</p> <p><b>Hired on a temporary basis but still working after 12 months</b></p> <p><b>Scenario 3:</b> On 06/15/2017 the Mungia family qualified for the migrant program as Mr. Mungia was employed milking cows on a temporary basis (5 months). During the Revalidation interview, the recruiter discovered that Mr. Mungia is still employed milking cows full time for the same dairy. Are the children still eligible for the remaining two years of the MEP?</p> <p><b>Ruling: Yes.</b> The children are still eligible for the MEP until they end their eligibility.</p>
TYPE OF MOVE	RULING
<p>To Join Moves</p>	<p><b>Child(ren) moved first</b></p> <p><b>Scenario 1:</b> Mrs. Contreras and her two children moved to Pasco, WA from Mexico on 09/03/2017 to start school. Mr. Contreras joined his family in Pasco on 10/21/2017 to pick apples. Is this a qualifying move; what would the QAD date be?</p> <p><b>Ruling: Yes.</b> The Qualifying Arrival Date would be the second date, the date the qualifying worker joined his family 10/21/2017. Indicate the date the worker moved and the date the child(ren) moved on the COE. Comments are also needed as to why the children arrived first and the qualifying worker joined later.</p> <p><b>Qualifying worker moved first</b></p> <p><b>Scenario 2:</b> Mrs. Furtado moved from California to Moxee, WA on 05/05/2017 to train hop vines. The Furtado children joined Mrs. Furtado on 08/10/2017 to start school. Is this a qualifying move; what would the QAD date be?</p> <p><b>Ruling: Yes.</b> The Qualifying Arrival Date would be the second date, the date the children joined the mother on 08/10/2017. Indicate the date the worker moved and the date the child(ren) moved on the COE. Comments are also needed as to why the qualifying worker arrived first and the children joined later.</p>

Eligibility Rulings-continued

TYPE OF MOVE	RULING
<p><b>To Join Moves</b></p>	<p><b>Moved after 12 months</b></p> <p><b>Scenario 3:</b> Mr. Alvarado moved from Clifton, NJ to Finley, WA on 03/10/2017 to prune apple trees. The Alvarado children joined him on 06/28/2017, they stayed behind to complete a high school program. Is this a qualifying move? Would you complete a COE?</p> <p><b>Ruling: Yes.</b> The Qualifying Arrival Date would be the second date, the date the children joined the father 06/28/2017. Indicate the date the worker moved and the date the child(ren) moved on the COE. Comments are also needed as to why the qualifying worker arrived first and why the children joined later. Note; additional comments as to why it took the children longer than 12 months to join the father is required.</p> <p><b>Example: The Alvarado children did not join father earlier because they were completing a high school vocational program in New Jersey.</b></p>

Eligibility Rulings-continued

TYPE OF MOVE	RULING
<p><b>Vacation</b></p>	<p><b>Scenario:</b> The Portillo family moved from Olympia, WA to Orlando, FL on 12/17/2017. During the interview Mrs. Portillo stated they went to Disney World during the Winter break. Is this a qualifying move?</p> <p><b>Ruling: No.</b> The Portillo family did not meet all the criteria for “What is a qualifying move.” See chart above.</p>

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

---

### Completing the Certificate of Eligibility

1) The Certificate of Eligibility (COE) is the most important document the recruiter will generate for the MEP, and it should be treated as such.

2) The recruiter should complete the COE with care so that it is easy to read and understand, and serves as a clear basis for the determination of a child's eligibility.

3) All eligible children ages 0-21 should be listed in the COE.

4) Don't forget comments on:

1. "to join" moves
2. Personal subsistence
3. Temporary employment
4. Moves of short duration



# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## The Certificate of Eligibility (COE)

In order for a school district to provide Title I Migrant Education Program services to a student, the school district must determine that the student has met the program's qualifying criteria. Furthermore, the school district must document the move information on a Washington State Migrant Education Program Certificate of Eligibility (COE).

### Purpose

The State Education Agency (SEA) is required to document every migrant child's eligibility for the Migrant Education Program (MEP) on the national Certificate of Eligibility (COE) created by the U.S. Department of Education (ED). The COE serves as the official record of the State's eligibility determination for each individual child. A child must have an SEA-approved COE before MEP services may be provided. In addition, the COE serves as a document to obtain family–children information required for enrollment into the Migrant Student Information System (MSIS). COEs are numbered on the bottom right corner for ease in referencing.

### Exceptions

Children who are not eligible and are not to be included on the COE are:

- Children who are born on or after the qualifying arrival date.
- Youth who have graduated from a USA High School or have obtained a General Education Diploma (GED).

### Overview

ED has created a standard national COE that all States are required to use. The national COE is comprised of three parts:

(1) **Required Data Elements**, which States can organize according to State preference and need. Required Data Elements must be worded as they appear in these instructions, and cannot be changed or shortened, with specific exceptions noted (e.g., Multiple Birth Flag may be shortened to “MB” and Birth Data Verification Code may be shortened to “Code”.);

(2) **Required Data Sections**, which States can place according to State preference and need, but that must be maintained in whole and unaltered (e.g., order, numbering, and wording of



## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

---

items within the Qualifying Moves and Work section must remain the same), with specific exceptions noted (e.g., the Comments section must be self-contained and include at a minimum, the required comments, but may be divided into subsections for each required comment); and

(3) **State Required/Requested Information**, where space is available, that States can use to collect other data. State-specific required/requested information may be placed anywhere on the COE, except inside any of the Required Data sections. State instructions may neither negate nor contradict any of the Required Data Elements or Required Data Sections. States may choose their own header (e.g., State name) on the COE, as long as it identifies the form as the Certificate of Eligibility. States may also include their State logos or seals.

NOTE: States must maintain any additional documentation the SEA requires to confirm that each child found eligible for the program meets all of the eligibility definitions. State responsibilities for documenting the eligibility of migratory children are found in 34 CFR 200.89(c).

### Electronic COEs

---

States may use paper or electronic versions of the COE. For purposes of the MEP, an electronic COE is one for which information is entered by the recruiter/interviewer at the time of interview using an electronic device (e.g., tablet).

COEs that are completed on paper at the local level and entered electronically for transmission to the State, are not electronic COEs for the purposes of the MEP.

States must collect the required information, including required signatures, in a manner that follows the COE instructions, regardless of whether they use paper or electronic COEs.

States should also be able to print the COE according to the requirements outlined in the instructions.

Each State has its own procedures for ensuring that electronic signatures are valid and authentic. ED would consider an electronic signature captured via stylus or PIN code to be equally acceptable for audit purposes, and would hold States accountable for any failure to implement its own procedures.

We recommend that States:

- Consult with the State's auditors, Attorney General, or other appropriate State personnel who know and understand electronic signatures, to validate that the State will be able to rely on such signatures for purposes of identifying the person signing the document; and
- Keep the assurance referenced above on file for audit purposes.

### Certificate of Eligibility General Instructions

---

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

---

- A COE must be completed every time a child makes a new qualifying move that would renew the child’s eligibility for the MEP.
- All attempts should be made to complete all data elements and sections of the COE. In cases where a response may not be required or does not apply, flexibility has been built into the instructions. In these cases, the recruiter must write a dash (-) or “N/A” in the appropriate blank. All other information must be provided.
- With the exception of the **“Qualifying Moves and Work Section,”** if the instructions ask for additional information in the Comments section and the State has required this information as a State data element, the recruiter does **not** need to provide the information again in the Comments section. For example, the instructions recommend that recruiters record the first and last names of the child’s legal parent/guardian(s) in the Comments section if different from the current parent/guardian(s). However, if the State includes data elements for legal parent/guardian information, the recruiter would not have to repeat this information in the Comments section.
- If the recruiter completes a COE for a family, the recruiter must fill out a separate COE for any child who has a different qualifying arrival date (QAD) or for any child who has different eligibility criteria than the rest of the children in the family, such as an out-of-school youth (OSY) who may have moved as the worker. The QAD is the date that both the child and worker completed moves to the same school district (listed in #1 of the Qualifying Moves and Work section.) There are special cases that are described in the instructions for the section titled “Qualifying Moves and Work Section.” If more than one COE is necessary, the recruiter must complete all sections on each form.
- The recruiter must **not** include any child who:
  - Was born after the qualifying move described on the COE in #1 of the Qualifying Moves and Work section;
  - Is not eligible to receive a free public education through grade 12 under State law; or
  - Did not make the qualifying move described on the COE in #1 of the **Qualifying Moves and Work** section.

# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## Certificate of Eligibility Instructions

### Completing the Required Data Elements of the COE

#### **FAMILY DATA:**

FAMILY DATA					
Parent/Guardian:	LAST NAME	FIRST NAME	Parent/Guardian:	LAST NAME	FIRST NAME
Current Address:	City:		State:	Zip:	Telephone: ( )
Date the child(ren) established residency in school district:					

In this section of the COE, the recruiter will record the contact information for the child(ren) and name of the child(ren)'s parent(s)/guardian(s).

**Parent/Guardian 1 [Last Name(s), First Name].** Record the name of the individual (if any) currently responsible for the child(ren). Record this individual's legal last name (or names) and legal first name. If the parent/guardian has two last names or a hyphenated last name, record the individual's last name(s) as it legally exists. The term "parent/guardian" on this form and in other sections of these instructions includes a legal guardian or other person who is standing in the place of the parent (*in loco parentis*), such as a grandparent, or stepparent with whom the child lives. If the child(ren)'s legal parent/guardian is different from the current parent/guardian, we recommend providing the name of the child(ren)'s legal parent/guardian in the Comments section. If there is no parent/guardian information disclosed, or if the child is responsible for his or her own welfare (e.g., emancipated youth), write a dash (-) or "N/A."

**Parent/Guardian 2 [Last Name(s), First Name].** Record the name of the second individual (if any) currently responsible for the child(ren). Record this individual's legal last name (or names) and legal first name. If the parent/guardian has two last names or a hyphenated last name, record the individual's last name(s) as it legally exists. The term "parent/guardian" on this form and in other sections of these instructions includes a legal guardian or other person who is standing in the place of the parent (*in loco parentis*), such as a grandparent or stepparent with whom the child lives. If the child(ren)'s legal parent/guardian is different from the current parent/guardian, we recommend providing the name of the child(ren)'s legal parent/guardian in the Comments section. If there is no parent/guardian information disclosed, or if the child is responsible for his or her own welfare (e.g., emancipated youth), write a dash (-) or "N/A."

**Date the child(ren) established residency in school district.** Record the date the children moved into your school district.

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

---

### Certificate of Eligibility Instructions

---

#### Completing the Required Data Elements of the COE

##### **FAMILY DATA:**

##### **Current Address.**

Record the physical address, including the complete name of the street or road where the child(ren) currently resides. In cases where a formal physical address is not available, include as much other identifying information as possible (i.e., trailer number, rural route, migrant camp, landmark). If the physical address is different from the mailing address, provide the mailing address, we recommend providing the mailing address in the Comments section of the COE.

##### **City.**

Record the name of the city or town where the child(ren) currently resides.

##### **State.**

Record the postal abbreviation used by the U.S. Postal Service for the State where the child(ren) currently resides.

##### **Zip.**

Record the five or nine-digit zip code where the child(ren) currently resides. The U.S. Postal Service has an online zip code directory service at <http://zip4.usps.com/zip4/welcome.jsp>.

##### **Telephone.**

Record the telephone number, including area code, of the family. If no telephone number is available, enter a dash (-) or "N/A."

# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## Certificate of Eligibility Instructions

### Completing the Required Data Elements of the COE

#### QUALIFYING MOVES AND WORK:

**QUALIFYING MOVES AND WORK**

1. The child(ren) listed on this form moved due to economic necessity FROM a residence in SCHOOL DISTRICT CITY STATE COUNTRY TO a residence in SCHOOL DISTRICT CITY STATE

2. The child(ren) moved (complete both a. and b.):  
a.  as the worker, OR  with the worker, OR  to join or precede the worker.  
b. The worker, FIRST NAME AND LAST NAME OF WORKER is  the child or the child's  Parent/Guardian  Spouse:  
i. (Complete if "to join or precede" is checked in 2a.) The child(ren) moved on MM / DD / YY. The worker moved on MM / DD / YY (provide comment)

3. The Qualifying Arrival Date (QAD) was MM / DD / YY.

4. The worker moved due to economic necessity on MM / DD / YY, from a residence in SCHOOL DISTRICT CITY STATE COUNTRY to a residence in SCHOOL DISTRICT CITY STATE COUNTRY and:  
a.  engaged in new qualifying work soon after the move (provide comment if worker engaged more than 60 days after the move), OR  
b.  actively sought new qualifying work AND has a recent history of moves for qualifying work (provide comment)

5. The qualifying work,\* DESCRIBE AGRICULTURAL OR FISHING WORK was (make a selection in both a. and b.):  
a.  seasonal, OR  temporary employment \* If applicable check:  
b.  agricultural, OR  fishing work  personal subsistence (provide comment)

6. (Complete if "temporary" is checked in #5a). The work was determined to be temporary employment based on:  
a.  worker's statement (provide comment), OR  
b.  employer's statement (provide comment), OR  
c.  State documentation for EMPLOYER

**COMMENTS**  2bi  4a  4b  5  6a  6b of the Qualifying Move & Work Section, if applicable

MUST INCLUDE  
2bi, 4a, 4b, 5, 6a and 6b  
OF THE QUALIFYING MOVE & WORK DATA  
IF APPLICABLE

In this section, record the **qualifying move and qualifying work** information which the State believes documents the child's eligibility for the program. Note that exceptions apply for moves within States comprised of a single school district and school districts of more than 15,000 square miles. See #1 (immediately below) for how to document these exceptions.

Throughout this section, the term "worker" refers to the child(ren)'s parent/guardian or spouse who is a migratory agricultural worker or migratory fisher. The term "**qualifying work**" as used in this section refers to new temporary or seasonal employment (or personal subsistence) in agriculture or fishing. The "**qualifying moves**" documented in this section are the qualifying moves that meet the MEP-eligibility criteria [i.e., #4 documents the move soon after which the worker engaged in qualifying work (or after which he or she actively sought qualifying work), and #1 documents the child(ren)'s move as, or with or to join, the worker].

# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## Certificate of Eligibility Instructions

### Completing the Required Data Elements of the COE

#### QUALIFYING MOVES AND WORK

1. The child(ren) listed on this form moved due to economic necessity FROM a residence in SCHOOL DISTRICT CITY STATE COUNTRY TO a residence in SCHOOL DISTRICT CITY STATE

1. **The child(ren) listed on this form moved due to economic necessity from a residence in \_\_\_\_\_ (School District/City/State/Country) to a residence in \_\_\_\_\_ (School District/City/State).**
  - **from a residence in \_\_\_\_\_ (School District/City/State/Country).** This location is the child(ren)'s last place of residency immediately prior to the qualifying move. Note that the child(ren) might have made subsequent non-qualifying moves.
  - **to a residence in \_\_\_\_\_ (School District/City/State).** This location is where the child(ren) resided immediately following the qualifying move as the worker, or with or to join, the worker. A qualifying move can never be made to a country outside of the United States. As mentioned previously, the child(ren) might have made subsequent non-qualifying moves.

**Exception.** If the child(ren) migrated a distance of **20 miles or more** to a temporary residence in a school district of more than 15,000 square miles:

- Record the name of the school district where the child(ren) resided immediately prior to and immediately following the qualifying move, in order to identify this move as one that meets the 20 miles criterion.

**Exception.** If the child(ren) moved from a residence in one administrative area to a residence in another administrative area within a U.S. State that is comprised of a single school district:

- Record the full legally or commonly used name of the administrative areas where the child(ren) listed resided immediately prior to and immediately following the qualifying move.

Provide as much of this information in these blanks as available. At a minimum (with the exception of States comprised of single school districts or school districts of more than 15,000 square miles), the State must be able to document that the child moved from one school district to another and changed residences in the process. In the case of States comprised of a single school district, the State must be able to document that the child moved from one administrative area to another and changed residences in the process. In the case of school districts of more than 15,000 square miles, the State must be able to document that the child migrated a distance of 20 miles or more and changed residences in the process.

If the child and the worker moved from different previous residences, record the child's prior residence in response to #1 and record the worker's prior residence in the Comments section.

# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## Certificate of Eligibility Instructions

### Completing the Required Data Elements of the COE

QUALIFYING MOVES AND WORK
2. The child(ren) moved (complete both a. and b.):
a. <input type="checkbox"/> as the worker, OR <input type="checkbox"/> with the worker, OR <input type="checkbox"/> to join or precede the worker.
b. The worker, _____ is <input type="checkbox"/> the child or the child's <input type="checkbox"/> Parent/Guardian <input type="checkbox"/> Spouse.
i. (Complete if "to join or precede" is checked in 2a.) The child(ren) moved on ____ MM / DD / YY ____ . The worker moved on ____ MM / DD / YY ____ . (provide comment)

#### 2. The child(ren) moved (complete both a. and b.):

a.  as the worker, OR  with the worker, OR  to join or precede the worker. [Mark only one box]

- Mark the box "as a worker" if the child moved as the worker.
- Mark the box "with the worker" if the child(ren) moved with the worker.
- Mark the box "to join or precede the worker" if the child(ren) moved either before or after the date the worker moved. If this box is marked, also complete "i" under 2b.

b. The worker, \_\_\_\_\_ (First and Last Name of Worker), (Continued below)

- Record the first and last name of the individual who is a migratory agricultural worker or migratory fisher (i.e., the child(ren)'s parent/guardian or spouse, or the child – if the worker).

(Continued from above) ...

is the child or the child(ren)'s  parent/guardian  spouse. [Mark only one box]

- Mark the box that indicates whether the worker is the child or the child(ren)'s relationship to the worker (i.e., parent/guardian or spouse).

(Complete 2bi if "to join or precede" is checked in 2a.)

i. The child(ren) moved on \_\_\_\_\_ (MM/DD/YY). The worker moved on \_\_\_\_\_ (MM/DD/YY). (provide comment)

- If the worker moved separately from the child(ren), record the date that the child(ren) moved to the school district listed in #1, and record the date the worker moved to the school district listed in #1. Also record the reason for the different move dates, and whether the worker moved from a different location than the child(ren), in the Comments section.

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

### Certificate of Eligibility Instructions

#### Completing the Required Data Elements of the COE

##### QUALIFYING MOVES AND WORK

3. The Qualifying Arrival Date (QAD) was MM/DD/YY.

3. **The Qualifying Arrival Date was \_\_\_\_\_ (MM/DD/YY).** Record the QAD, using the two-digit numbers that refer to the month and day, and the last two digits of the year. For example, May 20, 2016, would be written as 05/20/16.

The QAD is the date that both the child and worker completed the move to the school district listed in #1. The child must have moved as a worker, or with or to join a parent/guardian or spouse who is a migratory agricultural worker or migratory fisher. As referenced in #2a, the child and worker will not always move together, in which case the QAD would be the date the child joins the worker who has already moved, or the date the worker joins the child who has already moved. The QAD is the date that the child's eligibility for the MEP begins. The QAD is not affected by subsequent non-qualifying moves. For more information on determining the QAD, see the chart below.

<b>Type of QUALIFYING MOVE</b> <i>The child. . .</i>	<b>QUALIFYING ARRIVAL DATE (QAD)-- Eligibility Begins</b> <i>The QAD is. . .</i>
. . .moved <u>with</u> the worker.	. . .the date the <u>child and worker both arrived</u> in the district.
. . .moved <u>before</u> the worker moved.	. . .the date the <u>worker arrived</u> in the district where the child was residing.
. . .moved to join the worker <u>after</u> the worker moved.	. . .the date the <u>child arrived</u> to join the worker.



# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## Certificate of Eligibility Instructions

### Completing the Required Data Elements of the COE

QUALIFYING MOVES AND WORK				
4. The worker moved due to economic necessity on: <u>MM / DD / YY</u> , from a residence in <u>SCHOOL DISTRICT</u> <u>CITY</u> <u>STATE</u> <u>COUNTRY</u>				
to a residence in <u>SCHOOL DISTRICT</u> <u>CITY</u> <u>STATE</u> <u>COUNTRY</u> and:				
a. <input type="checkbox"/> engaged in new qualifying work soon after the move (provide comment if worker engaged more than 60 days after the move), OR				
b. <input type="checkbox"/> actively sought new qualifying work AND has a recent history of moves for qualifying work (provide comment)				

4. **The worker moved due to economic necessity on \_\_\_\_\_ (MM/DD/YY), from a residence in \_\_\_\_\_ (School District/City/State/Country) to a residence in \_\_\_\_\_ (School District/City/State), and: [Mark only one of the following boxes: either a or b.]**

**a.  engaged in new qualifying work soon after the move (provide comment if worker engaged in qualifying work more than 60 days after the move), OR**

- Mark this box if the individual listed as the worker in #2b moved due to economic necessity from a residence in one school district to another, and, soon after doing so, engaged in new temporary or seasonal employment (or personal subsistence) in agriculture or fishing.
- Explain in the Comments section if the worker is determined to be a migratory agricultural worker or migratory fisher based on his or her engagement in new qualifying work more than 60 days after the qualifying move described in #4.

**b.  actively sought new qualifying work AND has a recent history of moves for qualifying work (provide comment)**

- Mark this box if the individual listed as the worker in #2b, moved due to economic necessity from a residence in one school district to another and actively sought new qualifying work before or after the qualifying move described in #4, and has a recent history of moves for qualifying work.
- Explain in the Comments section how and when the worker actively sought new qualifying work. For example, the individual stated that he or she (or someone on his or her behalf) applied for qualifying work at a particular agricultural or fishing job site, or applied at a center that coordinates available qualifying work.
- Explain in the Comments section the worker's recent history. For example, the recruiter could write, "worker moved from Brownsville, Texas, to Decatur, Michigan, and planted tomatoes in May 2016, and moved from Decatur, Michigan to Presque Isle, ME, and picked potatoes in October 2016."

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

### Certificate of Eligibility Instructions

#### Completing the Required Data Elements of the COE (part II)

QUALIFYING MOVES AND WORK	
5. The <b>qualifying work</b> ,*	DESCRIBE AGRICULTURAL OR FISHING WORK _____ was (make a selection in both a. and b.):
a. <input type="checkbox"/> seasonal, OR <input type="checkbox"/> temporary employment	<input type="checkbox"/> * If applicable check: <input type="checkbox"/> personal subsistence (provide comment)
b. <input type="checkbox"/> agricultural, OR <input type="checkbox"/> fishing work	

**5. The qualifying work\*, \_\_\_\_\_ (describe agricultural or fishing work), (Continued below)**

- **Describe agricultural or fishing work.** When describing the specific agricultural or fishing work, the recruiter should use an action verb (e.g., “picking”) and a noun (e.g., “strawberries”). In other words, the recruiter should describe the worker’s action (e.g., “picking”) and the crop, livestock, or seafood (e.g., “strawberries”). For example: picking strawberries; thinning sugar beets; grape pruning; detasseling corn; catching chickens; planting oysters; walking (weeding) soybeans; and crab harvesting.

(Continued from above)...was (make a selection in both a. and b.):

**a.  seasonal OR  temporary employment, (Continued below)**

- Mark the box for “seasonal employment” if the employment occurs only during a certain period of the year because of the cycles of nature and that, by its nature, may not be continuous or carried on throughout the year. (34 C.F.R. § 200.81(o)).
- Mark the box for “temporary employment” if the employment lasts for a limited period of time, usually a few months, but not longer than 12 months. It typically includes employment where the worker states that the worker does not intend to remain in that employment indefinitely, the employer states that the worker was hired for a limited time frame, or the SEA has determined on some other reasonable basis that the employment is temporary. (34 C.F.R. § 200.81(p)).

**b. (Continued from above)...  agricultural OR  fishing work.**

- Mark the box for “**agricultural work**” if the work involves the production or initial processing of raw agricultural products such as crops, poultry, or livestock, dairy work, as well as the cultivation or harvesting of trees. (Section 1309(2) and 34 C.F.R. § 200.81(a)). The work may be performed either for wages or personal subsistence.
- Mark the box for “**fishing work**” if the work involves the catching or initial processing of fish or shellfish or the raising or harvesting of fish or shellfish at fish farms. (34 C.F.R § 200.81(c)). The work may be performed either for wages or personal subsistence.

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

### Certificate of Eligibility Instructions

#### Completing the Required Data Elements of the COE (part II)

QUALIFYING MOVES AND WORK	
6. (Complete if "temporary" is checked in #5a). The work was determined to be temporary employment based on:	
a. <input type="checkbox"/>	worker's statement (provide comment), OR
b. <input type="checkbox"/>	employer's statement (provide comment), OR
c. <input type="checkbox"/>	State documentation for _____ EMPLOYER _____

**6. (Only complete if "temporary" is checked in #5a. *The work was determined to be temporary employment based on:***

**a.  *worker's statement (provide comment), OR***

- Mark this box if the work was determined to be temporary employment based on a statement by the worker or the worker's family (i.e., spouse) if the worker is unavailable (provide comment). For example, *the worker states that he or she only plans to remain at the job for a few months*. Provide explanatory comments in Comments section.

**b.  *employer's statement (provide comment), OR***

- Mark this box if the work was determined to be temporary employment based on a statement by the employer or documentation obtained from the employer. For example, *the employer states that he or she hired the worker for a specific time period (e.g., 3 months) or until a specific task is completed and the work is not one of a series of activities that is typical of permanent employment*. Provide explanatory comments in Comments section.

**c.  *State documentation for \_\_\_\_\_ (employer).***

- Mark this box upon verification that the State has current documentation to support that the work described in #5 is temporary employment for this particular employer.
- **employer**  
Identify the employer, whether it is the name of or code for a farmer, a grower, a business, or a corporation, where the worker engaged in qualifying work.

# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## Certificate of Eligibility Instructions

### Completing the Required Data Elements of the COE (part II)



**Comments Section (Must include 2bi, 4a, 4b, 5, 6a and 6b of the Qualifying Moves & Work Section, if applicable.)** The “Comments section” of the COE allows the recruiter to provide additional information or details that clarify the reasons for the recruiter’s eligibility determination. The recruiter should write clear and detailed comments so an independent party who has no prior knowledge of the eligibility determination can understand the recruiter’s reasoning for determining that the child(ren) is eligible. At a minimum, the recruiter must provide comments that clearly explain items 2bi, 4a, 4b, 5, 6a and 6b of the Qualifying Moves & Work Section, if applicable. The Comments section must be self-contained and include at a minimum, the required comments, but States may choose to divide required comments into subsections. As mentioned previously, these items include the following scenarios documented in the Qualifying Moves and Work Section:

- **#2bi: The child(ren) and worker moved separately.** If the child(ren) joined or preceded the worker, record the reason for the child’s later move or the worker’s later move. If the worker moved from a different school district than the child(ren), record the name of the school district in which the worker resided immediately prior to the move.
- **#4a: The worker engaged in new qualifying work** more than 60 days after the qualifying move.
- **#4b: The worker did not engage** in new qualifying work soon after the qualifying move. In this case, the recruiter must document that:
  - The worker actively sought new qualifying work; AND
  - The worker has a recent history of moves for qualifying work
- **#5: The worker is a migratory agricultural worker or migratory fisher** on the basis of “personal subsistence,” meaning “that the worker and the worker’s family, as a matter of economic necessity, consume, as a substantial portion of their food intake, the crops, dairy products, or livestock they produce or the fish they catch.” (34 C.F.R. § 200.81(m)).
- **#6a or 6b: The employment is temporary** based on the worker’s statement or the employer’s statement. In particular, record the information provided by the worker or employer regarding how long they expect the employment to last. The comment should be of sufficient length to adequately document how the recruiter came to the eligibility decision.

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

### Certificate of Eligibility Instructions

#### Completing the Required Data Elements of the COE (part II)

COMMENTS	<input type="checkbox"/> 2bi <input type="checkbox"/> 4a <input type="checkbox"/> 4b <input type="checkbox"/> 5 <input type="checkbox"/> 6a <input type="checkbox"/> 6b of the Qualifying Move & Work Section, if applicable
MUST INCLUDE 2bi, 4a, 4b, 5, 6a and 6b OF THE QUALIFYING MOVE & WORK DATA SECTION IF APPLICABLE	

The Office of Migrant Education (OME) recommends that the recruiter provide additional comments on the COE in the following circumstances and in any other circumstances in which a third party may question the eligibility determination:

- **The information on the COE needs additional explanation** to be clearly understood by an independent outside reviewer.
  - **The basis for the preliminary eligibility determination is not obvious.** For example, the work is unusual enough that an independent reviewer is unlikely to understand that it is qualifying work. An explanation is needed to enable a reviewer to understand how the preliminary eligibility determination was made.
  - **The work could be** part of a "series of activities" that, viewed together, would constitute year-round employment (e.g., mending fences on a dairy farm and bailing hay could be two parts of year-round ranching with one employer).
  - **The work may be viewed** by an independent reviewer as **either temporary or year-round** employment (e.g., collecting eggs or milking cows).
  - **A "move"** is of such brief duration or such a short distance (or both) that one could question whether it was a move from one residence to another residence, due to economic necessity.
  - **An interviewee uses a symbol such as an "X"** or other valid mark as a signature.
  - **The person** who provided the information on the COE form (interviewee) **is not the worker.**
  - **The mailing address** is different from the child(ren)'s **physical residence.**
- The child(ren)'s legal parent/guardian(s) **differ** from the current parent/guardian(s) listed.

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

### Certificate of Eligibility Instructions

#### Completing the Required Data Elements of the COE (part III)

##### **CHILD DATA:**

CHILD DATA												
Name of Eligible Child (ren) as registered in school												
Last Name 1 & 2	First Name	Middle Name	Suffix	Student ID	Sex	Birth Date	Code	MB	BIRTH PLACE:	City	State	Country

**Child data includes the name, sex, birth date, etc. of each child.** A recruiter should include all children with the same family and eligibility data on the same COE. Any child who has different (1) current family [see “Family Data” above for additional definition] or (2) eligibility data—including a different QAD—must be documented on a separate COE.

**Last name 1 & 2:** Record the legal last name of each eligible child in the family. If the child has a multiple or hyphenated last name (e.g., Ramírez-García), record the first and second last names.

**First name:** Record the legal first name of each eligible child in the family. This is the name given to the child at birth, baptism, or during another naming ceremony, or through a legal name change. Do not record nicknames or shortened names (e.g., Ale or Alex for Alejandra).

**Middle name:** Record the legal middle name of each eligible child in the family. This is the secondary name given to the child at birth, baptism, or during another naming ceremony, or through a legal name change. Do not record nicknames or shortened names (i.e., Ale or Alex for Alejandra). If the child does not have a middle name, write a dash (-) or “N/A.”

**Suffix:** Where applicable, record the child’s generation in the family (e.g., Jr., Sr., III, 3<sup>rd</sup>). Otherwise enter a dash (-).

**Sex:** Record the child’s sex: “Male” or “Female”. States may abbreviate these responses as “M” or “F”, respectively.

**Birth Date:** Record the month, day and year the child was born. Use the two-digit number that refers to the month and day, and the last two digits of the year. For example: September 20, 2017 would be written as 09/27/2017.

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

### Certificate of Eligibility Instructions

#### Completing the Required Data Elements of the COE (part III)

##### CHILD DATA:

CHILD DATA													
Name of Eligible Child (ren) as registered in school													
Last Name 1 & 2	First Name	Middle Name	Suffix	Student ID	Sex	Birth Date	Code	MB	BIRTH PLACE:		City	State	Country

**Code Verification:** A birth certificate is the best evidence of the child’s birth date, if available. If a birth certificate is not available, the interviewer may use another document to confirm the child’s birth date, including any of those listed below. The code bolded below are the most commonly used codes in Washington State:

<u>Code</u>	<u>Verification</u>	<u>Code</u>	<u>Verification</u>
<b>03</b>	Baptismal or Church Certificate	<b>11</b>	State-issued ID
<b>04</b>	<b>Birth Certificate</b>	<b>12</b>	Driver’s License
<b>05</b>	Entry in Family Bible	<b>13</b>	Immigration Document
<b>06</b>	Hospital Certificate	<b>82</b>	Life Insurance Policy
<b>07</b>	Parent’s Affidavit	<b>99</b>	<b>Other</b>
<b>08</b>	Passport		
<b>09</b>	Physician’s Certificate		
<b>10</b>	Previously verified School Records		

If written evidence is not available, the interviewer may rely on a parent’s or emancipated youth’s verbal statement. In such cases, the interviewer should record “99” – the number that corresponds to “other.”

**Multiple Birth Flag (MB):** Record “Y” for “yes” if the child is a twin, triplet, etc. Write a dash (-) or “N/A” for not applicable (if the child is not a twin, triplet, etc)

**Birth Place:** Record the city, state and country in which the child was born. Must be designated by an abbreviation, i.e., Patzcuaro, MC, MEX. Use two-digit abbreviations for state and three-digit abbreviations for country.

## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

### Certificate of Eligibility Instructions

#### Completing the Required Data Elements of the COE

INTERVIEWEE	
I understand that the purpose of this form is to help the State determine if the child(ren)/youth listed on this form is/are eligible for the Title I, Part C Migrant Education Program. To the best of my knowledge, all of the information I provided to the interviewer is true.	I grant permission, if applicable for: <input type="checkbox"/> my child(ren)s information to be shared with HEP/CAMP. <input type="checkbox"/> my child(ren) to receive a Health Physical Exam. <input type="checkbox"/> my child(ren)s information to be shared with Early Childhood Programs.
_____ SIGNATURE/FIRMA	_____ SIGNATURE/FIRMA
_____ RELATIONSHIP TO THE CHILD(REN)/PARENTESCO CON EL (LOS) MENOR(ES)	_____ RELATIONSHIP TO THE CHILD(REN)/PARENTESCO CON EL (LOS) MENOR(ES)
_____ DATE/FECHA	_____ DATE/FECHA

**Interviewee Signature Section.** The interviewee signs and dates the COE on the day the interview is conducted. The interviewee must also write his or her relationship to the child.

*I understand the purpose of this form is to help the State determine if the child(ren)/youth listed on this form is/are eligible for the Title I, Part C, Migrant Education Program. To the best of my knowledge, all of the information I provided to the interviewer is true.*

#### AND

- **Check the appropriate box(es)** if parent(s), guardian(s) or authorized representative grants permission for information to be shared with HEP/CAMP programs for the child(ren) to receive a migrant physical examination shared with and/or grants permission for information to be shared with Early Childhood Programs.
- **The person who signs the COE must be the source of the information** contained in the document and should verify any information provided by another source. If the interviewee is unable to sign his or her name, he or she must mark an “X” in the signature section and the recruiter must print the interviewee’s name and relationship to the child in the Comments section. If the interviewee refuses to sign his or her name, the recruiter must document the interviewee’s refusal in the Comments section and print the interviewee’s name and relationship to the child.



## Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

---

### Certificate of Eligibility Instructions

---

#### Completing the Required Data Elements of the COE

ELIGIBILITY CERTIFICATION	
I certify that based on the information provided to me, which in all relevant aspects is reflected above, I am satisfied that these children are migratory children as defined in 20 U.S.C. 6399(2) and implementing regulations, and thus eligible as such for Migrant Education Program (MEP) services. I hereby certify that, to the best of my knowledge, the information is true, reliable, and valid and I understand that any false statement provided herein that I have made is subject to fine or imprisonment pursuant to 18 U.S.C. 1001.	
_____ SIGNATURE OF INTERVIEWER	_____ DATE
_____ SIGNATURE OF DESIGNATED SEA REVIEWER	_____ DATE

**Eligibility Certification Section.** The recruiter signs and dates the COE on the day the interview is conducted.

*I certify that based on the information provided to me, which in all relevant aspects is reflected above, I am satisfied that these children are migratory children as defined in 20 U.S.C. 6399 and implementing regulations, and thus eligible as such for MEP services. I hereby certify that, to the best of my knowledge, the information is true, reliable, and valid and I understand that any false statement provided herein that I have made is subject to fine or imprisonment pursuant to 18 U.S.C. 1001.*

*Signature of Interviewer, Date  
Signature of Designated SEA Reviewer, Date*

At least one SEA-designated reviewer must check each completed COE to ensure that the written documentation is sufficient and that, based on the recorded data, the child(ren) may be enrolled in the MEP. The SEA-designated reviewer must sign and date the COE on the day it was reviewed.

# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## Certificate of Eligibility Instructions

### REVALIDATION

**REVALIDATION** For completion 1 year after qualifying arrival date and annually thereafter

By my signature below, I give permission for my child(ren) to be considered "migrant" and to participate in the Migrant Education Program. This includes permission for all Migrant Education Program services, including the agreed on above.

2 Year Eligibility PARENT/GUARDIAN SIGNATURE DATE/FECHA INTERVIEWER'S INITIALS  3 Year Eligibility PARENT/GUARDIAN SIGNATURE DATE/FECHA INTERVIEWER'S INITIALS COE #####

Revalidations must be completed one (1) year after qualifying arrival date and annually thereafter. School district staff must contact via phone or in person each eligible migrant family on an annual basis to ensure they identify and serve their priority for service students. When the recruiters revalidate the COE via phone, the recruiter must indicate who they spoke with on the signature line, date and initial the revalidation and synchronize to MSIS. Conducting the revalidations on an annual basis will ensure priority for service students are identified in the MSIS.

# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## Tools to complete the Certificate of Eligibility

Washington State Migrant Education Program • Migrant Student Data, Recruitment and Support

### QUALIFYING ACTIVITIES & CROPS

<b>ACTIVITIES</b>	<b>B</b>	Bagging/Embolsar Baling/Hacer Pacas Canning/Enlatar Checking/Revisar	<b>H</b>	Harvesting/Cosechar Hauling/Transportar Hoeing/Azadonear	<b>R</b>	Raking/Rastrear Removing/Remover Repacking/Reempacar Repotting/Transplantar
	<b>C</b>	Cleaning/Limpiar Clearing/Talar Cultivating/Cultivar Cutting/Cortar	<b>I</b>	Irrigating/Regar	<b>S</b>	Seeding/Sembrar Shucking/Desvainar Sorting/Clasificar Spraying/Rociar Stacking/Apillar Suckering/Remover Retoños Sweeping/Barrer
	<b>D</b>	Digging/Cavar Disking/Cultivar con Discos Dumping/Verter	<b>L</b>	Land Preparation/Preparar Terreno Loading/Cargar	<b>T</b>	Thinning/Entresacar Tractor Driver/Conductor de Tractor Training/Entrenar la Guía Trimming/Recortar Truck Driver/Camionero Tying/Amarrar
	<b>F</b>	Feeding/Alimentar Fertilizing/Fertilizar Fishing/Pescar Fixing/Reparar Fork Lift Driver/Conductor de montacargas	<b>M</b>	Making/Hacer Milking/Ordeñar Mowing/Cortar Pasto	<b>U</b>	Unloading/Descargar
	<b>G</b>	Gathering/Juntar Gillnetting/Pesca con Red Grafting/Enjertar	<b>P</b>	Packing/Empacar Picking/Recolectar Planting/Plantar Posting/Colocar Postes Preparing/Preparar Processing/Procesar Propping/Apuntalar Pruning/Podar Pulling/Halar	<b>W</b>	Weeding/Desyerbar

<b>CROPS</b>	<b>A</b>	Alfalfa/Alfalfa Apple Bins/Cajones para Manzanas Apple Blossoms/Flor de Manzana Apple Boxes/Cajas de Manzana Apple Branches/Ramas de Manzano Apple Orchards/Huertas de Manzano Apple Trees/Manzanos Apples/Manzanas Apricots/Albaricoques Asparagus/Espárrago	<b>D</b>	Daffodils/Narcisos Dairy/Productos Lácteos	<b>P</b>	Peach Trees/Durazneros Peaches/Duraznos Pear Bins/Cajón para Peras Pear Trees/Perales Pears/Peras Peas/Chicharo Peppers/Chiles Perennial Plants/Plantas Perennes Pine Trees/Pinos Plums/Ciruelas Potato Boxes/Cajas para la Papa Potato Fields/Campos de Papa Potato Seeds/Semillas de Papa Potatoes/Papa Prunes/Ciruelas de Pasa Pumpkins/Calabazas	
	<b>B</b>	Beans/Frijoles Beef/Carne de Res Berries/Bayas Blackberries/Zarzamoras Blueberries/Arándanos Blueberry Fields/Campos de Arándanos Blueberry Vines/Enredadera de Arándanos Broccoli/Brécol Bulbs/Bulbos Cabbage/Col Carrots/Zanahorias Cattle/Ganado Vacuno Cauliflower/Coliflor Cherries/Cerezas Cherry Bins/Cajas para Cerezas Cherry Blossoms/Flor del Cerezo Cherry Trees/Cerezos Chickens/Gallinas Christmas Trees/Árboles de Navidad Clams/Almejas Cod/Bacalao Corn/Maíz Corn Fields/Campos de Maíz Cows/Vacas Crabs/Cangrejos Cucumbers/Pepinos	<b>E</b>	Eggs/Huevos	<b>R</b>	Raspberries/Frambuesas Raspberry Bushes/Plantas de Frambuesas Salal/Planta "Salal" Salmon/Salmón Seedlings/Plantones Shrimp/Camarones Strawberries/Fresas Tomatoes/Tomates Tree Stumps/Troncos de árbol Trees/Árboles Trout/Truchas Tulips/Tulipanes Tuna/Atún	
	<b>C</b>		<b>F</b>	Fields/Campos Fish/Pescado Floral Greenery/Plantas Verdes Flower Bulbs/Bulbos de Flores Flower Seeds/Semillas de Flores	<b>S</b>		
		<b>G</b>	Grape Fields/Viñas Grape Shoots/ Grape Vines/Vides Grapes/Uvas Grass/Hierba Grass Seed/Semillas de Hierba	<b>H</b>	Hay/Heno Hop Fields/Campos de Lúpulo Hop Poles/Postes de Lúpulo Hop Roots/Raíces de Lúpulo Hops Huckleberries/Arándanos	<b>T</b>	
		<b>L</b>	Lettuce/Lechuga	<b>M</b>	Mint/Menta Mint Fields/Campos de Menta Mushrooms/Champiñones	<b>W</b>	Watermelon/Sandía Wheat/Trigo Wheat Fields/Campos de Trigo Wreaths/Coronas Decorativas
		<b>M</b>		<b>N</b>	Nectarines/Nectarinas		
		<b>O</b>		<b>O</b>	Onion Fields/Campos de Cebolla Onions/Cebolla Oysters/Ostras		

Migrant Student Data, Recruitment and Support • 610-B East Custer Avenue • Sunnyside, WA 98944 • 1-800-274-6084 or (509) 837-2712

295

# Section 5 COMPLETING THE CERTIFICATE OF ELIGIBILITY

## Tools to complete the Certificate of Eligibility

Washington State Migrant Education Program • Migrant Student Data, Recruitment and Support

### Reference Guide for Certificate of Eligibility Completion

USA

Alabama	Alaska	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia
<b>AL</b>	<b>AK</b>	<b>AZ</b>	<b>AR</b>	<b>CA</b>	<b>CO</b>	<b>CT</b>	<b>DE</b>	<b>DC</b>	<b>FL</b>	<b>GA</b>
Hawaii	Idaho	Illinois	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts
<b>HI</b>	<b>ID</b>	<b>IL</b>	<b>IN</b>	<b>IA</b>	<b>KS</b>	<b>KY</b>	<b>LA</b>	<b>ME</b>	<b>MD</b>	<b>MA</b>
Michigan	Minnesota	Mississippi	Missouri	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York
<b>MI</b>	<b>MN</b>	<b>MS</b>	<b>MO</b>	<b>MT</b>	<b>NE</b>	<b>NV</b>	<b>NH</b>	<b>NJ</b>	<b>NM</b>	<b>NY</b>
North Carolina	North Dakota	Ohio	Oklahoma	Oregon	Pennsylvania	Puerto Rico	Rhode Island	South Carolina	South Dakota	Tennessee
<b>NC</b>	<b>ND</b>	<b>OH</b>	<b>OK</b>	<b>OR</b>	<b>PA</b>	<b>PR</b>	<b>RI</b>	<b>SC</b>	<b>SD</b>	<b>TN</b>
Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming			
<b>TX</b>	<b>UT</b>	<b>VT</b>	<b>VA</b>	<b>WA</b>	<b>WV</b>	<b>WI</b>	<b>WY</b>			

MEXICO

Aguascalientes	Baja California	Baja California Sur	Campeche	Chiapas	Chihuahua	Colima	Coahuila	Distrito Federal	Durango	Guanajuato
<b>AG</b>	<b>BC</b>	<b>BS</b>	<b>CM</b>	<b>CP</b>	<b>CH</b>	<b>CL</b>	<b>CU</b>	<b>DF</b>	<b>DU</b>	<b>GT</b>
Guerrero	Hidalgo	Jalisco	México	Michoacán	Morelos	Nayarit	Nuevo León	Oaxaca	Puebla	Querétaro
<b>GR</b>	<b>HG</b>	<b>JA</b>	<b>MX</b>	<b>MC</b>	<b>MR</b>	<b>NA</b>	<b>NL</b>	<b>OA</b>	<b>PU</b>	<b>QE</b>
Quintana Roo	San Luis Potosí	Sinaloa	Sonora	Tabasco	Tamaulipas	Tlaxcala	Veracruz	Yucatán	Zacatecas	
<b>QR</b>	<b>SL</b>	<b>SI</b>	<b>SO</b>	<b>TB</b>	<b>TM</b>	<b>TL</b>	<b>VE</b>	<b>YU</b>	<b>ZA</b>	

BIRTH VERIFICATION

03	Baptismal or Church Certificate / Certificado de bautismo o de iglesia
04	Birth Certificate / Acta de Nacimiento
05	Entry in Family Bible / Anotación en la Biblia de la Familia
06	Certificado del hospital
07	Parent's Affidavit / Declaración jurada de los Padres
08	Passport / Pasaporte
09	Certificado Médico
10	Previously verified School Records / Registros escolares previamente verificados
11	State-issued ID / Identificación oficial del Estado
12	Driver's License / Licencia de Conducir
13	Immigration Document / Documento de Inmigración
82	Life Insurance Policy / Póliza de Seguro de vida
99	Other / Otro

FOREIGN COUNTRIES

Belize	Canada	Colombia
<b>BLZ</b>	<b>CAN</b>	<b>COL</b>
Costa Rica	Ecuador	El Salvador
<b>CRI</b>	<b>ECU</b>	<b>SLV</b>
Guatemala	Honduras	Japan
<b>GTM</b>	<b>HND</b>	<b>JPN</b>
Mexico	Pakistan	Peru
<b>MEX</b>	<b>PAK</b>	<b>PER</b>
Philippines	Tonga	
<b>PHL</b>	<b>TON</b>	

If written evidence is not available, the interviewer may rely on a parent's or emancipated youth's verbal statement. In such cases, the interviewer should record "99" – the number that corresponds to "other."

Si no existe evidencia escrita, el entrevistador podrá confiar en la declaración verbal de uno de los padres o de un joven emancipado. En esos casos, el entrevistador debe escribir "99" – el número que corresponde a "otro".

Migrant Student Data, Recruitment and Support • 810-B East Custer Avenue • Sunnyside, WA 98944 • 1-800-274-6084 or (509) 837-2712


# Section 5

# COMPLETING THE CERTIFICATE OF ELIGIBILITY

## The Certificate of Eligibility-SAMPLE

Washington State Office of Superintendent of Public Instruction • Title I Migrant Education Program

### CERTIFICATE OF ELIGIBILITY (COE)



**SCHOOL INFORMATION**

School District/Agency: \_\_\_\_\_

**SCHOOL YEAR**

\_\_\_\_\_

---

**FAMILY DATA**

Parent/Guardian: LAST NAME \_\_\_\_\_ FIRST NAME \_\_\_\_\_ Parent/Guardian: LAST NAME \_\_\_\_\_ FIRST NAME \_\_\_\_\_

Current Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_

Date the child(ren) established residency in school district: \_\_\_\_\_

---

**QUALIFYING MOVES AND WORK**

1. The child(ren) listed on this form moved due to economic necessity FROM a residence in SCHOOL DISTRICT \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ COUNTRY \_\_\_\_\_ TO a residence in SCHOOL DISTRICT \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_.

2. The child(ren) moved (complete both a. and b.):

a.  as the worker, OR  with the worker, OR  to join or precede the worker.

b. The worker, FIRST NAME AND LAST NAME OF WORKER \_\_\_\_\_ is  the child or the child's  Parent/Guardian  Spouse.

i. (Complete if "to join or precede" is checked in 2a.) The child(ren) moved on MM / DD / YY \_\_\_\_\_. The worker moved on MM / DD / YY \_\_\_\_\_. (provide comment)

3. The Qualifying Arrival Date (QAD) was MM / DD / YY \_\_\_\_\_.

4. The worker moved due to economic necessity on: MM / DD / YY \_\_\_\_\_, from a residence in SCHOOL DISTRICT \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ COUNTRY \_\_\_\_\_ to a residence in SCHOOL DISTRICT \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ and:

a.  engaged in new qualifying work soon after the move (provide comment if worker engaged more than 60 days after the move), OR

b.  actively sought new qualifying work AND has a recent history of moves for qualifying work (provide comment)

5. The qualifying work,\* DESCRIBE AGRICULTURAL OR FISHING WORK \_\_\_\_\_ was (make a selection in both a. and b.):

a.  seasonal, OR  temporary employment  if applicable check:

b.  agricultural, OR  fishing work  personal subsistence (provide comment)

6. (Complete if "temporary" is checked in #5a). The work was determined to be temporary employment based on:

a.  worker's statement (provide comment), OR

b.  employer's statement (provide comment), OR

c.  State documentation for \_\_\_\_\_ EMPLOYER \_\_\_\_\_.

**COMMENTS**  2bi  4a  4b  5  6a  6b of the Qualifying Move & Work Section, if applicable

MUST INCLUDE 2bi, 4a, 4b, 5, 6a and 6b OF THE QUALIFYING MOVE & WORK DATA IF APPLICABLE

---

CHILD DATA													MSIS ENROLLMENT					
Name of Eligible Child (ren) as registered in school																		
Last Name 1 & 2	First Name	Middle Name	Suffix	Student ID	Sex	Birth Date	Code	MB	BIRTH PLACE: City			State	Country	Building ID	Enrollment Date	Grade Level	Initial Date	

---

**INTERVIEWEE**

I understand that the purpose of this form is to help the State determine if the child(ren)/youth listed on this form is/are eligible for the Title I, Part C Migrant Education Program. To the best of my knowledge, all of the information I provided to the interviewer is true.

SIGNATURE/FIRMA \_\_\_\_\_

RELATIONSHIP TO THE CHILD(REN)/PARENTESCO CON EL (LOS) MENOR(ES) \_\_\_\_\_

DATE/FECHA \_\_\_\_\_

**ELIGIBILITY CERTIFICATION**

I grant permission, if applicable for:

my child(ren)s information to be shared with HEP/CAMP.

my child(ren) to receive a Health Physical Exam.

my child(ren)s information to be shared with Early Childhood Programs.

SIGNATURE/FIRMA \_\_\_\_\_

RELATIONSHIP TO THE CHILD(REN)/PARENTESCO CON EL (LOS) MENOR(ES) \_\_\_\_\_

DATE/FECHA \_\_\_\_\_

I certify that based on the information provided to me, which in all relevant aspects is reflected above, I am satisfied that these children are migratory children as defined in 20 U.S.C. 6395(2) and implementing regulations, and thus eligible as such for Migrant Education Program (MEP) services. I hereby certify that, to the best of my knowledge, the information is true, reliable, and valid and I understand that any false statement provided herein that I have made is subject to fine or imprisonment pursuant to 18 U.S.C. 1001.

SIGNATURE OF INTERVIEWER \_\_\_\_\_ DATE \_\_\_\_\_

SIGNATURE OF DESIGNATED SEA REVIEWER \_\_\_\_\_ DATE \_\_\_\_\_


---

**REVALIDATION** For completion 1 year after qualifying arrival date and annually thereafter

By my signature below, I give permission for my child(ren) to be considered "migrant" and to participate in the Migrant Education Program. This includes permission for all Migrant Education Program services, including the agreed on above.

2 Year Eligibility PARENT/GUARDIAN SIGNATURE \_\_\_\_\_ DATE/FECHA \_\_\_\_\_ INTERVIEWER'S INITIALS \_\_\_\_\_  3 Year Eligibility PARENT/GUARDIAN SIGNATURE \_\_\_\_\_ DATE/FECHA \_\_\_\_\_ INTERVIEWER'S INITIALS \_\_\_\_\_ COE #####

## Challenged COE Form



Washington State Migrant Education Program | Migrant Student Data, Recruitment and Support

## CHALLENGED COE FORM

---

School District: \_\_\_\_\_

Qualifying Arrival Date (QAD): \_\_\_\_\_

Certificate Of Eligibility (COE)#: \_\_\_\_\_

FROM CITY: \_\_\_\_\_ TO CITY: \_\_\_\_\_

Explain why the family left your school district? (i.e., lack of work, work ended, etc...)

When did the family leave? (month, day and year)

Where did the family go?

How was it determined that the family made a change in residency?

Does the family have a history of migrating?

**For Short Duration moves (3 weeks or less):**  
 How was it determined that the move was for qualifying purposes and not a visit to relatives or for vacation purposes?

What documentation was viewed to verify the move was made for qualifying purposes? \*(only if applicable)

---

\*Recruiters are encouraged to limit employment verification to cases where there is substantive reasons to doubt that the worker moved for qualifying work. It is recommended that the worker's employment be verified. For example, a recruiter may ask to see a paystub or employment contract. Caution is advised against retaining copies of such personal documentation.

Please attach documentation to COE that will support this move (i.e., letter, attendance, etc...) and submit to MSDRS. If you have any questions or would like to know the status of your challenged COE, please contact Eric Garza.  
**Migrant Student Data, Recruitment and Support**  
 810-B East Custer Avenue • Sunnyside, WA 98944 • (509) 837-2712 / 800-274-6084

08/2016

1. Post flyers around your community include your name and contact phone number
2. Update your recruiter logs on a daily basis
3. Have a list of resource within your community for your migrant families
4. Get to know the community and school district boundaries



### State Identification and Recruitment Guidelines for Local Educational Agencies

---



A local school or agency must comply with federal and state ID&R guidelines and standards. The guidelines follow:

- Ample time to conduct ID&R activities must be assured. Duties other than ID&R responsibilities should not be assigned to the migrant funded portion of the recruiter's time.
- Eligibility interviews should be held in the dominant language of the interviewee. The school district/agency must clarify to OSPI how this is to be accomplished if the recruiter does not meet this language requirement.
- Flexible work hours are essential including a work schedule to accommodate impaction and the parent's daily work day/shift.
- A home visit should be made to determine the reason for a migrant student's absence from school at least 2-3 school days from the last date attended. If this service is provided to non-migrant students with basic or other funds, then this service should also be provided to migrant students with basic or other funds.
- A local job description outlining ID&R requirements and activities must be adopted. A sample is included in the Washington State Identification and Recruitment Handbook (page III.2). Training for any local staff members must be provided by MSDRS prior to ID&R activities taking place.
- LEAs will be required to demonstrate responsibility for active identification and recruitment of migrant students with a 100% COE/eligibility accuracy rate. Active ID&R consists of activities that lead to the location of all-migrant families and youth residing within school district boundaries. This includes networking, advertising, searching for and recruiting students outside of the school building and in the communities wherever migrant families may reside. In the absence of meeting this requirement, OSPI will require steps for corrective action as determined in WAC 392-164-410.
- A migrant recruiter log or other documentation to justify ID&R activities is required.
- Certificates of Eligibility (COE) must be completed accurately according to state and federal guidelines, and must be kept on file according to record retention requirements.



### State Identification and Recruitment Guidelines

---

#### Role of the Recruiter

Migrant education is the only federal program that requires recruitment.

The recruiter has a very special job. Some reasons why this is so important are:

- ☑ The children of migratory workers are often invisible. They quietly come and go, and do not attract very much attention. Sometimes they attend school on their own, and sometimes they do not. If the children were not recruited, many would not be in school at all.
- ☑ Because the eligibility requirements are complex and are often difficult to interpret, a trained recruiter is necessary to ensure that only eligible children are enrolled in the program.
- ☑ Migrant families tend to be very self-sufficient. They are not accustomed to looking outside of their own family for help. Unless they are recruited into the program, many will not seek out these services.
- ☑ Many migrant families do not speak English in their home, and frequently there are cultural differences between the home and school. For these and other reasons, it is important that someone provide a link between the school and home.



## Recruiter Job Description

---

### RECRUITER JOB DESCRIPTION

#### Directly Responsible to: Federal Programs Director

Identification and recruitment includes seeking out and identifying children who potentially qualify for the program, completing the paperwork necessary to establish their eligibility and enrolling them in the program.

#### Minimum Qualifications

- Must be able to read, write and speak fluently in English and/or the language spoken by migrant parents, spouse and/or a student at home.
- Must be a high school graduate and/or possess a GED.
- Must be able to work with people, be patient and willing to help parents, and/or student with questions, and provide resources, etc.
- Must be able to travel and possess a valid Washington State Driver's License and automobile insurance.
- Must be able to attend regional and state in-service training.
- Must be flexible, in order to work evening hours when needed.
- Must be able to complete accurate and timely reports.
- Must have the ability to develop a liaison role between the home, school and community.

#### Job Description and ID&R Activities—Major Responsibilities

1. Actively identify and recruit all eligible migrant children residing in the school district/community from 0 through 21 years of age. This includes:
  - a. Survey the area on a regular basis to confirm the location and presence of migrant workers and their families.
  - b. Develop an identification & recruitment network with organizations and agencies that provide services to migrant workers and their families
2. Complete a Certificate of Eligibility according to state/federal guidelines for each eligible migrant family immediately upon arriving to the school district/community
  - a. For students in school and out-of-school
3. Annually revalidate all families' most recent move information.
4. Share with migrant parents and students information regarding the Migrant Education Program, as well as all school services/programs available to them.
  - a. This includes instructional programs, MSIS, physical exams, alternative educational programs, and options for Out-of-School Youth, preschool programs, adult basic education programs, GED programs, post secondary opportunities, etc.
5. Refer migrant families to appropriate, health, social or legal services in order to meet the needs of the migrant student's successful participation in school.
6. Prepare documentation such as a recruiter log, which reflects all recruitment time and activities.
7. Attend all required training sessions provided for the recruiter by the Migrant Education Program.

## Active ID&R: Finding Migrant Children

### Definitions

**Identification** means determining the location and presence of migrant children.

**Recruitment** means making contact with migrant families, explaining the Migrant Education Program (MEP), securing the necessary information to make a determination that the child is eligible for the MEP, and recording the basis of the child's eligibility on a Certificate of Eligibility (COE). Upon successful recruitment of a migrant family, eligible children may be enrolled in the MEP.

This section will provide guidelines on **how to identify** migrant families by describing various types of surveys.

### Types of Surveys

There are three basic ways to identify migrant families:

- a) **Within the School**
- b) **In the Field.**
- c) **In the Community**



#### A. Within the School

School and community surveys are conducted on an ongoing basis throughout the project period. New Enrollments – Important sources of information for the recruiter are the records of new enrollments in each plant within the school district or agency. An arrangement should be made in each district or agency regarding access to this information. Things to look for in new enrollments:

- places of employment;**
- history or change of residence (has the family been in the district before); and**
- occupation of parents**

#### B. When to Conduct a Survey

A field survey is most often conducted prior to and during the periods of high employment (impaction) in agricultural, horticultural or fishing activities and when an increase or decrease of migrant families occurs in that area.



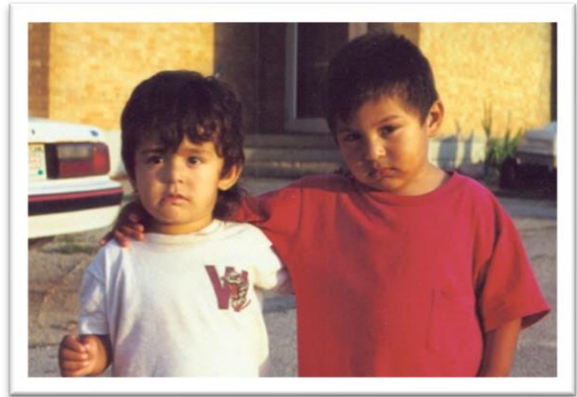
## Active ID&R: Finding Migrant Children

### Types of Surveys-continued

#### C. Knowing the Area

What to know about the area:

- Identification of the Migrant Activities**
  - agricultural/horticulture
  - fishing
- Knowledge of the Industry**
  - what kind of jobs make up the migrant activity?
  - who are the migrant employers?
- Knowledge of the Migrant Cycle**
  - when do migrants arrive in the area?
  - how long do they stay?
- Knowledge of housing for migrant workers**
- Knowledge of agencies that provide services to migrant families and the establishment of working relationships with the staff**



### What to ask the School

Working through the federal program director, arrange with the school principal or with the superintendent to add questions 1, 2 and 3 from the survey below to the school registration papers:

1. **Have you or your family moved within the past three (3) years?**  
 Yes  No
2. **Did the family cross school district boundaries?**  
 Yes  No
3. **Was the move made for the purpose of seeking or obtaining agricultural or fishing related employment?**  
 Yes  No

### Registration Help

If yes was answered to all three (3) questions, the school or agency registrar would list those students' names. Based on these referrals, the recruiter can then schedule a visit with the student's parent(s) or guardian(s) to determine eligibility.

### Active ID&R: Finding Migrant Children

---

#### Survey in the Field

Employer Survey – Farmer/growers, plant managers, field foremen and employment agencies are contacted in a survey conducted to find out where migrant people are employed. These employers/resources can provide valuable information, may open their personnel lists (of names and addresses) to the recruiter and/or may be able to help make contact with their employees. For this reason, it is very important to establish good working relations with these people prior to impactation. A comprehensive explanation of the Migrant Education Program, its goals and services, and an explanation of the recruiter's role should be provided to these resource persons. Growers associations and state agricultural and fishing groups are also valuable resources for identifying where migrants are employed or if they are self-employed (in the fishing industry, for example).

#### Employers

The recruiter should chart all pertinent information gathered from migrant labor employers. This information may be logged using the Recruiter Form Log.



Sample Forms

Farm Contact/Employee Survey

(available on MSDRS website, Resources for Recruiters)

Migrant Student Data, Recruitment and Support

### Farm Contact / Employee Survey

A local school or agency must comply with state I/R guidelines and standards. This survey form will assist in searching for and recruiting families outside of the school building and in the community. It is very important to establish good working relations with these employers prior to impaction each year.

Company / Farm: \_\_\_\_\_

Grower's Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Foreman: \_\_\_\_\_

Telephone: (     ) \_\_\_\_\_ County: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Directions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

Do you hire year round employees?  No  Yes—How Many? \_\_\_\_\_

Is the work:  Seasonal?  Temporary?

Is housing provided?  Yes  No

CROP	ACTIVITY	DATES		
		//	TO	//
		//	TO	//
		//	TO	//
		//	TO	//
		//	TO	//

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Sample Forms

Eligibility Survey

(available on MSDRS website, Resources for Recruiters)

Washington State Title I Migrant Education Program

**Eligibility Survey**

Dear Parents / Legal Guardians:

The Washington State Office of Superintendent of Public Instruction funds programs designed to help children 0 through 21 who have moved on their own or with their parents within the past three years to seek or obtain temporary or seasonal work due to economic necessity in activities related to:

- Agriculture      • Packing/Warehouses      • Forestry      • Dairy
- Poultry          • Commercial Fishing      • Beef          • Shellfish

We would appreciate your cooperation in answering the following questions:

1. Have you or your family moved recently or within the past three years?  Yes  No

2. Was the purpose of the move to work in the activities listed above, or any other related activities?  Yes  No

3. If yes, may we contact you for further information?  Yes  No

Comments:

\_\_\_\_\_

\_\_\_\_\_

You or your children may qualify to receive the following services:

- Transfer of Educational and Health Information (nationwide)
- Educational/Health Services
- Free Breakfast and Lunch

*Please Fill Out The Needed Information Below*

When completed, return this form to: \_\_\_\_\_

Name of Parent(s) or Legal Guardian(s): \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: (     ) \_\_\_\_\_

**Thank You. Let's Work Together To Improve Our Children's Education!**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PLACE  
STAMP  
HERE

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Sample Forms

Cuestionario de Elegibilidad

(available on MSDRS website, Resources for Recruiters)

**Programa Migrante Título I del Estado de Washington**  
**Cuestionario de Elegibilidad**

---

Estimados Padres / Guardianes:

La Oficina del Superintendente de Instrucción Pública del Estado de Washington suministra fondos para programas diseñados para ayudar a niños entre las edades de 0 a 21 cuyos padres se han mudado dentro de los últimos tres años para buscar u obtener trabajo temporal o estacional debido a necesidad económica en actividades relacionadas en:

- Agricultura
- Granjas de Aves (Avícola)
- Lecherías
- Res
- Silvicultura
- Pesca Comercial
- Bodegas
- Mariscos

Apreciaremos su cooperación en contestar las siguientes preguntas:

1. ¿Se ha mudado usted y su familia recientemente durante los últimos tres años?  Sí  No

2. ¿Fue el propósito de la mudanza para trabajar en las actividades mencionadas?  Sí  No

3. Si su respuesta es "Sí", ¿podemos ponernos en contacto con usted para recibir más información?  Sí  No

Comentarios: \_\_\_\_\_

Usted o sus hijos/as podrían calificar para recibir los siguientes servicios:

- Transferencia de Archivos Educativos/Salud (nacionalmente)
- Servicios Educativos y de Salud
- Desayuno y Almuerzo Gratis

Favor de completar la Siguiente Información Necesaria

Favor de enviar esta forma a: \_\_\_\_\_

Nombre Legal de Padre(s) o Guardián(es): \_\_\_\_\_

Domicilio (Cajón o Número y Calle): \_\_\_\_\_

Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_ Código: \_\_\_\_\_

Teléfono: ( \_\_\_\_\_ ) \_\_\_\_\_

**Gracias. ¡Trabajemos juntos Para Mejorar la Educación de Nuestros Hijos!**

	ADHESA
	ESTAMPILLA
	AQUÍ



Sample Forms

Do You Qualify?

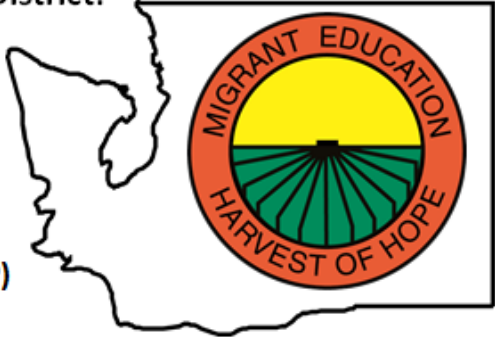
(available at MSDRS website, Resources for Recruiters)

Washington State Title I  
Migrant Education Program

# DO YOU QUALIFY?

These Programs May Be Available  
in Your School District:

- ▶ Preschool
- ▶ Daycare
- ▶ Night School
- ▶ Alternative High School
- ▶ High School Equivalency Program (HEP)
- ▶ E.L.L. (English Language Learner)
- ▶ Portable Assistance Study Sequence Program (PASS)
- ▶ Transfer of Educational and Health Data



Find Out About the Educational Opportunities in Your Area  
Contact Your District's Recruiter

Name	_____
School	_____
Phone	_____

Sample Forms

¿Califica Usted?

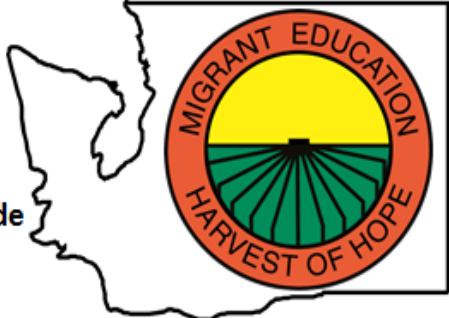
(available on MSDRS website, Resources for Recruiters)

Estado de Washington Título I  
Programa de Educación Migrante

# ¿CALIFICA USTED?

Estos Programas Podrán Estar Disponibles  
En Su Distrito Escolar:

- ▶ Escuela Pre-Escolar
- ▶ Cuidado de Niños
- ▶ Escuela Nocturna
- ▶ Escuela Alternativa para la Preparatoria
- ▶ Programa Equivalente para el Certificado de Preparatoria (HEP)
- ▶ Programa E.L.L.
- ▶ Asistencia Portátil para Completar sus Estudios (PASS)
- ▶ Transferencia de Archivos Académicos y de Salud



Entérese De Las Oportunidades Educativas en su Área  
Comuníquese con el Reclutador en sú Distrito Escolar

Nombre \_\_\_\_\_

Escuela \_\_\_\_\_

Teléfono \_\_\_\_\_

**COE Distribution and Filing Guidelines**

---

***When a non-migrant funded agency or school district becomes a migrant funded program, the new migrant funded agency/school district will:***

- Use original COEs provided by the MSDRS
- Process enrollment/withdrawals.
- Update student record with new educational and health information.
- Maintain original COEs in school district file.

***When an LEA or agency ceases to be migrant funded the LEA/agency:***

- Maintains original COEs in their district/agency files.

***When children reside in a migrant funded school district, but are receiving services in a non-migrant funded school district/daycare:***

***The migrant funded school district will:***

1. Completes original COE
2. Maintains original COE in school district file, and

***MSDRS ID&R staff will:***

- Use photocopy of COE as original
- Indicate on COE where original COE is located
- Process enrollments and withdrawals
- Maintain copy in non-project files

### COE Distribution and Filing Guidelines

#### ***When a migrant funded pre-school center closes:***

- A list of students they served, along with photo copies of COEs, should be sent to the school district, allowing the school district to enroll these children into their out-of-school ID.

#### ***When summer schools serve students from regular school programs:***

##### ***The migrant funded regular school program will:***

- Maintain original COEs in district files

##### ***The migrant-funded summer school program will:***

- Process summer enrollments and withdrawals.



### ID&R Activities: Recruiting Out -of- School Youth (OSY)

#### Eligible Ages

The Title I Migrant Education Program federal regulations state that all children, ages 0 through 21, are eligible to qualify for the program. The federal regulations have further determined school age children to be between the ages of 3 through 21. This age group generates FTE funding for the state. Local education agencies also generate funding for all 3 through 21 year olds enrolled in the MSIS.

#### Out-of-School Youth

Whenever youth between 0 through 21 do not enroll in school, he/she become known as an OUT-OF-SCHOOL YOUTH. The youth should be identified and enrolled in the MSIS annually using the Out-of-School (OSY) identification code.

#### Where Are They?

For purpose of this section, we will address the middle or secondary aged, out-of-school youth. To locate these youths, it is important to consider that they may be living alone or with others of similar age. Driving around the community may yield some leads when observing places where these youths may gather.

Some places may be:

- Laundromats
- Mini Marts
- Taco Trucks
- State Parks
- Single Housing Complexes
- Adult Basic Education Classes

Posters may be left at these locations with name, address and telephone numbers where the recruiter may be reached. When these youths are interviewed they should be asked if they know of others who may be out-of-school and may qualify for the program.

#### Special Issues

The eligibility of out-of-school youth brings up some special issues that are herein highlighted to increase the recruiter's awareness on this special population.



### **ID&R Activities: Recruiting Out-of-School Youth (OSY)**

---

#### **Graduate and GED Recipients**

The Department of Education ruled that students who have received their GED or graduated from high school are not eligible to participate in the program. Therefore, these youths are not to be identified on a certificate of eligibility and may not be served with Title I Migrant Education Program funds. *Note: According to Washington State Attorney General the school district can at its discretion decide if they wish to enroll students who have graduated from another country.*

### **Social Services Assistance: Referrals**

---

#### **What Is It?**

The referral - directing needs to the appropriate resource(s) - is addressed in this handbook because much of the migrant child's educational success is dependent on the family's ability to provide for the physical, emotional and health needs of their children.

#### **Federal Register**

The Federal Register states:

Under what conditions may support services be provided? An SEA or an operating agency may provide health, nutritional, social or other support services with migrant education funds if:

1. These services are necessary to enable eligible migratory children to participate effectively in instructional services; and
2. In the case of an operating agency, that agency has first –
  - i. Requested assistance from the SEA in locating and using other Federal/State programs to provide these service; and
  - ii. Determined that funds or services from other programs are not available and/or are inadequate to meet the needs of the participating migratory children.



### Social Service Assistance: Referrals

---

#### State Plan

As indicated in the needs assessments conducted throughout the Washington State Migrant Education Program, *“migrant students and their families often need assistance from bilingual staff who will provide them information regarding health, welfare, life-management skills, and educational services. Migrant parents also need the support from staff to refer them to these existing agencies in securing services from these agencies.”*

#### Social Service Agencies

To achieve the above, it is important that the recruiter establish a good working relationship with agency representatives and becomes very familiar with social service agencies. Helpful information to know about the social service agencies is:

- Name of Agency
- Location
- Contact person and phone number
- Office Hours
- Service Provided
- Eligibility Criteria (if applicable)

### Making the Referral

#### Tips for Making the Referral

- Assess the needs of the family by gathering the information during an interview with the family, student and other school staff.
- Upon determination of the family needs, the recruiter should inform the family of the services, which may best meet their needs.
- The recruiter must review the eligibility requirements of the program to ensure that the client is being referred to the appropriate program.
- The recruiter may transport the family to the available resources, if necessary. Translation services may be provided, if other translation support is not available.
- The recruiter may refer a child only if parental consent is granted (when applicable).
- Confidentiality of information obtained in making referrals should be maintained.

### Follow Up

It is important to follow up on referrals made to ensure that initial needs have been addressed.

- The recruiter must follow up by contacting the family within two weeks (if agency is statewide) or within two or three days (if agency is local) to inquire as to the results.
- The recruiter must serve as an advocate for the family. If additional items are necessary to formalize or complete the referral or to obtain the services, the recruiter may take appropriate action at this time.
- The recruiter must establish a cooperative, mutually helpful relationship with the representatives and social service delivery staff or local agencies, both in follow up activities and in the initial contact.
- The recruiter must ensure that all contacts and follow ups are appropriately documented.



### Statewide ID&R Activities

---

#### Eligibility Rulings

The MSDRS provides the training and is also the state-authorized agent in determining eligibility rulings. The high standard of quality control is maintained by having one office provide uniform statewide information on eligibility criteria.

#### 100% Eligibility Accuracy Rate

When necessary, staff at MSDRS, and through OSPI determine eligibility in questionable cases. MSDRS staff are available to answer questions Monday - Friday, 7:30 a.m. - 4:30 p.m., except holidays and may be reached at 800-274-6084 or 509-837-2712. It is extremely important to ask for and receive proper guidance when addressing eligibility issues.

#### Family Eligibility Reviews (FERs)

MSDRS conducts local Family Eligibility Reviews (FERs). FERs are conducted for the purpose of verifying the accuracy of interviews. This procedure involves an annual random review of Certificates of Eligibility (COEs) from the school district. The selected families are then interviewed by a trained interviewer to verify the information as documented on the COE is accurate. LEA staff may also request FERs if there is a question on the validity of an existing COE.



## Examples of Social Service Agencies

There are many agencies and organizations, which provide services. The following is only a partial list:

### Medical

- Health Clinics
- County Health Departments
- Women, Infants, & Children Program
- Local Hospitals
- Community Service Groups (e.g., Lions, Kiwanis, Elks)
- Children's Orthopedic Hospital
- Red Cross
- United Way Programs
- Shriner's Hospitals
- Crippled Children's Hospital

### Financial

- Department of Social & Health Services
- Local Churches
- Private Non-Profit Organizations
- Other Related Community Organizations
- 211

### Housing

- Local Churches
- Community Service Groups
- Local Housing Authority
- Landlord/Tenant Associations
- Housing and Urban Development
- Growers Associations

### Legal

- Columbia Legal Services
- Local Legal Aid Services
- Commission on Hispanic Affairs
- State and Regional Office of Civil Rights

### Clothing

- Salvation Army
- St. Vincent de Paul
- Goodwill Industries
- Local Church Groups
- Community Service Groups
- Non-Profit Charitable Organizations

### Food

- Local Church Groups
- Salvation Army
- Community Service Groups
- Non-Profit Charitable Organizations
- Local Food Bank



**MSIS and ID&R Retention Requirements**

<b>MSIS RECORD RETENTION REQUIREMENTS</b>		
<b>DOCUMENT</b>	<b>PURPOSE</b>	<b>RETENTION REQUIREMENTS</b>
Certificate Of Eligibility (COE)	Record of eligibility of children, by family information and most recent qualifying move data. Authorization by parent(s) for participation in program.	Five years after services are rendered.
Migrant Student Information System (MSIS) forms and reports	Enrollment and update of Migrant Student data into the MSIS.	Keep all information until the end of the school year.
Recruiter Log	Record of activities conducted by Recruiter	Five years after services are rendered.
Travel Expense Report	Record of expenses and miles driven by Recruiter to conduct Identification/ Recruitment activities.	Five years after services are rendered.
Referred Services Form	Record of Student Name, Migrant ID, Grade, Date of Referral, Name of MEP Funded Staff who made Referral and Referred Service provided	Five years after services are rendered.

## Recruiter Log

Filling out a recruiter log is the way to keep track of your identification and recruitment activities throughout the school year.

You may find the recruiter logs on the home page [www.msdr.org](http://www.msdr.org) under Resources for recruiter.

Type in your daily activities and use your own narrative comments, as you enter hours and miles it calculates at the bottom of each page. You can also save this to your desk top and continue working on it and the information is all save and ready for you to print when needed.

*Note: Consult with your FPD regarding Mileage and reimbursement purposes*

### Recruiter log in Excel document

Migrant Recruiter Log				
Employee: _____		Month _____		
School District _____				
Date/Time	Contract	Person/Agency Contacted	Purpose	Narrative Comment
Date:	Face to Face		Active ID&R/COE Completion	
From:	School		Survey	
To:	Home		Employer Contact ID&R	
Total time:	Agency		Revalidations	
	Phone		Attend ID&R Training	
	Other		Other	
Date:	Face to Face		Active ID&R/COE Completion	
From:	School		Survey	
To:	Home		Employer Contact ID&R	
Total time:	Agency		Revalidations	
	Phone		Attend ID&R Training	
	Other		Other	
Date:	Face to Face		Active ID&R/COE Completion	
From:	School		Survey	
To:	Home		Employer Contact ID&R	
Total time:	Agency		Revalidations	
	Phone		Attend ID&R Training	
	Other		Other	
Date:	Face to Face		Active ID&R/COE Completion	
From:	School		Survey	
To:	Home		Employer Contact ID&R	
Total time:	Agency		Revalidations	
	Phone		Attend ID&R Training	
	Other		Other	
Date:	Face to Face		Active ID&R/COE Completion	
From:	School		Survey	
To:	Home		Employer Contact ID&R	
Total time:	Agency		Revalidations	
	Phone		Attend ID&R Training	
	Other		Other	

Recruiter Log Acronyms & Abbreviations

- **DNQ**..... Does Not Qualify
- **COE**..... Certificate of Eligibility
- **NH**..... Not Home
- **NI**..... Not Interested
- **NP**..... No Phone
- **MA**..... Made Appointment
- **SLP**..... Sent Letter to Parent
- **Disc**..... Disconnected
- **NS**..... No Show



### Putting “Active” Into Active ID&R

Sometimes we’re stuck in the rut of our everyday routine that we forget some of the common elements of recruiting migrant families in our community. However, if we neglect these activities, some migrant families will certainly go without being identified and served.



### Mapping the School District

Recruiters should have a map of their school district on file which indicates where the migrant or seasonal farm worker housing is located. They should refer to this map and visit the complexes repeatedly throughout the year, but especially during peak harvest seasons, to identify families which are new to the housing units.

### Networking with Community Agencies and Migrant Employers

In order to provide excellent services to our migrant families, recruiters are encouraged to communicate regularly with agencies that provide social services.

Posting flyers within the social services will visually inform their clients about the Migrant Education Program as a possible resource. Having a flyer available at social service agency network meetings may encourage possible referrals to eligible families to school district MEP staff.

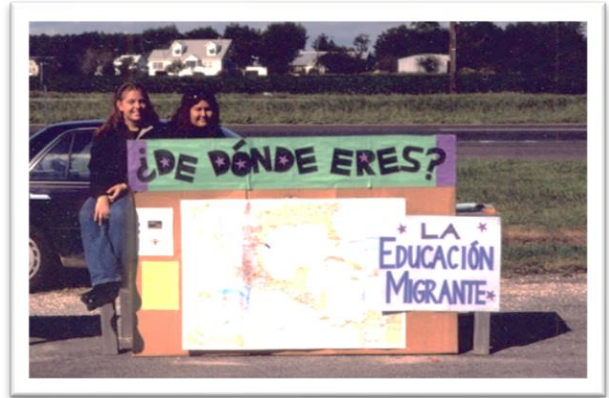


Recruiters should also arrange to visit local packing houses during peak harvest times to identify possible eligible families. Simply handing out flyers during the lunch break or posting flyers in the cafeteria may lead to the identification of families. Leaving flyers at the personnel office and asking that new employees be given the flyer may also prove beneficial.

### Putting “Active” Into Active ID&R

#### **Canvass the Community**

At the time when migrant farmworkers have an obvious presence in your community, recruiters should canvass the area identifying families whose children may not be enrolled in school. Laundromats, community parks, churches and taco trucks are places where migrant families may be identified for program services. Posting flyers where permitted and making regular visits during peak harvest times will produce positive results.



#### **Plan on Getting Out**

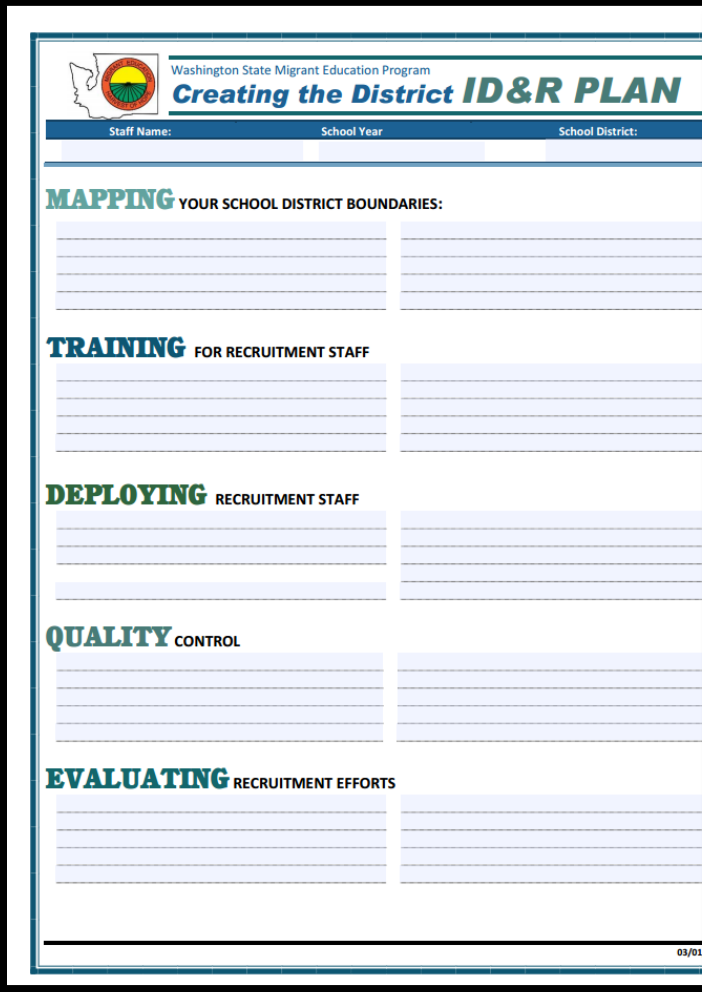


There are migrant families whose children do not attend school. Recruiters will not find them by waiting for them in their school district office. A weekly plan must be established to go out and locate and identify the families. During peak seasons it may mean being out of the office every day. During the winter it may mean not leaving at all. However, having a plan that will be carried out throughout the year is essential.

The plan should include when, and where they will go and who they will see. Who develops this plan? Together the recruiter and the federal programs director must carefully plot out this plan. Also, federal programs directors must ensure that other district activities do not interfere in conducting active recruitment, i.e., translation of forms, monitoring the lunch room, etc.

Implementing just one of these strategies will not produce tremendous, immediate results. However, when all of these activities are properly coordinated, the end result will be a larger number of migrant children receiving valuable services.

Creating the ID&R Plan



Washington State Migrant Education Program  
**Creating the District ID&R PLAN**

Staff Name: \_\_\_\_\_ School Year: \_\_\_\_\_ School District: \_\_\_\_\_

**MAPPING** YOUR SCHOOL DISTRICT BOUNDARIES:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**TRAINING** FOR RECRUITMENT STAFF

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**DEPLOYING** RECRUITMENT STAFF

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**QUALITY** CONTROL

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

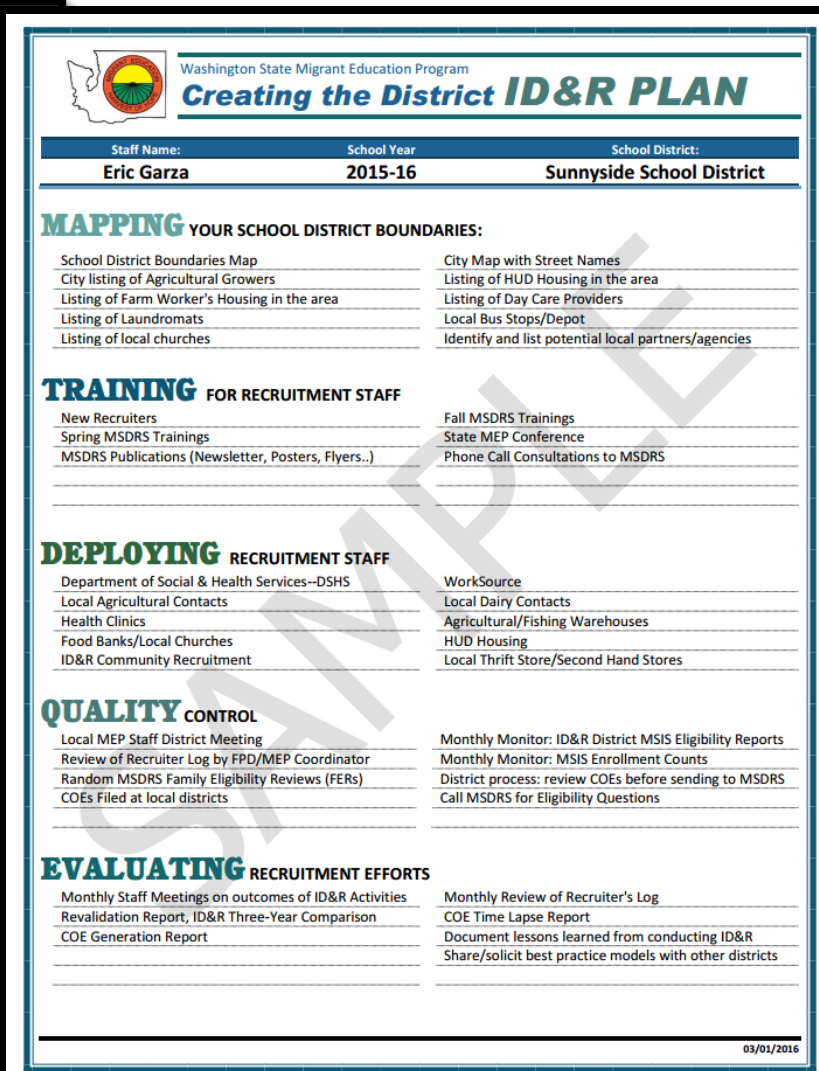
**EVALUATING** RECRUITMENT EFFORTS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

03/01/2016



Washington State Migrant Education Program  
**Creating the District ID&R PLAN**

Staff Name: **Eric Garza** School Year: **2015-16** School District: **Sunnyside School District**

**MAPPING** YOUR SCHOOL DISTRICT BOUNDARIES:

School District Boundaries Map	City Map with Street Names
City listing of Agricultural Growers	Listing of HUD Housing in the area
Listing of Farm Worker's Housing in the area	Listing of Day Care Providers
Listing of Laundromats	Local Bus Stops/Depot
Listing of local churches	Identify and list potential local partners/agencies

**TRAINING** FOR RECRUITMENT STAFF

New Recruiters	Fall MSDRS Trainings
Spring MSDRS Trainings	State MEP Conference
MSDRS Publications (Newsletter, Posters, Flyers..)	Phone Call Consultations to MSDRS

**DEPLOYING** RECRUITMENT STAFF

Department of Social & Health Services--DSHS	WorkSource
Local Agricultural Contacts	Local Dairy Contacts
Health Clinics	Agricultural/Fishing Warehouses
Food Banks/Local Churches	HUD Housing
ID&R Community Recruitment	Local Thrift Store/Second Hand Stores

**QUALITY** CONTROL

Local MEP Staff District Meeting	Monthly Monitor: ID&R District MSIS Eligibility Reports
Review of Recruiter Log by FPD/MEP Coordinator	Monthly Monitor: MSIS Enrollment Counts
Random MSDRS Family Eligibility Reviews (FERs)	District process: review COEs before sending to MSDRS
COEs Filed at local districts	Call MSDRS for Eligibility Questions

**EVALUATING** RECRUITMENT EFFORTS

Monthly Staff Meetings on outcomes of ID&R Activities	Monthly Review of Recruiter's Log
Revalidation Report, ID&R Three-Year Comparison	COE Time Lapse Report
COE Generation Report	Document lessons learned from conducting ID&R
	Share/solicit best practice models with other districts

03/01/2016



## Recruiter Checklist

### Recruiter Log

- ✓ Are your home visiting activities appropriate?
  - Do the activities logged fall under:
    - Active Identification and Recruitment (61%),
    - Home School Liaison (18%),
    - Documentation of ID&R Activities (10%)
    - Social Services Assistance (10%)
  - Are your activities supplemental to other recruiter activities carried out through other programs? You should not supplant other recruiters paid through other programs.

### Community Recruitment

- ✓ Are you surveying the community looking for families
  - Placing flyers on store bulletin boards
  - Visiting Laundromats
- ✓ Are you coordinating continuously with other agencies serving migrant families
  - ECEAP/Inspire/DSHS/Local Food Banks
- ✓ Are you communicating regularly with employers likely to hire immigrant families (farm contact form)?
- ✓ Are you visiting/surveying migrant housing camps/sites?
- ✓ Are you conducting evening home visits?

### School District Coordination

- ✓ Are you communicating weekly with secretaries in each building to see if new students have enrolled into school?
- ✓ Are you coordinating with records clerk to ensure families are enrolled and withdrawn in a timely manner?
- ✓ Are you reviewing school registration forms as a tool to screen possible migrant families?

### Certificates of Eligibility (COEs)

- ✓ Are you identifying families in a timely manner? Within 2 weeks of arriving into the school district for non -summer migrations. In September for migrations which occur during the summer.
- ✓ Are you completing COEs for those families leaving the district in the winter and then returning to work in January or February?
- ✓ Are you completing COEs for students not attending school?



1. **Keep up with your COE revalidations, run your Unreported Revalidation Report monthly**
2. **Students are still eligible for 30-60 or 120 day, run your Qualifying Arrival Date Report this will help you stay on top of your students who will soon become end-of-eligibility.**
3. **Pull up your monthly termination report and find your End-of-Eligibility students, it's never too late to interview your families.**



## Eligibility

### COE Eligibility Certificate

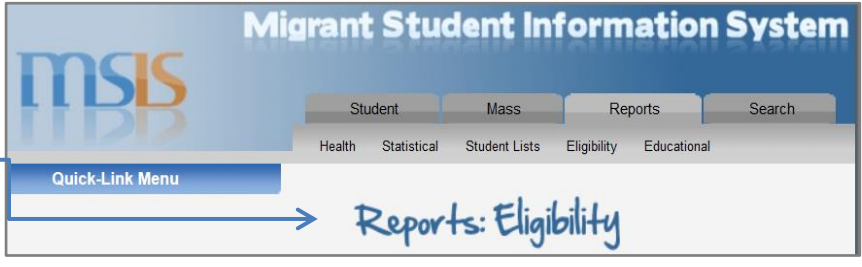
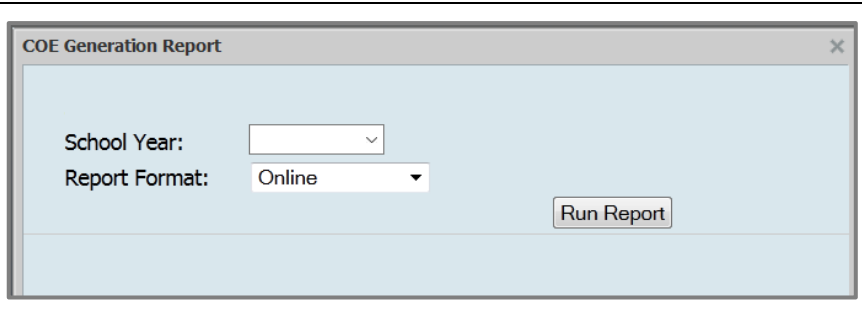
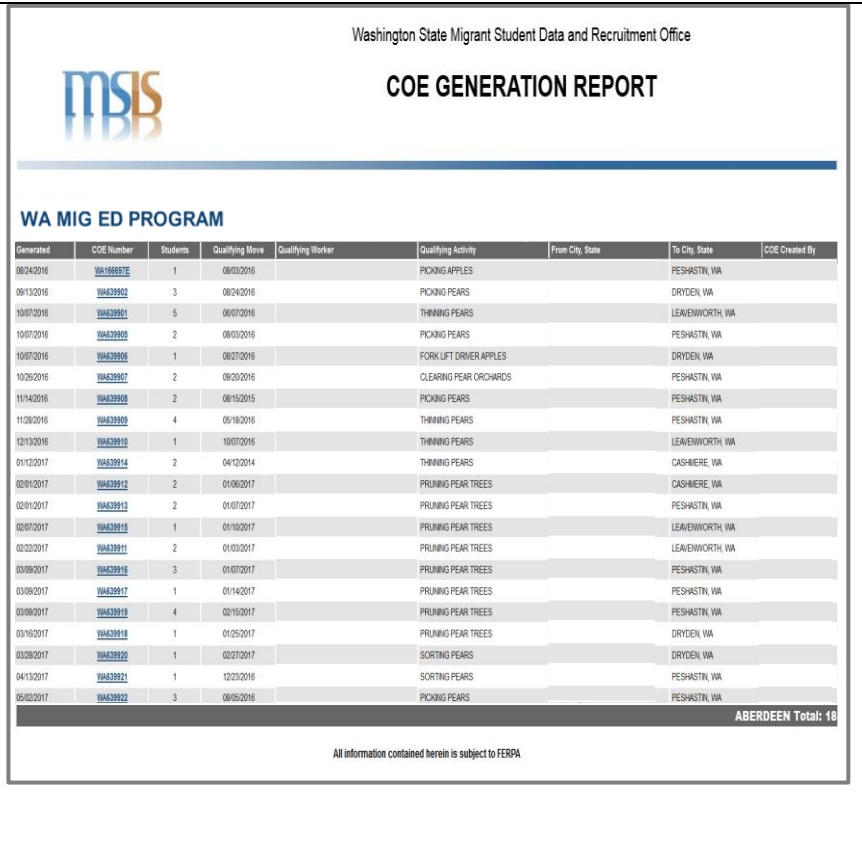
This report generates COE images or certificates based on generation date..  
 Use this report if parents request documentation of a COE done on an iPad.

<p><b>STEP 1:</b> Select <b>Eligibility</b> tab to view Eligibility Reports</p>																																																																														
<p><b>STEP 2:</b> Select the criteria from the report selection screen</p> <p>Click "Run Report"</p>																																																																														
<p><b>STEP 3:</b> View <b>COE Eligibility Certificate</b></p>	<table border="1"> <thead> <tr> <th>Name</th> <th>Type</th> <th>Compressed size</th> <th>Password p...</th> <th>Size</th> <th>Ratio</th> <th>Date modified</th> </tr> </thead> <tbody> <tr><td>certificatemp132557</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>174 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> <tr><td>certificatemp132558</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>174 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> <tr><td>certificateWA1287E</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>175 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> <tr><td>certificateWA1289E</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>175 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> <tr><td>certificateWA1290E</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>175 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> <tr><td>certificateWA1292E</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>175 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> <tr><td>certificateWA1296E</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>175 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> <tr><td>certificateWA1297E</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>174 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> <tr><td>certificateWA12102E</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>175 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> <tr><td>certificateWA12109E</td><td>Adobe Acrobat Document</td><td>145 KB</td><td>No</td><td>175 KB</td><td>17%</td><td>12/19/2013 9:50 AM</td></tr> </tbody> </table> 	Name	Type	Compressed size	Password p...	Size	Ratio	Date modified	certificatemp132557	Adobe Acrobat Document	145 KB	No	174 KB	17%	12/19/2013 9:50 AM	certificatemp132558	Adobe Acrobat Document	145 KB	No	174 KB	17%	12/19/2013 9:50 AM	certificateWA1287E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM	certificateWA1289E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM	certificateWA1290E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM	certificateWA1292E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM	certificateWA1296E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM	certificateWA1297E	Adobe Acrobat Document	145 KB	No	174 KB	17%	12/19/2013 9:50 AM	certificateWA12102E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM	certificateWA12109E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM
Name	Type	Compressed size	Password p...	Size	Ratio	Date modified																																																																								
certificatemp132557	Adobe Acrobat Document	145 KB	No	174 KB	17%	12/19/2013 9:50 AM																																																																								
certificatemp132558	Adobe Acrobat Document	145 KB	No	174 KB	17%	12/19/2013 9:50 AM																																																																								
certificateWA1287E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM																																																																								
certificateWA1289E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM																																																																								
certificateWA1290E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM																																																																								
certificateWA1292E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM																																																																								
certificateWA1296E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM																																																																								
certificateWA1297E	Adobe Acrobat Document	145 KB	No	174 KB	17%	12/19/2013 9:50 AM																																																																								
certificateWA12102E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM																																																																								
certificateWA12109E	Adobe Acrobat Document	145 KB	No	175 KB	17%	12/19/2013 9:50 AM																																																																								

Eligibility

COE Generation Report

This report is generated by a school district for the school year selected.  
 Use this report to review COE counts and activity.

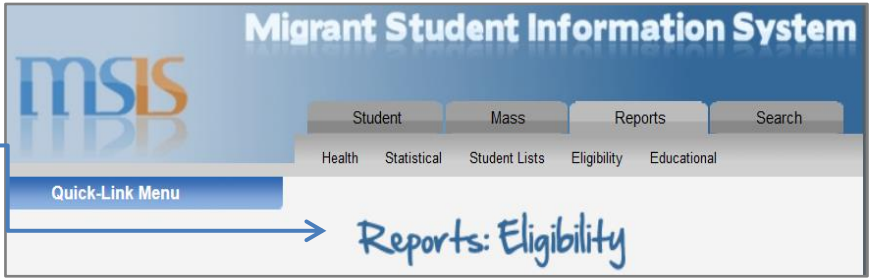
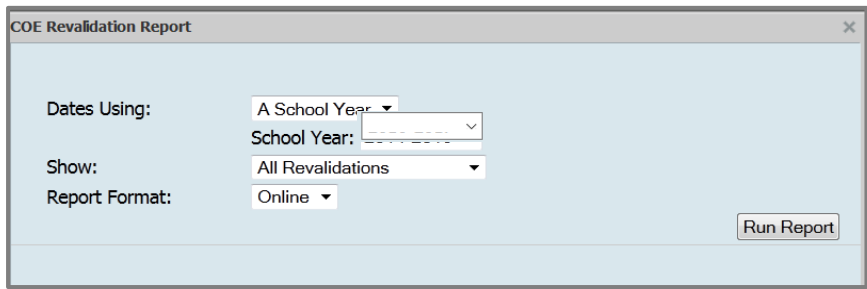
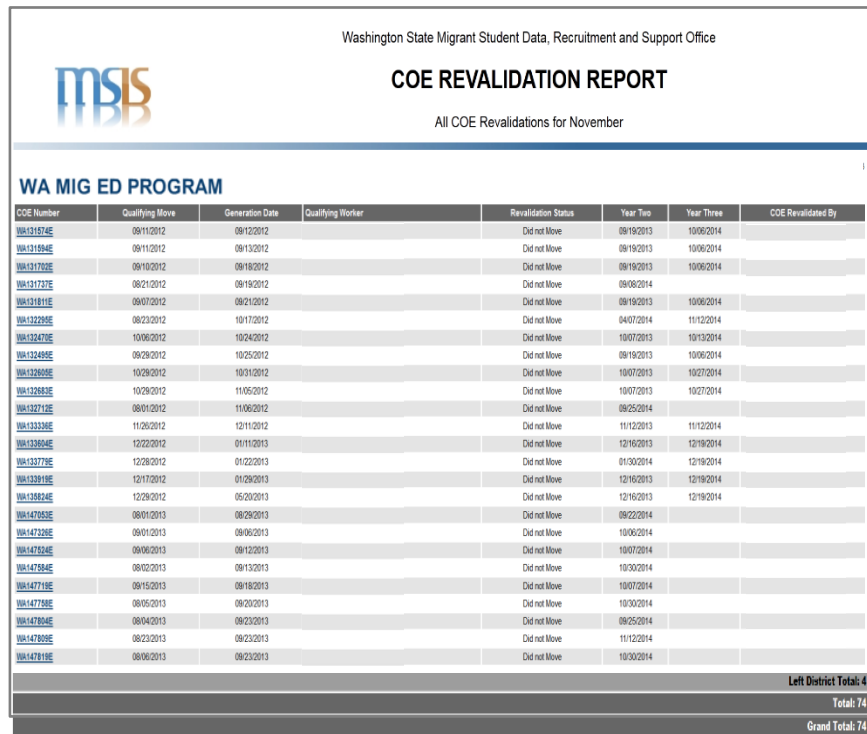
<p>STEP 1:                  Select <b>Eligibility</b> tab to view Eligibility Reports</p>																																																																																																																																																																																																							
<p>STEP 2:                  Select the criteria from the report selection screen                   Click "Run Report"</p>																																																																																																																																																																																																							
<p>STEP 3:                  View <b>COE Generation Report</b></p>	 <table border="1"> <thead> <tr> <th>Generated</th> <th>COE Number</th> <th>Students</th> <th>Qualifying Move</th> <th>Qualifying Worker</th> <th>Qualifying Activity</th> <th>From City, State</th> <th>To City, State</th> <th>COE Created By</th> </tr> </thead> <tbody> <tr><td>08/24/2016</td><td>WA639907E</td><td>1</td><td>08/03/2016</td><td></td><td>PICKING APPLES</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>09/13/2016</td><td>WA639902</td><td>3</td><td>08/24/2016</td><td></td><td>PICKING PEARS</td><td></td><td>DRYDEN, WA</td><td></td></tr> <tr><td>10/07/2016</td><td>WA639901</td><td>5</td><td>08/07/2016</td><td></td><td>THINNING PEARS</td><td></td><td>LEAVENWORTH, WA</td><td></td></tr> <tr><td>10/07/2016</td><td>WA639905</td><td>2</td><td>08/03/2016</td><td></td><td>PICKING PEARS</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>10/07/2016</td><td>WA639906</td><td>1</td><td>08/27/2016</td><td></td><td>FORK LIFT DRIVER APPLES</td><td></td><td>DRYDEN, WA</td><td></td></tr> <tr><td>10/26/2016</td><td>WA639907</td><td>2</td><td>08/29/2016</td><td></td><td>CLEARING PEAR ORCHARDS</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>11/14/2016</td><td>WA639908</td><td>2</td><td>08/15/2015</td><td></td><td>PICKING PEARS</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>11/28/2016</td><td>WA639909</td><td>4</td><td>05/18/2016</td><td></td><td>THINNING PEARS</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>12/13/2016</td><td>WA639910</td><td>1</td><td>10/07/2016</td><td></td><td>THINNING PEARS</td><td></td><td>LEAVENWORTH, WA</td><td></td></tr> <tr><td>01/12/2017</td><td>WA639914</td><td>2</td><td>04/12/2014</td><td></td><td>THINNING PEARS</td><td></td><td>CASHIERE, WA</td><td></td></tr> <tr><td>02/01/2017</td><td>WA639912</td><td>2</td><td>01/06/2017</td><td></td><td>PRUNING PEAR TREES</td><td></td><td>CASHIERE, WA</td><td></td></tr> <tr><td>02/01/2017</td><td>WA639913</td><td>2</td><td>01/07/2017</td><td></td><td>PRUNING PEAR TREES</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>02/07/2017</td><td>WA639915</td><td>1</td><td>01/10/2017</td><td></td><td>PRUNING PEAR TREES</td><td></td><td>LEAVENWORTH, WA</td><td></td></tr> <tr><td>02/22/2017</td><td>WA639911</td><td>2</td><td>01/03/2017</td><td></td><td>PRUNING PEAR TREES</td><td></td><td>LEAVENWORTH, WA</td><td></td></tr> <tr><td>03/09/2017</td><td>WA639916</td><td>3</td><td>01/07/2017</td><td></td><td>PRUNING PEAR TREES</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>03/09/2017</td><td>WA639917</td><td>1</td><td>01/14/2017</td><td></td><td>PRUNING PEAR TREES</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>03/09/2017</td><td>WA639919</td><td>4</td><td>02/15/2017</td><td></td><td>PRUNING PEAR TREES</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>03/16/2017</td><td>WA639918</td><td>1</td><td>01/25/2017</td><td></td><td>PRUNING PEAR TREES</td><td></td><td>DRYDEN, WA</td><td></td></tr> <tr><td>03/28/2017</td><td>WA639920</td><td>1</td><td>02/27/2017</td><td></td><td>SORTING PEARS</td><td></td><td>DRYDEN, WA</td><td></td></tr> <tr><td>04/13/2017</td><td>WA639921</td><td>1</td><td>12/23/2016</td><td></td><td>SORTING PEARS</td><td></td><td>PESHASTIN, WA</td><td></td></tr> <tr><td>05/02/2017</td><td>WA639922</td><td>3</td><td>08/05/2016</td><td></td><td>PICKING PEARS</td><td></td><td>PESHASTIN, WA</td><td></td></tr> </tbody> </table> <p style="text-align: right;"><b>ABERDEEN Total: 18</b></p> <p style="text-align: center; font-size: small;">All information contained herein is subject to FERPA.</p>	Generated	COE Number	Students	Qualifying Move	Qualifying Worker	Qualifying Activity	From City, State	To City, State	COE Created By	08/24/2016	WA639907E	1	08/03/2016		PICKING APPLES		PESHASTIN, WA		09/13/2016	WA639902	3	08/24/2016		PICKING PEARS		DRYDEN, WA		10/07/2016	WA639901	5	08/07/2016		THINNING PEARS		LEAVENWORTH, WA		10/07/2016	WA639905	2	08/03/2016		PICKING PEARS		PESHASTIN, WA		10/07/2016	WA639906	1	08/27/2016		FORK LIFT DRIVER APPLES		DRYDEN, WA		10/26/2016	WA639907	2	08/29/2016		CLEARING PEAR ORCHARDS		PESHASTIN, WA		11/14/2016	WA639908	2	08/15/2015		PICKING PEARS		PESHASTIN, WA		11/28/2016	WA639909	4	05/18/2016		THINNING PEARS		PESHASTIN, WA		12/13/2016	WA639910	1	10/07/2016		THINNING PEARS		LEAVENWORTH, WA		01/12/2017	WA639914	2	04/12/2014		THINNING PEARS		CASHIERE, WA		02/01/2017	WA639912	2	01/06/2017		PRUNING PEAR TREES		CASHIERE, WA		02/01/2017	WA639913	2	01/07/2017		PRUNING PEAR TREES		PESHASTIN, WA		02/07/2017	WA639915	1	01/10/2017		PRUNING PEAR TREES		LEAVENWORTH, WA		02/22/2017	WA639911	2	01/03/2017		PRUNING PEAR TREES		LEAVENWORTH, WA		03/09/2017	WA639916	3	01/07/2017		PRUNING PEAR TREES		PESHASTIN, WA		03/09/2017	WA639917	1	01/14/2017		PRUNING PEAR TREES		PESHASTIN, WA		03/09/2017	WA639919	4	02/15/2017		PRUNING PEAR TREES		PESHASTIN, WA		03/16/2017	WA639918	1	01/25/2017		PRUNING PEAR TREES		DRYDEN, WA		03/28/2017	WA639920	1	02/27/2017		SORTING PEARS		DRYDEN, WA		04/13/2017	WA639921	1	12/23/2016		SORTING PEARS		PESHASTIN, WA		05/02/2017	WA639922	3	08/05/2016		PICKING PEARS		PESHASTIN, WA	
Generated	COE Number	Students	Qualifying Move	Qualifying Worker	Qualifying Activity	From City, State	To City, State	COE Created By																																																																																																																																																																																															
08/24/2016	WA639907E	1	08/03/2016		PICKING APPLES		PESHASTIN, WA																																																																																																																																																																																																
09/13/2016	WA639902	3	08/24/2016		PICKING PEARS		DRYDEN, WA																																																																																																																																																																																																
10/07/2016	WA639901	5	08/07/2016		THINNING PEARS		LEAVENWORTH, WA																																																																																																																																																																																																
10/07/2016	WA639905	2	08/03/2016		PICKING PEARS		PESHASTIN, WA																																																																																																																																																																																																
10/07/2016	WA639906	1	08/27/2016		FORK LIFT DRIVER APPLES		DRYDEN, WA																																																																																																																																																																																																
10/26/2016	WA639907	2	08/29/2016		CLEARING PEAR ORCHARDS		PESHASTIN, WA																																																																																																																																																																																																
11/14/2016	WA639908	2	08/15/2015		PICKING PEARS		PESHASTIN, WA																																																																																																																																																																																																
11/28/2016	WA639909	4	05/18/2016		THINNING PEARS		PESHASTIN, WA																																																																																																																																																																																																
12/13/2016	WA639910	1	10/07/2016		THINNING PEARS		LEAVENWORTH, WA																																																																																																																																																																																																
01/12/2017	WA639914	2	04/12/2014		THINNING PEARS		CASHIERE, WA																																																																																																																																																																																																
02/01/2017	WA639912	2	01/06/2017		PRUNING PEAR TREES		CASHIERE, WA																																																																																																																																																																																																
02/01/2017	WA639913	2	01/07/2017		PRUNING PEAR TREES		PESHASTIN, WA																																																																																																																																																																																																
02/07/2017	WA639915	1	01/10/2017		PRUNING PEAR TREES		LEAVENWORTH, WA																																																																																																																																																																																																
02/22/2017	WA639911	2	01/03/2017		PRUNING PEAR TREES		LEAVENWORTH, WA																																																																																																																																																																																																
03/09/2017	WA639916	3	01/07/2017		PRUNING PEAR TREES		PESHASTIN, WA																																																																																																																																																																																																
03/09/2017	WA639917	1	01/14/2017		PRUNING PEAR TREES		PESHASTIN, WA																																																																																																																																																																																																
03/09/2017	WA639919	4	02/15/2017		PRUNING PEAR TREES		PESHASTIN, WA																																																																																																																																																																																																
03/16/2017	WA639918	1	01/25/2017		PRUNING PEAR TREES		DRYDEN, WA																																																																																																																																																																																																
03/28/2017	WA639920	1	02/27/2017		SORTING PEARS		DRYDEN, WA																																																																																																																																																																																																
04/13/2017	WA639921	1	12/23/2016		SORTING PEARS		PESHASTIN, WA																																																																																																																																																																																																
05/02/2017	WA639922	3	08/05/2016		PICKING PEARS		PESHASTIN, WA																																																																																																																																																																																																

## Eligibility

### Revalidation Report

This report lists COE revalidations status as reported in the MSIS for the present school year. Status can be all revalidations, reported revalidations or unreported revalidations.

Use this report to schedule and play your revalidation activities.

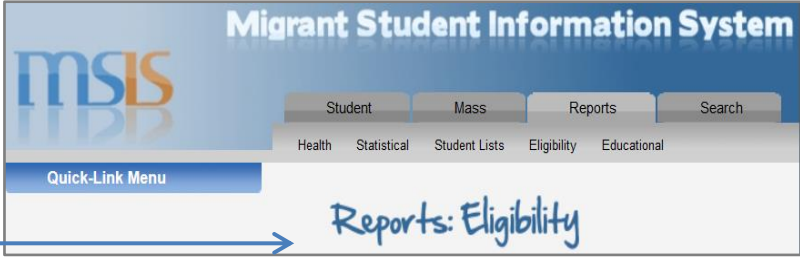
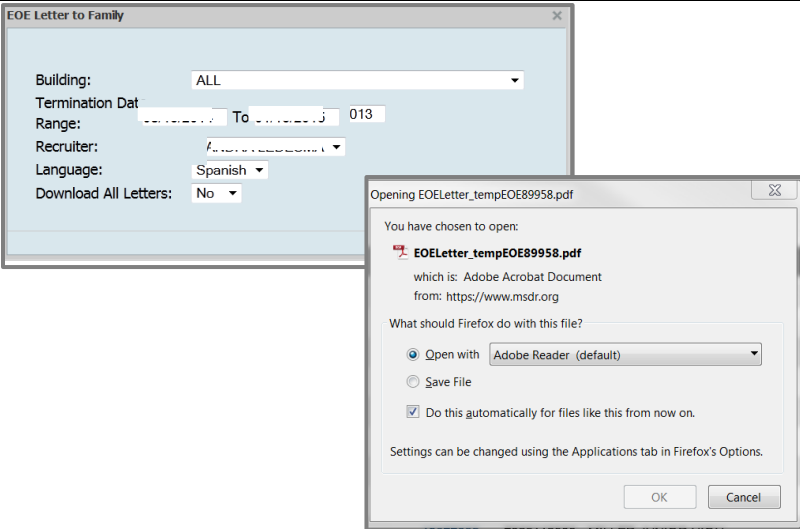
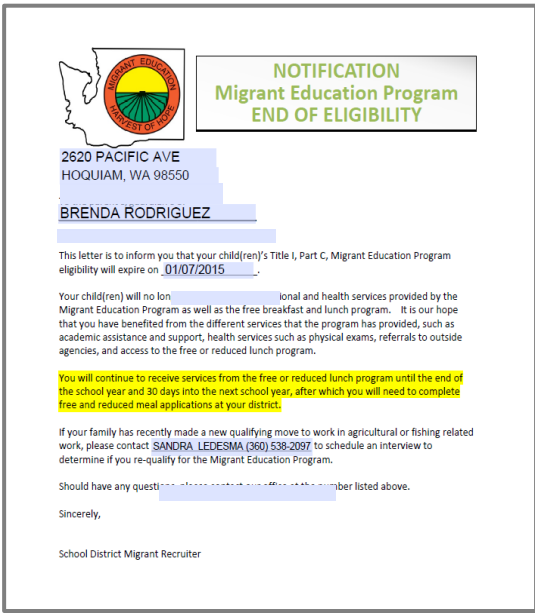
<p>STEP 1: Select <b>Eligibility</b> tab to view Eligibility Reports</p>	
<p>STEP 2: Select the criteria from the report selection screen</p> <p>Click "Run Report"</p>	
<p>STEP 3: View <b>COE Revalidation Report</b></p>	

## Eligibility

### EOE Letter to Family

This report displays all COEs that are set to expire within the given date range and generates a letter based on the selection criteria.

Use this report to inform families of their migrant status.

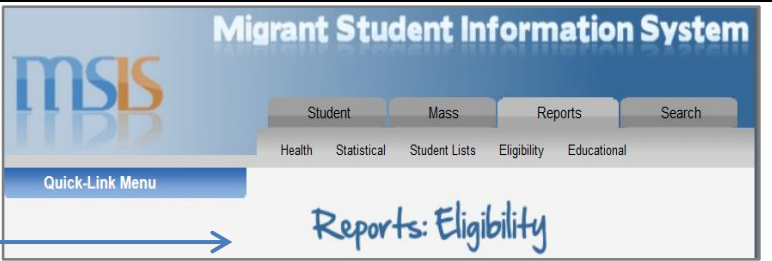
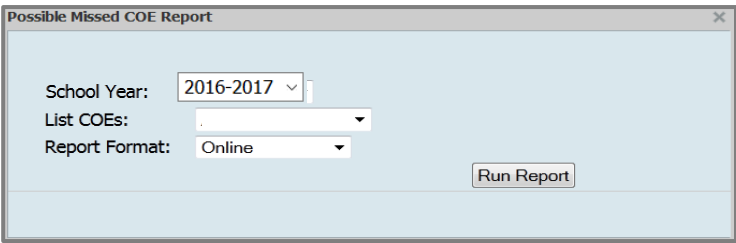
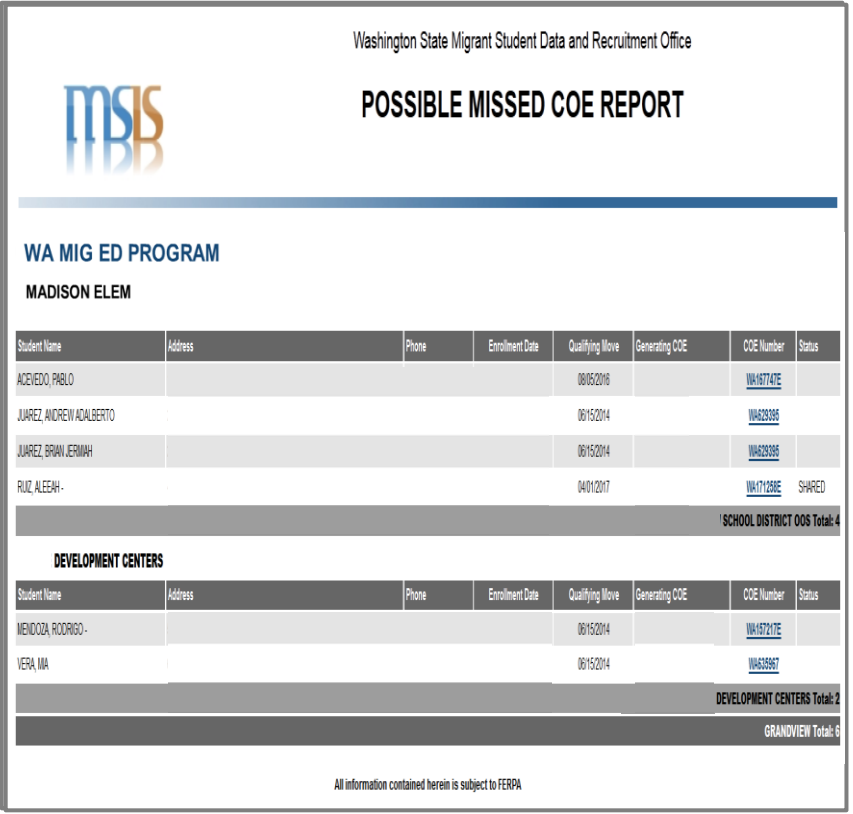
<p>STEP 1: Select <b>Eligibility</b> tab to view Eligibility Reports</p>	
<p>STEP 2: Select the criteria from the report selection screen</p> <p>Click "Run Report"</p> <p>a second screen will display, select "Open with"</p> <p>Click "OK"</p>	
<p>STEP 3: View <b>EOE Letter to Family</b></p>	

## Eligibility

### Possible Missed COE Report

This report lists students currently enrolled in your school district who do not have a COE completed by your school district as reported in the MSIS.

Use this report to identify students whose family may have a new move into

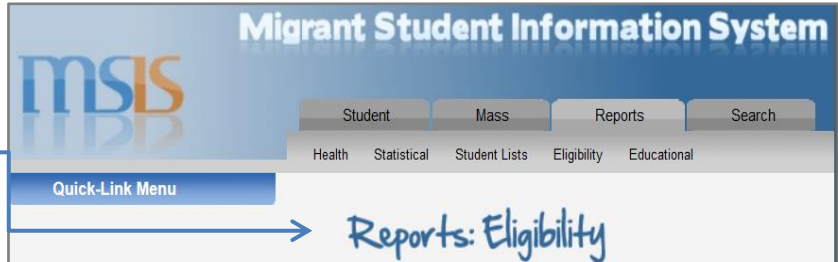
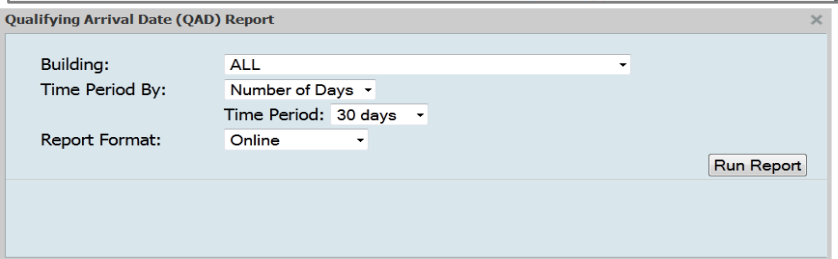
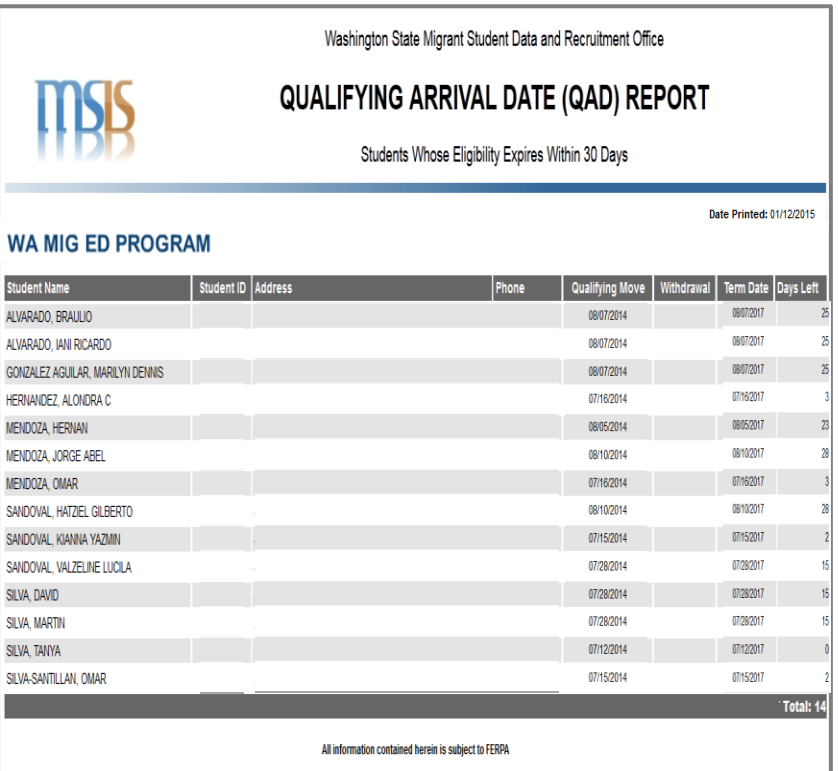
<p><b>STEP 1:</b> Select <b>Eligibility</b> tab to view Eligibility Reports</p>																																																																																																	
<p><b>STEP 2:</b> Select the criteria from the report selection screen</p> <p>Click "Run Report"</p>																																																																																																	
<p><b>STEP 3:</b> View Possible <b>Missed COE Report</b></p>	 <table border="1"> <thead> <tr> <th>Student Name</th> <th>Address</th> <th>Phone</th> <th>Enrollment Date</th> <th>Qualifying Move</th> <th>Generating COE</th> <th>COE Number</th> <th>Status</th> </tr> </thead> <tbody> <tr> <td>ACEVEDO, PABLO</td> <td></td> <td></td> <td></td> <td>08/05/2016</td> <td></td> <td>WA167747E</td> <td></td> </tr> <tr> <td>JUAREZ, ANDREW ADALBERTO</td> <td></td> <td></td> <td></td> <td>09/15/2014</td> <td></td> <td>WA629396</td> <td></td> </tr> <tr> <td>JUAREZ, BRIAN JERIMAH</td> <td></td> <td></td> <td></td> <td>09/15/2014</td> <td></td> <td>WA629396</td> <td></td> </tr> <tr> <td>RUIZ, ALEJAH</td> <td></td> <td></td> <td></td> <td>04/01/2017</td> <td></td> <td>WA171269E</td> <td>SHRED</td> </tr> <tr> <td colspan="7"></td> <td><b>SCHOOL DISTRICT OOS Total: 4</b></td> </tr> <tr> <th colspan="8">DEVELOPMENT CENTERS</th> </tr> <tr> <th>Student Name</th> <th>Address</th> <th>Phone</th> <th>Enrollment Date</th> <th>Qualifying Move</th> <th>Generating COE</th> <th>COE Number</th> <th>Status</th> </tr> <tr> <td>MENDOZA, RODRIGO</td> <td></td> <td></td> <td></td> <td>09/15/2014</td> <td></td> <td>WA187217E</td> <td></td> </tr> <tr> <td>VERA, MA</td> <td></td> <td></td> <td></td> <td>09/15/2014</td> <td></td> <td>WA636967</td> <td></td> </tr> <tr> <td colspan="7"></td> <td><b>DEVELOPMENT CENTERS Total: 2</b></td> </tr> <tr> <td colspan="7"></td> <td><b>GRANDVIEW Total: 6</b></td> </tr> </tbody> </table> <p>All information contained herein is subject to FERPA</p>	Student Name	Address	Phone	Enrollment Date	Qualifying Move	Generating COE	COE Number	Status	ACEVEDO, PABLO				08/05/2016		WA167747E		JUAREZ, ANDREW ADALBERTO				09/15/2014		WA629396		JUAREZ, BRIAN JERIMAH				09/15/2014		WA629396		RUIZ, ALEJAH				04/01/2017		WA171269E	SHRED								<b>SCHOOL DISTRICT OOS Total: 4</b>	DEVELOPMENT CENTERS								Student Name	Address	Phone	Enrollment Date	Qualifying Move	Generating COE	COE Number	Status	MENDOZA, RODRIGO				09/15/2014		WA187217E		VERA, MA				09/15/2014		WA636967									<b>DEVELOPMENT CENTERS Total: 2</b>								<b>GRANDVIEW Total: 6</b>
Student Name	Address	Phone	Enrollment Date	Qualifying Move	Generating COE	COE Number	Status																																																																																										
ACEVEDO, PABLO				08/05/2016		WA167747E																																																																																											
JUAREZ, ANDREW ADALBERTO				09/15/2014		WA629396																																																																																											
JUAREZ, BRIAN JERIMAH				09/15/2014		WA629396																																																																																											
RUIZ, ALEJAH				04/01/2017		WA171269E	SHRED																																																																																										
							<b>SCHOOL DISTRICT OOS Total: 4</b>																																																																																										
DEVELOPMENT CENTERS																																																																																																	
Student Name	Address	Phone	Enrollment Date	Qualifying Move	Generating COE	COE Number	Status																																																																																										
MENDOZA, RODRIGO				09/15/2014		WA187217E																																																																																											
VERA, MA				09/15/2014		WA636967																																																																																											
							<b>DEVELOPMENT CENTERS Total: 2</b>																																																																																										
							<b>GRANDVIEW Total: 6</b>																																																																																										

**Eligibility**

**Qualifying Arrival Date (QAD) Report**

This report lists students whose qualifying arrival date (QAD) will expire 30, 60, 90 or 120 days.

Use this report to plan your ID&R visits to families before their eligibility expires.

<p>STEP 1: Select <b>Eligibility</b> tab to view Eligibility Reports</p>	 <p>The screenshot shows the MSIS interface with the 'Reports' tab selected. A blue arrow points to the 'Reports: Eligibility' link in the navigation menu.</p>																																																																																																																																
<p>STEP 2: Select the criteria from the report selection screen</p> <p>Click "Run Report"</p>	 <p>The screenshot shows the 'Qualifying Arrival Date (QAD) Report' selection screen. It includes dropdown menus for 'Building' (set to ALL), 'Time Period By' (set to Number of Days), 'Time Period' (set to 30 days), and 'Report Format' (set to Online). A 'Run Report' button is visible.</p>																																																																																																																																
<p>STEP 3: View <b>Qualifying Arrival Date (QAD) Report</b></p>	 <p>The screenshot shows the 'QUALIFYING ARRIVAL DATE (QAD) REPORT' for students whose eligibility expires within 30 days. The report is dated 01/12/2015 and lists 14 students under the 'WA MIG ED PROGRAM'.</p> <table border="1"> <thead> <tr> <th>Student Name</th> <th>Student ID</th> <th>Address</th> <th>Phone</th> <th>Qualifying Move</th> <th>Withdrawal</th> <th>Term Date</th> <th>Days Left</th> </tr> </thead> <tbody> <tr><td>ALVARADO, BRAULIO</td><td></td><td></td><td></td><td>08/07/2014</td><td></td><td>08/07/2017</td><td>25</td></tr> <tr><td>ALVARADO, IANI RICARDO</td><td></td><td></td><td></td><td>08/07/2014</td><td></td><td>08/07/2017</td><td>25</td></tr> <tr><td>GONZALEZ AGUILAR, MARILYN DENNIS</td><td></td><td></td><td></td><td>08/07/2014</td><td></td><td>08/07/2017</td><td>25</td></tr> <tr><td>HERNANDEZ, ALONDRA C</td><td></td><td></td><td></td><td>07/16/2014</td><td></td><td>07/16/2017</td><td>3</td></tr> <tr><td>MENDOZA, HERNANI</td><td></td><td></td><td></td><td>08/05/2014</td><td></td><td>08/05/2017</td><td>23</td></tr> <tr><td>MENDOZA, JORGE ABEL</td><td></td><td></td><td></td><td>08/10/2014</td><td></td><td>08/10/2017</td><td>28</td></tr> <tr><td>MENDOZA, OMAR</td><td></td><td></td><td></td><td>07/16/2014</td><td></td><td>07/16/2017</td><td>3</td></tr> <tr><td>SANDOVAL, HATZEL GILBERTO</td><td></td><td></td><td></td><td>08/10/2014</td><td></td><td>08/10/2017</td><td>28</td></tr> <tr><td>SANDOVAL, KIANNA YAZMIN</td><td></td><td></td><td></td><td>07/15/2014</td><td></td><td>07/15/2017</td><td>2</td></tr> <tr><td>SANDOVAL, VALZELINE LUCILA</td><td></td><td></td><td></td><td>07/28/2014</td><td></td><td>07/28/2017</td><td>15</td></tr> <tr><td>SILVA, DAVID</td><td></td><td></td><td></td><td>07/28/2014</td><td></td><td>07/28/2017</td><td>15</td></tr> <tr><td>SILVA, MARTIN</td><td></td><td></td><td></td><td>07/28/2014</td><td></td><td>07/28/2017</td><td>15</td></tr> <tr><td>SILVA, TANYA</td><td></td><td></td><td></td><td>07/12/2014</td><td></td><td>07/12/2017</td><td>0</td></tr> <tr><td>SILVA-SANTILLAN, OMAR</td><td></td><td></td><td></td><td>07/15/2014</td><td></td><td>07/15/2017</td><td>2</td></tr> <tr> <td colspan="7"></td> <td><b>Total: 14</b></td> </tr> </tbody> </table> <p>All information contained herein is subject to FERPA</p>	Student Name	Student ID	Address	Phone	Qualifying Move	Withdrawal	Term Date	Days Left	ALVARADO, BRAULIO				08/07/2014		08/07/2017	25	ALVARADO, IANI RICARDO				08/07/2014		08/07/2017	25	GONZALEZ AGUILAR, MARILYN DENNIS				08/07/2014		08/07/2017	25	HERNANDEZ, ALONDRA C				07/16/2014		07/16/2017	3	MENDOZA, HERNANI				08/05/2014		08/05/2017	23	MENDOZA, JORGE ABEL				08/10/2014		08/10/2017	28	MENDOZA, OMAR				07/16/2014		07/16/2017	3	SANDOVAL, HATZEL GILBERTO				08/10/2014		08/10/2017	28	SANDOVAL, KIANNA YAZMIN				07/15/2014		07/15/2017	2	SANDOVAL, VALZELINE LUCILA				07/28/2014		07/28/2017	15	SILVA, DAVID				07/28/2014		07/28/2017	15	SILVA, MARTIN				07/28/2014		07/28/2017	15	SILVA, TANYA				07/12/2014		07/12/2017	0	SILVA-SANTILLAN, OMAR				07/15/2014		07/15/2017	2								<b>Total: 14</b>
Student Name	Student ID	Address	Phone	Qualifying Move	Withdrawal	Term Date	Days Left																																																																																																																										
ALVARADO, BRAULIO				08/07/2014		08/07/2017	25																																																																																																																										
ALVARADO, IANI RICARDO				08/07/2014		08/07/2017	25																																																																																																																										
GONZALEZ AGUILAR, MARILYN DENNIS				08/07/2014		08/07/2017	25																																																																																																																										
HERNANDEZ, ALONDRA C				07/16/2014		07/16/2017	3																																																																																																																										
MENDOZA, HERNANI				08/05/2014		08/05/2017	23																																																																																																																										
MENDOZA, JORGE ABEL				08/10/2014		08/10/2017	28																																																																																																																										
MENDOZA, OMAR				07/16/2014		07/16/2017	3																																																																																																																										
SANDOVAL, HATZEL GILBERTO				08/10/2014		08/10/2017	28																																																																																																																										
SANDOVAL, KIANNA YAZMIN				07/15/2014		07/15/2017	2																																																																																																																										
SANDOVAL, VALZELINE LUCILA				07/28/2014		07/28/2017	15																																																																																																																										
SILVA, DAVID				07/28/2014		07/28/2017	15																																																																																																																										
SILVA, MARTIN				07/28/2014		07/28/2017	15																																																																																																																										
SILVA, TANYA				07/12/2014		07/12/2017	0																																																																																																																										
SILVA-SANTILLAN, OMAR				07/15/2014		07/15/2017	2																																																																																																																										
							<b>Total: 14</b>																																																																																																																										

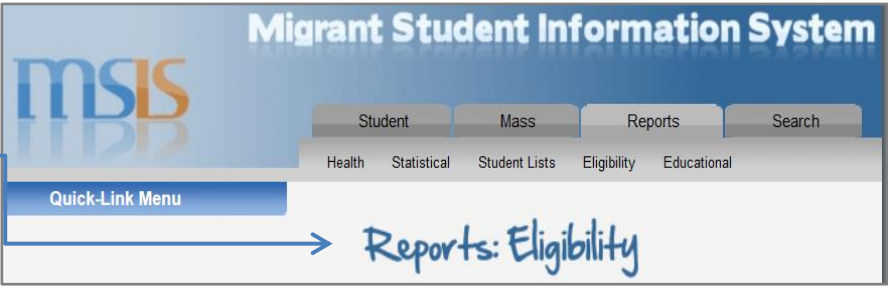
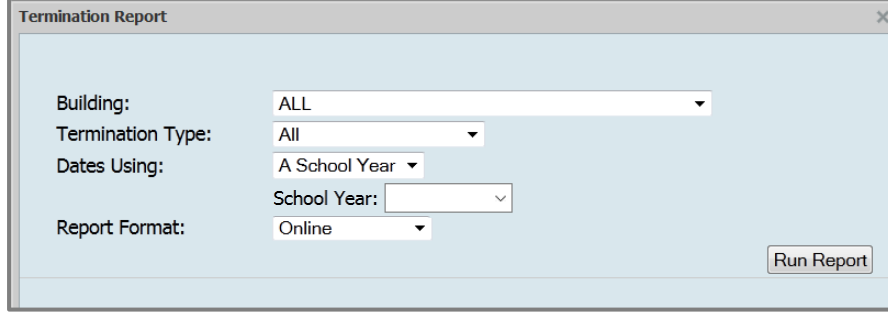
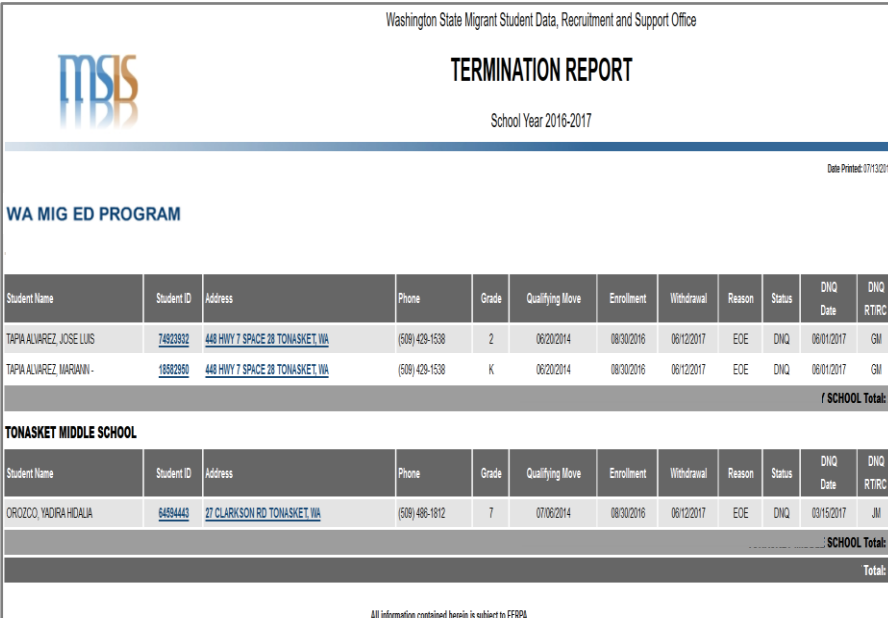


## Eligibility

### Termination Report

This report lists students that have been terminated from the MSIS. Termination reasons are graduated, GED, deceased, end of eligibility, or other.

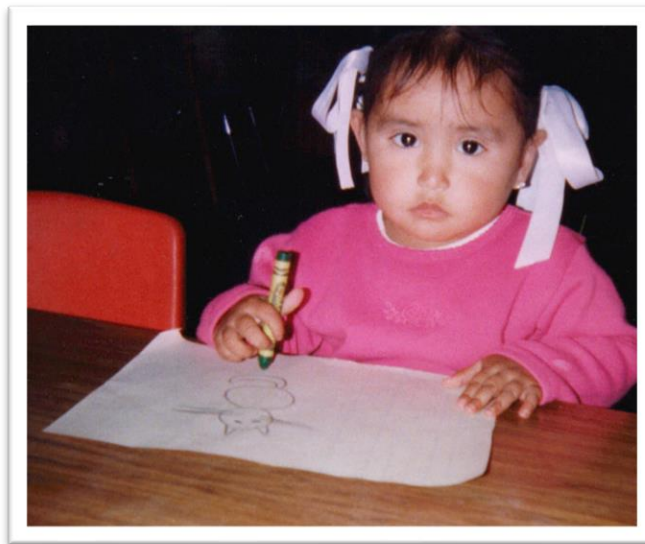
Use this report to identify students who are no longer eligible for the migrant program.

<p><b>STEP 1:</b> Select <b>Eligibility</b> tab to view Eligibility Reports</p>	
<p><b>STEP 2:</b> Select the criteria from the report selection screen</p> <p>Click "Run Report"</p>	
<p><b>STEP 3:</b> View Termination Report</p>	

1. Useful resources, supplies and valuable tools are available for the migrant recruiter at: [www.msdr.org](http://www.msdr.org)

2. The following are a request away:

- Certificate of Eligibility (COE)
- Crop Activity Wheel
- Door Knob Messages
- MEP Poster
- MEP Tri-Fold Brochure
- MSDRS Planner
- MSDRS Tri-Fold Brochure (English)
- MSDRS Tri-Fold Brochure (Spanish)
- PASS Brochure (English)
- PASS Brochure (Spanish)



## School Information

This section is provided for the recruiter to insert specific reference material about his/her district. Such information may be kept handy for quick reference and to share with families:

### HANDY SCHOOL INFORMATION FOR THE ACTIVE RECRUITER

1. District graduation requirements and handbooks from the schools in the district
2. Attendance Requirements
3. Bus Schedules
4. Holiday Schedules
5. School Board Policies
6. Parent Conference Days
7. Schedule of Field Trips
8. Handy information for New residents, some examples:  
Names, addresses and phone numbers of:
  - ✓ Utility Services
  - ✓ Social services agencies
  - ✓ Police Department
  - ✓ Phone company
  - ✓ Adult learning centers
  - ✓ Fire department, etc...
9. Alternative education program brochures and information, if applicable.
  - ✓ HEP
  - ✓ CAMP
  - ✓ PASS
10. Recruiter Information packet for parents

### Recruiter Parent Packet

---

Each recruiter has his/her unique way of taking along necessary forms and information during home visits. Having all of the forms, information and supplies needed by a recruiter in a packet may aid in making the job of recruiter more efficient. Below is a suggested sample of what a recruiter parent packet may contain.

#### **FORMS:**

The recruiter may find it useful to have brochures and other information on programs available when identifying and recruiting families. The social services directory is one starting point to begin identifying services/programs in the family's community.

- COEs**
- School Enrollment forms** (This would include all necessary school information, e.g., registration, immunizations and medical release forms). If applicable.

#### **OTHER INFORMATION**

- ➔ **Migrant Education Program** – this would be any information on the National Program, Brochures, handouts, etc. Contact MSDRS if more information is needed.
- ➔ **Resources Directory** – Listing of Social Agencies in the community and surrounding areas. For example daycare centers, WIC, Housing, Job/Employment, Clinics or other community social agencies like DSHS for TANF/Food Stamps and Medical.
- ➔ **PAC** - Contact ESD for information.
- ➔ **Recruiter Log, Planner, Map, Miscellaneous Items** – It may be helpful to have these items to record dates, referrals, and make appointments. There may be miscellaneous items that each recruiter may find useful.
- ➔ **Supplies** – This might include pencils and pens, paper clips, post-it notes, door knob messages, file folders.

Once the necessary forms and items are gathered, place them in a file and take with you on home visits.

## USDA Food and Nutrition Service MEP/LEA Memo - Page 1



United States  
Department of  
Agriculture

August 16, 2004

Food and  
Nutrition  
Service

**SUBJECT:** Categorical Eligibility for Free Lunches and Breakfasts for Migrant Children

3101 Park  
Center Drive  
Alexandria, VA  
22302-1500

**TO:** Special Nutrition Programs  
All Regions

State Agencies  
Child Nutrition Programs  
All States

This memorandum supplements our Reauthorization Implementation Memo SP 4 (July 19, 2004) by providing additional information on identifying migrant children and on the procedures that school food authorities (SFAs) and local education agencies (LEAs) should use to coordinate with the Migrant Education Program (MEP) in order to document the categorical eligibility of migrant children for free meals.

### Background on the Migrant Education Program

The MEP is authorized under Title I, Part C of the Elementary and Secondary Education Act (ESEA) and provides grants to State educational agencies. The State educational agency, in turn, makes sub-grants to LEAs and other entities to provide supplemental educational and support services to migrant children. A major goal of the MEP is to minimize the disruption caused by migrant children's frequent moves. While the full definition of a migrant child in section 1309 of ESEA is rather complicated, in general under this definition, a migrant child is one who has moved across school district lines, within the last three years, in order to accompany or join a parent or guardian who has moved to seek or obtain temporary or seasonal work in agriculture or fishing.

Please note, however, that it is not necessary for local SFA personnel to apply the ESEA definition because there are already State educational agency and local MEP staff who are responsible for identifying (and maintaining supporting documentation) as to who is an eligible migrant child under ESEA.

### Local Level MEP Contacts

Most State educational agencies sub-grant MEP funds to local operating agencies (LOAs) to provide program services. These LOAs are typically LEAs; however, in some states, the LOAs may be regional units that administer the MEP in multiple LEAs. When an LOA/LEA receives MEP funds, a MEP coordinator is usually designated. (However, in some LEAs, a Federal program director administers multiple federal programs including the MEP). Each LEA/LOA typically identifies and recruits migrant children in their geographic area and maintains a list of eligible migrant children.

## USDA Food and Nutrition Service MEP/LEA Memo - Page 2

Regional Directors  
State Directors  
Page 2

### Documenting Free Meal Eligibility for Migrant Children

SFAs/LEAs should work directly with their LOA/LEA MEP coordinators or, where appropriate, the State MEP director, to identify migrant children and to document their eligibility for free school meals. SFAs/LEAs must accept documentation that the children are migrant children from the LOA/LEA MEP coordinator.

Documentation of migrant status to substantiate free meal eligibility is a dated list with each child's name and the signature of the LOA/LEA MEP coordinator or the State MEP director. This documentation is in lieu of free and reduced price meal applications and must be sought, as much as possible, prior to a household completing an application. Once documentation is obtained, the SFA/LEA must notify the household as soon as possible about the child's free meal eligibility. Any application submitted on behalf of the child would be disregarded.

It is particularly important that newly arrived migrant children in the LEA be documented and certified for free meals as promptly as possible. SFAs/LEAs need to establish procedures with the LOA/LEA MEP coordinator to assure prompt notification when a new migrant child is identified.

### Continuing Certification

Public Law 108-265 also amended the Richard B. Russell National School Lunch Act to establish that, once a child is certified as eligible to receive free or reduced price meals, eligibility remains effective for the remainder of the school year. Our policy further allows SFAs to continue a child's eligibility from the previous year for 30 operating days into the subsequent school year or until a new eligibility determination is made, whichever occurs first. Because of this and because the MEP strives to minimize a child's disruption in services and benefits, SFAs/LEAs should attempt to share the child's free meal eligibility status with the new SFA/LEA when a migrant child moves from their jurisdiction if the family knows their new location.

Please contact Rosemary O'Connell in my office if you have any questions on this guidance.

STANLEY C. GARNETT  
Director,  
Child Nutrition Division

## USDA Food and Nutrition Service - Attachment 3



Attachment 3

United States Department of Agriculture  
Food and Nutrition Service

Western Region

Reply to  
Attn of: SP Policy Memo 05-03      November 12, 2004      210 SCH ELIGIBILITY

Subject: Establishing eligibility for migrant, runaway and homeless children

To: All State Child Nutrition Program Directors

We have recently received questions about certain delays in certifying eligibility for free meals for students who are homeless, migrant, or runaway. Homeless, migrant, and runaway children are categorically eligible to receive free meals. To establish that a child is runaway, homeless, or a migrant, a local educational authority (hereafter, "LEA"), can request information from the homeless/migrant coordinator. FNS policy allows the LEA to serve free meals to these students for up to thirty operating days while it awaits reply from the homeless/migrant coordinator.

We are providing the following guidance in a question and answer format. It clarifies what an LEA may do if homeless/migrant coordinators are unable to certify students in the prescribed 30 operating day period.

**Q.** What should the LEA do if the homeless/migrant coordinator takes more than thirty operating days to answer the LEA's request for information?

**A.** *We suggest that the LEA or school ask someone who is familiar with the child's situation to indicate that the child is homeless, is a runaway, or is a migrant. The LEA may then either complete an application on the child's behalf or establish a list indicating which children are eligible pending a response from the homeless/migrant coordinator. Keep in mind that the LEA must base its determination of migrant/homeless/runaway status on concrete information that would support its claim. This statement is consistent with our existing policy in FNS Instruction 765-2, Rev. 2, March 19, 1986.*

*Once a LEA or school official establishes a child's eligibility as homeless, runaway or migratory, that eligibility remains in effect for the school year provided the child was correctly certified. If the homeless/migrant coordinator later says that s/he cannot present information to confirm that the child is a runaway, is homeless, or is a member of a migrant household, the LEA/school must take steps to advise the household and issue a notice of adverse action, including informing the household that it can reapply for benefits.*

### USDA Food and Nutrition Service - Attachment 3, Page 2

Attachment 3

**Q.** Let's suppose the child's status is *not* confirmed by the migrant/homeless coordinator and, as a result, the LEA notifies the household or child that the household or child may submit an application, does the LEA continue to report the previously reported free meals as "free"? If not, should the LEA require that children who were misclassified pay for the free meals received? Would adjustments to reimbursement claims and billing processes to families need to be made?

**A.** *If the migrant/homeless coordinator does not confirm that the child is a migrant, is homeless, or is a runaway, the household that was misclassified does not have to pay the LEA for the free meals received. The household would need to submit an application to determine the child's correct eligibility status. The LEA does not need to adjust its meal counts, nor does it need to change its reimbursement claims. The mis-classification was a legitimate error. However, the LEA must change the child's classification to reflect his/her actual status as indicated by an application. No further action is required.*

If you have further questions, please contact your State team.

*Jesus Mendoza, Jr. for*

JANET ALLEN, Director  
Special Nutrition Programs  
Western Region

cc: Western Region Advocates  
G:\LIBRARY & REFERENCES\SA Memos & Bulletins, 2000 – Present\SCH\SP-xx  
(Establishing eligibility for migrant, runaway, and homeless children) Q&A



**Reference Materials**

---

**Education of Migratory Children under Title I, Part C of the  
Elementary and Secondary Education Act of 1965**

# **GUIDANCE**

## **Education of Migratory Children under Title I, Part C of the Elementary and Secondary Education Act of 1965**



**SELECTED CHAPTERS REVISED  
March 2017**

U.S. Department of Education  
Office of Elementary and Secondary Education

**Office of Elementary and Secondary Education**

Monique Chism

*Delegated the authority to perform the functions and duties of Assistant Secretary for Elementary and Secondary Education*

**Office of Migrant Education and Office of School Support and Rural Programs**

Lisa Ramírez

*Director*

**March 2017**

This guidance is in the public domain. Authorization to reproduce it in whole or in part is granted. While permission to reprint this publication is not necessary, the citation should be: U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Non-Regulatory Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017.

This guidance is also available at: <http://www.ed.gov/programs/mep/legislation.html>.

**Availability of Alternate Formats**

On request, this publication is available in alternate formats, such as Braille, large print or computer diskette. For more information, please contact the Department's Alternate Format Center at 202-260-0852 or by contacting the 504 coordinator via email at [OM\\_eeos@ed.gov](mailto:OM_eeos@ed.gov).

**Notice to Limited English Proficient Persons**

If you have difficulty understanding English you may request language assistance services free of charge for Department information that is available to the public. If you need more information about these interpretation or translation services, please call 1-800-USA-LEARN (1-800-872-5327), TTY: 1-800-437-0833), or e-mail us at [ed.language.assistance@ed.gov](mailto:ed.language.assistance@ed.gov).

Or write to

U.S. Department of Education Information Resource Center

LBJ Education Building

400 Maryland Avenue, SW

Washington, DC 20202

# TABLE OF CONTENTS

<b>INTRODUCTION</b> .....	iv
STATUTORY PURPOSES OF THE PROGRAM .....	iv
PURPOSE OF THIS GUIDANCE .....	iv
USING THIS GUIDANCE.....	v
<b>I. STATE APPLICATION AND FUNDING</b> .....	1
A. Eligibility of an SEA.....	1
B. SEA Application Process .....	1
C. Amount Available for an SEA Grant.....	3
D. Carryover Funds.....	5
E. Reallocation of Excess Funds .....	7
F. Bypass of an SEA .....	7
<b>II. CHILD ELIGIBILITY</b> .....	9
A NOTE ON ESSA AND CHILD ELIGIBILITY UNDER THE MEP.....	9
A. Migratory Child .....	12
B. Guardians and Spouses .....	14
C. Migratory Workers.....	15
D. “Qualifying Move” .....	20
E. Qualifying Arrival Date (QAD) and Move “to Join” Issues.....	23
F. Agricultural Work or Fishing Work .....	24
G. Temporary and Seasonal Employment .....	29
H. Documenting Eligibility.....	32

## **INTRODUCTION**

The Migrant Education Program (MEP) is authorized by Part C of Title I of the Elementary and Secondary Education Act of 1965, as amended (ESEA). The MEP provides formula grants to State educational agencies (SEAs) to establish and improve, directly or through local operating agencies (LOAs), education programs for migratory children.

### **STATUTORY PURPOSES OF THE PROGRAM**

The purposes of the MEP are to:

- Assist States in supporting high-quality and comprehensive educational programs and services during the school year, and, as applicable, during summer or intersession periods, that address the unique educational needs of migratory children.
- Ensure that migratory children who move among the States are not penalized in any manner by disparities among the States in curriculum, graduation requirements, and challenging State academic standards.
- Ensure that migratory children receive full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet.
- Help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit their ability to succeed in school.
- Help migratory children benefit from State and local systemic reforms.

(See section 1301 of the ESEA.)

### **PURPOSE OF THIS GUIDANCE**

This document is designed to help SEAs and LOAs use MEP funds to develop and implement supplemental educational and support services to assist migratory children. The guidance in this document replaces all prior non-regulatory guidance for the MEP. This introduction, along with Chapter II: Child Eligibility, were revised to reflect considerations of changes to the program enacted in the Every Student Succeeds Act (ESSA) of 2015, which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA). With the exception of replacing Chapter II, all other chapters remain unchanged from the non-regulatory guidance document that the Department published on October 23, 2003. Any future chapter revisions will be identified in the chapter title by the date of revision.

This guidance does not impose requirements beyond those in the ESEA and other Federal statutes and regulations that apply to the MEP. It also does not create or confer any rights

for or on any person. While States may wish to consider the guidance, they are free to develop their own approaches that are consistent with applicable Federal statutes and regulations. The guidance in this document is not intended to be prescriptive or exhaustive. This document is one of many resources for SEAs and LOAs to use as they determine how best to meet the needs of migratory children in a manner consistent with the requirements of the ESEA and the MEP regulations. It is intended to be read in conjunction with the authorizing statute, applicable regulations, and the Department's guidance on other programs (such as Title I, Part A, and Title III) that are relevant to the MEP.

States are responsible for making decisions about how best to implement and operate the MEP. It is critical that staff at the SEA and local levels realize that they should not continue practices simply because they are based on long-standing policy. Looking beyond what programs have done in the past to what they can do in the future to improve teaching and learning for all children is the biggest challenge of educational reform. SEAs and LOAs are encouraged to adopt new ideas and practices (particularly those grounded in research and evidence of success) to enable migratory children to succeed in school.

## **USING THIS GUIDANCE**

This guidance clarifies statutory or regulatory requirements, includes examples of how States may comply with these requirements, and provides information on useful resources available through the Department. *The examples provided in this document should not be viewed as the "only" or the "best" way to comply with statutory or regulatory requirements.* They are provided to help practitioners consider the range of options available and to stimulate thinking about teaching and learning in the context of local needs and resources.

Several issues addressed in this document (such as parent involvement, schoolwide programs, and standards and assessments) are discussed in greater detail in the current guidance for other programs such as Title I, Part A and Title III of the ESEA. Because the MEP guidance addressing such issues was last updated in 2003, we refer readers to the current regulations and guidance for those programs, and will make corresponding updates to the MEP guidance at a later date.

If you are interested in commenting on this guidance, please e-mail us your comments to [OESE.Guidance@ed.gov](mailto:OESE.Guidance@ed.gov) or write to us at the following address:

U.S. Department of Education  
Office of Elementary and Secondary Education  
400 Maryland Avenue, SW  
Washington, DC 20202

**Chapter I: State Application and Funding**  
**[Non-Regulatory Guidance — October 2003]**

**I. STATE APPLICATION AND FUNDING**

Under the MEP, the Department awards grants to SEAs for the purpose of establishing and improving programs and projects that are designed to meet the special educational needs of children of migratory agricultural workers or migratory fishers. Grants are awarded after review and approval of an application that each SEA submits to the Department. This chapter discusses the SEA application process, requirements for receiving MEP funds, and the process that the Department uses to determine the amount of MEP funds for which each SEA may apply.

**STATUTORY REQUIREMENTS:**

Sections 1301, 1302, 1303, 1304, 1305, 1306(a) of Title I, Part C; Section 9302 of Title IX; Section 421(b) of GEPA

**REGULATORY REQUIREMENTS:**

34 CFR 76.700 – 76.783 and 80.3

**A. Eligibility of an SEA**

**A1. Who is eligible to receive a MEP grant?**

Only an SEA may receive a MEP grant from the Department. However, local educational agencies (LEAs), other public agencies, and private nonprofit organizations, including institutions of higher education, may participate in the program through subgrants or contracts with SEAs.

**A2. May two or more SEAs jointly apply for a MEP grant?**

Yes. Section 1302 of the statute provides that either an individual SEA or a combination of SEAs may apply for a MEP grant. If SEAs apply jointly, one of the SEAs should be designated as a principal contact with the Department for program and fiscal matters related to the proposed project. A joint application should describe how SEAs will cooperate on the migrant education project and outline each SEA's responsibilities.

**B. SEA Application Process**

**B1. How does an SEA apply for a State MEP grant?**

Although an SEA may apply for a MEP grant by submitting either a consolidated application or a MEP-specific application, all SEAs have chosen to submit a consolidated application.

## **Chapter I: State Application and Funding** **[Non-Regulatory Guidance — October 2003]**

### **B2. What is the difference between a consolidated application and an MEP-specific application?**

In a consolidated application, an SEA applies for many Federal programs in a single application, rather than submitting separate applications for each program. Programs that an SEA may choose to include in a consolidated application are: Title I –Part A (Improving Basic Programs Operated by Local Educational Agencies), Part B (Even Start Family Literacy), Part C (Education of Migrant Children), Part D (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk), and Part F (Comprehensive School Reform); Title II –Part A (Teacher and Principal Training and Recruiting Fund), and Part D (Enhancing Education Through Technology); Title III –Part A (English Language Acquisition, Language Enhancement, and Academic Achievement); Title IV –Part A, Subpart 1 (Safe and Drug Free Schools and Communities), Subpart 2 (Community Service Grants), and Part B (21st Century Community Learning Centers); Title V –Part A (Innovative Programs); and Title VI –Part A, Subpart 1, Section 6111 (State Assessment Program), Section 6112 (Enhanced Assessment Instruments Competitive Grant Program), and Part B (Rural and Low – Income Schools).

The MEP–specific application is an application that only pertains to the MEP.

### **B3. What type of information is required in a consolidated application?**

The consolidated application package is available on the Department’s website at <http://www.ed.gov/admins/lead/account/consolidated/index.html>. In a consolidated application, the SEA does not have to submit most of the information that would otherwise be required in an individual ESEA program application. Instead, an SEA’s consolidated application for FY 2002 generally must: 1) confirm that it has adopted the five ESEA goals and the corresponding indicators that the Department has established; 2) describe key steps it will take to implement the State administrative responsibilities (such as definitions of adequate yearly progress used in Title I, Part A and discretionary subgrant formulas and procedures); and 3) address how it will comply with key programmatic and fiscal requirements, which the Department has identified in the consolidated application package, for the programs for which it has applied. To receive FY 2003 funding for programs included in the consolidated application, an SEA must submit to the Department baseline data and annual performance targets for each of the ESEA performance indicators specified in the FY 2002 application.

### **B4. What type of information is required in a MEP-specific application?**

The SEA's application must contain sufficient detail on various aspects of the State's migrant education program as described in section 1304(b) of the statute and in the application package. Such topics include: how the SEA will develop, implement, and document a comprehensive needs assessment that identifies the special educational needs of migrant children; how the SEA will integrate services and plan jointly with local, State, and Federal programs; how the SEA will provide migrant children the opportunity to meet challenging State content and academic achievement standards; how the SEA



**Chapter I: State Application and Funding**  
**[Non-Regulatory Guidance — October 2003]**

will promote interstate and intrastate coordination of services; a description of the SEA's priorities for the use of funds and how these priorities relate to the needs identified in the comprehensive needs assessment; how the SEA will award and distribute subgrants to local operating agencies; and how the SEA will evaluate the effectiveness of its program.

**B5. What period does a consolidated and MEP-specific application cover?**

The application covers the period that the MEP is authorized under the ESEA. However, regardless of the length of time covered in the application, grants are made on an annual basis.

**B6. Are there circumstances under which an approved consolidated or MEP-specific application must be amended before the end of the period covered in the application?**

Yes. If, during the course of carrying out the MEP, the SEA finds that there is a significant change in the information it submitted regarding the program-specific requirements or program assurances pertaining to the MEP, it must submit a description of the changes to the Department for approval. Significant changes occur when there are changes in State-wide priorities, changes in the delivery of MEP funding or services, or when there are changes in the needs of migrant students. For example, changes in the performance targets for migrant students and major changes in the State's subgranting process would be considered significant.

**B7. What responsibilities does an SEA assume when the Department has approved its application?**

The SEA is required to implement the MEP in accordance with its approved application, subsequent amendments, and all applicable Federal laws and regulations. The SEA is responsible for all aspects of the program, whether performed directly by the SEA, by a local operating agency, or by a contractor. This responsibility also applies in cases where different units of the SEA are assigned responsibility for one or more components of the State's MEP. Therefore, the SEA should ensure that lines of authority and responsibility are clear and that all fiscal and programmatic aspects of the State's MEP are properly coordinated.

**C. Amount Available for an SEA Grant**

**C1. How does the Department determine the amount of MEP funds for which each SEA may apply?**

To the extent that a future year's appropriation equals or exceeds the FY 2002 appropriation, under section 1303(a)(2), the MEP allocation for a State (other than Puerto Rico) for FY 2003 and thereafter will generally consist of –

- A base amount equal to the State's FY 2002 MEP allocation

**Chapter I: State Application and Funding**  
**[Non-Regulatory Guidance — October 2003]**

Plus

- An additional amount (if any) calculated based on the sum of the State's most recent Category 1 and Category 2 child counts (see Question C3 below) multiplied by 40 percent of the State's average per-pupil expenditure (PPE), except that this amount may not be more than 32 percent nor more than 48 percent of the average PPE in the United States. (For more detail, see Question C5 below.)

Because the total amount actually appropriated by Congress is far less than the total amount generated by the above formula, the amounts are ratably reduced, under section 1303(c), to determine the final State MEP allocations. That is, each State's amount is ratably reduced by multiplying the State's amount by the following fraction:

[the total amount appropriated by Congress]

divided by

[the national total generated by the formula].

[Note: Section 1303(a)(2)(B) of the statute provides that the Department may adjust the base amounts if any additional States that did not receive an FY 2002 allocation – i.e., the outlying areas – apply for funds in subsequent fiscal years.]

**C2. What are Category 1 and Category 2 child counts?**

States must annually submit to the Department, by early December, accurate and unduplicated Category 1 and Category 2 child counts, as well as a written explanation of the procedures used to calculate and validate the accuracy of the two child counts. The Category 1 child count is an unduplicated count of migrant children aged 3 through 21 who, within 3 years of a qualifying move, resided in the State for one or more days in a 12-month period. The Category 2 child count is an unduplicated count of migrant children who were served for one or more days in MEP-funded summer or intersession programs in the State during a 12-month period.

**C3. How does the Department calculate a State's adjusted PPE?**

SEAs' fiscal offices submit annually the State's most recent current expenditures for education and the most recent State average daily attendance data to the Department's National Center for Education Statistics (NCES). NCES uses these data to calculate adjusted State PPE figures and a national average PPE that are used in the MEP formula allocation. The adjusted PPE figures reflect certain exclusions, required under sections 9101(2) and (14) of ESEA, for expenditures for capital outlay, debt service, community services, and expenditures from Title I and Title V-A of the ESEA.

**Chapter I: State Application and Funding**  
**[Non-Regulatory Guidance — October 2003]**

**C4. How does the Department use the State's adjusted PPE to calculate the State's MEP award?**

Under section 1303(a)(2)(B)(ii), the Department multiplies the State's adjusted PPE by 40 percent in order to determine the State's formula PPE. It compares the State's formula SPPE with the average PPE in the United States and –

1. In cases where a State's formula PPE is less than 32 percent of the national PPE, raises the State's formula PPE to 32 percent of the national PPE.
2. In cases where a State's formula PPE is more than 48 percent of the national PPE, reduces the State's formula PPE to 48 percent of the national PPE.
3. In cases where a State's formula PPE falls within the ranges described in 1 and 2 above, no adjustment is made.

**C5. Is an SEA entitled to receive the amount of MEP funds that the Department computes under the MEP formula?**

No. The formula does not establish an SEA's entitlement. When the total amount appropriated for the MEP is insufficient to pay the amounts computed by formula, the amounts available for allocation to the SEAs are ratably reduced to the amount appropriated.

**D. Carryover Funds**

**D1. What are "carryover funds"?**

After approving an SEA's application, the Department provides a grant award to the SEA to support MEP activities that are conducted during the 15-month period between July 1 (or the date of the grant award) and September 30 of the following year. Section 421(b) of the General Education Provisions Act (GEPA) provides that any funds the SEA does not obligate by the end of this 15-month period remain available to the SEA for obligation in the succeeding fiscal year. Funds in this category – that is, funds that are not obligated in the first 15-month period but that remain available for obligation in the succeeding fiscal year – are known as "carryover funds." Thus, an SEA (and its subrecipients) has a total of 27 months in which to obligate any fiscal year's award of MEP funds.

**D2. If unexpected events occur that prevent the SEA from obligating MEP funds in a given year, must the SEA obtain prior approval in order to spend the carryover funds?**

No. The SEA may obligate the carryover funds in accordance with the MEP statute and regulations, without requesting approval from the Department.

**Chapter I: State Application and Funding**  
**[Non-Regulatory Guidance — October 2003]**

**D3. Is there any limitation on the percentage of funds an SEA may carry over?**

No. However, if an SEA carries over a significant percentage of funds on a yearly basis, this failure to expend funds promptly may indicate a problem in the administration of the program. Congress appropriates MEP funds to meet the "bona fide needs" of migrant students in the Federal fiscal year for which funds are appropriated, and thereby anticipates that SEAs and their operating agencies will use their annual MEP allocation to meet the needs of migrant students during the initial 15-month period of obligation. As mentioned in Question D1 above, Section 421(b) of GEPA permits each SEA to carry over unobligated MEP funds into the next fiscal year. However, given the purpose of the appropriation, this provision is meant to enable grantees to deal with unanticipated situations that prevent them from obligating these funds for the benefit of migrant students during the initial 15-month period. Therefore, an SEA's carryover from one year to another of large amounts of MEP funds may reflect significant deficiencies in its planning and use of MEP funds.

**D4. Are program funds that an SEA subgrants to a local operating agency, but that remain unobligated by that local operating agency at the end of the Federal fiscal year (September 30) considered a part of the SEA's carryover?**

Yes. All MEP funds that are unobligated at the end of the fiscal year are included in carryover funds.

**D5. Should SEAs examine the amount of MEP funds that local operating agencies carry over from one fiscal year to the next?**

Yes. SEAs should examine how much money local operating agencies carry over in order to determine whether to reallocate funds that remain unobligated at the end of the fiscal year. If a local operating agency has a significant amount of carry over, the SEA might choose to adjust the local operating agency's subgrant downward to make available the funds that the local operating agency did not spend in the prior year. This allows the SEA to reallocate unobligated MEP funds for new uses in the subsequent fiscal year.

**D6. What are "obligations"?**

Under Section 80.3 of EDGAR, obligations are "the amounts of orders placed, contracts and subgrants awarded, services received, and similar transactions during a given period, that will require payment by the grantee during the same or a future period." Examples of obligations include:

- a contract with a CPA firm to conduct an audit;
- a purchase order issued for student standardized tests; and
- a salary and fringe benefit agreement.

**Chapter I: State Application and Funding**  
**[Non-Regulatory Guidance — October 2003]**

Sections 76.703 through 76.710 of EDGAR contain the specific rules governing obligations.

**D7. Under what program requirements must carryover funds be used?**

Carryover funds must be used in accordance with the statute and regulations that are in effect for the carryover period – not the legislation or regulations in effect during the year for which the funds were appropriated (if different legislation or regulations were then in effect).

**D8. When should the SEA report the actual amount of carryover to ED?**

Each SEA should submit its report of actual carryover by December 1. If the actual amount cannot be reported by this date, the SEA should request an extension in writing.

**E. Reallocation of Excess Funds**

**E1. What are "excess funds," and how does the Department determine whether they are available for reallocation?**

In determining the amount of an SEA grant, the Department may decide that the amount available under the MEP funding formula is more than the amount that the SEA needs to carry out program activities. The remaining funds are then "excess funds" that may be provided to other SEAs whose MEP grants otherwise would be insufficient to serve the eligible migrant children residing in their States. Excess funds also might become available if an SEA determines that the amount that it receives, or for which it could apply, is greater than the amount it needs to carry out activities described in its MEP application.

**E2. How does the Department distribute excess funds?**

Depending on when the Department determines that excess funds are available, the Department may either: (1) notify SEAs that they may apply for a share of these funds that is proportionate to the relative size of their grant awards; or (2) request and evaluate, on a competitive basis, supplemental SEA applications for additional MEP funds to meet unmet needs of their States' migrant children.

**F. Bypass of an SEA**

**F1. What is a "bypass?"**

The MEP is a State-operated and administered program. However, under certain circumstances the Department may enter into a special arrangement with one or more public or nonprofit private agencies to implement the migrant education program in all or part of the State. This special arrangement is called a "bypass." (See Section 1307 of the statute.)

**Chapter I: State Application and Funding**  
**[Non-Regulatory Guidance — October 2003]**

**F2. When may the Department make a special “bypass” arrangement with another agency to operate all or part of the State's MEP?**

The Department may make such an arrangement upon a determination that –

- an SEA is unable or unwilling to conduct an educational program for migrant children (including those attending private schools) who are eligible to be served;
- the arrangement would result in more efficient and economic administration of the program; or
- the arrangement would add substantially to the welfare or educational achievement of the migrant children who are eligible to be served.

**F3. How does a bypass work?**

The Department would announce an intent to provide services by bypass and invite bids from eligible agencies. After reviewing the bids, the Department then would execute a grant or contract with a public or nonprofit agency that establishes the terms and conditions of the bypass. The agency selected to implement the special arrangement would then be responsible for administering the program consistent with the SEA's obligations under the MEP statute and regulations.

**F4. What is the SEA's role in the case of a bypass?**

The SEA does not have a role in the administration or operation of the program covered by a bypass. Full responsibility for the program rests with the agency funded through the bypass. However, the funded agency must be able to coordinate activities with the SEA (consistent with the statutory requirements in Section 1304(b) for coordination with other Federal, State, and local programs).

**F5. Where do the funds for a bypass come from?**

The Department uses MEP funds that would otherwise be distributed to the SEA.

---

## II. CHILD ELIGIBILITY

A child is eligible for the MEP (and thereby eligible to receive MEP services) if the child:

- a. Meets the definition of “migratory child” in section 1309(3) of the ESEA,<sup>2</sup> and is an “eligible child” as the term is used in section 1115(c)(1)(A) of the ESEA and 34 C.F.R. § 200.103; and
- b. Has the basis for the State’s determination that the child is a “migratory child” properly recorded on the national Certificate of Eligibility (COE).

Information necessary to determine a child’s eligibility for the MEP, and to document such eligibility on the COE, is based on an interview with the child’s parent/guardian or spouse, the child (if the child is the migratory worker), or another individual who is not the child’s parent/guardian or spouse (e.g., an older sibling or other household member), but who has direct knowledge of the information needed by the recruiter to determine eligibility. (Recruiters are those individuals who contact migratory families, explain the MEP to them, and collect the necessary information to determine whether a child is eligible for the MEP.) While it is preferable to obtain information regarding qualifying work directly from the worker, workers’ statements may be relayed by the interviewee if the worker is not available at the time of the interview.

Each person reviewing the information contained on the COE, from the recruiter to the SEA-designated reviewer(s), must have confidence in the eligibility determination. Through the lens of recruiters’ and reviewers’ knowledge and experience, the information provided by the interviewee should generally be sufficient to determine eligibility. However, States may require additional documentation to substantiate the information provided by the interviewee if they believe such information is necessary to confirm eligibility for the MEP.

This chapter discusses issues of child eligibility and how SEAs may make these important determinations.

### **A NOTE ON ESSA AND CHILD ELIGIBILITY UNDER THE MEP**

The Department has updated Chapter II of the Non-Regulatory Guidance for the MEP to reflect changes made to the authorizing statute—Title I, Part C of the ESEA – by the ESSA. New statutory provisions under the ESSA for the MEP will take effect for Fiscal Year (FY) 2017 grants awarded to SEAs on July 1, 2017. All MEP-specific statutory provisions in Title I, Part C of the ESEA, as amended by the ESSA, including the program definitions affecting child eligibility, will also be effective on July 1, 2017.

Changes to the ESEA have two principal implications for eligibility determinations made by SEAs and their recruiters.

---

<sup>2</sup>Throughout this chapter, unless otherwise indicated, citations to the ESEA refer to the ESEA, as amended by the ESSA.

---

## 1. Changes to Who Is a Migratory Child

ESSA's inclusion in section 1309 of the ESEA of a revised definition of migratory child, and new definitions of the terms migratory agricultural worker, migratory fisher and qualifying move, largely reflect definitions in regulations the Department issued in July 2008 under the ESEA, as amended by the No Child Left Behind Act of 2001 (NCLB) (34 C.F.R. § 200.81).

ESSA did make statutory changes in ways that SEAs and their recruiters are to determine the eligibility of migratory children, but these changes should make SEA eligibility determinations much clearer and easier to document. Principally, ESSA eliminates intent of a move as a factor affecting eligibility, and changes somewhat how eligibility determinations are made for workers who moved but did not engage in qualifying work.

- Elimination of 'Intent' as an Eligibility Criterion.

The ESEA, as reauthorized prior to the ESSA, defined a migratory child as one *“who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, in order to obtain, or accompany such parent or spouse, in order to obtain, temporary or seasonal employment in agricultural or fishing work—has moved from one school district to another...”* This long-standing definition established, as an eligibility criterion, the intent of the worker in making a move—a factor that, in practice, has proven very difficult for SEAs to document and confirm. ESSA has eliminated this criterion. Now, the worker must only have moved due to economic necessity from one residence to another and from one school district to another (subject to specific exceptions for school districts of more than 15,000 square miles or States of a single school district), and have either (1) engaged in new qualifying work soon after the move, or (2) if the worker did not engage in new qualifying work soon after the move, actively sought such employment and had a history of moves for qualifying work. See C1, C2 and C4 of this guidance.

- Workers Who Moved and Did Not Engage in Qualifying Work.

For those parents/guardians and spouses of migratory children who moved and did not engage in qualifying work soon after the move, and for children who would qualify as migratory workers on their own, the statutory definitions of migratory agricultural worker and migratory fisher in section 1309 of the ESEA contain criteria that are similar to, but not the same as, criteria contained in the definition of the phrase in order to obtain in 34 C.F.R. §200.81(d). The definitions in section 1309 of the ESEA permit one who has moved and not engaged in qualifying work soon after the move to be considered a migratory agricultural worker or migratory fisher if the individual actively sought such employment AND has a history of moves for temporary or seasonal agricultural or fishing employment. By contrast, the definition of in order to obtain in 34 C.F.R. §200.81(d)—which is no longer applicable because that phrase does not appear in the reauthorized statute—provides that the individual had to have stated that one of the purposes of the most recent move was to obtain such qualifying employment, and either (1) have a prior history of moves to obtain qualifying employment, OR (2) there is other credible evidence that the worker actively sought such employment soon after the move but, for reasons beyond his or her control, the work was unavailable. See C8 - C18 of this guidance.



---

## 2. Use of the Approved Certificate of Eligibility

Provided it has by then been approved for use by the U.S. Office of Management and Budget (OMB), consistent with 34 C.F.R. § 200.89(c) all SEAs must begin using the new revised national COE for all MEP eligibility determinations made on or after July 1, 2017. Any COE reviewed by SEA-designated reviewer(s) on or after July 1, 2017, must only be approved by such reviewers if the child(ren) listed on the COE meet program eligibility criteria under ESEA, as amended by the ESSA.

A migratory child whom an SEA determined to be eligible for the MEP prior to July 1, 2017, based on use of the prior version of the national COE, i.e., the version prepared under the ESEA, as amended by NCLB, remains eligible to receive MEP services for 36 months from his or her most recent qualifying arrival date (QAD), until he or she reaches age 22, or until he or she is no longer eligible for a free public education through grade 12 in that State—whichever occurs first.

### **STATUTORY REQUIREMENTS:**

Sections 1115(b) and (c), 1304(c)(2), and 1309 of the ESEA.

NOTE: As it did in the predecessor statute, section 1304(c)(2) of the ESEA requires each SEA desiring to receive an MEP award to provide an assurance that it will implement its MEP program and projects in a manner consistent with the objectives of section 1115(b) and (d) of the ESEA. While the definition of “eligible children” applicable to Title I, Part A targeted assistance programs had previously been in section 1115(b) of the ESEA, this definition can now be found in section 1115(c). However, the provision for targeted assistance programs in section 1115(b)(2) requires the provision of services to participating students who have been identified as part of the “eligible population” under paragraph (c). Since this is one of the objectives of paragraph (b), the ESEA continues to bring that same definition into the MEP’s definition of a migratory child, whose objectives are to permit services to children not older than age 21 who are entitled to a free public education through grade 12, and preschool children who are not yet at a grade level at which the local educational agency (LEA) or State provides a free public education.

### **REGULATORY REQUIREMENTS:**

34 C.F.R. 200.81, 200.103, and 200.89(c)

NOTE: For the three terms defined in both the statute and program regulations (“migratory child,” “migratory agricultural worker,” and “migratory fisher”), the statutory definition in the ESEA, as amended by ESSA takes precedence. In addition, the term “in order to obtain,” as defined in 34 C.F.R. § 200.81(d), is no longer applicable because the term was part of the definition of “migratory child” in the previous version of the statute (ESEA, as amended by NCLB), but has been removed from the program definitions in the current statute (ESEA, as amended by ESSA).

---

## **A. Migratory Child**

### **A1. What is the definition of a “migratory child”?**

According to sections 1115(c)(1)(A) (incorporated into the MEP by sections 1304(c)(2), 1115(b), and 1309(3) of the ESEA, and 34 C.F.R. § 200.103(a)), a child is a “migratory child” if the following conditions are met:

1. The child is not older than 21 years of age; *and*
2.
  - a. The child is entitled to a free public education (through grade 12) under State law, *or*
  - b. The child is not yet at a grade level at which the LEA provides a free public education, *and*
3. The child made a qualifying move in the preceding 36 months as a migratory agricultural worker or a migratory fisher, or did so with, or to join a parent/guardian or spouse who is a migratory agricultural worker or a migratory fisher; *and*
4. With regard to the qualifying move identified in paragraph 3, above, the child moved due to economic necessity from one residence to another residence, and—
  - a. From one school district to another; *or*
  - b. In a State that is comprised of a single school district, has moved from one administrative area to another within such district; *or*
  - c. Resides in a school district of more than 15,000 square miles and migrates a distance of 20 miles or more to a temporary residence.

See also the discussion of “qualifying move” in Section D of this chapter. Note that the terms “migratory agricultural worker,” “migratory fisher,” and “qualifying move” are defined in section 1309 of the ESEA, and discussed in Sections C through H of this chapter.

### **A2. May States count every child who is eligible for the MEP, regardless of age, for State MEP funding purposes?**

No. As provided in section 1303(a)(1)(A) of the statute, only those eligible migratory children ages 3 through 21 may be counted for State MEP funding purposes.

### **A3. Is a child eligible for the MEP after finishing high school?**

Generally, no. Under section 1309(3), a migratory child is a “child” who meets the specific

---

eligibility requirements for the MEP. According to section 1115(c)(1)(A) (incorporated into the MEP’s definition of a migratory child by sections 1304(c)(2) and 1115(b)) of the ESEA, and 34 C.F.R. § 200.103(a)), eligible children include children—

1. Not older than age 21 who are entitled to a free public education through grade 12, and
2. Who are not yet at a grade level at which the LEA provides a free public education

Thus, once a migratory child has received a high school diploma or its equivalent, the individual is generally no longer entitled under State law to a free public education through grade 12 and, therefore, is not eligible as a “child” to receive MEP services.

However, in some circumstances a child who finished high school might still be eligible for the MEP because, under State law, he or she may still be entitled to a free public education through grade 12. For example, a State might permit a child who received a certificate of completion or attendance but failed the State high school exit exam to re-enroll in high school. If so, as long as the individual is not yet 22 years of age, the child remains eligible for MEP services. An SEA should consult with its own legal counsel to determine whether children who have received a certificate of completion or attendance rather than a diploma or equivalency certificate are still eligible for a free public education through grade 12 in its State.

Please note that additional provisions apply for children with disabilities. Under the Individuals with Disabilities Education Act (IDEA) and applicable regulations in 34 CFR §300.102(a)(3)(iv), an educational development credential for example, is not considered a regular high school diploma that would end a child’s entitlement to a free appropriate public education (FAPE), so long as the child otherwise continues to be eligible for services. For a child identified as a child with a disability under the IDEA, special education and related services may continue through age 21 (to the student’s 22nd birthday), depending on State law or practice, or until the child graduates with a regular high school diploma, consistent with the IDEA. See Chapter V of this guidance for additional information on serving migratory children with disabilities.

**A4. Is a child who graduated from high school in his or her native country eligible for the MEP?**

It depends on State law. If the child is considered under State law to be eligible to receive a free public education through grade 12 and otherwise meets the definition of a “migratory child,” the child is eligible for the MEP.

**A5. What is the definition of “out-of-school youth”? Are such youth eligible for the MEP?**

For the purposes of the MEP, the Department considers the term “out-of-school youth” to mean children through age 21 who are entitled to a free public education in the State and who meet the definition of a “migratory child,” but who are not currently enrolled in a K-12 institution. This term could include students who have dropped out of school, youth who are working on a high school equivalency diploma (HSED) outside of a K-12 institution, and youth who are “here-to-

---

work” only. It would not include children in preschool, nor does it include temporary absences (e.g., summer/intersession, suspension, or illness). Enrollment in school is not a condition affecting eligibility for the MEP. Therefore, out-of-school youth who meet the definition of a “migratory child” are eligible for the MEP.

**A6. What is the definition of “emancipated youth”?**

The Department considers emancipated youth to be children who have not yet reached adult age (in accordance with State law) who are no longer under the control of a parent/guardian and who are solely responsible for their own welfare.

**A7. Are emancipated youth eligible for the MEP?**

Yes. Emancipated youth are eligible for the MEP so long as they meet the definition of a “migratory child.” Out-of-school youth may or may not be “emancipated youth.” See A5 of this section for a discussion of the definition of “out-of-school youth.”

**B. Guardians and Spouses**

**B1. May a child’s MEP eligibility be based on a guardian’s status as a migratory worker?**

Yes. The definition of “migratory child” in section 1309(3) of the ESEA refers to a child who moves with, or moves to join, a parent or spouse who is a migratory agricultural worker or migratory fisher. Section 8101(38) of the ESEA defines “parent” as a legal guardian or other person standing in loco parentis (i.e., in place of the parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child’s welfare. This non-regulatory guidance and the national COE use the term “parent/guardian” to include guardian within this statutory definition of parent.

**B2. Who is a “guardian” for MEP purposes?**

The Department considers a guardian to be any person who stands in the place of the child’s parent (“in loco parentis”), whether by voluntarily accepting responsibility for the child’s welfare or by a court order.

**B3. Is a legal document necessary to establish guardianship?**

No. As long as the guardian stands in the place of the child’s parent and accepts responsibility for the child’s welfare, a legal document establishing the guardianship is not necessary.

**B4. May a sibling act as a guardian to other siblings?**

Yes. If that sibling acknowledges responsibility for the child’s welfare and stands in the place of the child’s parent, the child may be eligible based on the working sibling’s qualifying employment and qualifying move.

---

**B5. Must a recruiter see a marriage certificate or other legal document in order to establish a spousal relationship when MEP eligibility is based on a spouse’s status as a migratory worker?**

No.

**D. Migratory Workers**

**C1. Who is a “migratory agricultural worker”?**

Under section 1309(2) of the ESEA, a “migratory agricultural worker” is a person who, in the preceding 36 months, made a qualifying move and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture (which may be dairy work or the initial processing of raw agricultural products).

Section 1309(2) provides that an individual who did not engage in such new employment soon after a qualifying move may still be considered a “migratory agricultural worker” if he or she meets both of the following criteria:

1. The individual actively sought such new employment; and
2. The individual has a recent history of moves for temporary or seasonal agricultural employment.

Note, section 1309(5) of the ESEA defines the term “qualifying move” and 34 C.F.R. § 200.81 defines the terms “move,” “temporary employment,” “seasonal employment,” and “personal subsistence.” These terms are discussed later in this chapter, along with the terms “soon after the move,” “actively sought,” and “recent history.” 34 C.F.R. § 200.81(a) also defines the term “agricultural work” and, for purposes of this chapter, this definition establishes the kinds of work that comprises “employment ... in agriculture” and “agricultural employment,” in addition to “dairy work” and “initial processing of raw agricultural products” that a migratory agricultural worker may also perform.

**C2. Who is a “migratory fisher”?**

Under section 1309(4) of the ESEA, a “migratory fisher” is a person who, in the preceding 36 months, made a qualifying move, and after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing.

Section 1309(4) provides that an individual who did not engage in such new employment soon after a qualifying move may still be considered a “migratory fisher” if he or she meets both of the following criteria:

1. The individual actively sought such new employment; and
2. The individual has a recent history of moves for temporary or seasonal fishing employment.

---

Note, section 1309(5) of the ESEA defines the term “qualifying move” and 34 C.F.R. § 200.81 defines the terms “move,” “temporary employment,” “seasonal employment,” and “personal subsistence.” These terms are discussed later in this chapter, along with the terms “soon after the move,” “actively sought,” and “recent history.” 34 C.F.R. § 200.81(c) also defines the term “fishing work” and, for purposes of this chapter, this definition establishes the kinds of work that comprises “employment ... in fishing” and “fishing employment.”

### Qualifying Work

#### **C3. What is “qualifying work”?**

For purposes of this chapter, we use the term “qualifying work” as shorthand for temporary or seasonal employment or personal subsistence in agriculture or fishing. Under 34 C.F.R. § 200.81(n), “qualifying work” means temporary employment or seasonal employment or personal subsistence in agriculture or fishing.

See Sections F and G of this chapter for further guidance on agricultural work, fishing work, temporary employment, and seasonal employment.

### Purpose of the Worker’s Move

#### **C4. Must the SEA determine whether the worker moved in order to obtain qualifying work?**

No. As amended, the ESEA no longer requires that a worker needed to move “in order to obtain” qualifying work. The new statutory definitions enable individuals to be considered migratory agricultural workers, and migratory fishers without the need for recruiters or States to determine the intent, or purpose(s) of the worker’s move.

### “Soon After the Move”

#### **C5. The definitions of migratory agricultural worker and migratory fisher refer to engagement in new qualifying work “soon after the move.” What does “soon after the move” mean?**

For purposes of the MEP, the Department recommends that “soon after the move” be within 60 days of the worker’s move. As noted in C1, the ESSA establishes that whether one may be considered a migratory agricultural worker or fisher depends whether the individual “engaged” in qualifying work soon after the move. We believe that a 60-day window allows for extenuating circumstances which would delay an individual’s engagement in new qualifying work immediately after a qualifying move (e.g., local conditions in agricultural or fishing operations, illness or other personal circumstances), while still providing a reasonable temporal connection between the move and the worker’s engagement in qualifying work.

While States may interpret the wording “soon after” to mean more or less than 60 days, each State should establish a written standard that all recruiters are to apply, and which the State can rely upon in the event of an audit or investigation questioning the reasonableness of the State’s policy. Consistent with the COE’s instructions, recruiters must note in the Comments section of

---

the COE why they determined an individual to be a migratory agricultural worker or migratory fisher, if the individual engaged in new qualifying work more than 60 days after the individual's qualifying move.

**C6. If an individual engaged in new qualifying work after a qualifying move, but not “soon after” the move due to circumstances beyond the individual’s control (e.g., work is not available due to extreme weather changes, illness), may the individual be considered a migratory agricultural worker or migratory fisher based on that move if he or she lacks a recent history of moves for qualifying work?**

No. Under the definitions of “migratory agricultural worker” and “migratory fisher” in section 1309(2) and (4) of the ESEA, an individual who, for whatever reason, does not engage in new qualifying work soon after a qualifying move may only be considered a migratory agricultural worker or migratory fisher worker if that individual has both:

1. Actively sought new qualifying work; and
2. A recent history of moves for qualifying work.

There may be very legitimate reasons why an individual did not engage in temporary or seasonal employment or personal subsistence in agriculture or fishing soon after a move. However, to be considered a migratory agricultural worker or migratory fisher, the individual must have actively sought such work during this period and has a recent history of moves for qualifying work. See also C8 – C16, below.

**C7. What happens if a worker first takes a non-qualifying job and only afterwards engages in qualifying work?**

A worker who takes a non-qualifying job for a limited period of time after a move may still be considered a migratory agricultural worker or migratory fisher based on that move, so long as the worker either engages in new qualifying work that is still “soon after the move” or meets the alternative requirements addressed in C1 and C2, above, and C8-C18, below.

#### Individuals Who Do Not Engage in New Qualifying Work Soon After a Qualifying Move

**C8. If an individual did not engage in personal subsistence (as defined in 34 CFR § 200.81(m)) in agriculture or fishing soon after a qualifying move, may such an individual be considered a migratory agricultural worker or migratory fisher?**

Yes. The Department interprets the definitions of migratory agricultural worker and migratory fisher in section 1309(2) and (4) of the ESEA to also apply to individuals who did not engage in personal subsistence in agriculture or fishing soon after a qualifying move. In order to be considered a migratory agricultural worker or migratory fisher, such individuals must have actively sought personal subsistence in agriculture or fishing, and have a recent history of moves for personal subsistence in agriculture or fishing.

**C9. If an individual is identified soon after a qualifying move, and indicates that he or she expects to engage in new qualifying work soon, but has not yet done so, may a**

---

**recruiter immediately consider the individual to be a migratory agricultural worker or migratory fisher based on that move?**

It depends. The recruiter may immediately do so only if he or she has already begun to actively seek new qualifying work and has a recent history of moves for qualifying work. Otherwise, the individual has not yet met the definition of a migratory agricultural worker or migratory fisher. The individual would become such a worker once he or she engaged in new qualifying work “soon after the move.”

**C10. What does the phrase “actively sought” mean in reference to qualifying work?**

While an individual may actively seek employment in a variety of ways, the phrase “actively sought” implies the need to take positive actions to seek such work. For example, the individual (or someone on his or her behalf) may have: applied for qualifying work at a particular agricultural or fishing job site, applied at a center that coordinates available temporary or seasonal employment, applied for such employment before moving, or have moved reasonably believing, based on newspaper ads or word of mouth, that such work would be available after the move.

The Department believes that the process of actively seeking new qualifying work should happen within 60 days of the move, or however the State defines “soon after the move.” If the individual sought the work before making the move, the recruiter should have good reason to believe that the worker had truly actively sought the work prior to moving.

**C11. How may a recruiter determine that the worker actively sought qualifying work soon after a move?**

Recruiters may rely on the worker’s statement regarding his or her attempts to obtain new qualifying work (see examples in C10, above). Consistent with the COE instructions, recruiters must note in the Comments section of the COE when and how the individual actively sought qualifying work. The information, which would include the worker’s statement together with any additional information the recruiter chooses to add based on his or her knowledge of the area and type of work available, should provide sufficient information to allow COE reviewers and others to assess the reasonableness of the recruiter’s eligibility determination.

**C12. Is it necessary for a recruiter to determine why the individual who actively sought qualifying work was unable to obtain or engage in such employment?**

No. The ESEA does not require any explanation of why the desired qualifying work was not secured. The new ESEA definitions of “migratory agricultural worker” and “migratory fisher” include an individual who actively sought qualifying work after a move and has a recent history of moves for temporary or seasonal agricultural or fishing employment.



---

**C13. What does it mean to have a recent history of moves for qualifying work?**

The Department interprets the phrase “recent history of moves for” qualifying work to mean a recent history of moves that resulted in temporary or seasonal agricultural or fishing employment (*i.e.*, qualifying work).

Based on the Department’s interpretation of this second eligibility criterion (*i.e.*, where an individual has not engaged in qualifying work “soon after a qualifying move”), only those individuals who in the recent past have moved and then been employed on a temporary or seasonal basis in agriculture or fishing would be considered a “migratory agricultural worker” or “migratory fisher.”

**C14. Would an individual actively seeking qualifying work for the first time be able to use a recent history of moves to qualify for the program if those moves were made with, or to join, a parent/guardian or spouse who was the migratory worker?**

Yes, if those prior moves of a parent/guardian or spouse resulted in qualifying work. In this case, the Department believes the individual has made those moves “for temporary or seasonal agricultural or fishing employment.”

**C15. How may a recruiter determine whether a worker has a recent history of moving for qualifying work?**

Recruiters may rely on the worker’s statement regarding his or her history of moves for qualifying work. The recruiter should ask whether the worker has ever moved before and request information on the dates of the moves, and whether the worker, or his or her parent/guardian or spouse, engaged in qualifying work after those moves. Consistent with the COE instructions, the recruiter must note this information in the Comments section of the COE. The information, which would include the worker’s statement together with any additional information the recruiter chooses to add, should provide sufficient information to allow COE reviewers and third parties to assess the reasonableness of the recruiter’s eligibility determination.

**C16. How far back may a recruiter look in considering a “recent history of moves” for qualifying work?**

The Department believes that that the period of one’s “recent history” should not exceed 36 months prior to the date of the recruiter’s interview. We believe it is difficult to reasonably consider a period longer than 36 months to be “recent,” and think it makes sense to view the period of time within which a recent history of moves must occur as the same period in which a qualifying move must occur under the ESEA for an individual to be considered a “migratory agricultural worker” or “migratory fisher” under section 1309(2) and (4) of the ESEA. While each State may establish a different period that it considers to be reasonable, if it chooses a period other than 36 months it should establish a written standard and rationale that all recruiters are to apply, and upon which the State can rely in the event of an audit or investigation questioning the reasonableness of the State’s policy.

---

**C17. How many moves would be considered “a recent history of moves”?**

Given the plural form of the word “moves,” an individual must have made at least two moves for qualifying work within the time period the State establishes in which the “recent history of moves” must have occurred.

**C18. Must the individual’s recent history of moves for qualifying work have been moves from one school district to another?**

No. The statute uses the phrase “recent history of moves,” but does not state that these moves must be “qualifying moves,” i.e., moves from one school district to another (except in special circumstances, See D1 of this chapter, below). Therefore, an individual’s recent history of moves for qualifying work does not have to be from one school district to another. However, any such historic move must meet the definition of a “move” under 34 C.F.R. § 200.81(j), which requires a change from one residence to another residence that occurs due to economic necessity.

**E. “Qualifying Move”**

**D1. What is a “qualifying move”?**

Under section 1309(5) of the ESEA, a qualifying move is:

1. made due to economic necessity; *and*
2. from one residence to another residence; *and*
3. from one school district to another school district.\*

\*In a State that is comprised of a single school district, a move qualifies if it is from one administrative area to another within the district. In addition, in a school district of more than 15,000 square miles, a move qualifies if it is over a distance of 20 miles or more to a temporary residence.

Change of Residence and Economic Necessity

**D2. What is a “residence”?**

There is no statutory or regulatory definition of a residence for purposes of the MEP. However, the Department views a “residence” as a place where one lives and not just visits. In certain circumstances, boats, vehicles, tents, trailers, etc., may serve as a residence.

Consistent with the COE instructions, the Department recommends that recruiters provide a comment on the COE if there appears to be any other reason that an independent reviewer would question whether the child or worker’s move was from one residence to another residence.

---

### **D3. What does it mean to move “due to economic necessity”?**

The Department considers this to mean that the child and the worker (if the child is not the worker) move because they could not afford to stay in the current location. The MEP is premised on the Federal government’s understanding that migratory children have unique needs in view of their mobility, and generally are in low-income families. However, the statutory requirement that a qualifying move be made due to economic necessity clarifies that, under ESEA, economic necessity is integral to a move that makes a child a “migratory” child.

Thus, a person who leaves from the place where he or she lives to, for example, (1) visit family or friends, (2) attend a wedding or other event, (3) take a vacation, (4) have an educational or recreational experience, or (5) take care of a legal matter, would not have “changed residence due to economic necessity” because the person did not go to the new place because of financial need. Similarly, this person would not have “changed residence due to an economic necessity” upon returning home from one of these visits. See also D4 of this chapter.

Consistent with the COE instructions, the Department recommends that recruiters provide a comment on the COE if there appears to be any reason that an independent reviewer would question whether the child or worker moved due to economic necessity.

### **D4. If a worker and his or her children go on vacation and the worker engages in qualifying work during the vacation, would the children qualify for the MEP?**

As noted in D3 of this chapter we do not see how a move for a vacation (e.g., a visit to family and friends, a trip for entertainment purposes, etc.) can constitute a move due to economic necessity. In these cases, the family is not moving because it cannot afford to stay and live in the current location (or any other reason based on economic need). Therefore, even if the worker engages in qualifying work, that work did not follow a “qualifying move” as the term is defined in section 1304(5) of the ESEA.

The Department recognizes that there might be cultural and language differences in how people describe the reason for their trips and moves from a residence. We therefore recommend that the recruiter question the worker carefully to determine what is meant when the worker asserts that his or her family is going on or returning from a vacation during which family members worked.

#### Duration and Distance

### **D5. Is there a minimum duration for a qualifying move?**

Although the statute and regulations are silent on the duration of a qualifying move, a migratory worker and a migratory child must stay in a new place long enough to show that the worker and child “moved,” i.e., changed residence due to economic necessity. Recruiters should carefully examine and evaluate relevant factors, such as whether the move to work was a one-time act or a series of short moves to work in order to augment the family’s income. With respect to moves of such short duration (e.g., less than a week) that an independent reviewer might question whether the move was a change in residence or “due to economic necessity,” the Department recommends that the SEA establish a written policy for determining and documenting when and why these moves qualify for the MEP. Consistent with the COE instructions, the Department

---

also recommends that recruiters explain in the Comments section of the COE why they believe that a move of very short duration would be considered a qualifying move.

**D6. Is there a minimum distance requirement for a qualifying move?**

In accordance with section 1309(5)(B) of the ESEA, the only minimum-distance requirement governing a qualifying move is for a move of at least 20 miles to a temporary residence within a school district of more than 15,000 square miles (*e.g.*, in Alaska). In all other situations, the move must simply be from one school district to another, or, in a State that is comprised of a single school district (*e.g.*, Hawaii, Puerto Rico, the District of Columbia), be across the established boundaries of the district's administrative areas.

**D7. Has a worker who travels back and forth between a residence and an agricultural or fishing job within the same day made a qualifying move?**

No. Such a worker is a "day-haul" worker whose travel is a non-qualifying commute, not a qualifying migration involving a change of residence.

Moves by Boat

**D8. Are there special issues that affect only the moves of migratory fishers who travel by boat?**

No. These workers' moves must be from one school district to another (with specific exceptions for States comprised of a single school district or moves within a district of more than 15,000 square miles), whether the moves are accomplished by water or by land. As with any other MEP eligibility determination, the SEA must maintain documentation of school district boundaries as they extend into the water. In addition, all other eligibility criteria must be met.

**D9. Has a fisher who travels by boat and docks in another school district made a qualifying move?**

It depends. A fisher who travels by boat to another school district (with specific exceptions for States comprised of a single school district or moves within a district of more than 15,000 square miles) must have stayed in the new place long enough to confirm that the worker "moved," *i.e.*, changed residence, and that this move was due to economic necessity. See D5 of this chapter regarding moves of short duration.

Stopover Sites

**D10. What are stopover sites?**

Stopover sites are rest centers where migrant families who are in transit stop for a night or two before moving on to another locale.

**D11. May SEAs serve eligible migrant children who stay at a stopover site?**

Yes.

---

**D12. May SEAs count the eligible migrant children they serve at stopover sites for State funding purposes?**

It depends. An SEA may count eligible migrant children who have already established residency in the State prior to staying at the stopover site (See D2 of this section for an explanation of the term “residence” as it pertains to the MEP.) However, an SEA may not count migrant children who have stopped at the stopover site but have not established residency in the State – simply stopping in the State for a rest period does not establish residency.

International Moves

**D13. May an individual’s move to the United States from another country qualify for the MEP?**

Yes. The only criteria for being considered a migratory child, migratory agricultural worker, or migratory fisher are those established in sections 1115(c) and 1309 of the ESEA, and in applicable regulations in 34 C.F.R. §§ 200.81, 200.89(c) and 200.103. The law does not establish additional criteria based on the individual’s country of origin.

**D14. Does an individual’s visa status as an H-2A temporary agricultural worker have any impact on whether he or she may be considered a migratory child, migratory agricultural worker, or a migratory fisher?**

No. The only criteria for being considered a migratory child, migratory agricultural worker, or migratory fisher are those established in sections 1115(c) and 1309 of the ESEA, and in applicable regulations in 34 C.F.R. §§ 200.81, 200.89(c), and 200.103.

**D15. Is a move from the United States to another country a qualifying move?**

No. The MEP was established to benefit families who perform qualifying work in the United States. Therefore, the Department does not interpret the MEP statute as authorizing moves to another country as qualifying moves. However, if an individual’s move to another country is a “change of residence,” the individual’s move back to a school district in the U.S. might be a qualifying move.

**F. Qualifying Arrival Date (QAD) and Move “to Join” Issues**

**E1. When does a child’s eligibility for the MEP begin?**

A child may be identified as a “migratory child” when the child and the worker (if the child is not the worker) complete qualifying moves. This is often referred to as the qualifying arrival date, or QAD, for purposes of the COE. However, a child is only eligible to be counted and served as an eligible migratory child after the SEA has determined that (1) the child meets all MEP eligibility criteria (see definition of “migratory child” in A1 of this chapter), including that the worker (if the child is not the worker) meets the definition of a “migratory agricultural worker” or “migratory fisher” (see C1 and C2 of this chapter), and (2) such information has been properly recorded on a COE.

---

**E2. Must a child move at the same time as the worker to be eligible for the MEP?**

No. Section 1309(3) of the ESEA provides that if the child is not the migratory agricultural worker or migratory fisher, the child must move "with, or to join" a parent/guardian or spouse who is a migratory agricultural worker or fisher. The Department considers this provision to mean that the child's move may either precede or follow the worker's move. For example, the child may move before the worker in order to start the school year on time, or the worker may move before the child in order to secure housing. In either case, the fact that the child and his or her parent/guardian or spouse do not move at the same time does not nullify the child's eligibility for the MEP. Consistent with the COE instructions, the Department requires an explanation in the Comment section of the COE if the child preceded the worker, or joined the worker at a later date.

**E3. What is the QAD when a child moves before or after the worker?**

In situations where the child and worker do not move at the same time, the Department considers the QAD to be the day that the child and worker complete the move to be together. That is, if the child's move precedes the worker's move, the QAD is the date that the worker arrived. If the child's move follows the worker's move, the QAD is the date the child arrived.

**E4. How much time may separate the worker's move from a child's move "to join" a worker?**

The time limit depends on the circumstances. The Department believes that, as a best and safe practice, the child's move should generally occur within 12 months of the worker's move, and that after one year it is difficult to link the child's move to the worker's move. Nonetheless, there may be unusual circumstances that prevent a child from moving within 12 months of the worker's move, or vice versa. In these cases, consistent with the COE instructions, the Department recommends that an SEA document in the Comment section of the COE the basis for determining that the child moved to "join" a worker after such a prolonged period of time between the two moves, or that the worker moved to join the child after a similarly prolonged period.

**G. Agricultural Work or Fishing Work**

Agricultural Work

**F1. What is the definition of "agricultural work" for purposes of the MEP?**

"Agricultural work" is:

1. the production or initial processing of raw agricultural products, such as crops, poultry, or livestock; dairy work; as well as the cultivation or harvesting of trees, that is—
2. performed for wages or personal subsistence.

See section 1309(2) of the ESEA and 34 C.F.R. § 200.81(a).

---

**F2. What does “production” mean?**

The Department considers agricultural production to mean work on farms, ranches, dairies, orchards, nurseries, and greenhouses engaged in the growing and harvesting of crops, plants, or vines and the keeping, grazing, or feeding of livestock or livestock products for sale. The term also includes, among other things, the production of bulbs, flower seeds, vegetable seeds, and specialty operations such as sod farms, mushroom cellars, and cranberry bogs.

**F3. What is a crop?**

The Department considers a crop to be a plant that is harvested for use by people or by livestock.

**F4. What are examples of agricultural work related to the production of crops?**

The production of crops involves work such as preparing land or greenhouse beds, planting, seeding, watering, fertilizing, staking, pruning, thinning, weeding, transplanting, applying pesticides, harvesting, picking, and gathering.

**F5. Is work such as gathering decorative greens considered agricultural work?**

Yes. The Department considers the term “plants” to include decorative greens or ferns grown for the purpose of floral arrangements, wreaths, etc. Therefore, the collection of these plants can be considered agricultural work. For the purposes of the MEP, the collection of these greens for recreation or personal use would not be considered agricultural work.

**F6. What is livestock?**

The term “livestock” refers to any animal produced or kept primarily for breeding or slaughter purposes, including, but not limited to, beef cattle, hogs, sheep, goats, and horses. For purposes of the MEP, livestock does not include animals that are raised for sport, recreation, research, service, or pets. The Department does not consider the term “livestock” to include animals hunted or captured in the wild.

**F7. What are examples of agricultural work related to the production of livestock?**

The Department considers the production of livestock to involve raising and taking care of animals described in the previous question. Such work includes, but is not limited to: herding; handling; feeding; watering; caring for; branding; tagging, and assisting in the raising of livestock.

**F8. Are animals such as deer, elk, and bison raised on farms considered “livestock”?**

Yes, so long as these animals, sometimes referred to as specialty or alternative livestock, are raised for breeding or slaughter purposes and not for sport or recreation.

Cultivation or Harvesting of Trees

---

**F9. What does “cultivation” mean in the context of trees?**

In the context of trees, “cultivation” refers to work that promotes the growth of trees.

**F10. What are examples of work that can be considered the cultivation of trees?**

For the purposes of the MEP, examples of work that can be considered the cultivation of trees include, but are not limited to: soil preparation; plowing or fertilizing land; sorting seedlings; planting seedlings; transplanting; staking; watering; removing diseased or undesirable trees; applying insecticides; shearing tops and limbs; and tending, pruning, or trimming trees.

**F11. What does “harvesting” mean in the context of trees?**

For the purposes of the MEP, “harvesting” refers to the act of gathering or taking of the trees.

**F12. What are examples of work that can be considered the harvesting of trees?**

The Department considers the harvesting of trees to include work such as topping, felling, and skidding.

**F13. What types of work are not considered part of the cultivation or harvesting of trees?**

The Department believes that the following activities are not part of the cultivation or harvesting of trees: clearing trees in preparation for construction; trimming trees around electric power lines; and cutting logs for firewood.

**F14. Does transporting trees from a harvesting site to a processor (sawmill) qualify as agricultural work?**

No. Transporting trees is not agricultural work for purposes of the MEP because it occurs after the cultivation and harvesting of trees.

**F15. Is initial processing of trees considered agricultural work?**

Yes. Because trees are a raw agricultural product, the initial processing of trees is considered agricultural work.

Fishing Work

**F16. What is the definition of “fishing work” for purposes of the MEP?**

“Fishing work” is:

3. the catching or initial processing of fish or shellfish; as well as the raising or harvesting of fish or shellfish at fish farms, that is--
4. performed for wages or personal subsistence.

See 34 C.F.R. § 200.81(c).



---

**F17. What is a “fish farm”?**

For purposes of the MEP, the Department considers a fish farm to be a tract of water, such as a pond, a floating net pen, a tank, or a raceway reserved for the raising or harvesting of fish or shellfish. Large fish farms sometimes cultivate fish in the sea, relatively close to shore. The fish are artificially cultivated, rather than caught, as they would be in “fishing.” Fish species raised on fish farms include, but are not limited to, catfish, tilapia, salmon, cod, carp, eels, oysters, and clams.

**F18. What are examples of work on a fish farm that would qualify as fishing work?**

For the purposes of the MEP, examples of work on a fish farm that would qualify as “fishing work” include, but are not limited to, raising, feeding, grading, collecting, and sorting of fish, removing dead or dying fish from tanks or pens, and constructing nets and cages.

**F19. Is the act of catching fish or shellfish for recreational or sport purposes “fishing work”?**

No. These activities are not performed for wages or personal subsistence.

Initial Processing

**F20. What does “initial processing” mean?**

The Department considers “initial processing” to be work that (1) is beyond the production stage of agricultural work and (2) precedes the transformation of the raw product into something more refined. It means working with a raw agricultural or fishing product.

**F21. What are examples of “initial processing” work in the poultry and livestock industries?**

For the purposes of the MEP, examples of “initial processing” work in the poultry and livestock industries include, but are not limited to: stunning; slaughtering; skinning; eviscerating; splitting carcasses; hanging; cutting; trimming; deboning; and enclosing the raw product in a container.

**F22. What are examples of “initial processing” work in the crop industry?**

For the purposes of the MEP, examples of “initial processing” work in the crop industry include, but are not limited to: cleaning; weighing; cutting; grading; peeling; sorting; freezing, and enclosing the raw product in a container.

**F23. What are examples of “initial processing” work in the fishing industry?**

For the purposes of the MEP, examples of “initial processing” work in the fishing industry include, but are not limited to: scaling; cutting; freezing; dressing; and enclosing the raw product in a container.

---

**F24. When does “initial processing” end?**

The Department considers a product no longer to be in the stage of “initial processing” once the transformation of the raw product into something more refined begins. The Department believes that work up to, but not including, the start of the transformation process is agricultural or fishing work for purposes of the MEP. However, work such as placing raw chicken breasts into the oven for cooking, adding starter cultures to milk to make cheese, or applying necessary ingredients to a raw pork belly to begin the curing process is the beginning of the transformation process and therefore is not agricultural or fishing work for purposes of the MEP.

**F25. What work is not considered production or initial processing?**

Work such as cooking; baking; curing; fermenting; dehydrating; breading; marinating; and mixing of ingredients involves transforming a raw product into a more refined product. Therefore, the Department does not consider this work to be production or initial processing. In addition, the Department does not consider the following work to be production or processing: placing labels on boxes of refined products; selling an agricultural or fishing product; landscaping; managing a farm or processing plant; providing accounting, bookkeeping, or clerical services; providing babysitting or childcare services for farmworkers; or working at a bakery or restaurant. With regard to work such as repairing or maintaining equipment used for production or processing, or cleaning or sterilizing farm machinery or processing equipment, the Department does not consider individuals whose *profession* is to do this work, or who were hired solely to perform this work, to be performing agricultural work.

**F26. Is hauling a product on a farm, ranch, or other facility considered agricultural work?**

Yes. The Department considers hauling a product on a farm, ranch, or other facility an integral part of production or initial processing and therefore, is agricultural work. However, it does not consider transporting a product to a market, wholesaler, or processing plant to be production or initial processing. “Shipping and trucking” is work that is often carried out by a third-party retailer, wholesaler, or contractor paid to transport various products. Therefore, the service these companies or contractors provide is “shipping” or “trucking” and not production or initial processing.

**F27. May a worker who performs both qualifying and non-qualifying work still be eligible for the MEP?**

Yes. A worker is only required to meet the definition of a migratory agricultural worker or migratory fisher as defined in section 1309(2) and (4) of the ESEA. Provided that the move was a qualifying move under section 1304(5) of the ESEA, the fact that the worker performs non-qualifying work in addition to qualifying work has no bearing on his or her eligibility for the MEP.

Wages and Personal Subsistence

---

**F28. What does “personal subsistence” mean?**

As used in the definitions of agricultural work and fishing work in 34 C.F.R. § 200.81(a) and (c), and as defined in 34 C.F.R. § 200.81(m), “personal subsistence” means that the worker and the worker’s family, as a matter of economic necessity, consume, as a substantial portion of their food intake, the crops, dairy products, or livestock they produce or the fish they catch.

**F29. May a worker who is “self-employed” qualify as a migratory agricultural worker or migratory fisher?**

Generally, no. The Department believes that, in general, if a worker is self-employed in a business that operates, or is available, on a year-round basis (e.g., workers who own their own farm, crop-dust planes, or combines), that worker would not move and engage in *new employment* that is seasonal or temporary as required by the definition of migratory agricultural worker or migratory fisher in sections 1309(2) and (5) of the ESEA. We note that the definitions of these two terms provide that the worker’s *employment* be seasonal or temporary, not that the agricultural work or fishing work that is performed be seasonal or temporary.

However, while some workers, such as those who glean leftover crops from fields or fish for their own consumption, might consider themselves “self-employed,” for purposes of MEP eligibility the Department considers qualifying work performed for personal subsistence to mean that to the extent that gleaners and fishers consume the food they gather as a substantial portion of their food intake, they are engaged in personal subsistence in agricultural work or fishing.

**H. Temporary and Seasonal Employment**

**G1. What is seasonal employment?**

According to 34 C.F.R. § 200.81(o) of the regulations, seasonal employment is employment that occurs only during a certain period of the year because of the cycles of nature and that, by its nature, may not be continuous or carried on throughout the year.

**G2. How does the phrase “cycles of nature” pertain to seasonal employment?**

For purposes of the MEP, the phrase “cycles of nature” is used to describe the basis for why certain types of employment in agricultural or fishing work only occur during certain, limited periods in the year. The length of “seasonal” employment is based on the distinct period of time associated with the cultivation and harvesting cycles of the agricultural or fishing work, and is not employment that is continuous or carried on throughout the year.

**G3. How long may seasonal employment last?**

The definition of seasonal employment in 34 C.F.R. § 200.81(o) states that it is employment that occurs only during a certain period of the year and may not be continuous or carried on throughout the year. Therefore, like temporary employment, seasonal employment may not last longer than 12 months.

---

**G4. How may an SEA determine that a worker’s job is “seasonal employment”?**

A worker’s employment is seasonal if:

1. it occurs during a certain period of the year because of the cycles of nature; and
2. it is not continuous or carried on throughout the year.

34 C.F.R. § 200.81(o).

**G5. What is temporary employment?**

According to 34 C.F.R. § 200.81(p), temporary employment means “employment that lasts for a limited period of time, usually a few months, but no longer than 12 months.”

**G6. How may an SEA determine that a worker’s job is “temporary employment”?**

34 C.F.R. § 200.81(p) identifies three ways in which an SEA may determine that employment is temporary:

- a. Employer Statement - The employer states that the worker was hired for a limited time frame, not to exceed 12 months;
- b. Worker Statement - The worker states that he or she does not intend to remain in that employment indefinitely (*i.e.*, the worker’s employment will not last longer than 12 months);
- c. State Determination - The SEA has determined on some other reasonable basis that the employment will not last longer than 12 months.

**G7. Is a worker who was hired to perform a series of different jobs, which together lead to the worker being employed by the same employer for more than 12 months, employed on a temporary or seasonal basis?**

No. Workers who are hired to work for more than 12 months by the same employer, regardless of how many different jobs they perform, are not “engaged in new temporary or seasonal employment” as provided in the definitions of migratory agricultural worker and migratory fisher in section 1309(2) and (4) of the ESEA. See also 34 C.F.R. § 200.81(o) and (p).

**G8. What is an example of a statement from an employer that indicates that the employment is temporary?**

An example of a statement from an employer who harvests ferns for the floral industry might be: “employer \_\_\_\_\_ (name) stated that she will hire the worker only for the months of February through May to accommodate the increase in floral gifting around Valentine’s Day, Easter, and Mother’s Day.” In this example, the employer stated that she is hiring the worker for a short period of time that will not exceed 12 months.

---

**G9. What is an example of a statement from a worker that indicates that the employment is temporary?**

An example of a worker's statement might be: "the worker stated that he plans to leave the job after seven months in order to return to his home with his family." Similar to the employer's statement, the worker's statement indicates that he will only remain in the job for a short period of time that will not exceed 12 months.

**G10. When would an SEA rely on its own determination that a worker's employment is temporary?**

In general, the Department believes that a determination about the temporary nature of a worker's employment is best obtained through a recruiter's interview with the worker or employer. However, 34 C.F.R. § 200.81(p) authorizes an SEA to make its own determination that employment is temporary so long as the SEA has some other reasonable basis for determining that the employment will not last more than 12 months.

For employment that is constant and available year-round, 34 C.F.R. § 200.81(p) permits an SEA to conclude that the employment is "temporary" for purposes of the MEP only if it determines and documents that, given the nature of the work, of those agricultural and fishing workers whose children the SEA determined to be eligible using some other reasonable basis, virtually none remained employed by the same employer more than 12 months.

*For more information on reasonable bases that SEAs may use to determine that employment is temporary, including how SEAs may make and document such determinations for employment that is constant and available year-round, please see the forthcoming revision to Chapter III: Identification and Recruitment, of this guidance.*

**G11. Must the SEA stop serving children whose parent/guardian or spouse (or the children themselves, if they are the workers) remains employed by the same employer after 12 months even though the worker was originally employed on a temporary basis?**

In general, an SEA may continue serving these children as migratory children for the duration of their 36-month eligibility period. MEP eligibility is determined at the time the SEA-designated reviewer approves the COE and is based on the worker's (or employer's) statement of the temporary nature of the employment at the time of the interview, or on the SEA's evidence of an "other reasonable basis" for determining the work may be considered to be temporary.

The Department would expect a situation in which the worker continues to be employed after 12 months to be a rare occurrence and not the norm for workers who are recruited on this basis. However, if a significant number or percentage of workers recruited on this basis remains employed at a particular worksite beyond 12 months, either in the same job or in another job at the same worksite, the Department believes the SEA should examine the reasons why workers are remaining employed. In some cases, the reasons may be justifiable. For example, if the economy took a turn for the worse, employees who intended to leave their employment much

---

earlier did not do so because other jobs were not available. On the other hand, the recruiter might have made an incorrect eligibility determination because he or she did not understand the MEP definition of temporary employment. There even could be reasons to suspect fraud. In both of these latter situations, children's eligibility should be terminated immediately if the SEA determines that the original eligibility determinations were erroneous.

Thus, the reasons workers remain employed for more than 12 months will determine whether and what action the SEA needs to take.

**G12. Should jobs that occur only at certain times of the year because of a holiday or event be considered as temporary employment or seasonal employment?**

Jobs that occur only at certain times of the year because of a holiday or event (e.g., Thanksgiving, Christmas, etc.) should be considered temporary employment because the time of year that the work is performed is not dependent on the cycles of nature, but rather the holiday or event.

**I. Documenting Eligibility**

**H1. What responsibility does an SEA have to document eligibility determinations?**

An SEA must document eligibility determinations in order to comply with section 76.731 of the Education Department General Administrative Regulations (EDGAR) (34 C.F.R. § 76.731), which provides that “[a] State and a subgrantee shall keep records to show its compliance with program requirements.” As the MEP statute and regulations permit only eligible migrant children (i.e., those who meet the definitions contained in section 1309 of the MEP statute and applicable provisions of 34 C.F.R. § 200.81) to be counted for and served by the MEP, each SEA must maintain documentation to confirm the eligibility of each child whom the SEA considers to be eligible for the program. In this regard, 34 C.F.R. § 200.89(c) requires an SEA and its local operating agencies to use the COE form established by the Secretary to document the State's determination of the eligibility of migratory children. (For more information about identification and recruitment (ID&R) quality control requirements, see *Chapter III: Identification & Recruitment*.)

**H2. What does the COE established by the Secretary require?**

The COE established by the Secretary (the “national COE”) consists of required data elements and required data sections necessary for documenting a child's eligibility for the MEP. A third part, for State-requested or required information, is optional. Each State's COE may look different, but every State's COE must include all of the required data elements and the required data sections contained in the national COE.

**H3. What are the required data elements of the national COE?**

The required data elements of the national COE are organized as Family Data and Child Data. The Family Data are as follows: Parent/Guardian 1 Last Name, Parent/Guardian 1 First Name, Parent/Guardian 2 Last Name, Parent/Guardian 2 First Name, Current Address, City, State, Zip

---

Code, and Telephone. The Child Data are as follows: Last Name 1, Last Name 2, Suffix, First Name, Middle Name, Sex, Birth Date, Multiple Birth Flag (or MB), Birth Date Verification Code (or Code), and Residency Date.

**H4. What are the required data *sections* for the national COE?**

The required data sections mandated by the national COE are as follows: Qualifying Moves & Work Section, Comment Section, Interviewee Signature Section, and Eligibility Certification Section. The content of these sections must remain unaltered, with limited exceptions. Certain formatting changes are allowable.

**H5. *May an SEA include its own State-requested or State-required information on the national COE?***

Yes. As mentioned in H2 of this chapter, an SEA may include State-requested or State-required information on the national COE, within certain parameters. For more information about exceptions for State-requested or State-required information, please see the national COE instructions at <http://www2.ed.gov/programs/mep/legislation.html>.

**H6. Where can an SEA find more information about the national COE requirements?**

Detailed information about the national COE, including how to complete a COE and specifics about how a State may design its COE to be in compliance with the program requirements, is available on the Department's website at <http://www2.ed.gov/programs/mep/legislation.html> or by calling the Department's Office of Migrant Education at (202) 260-1164.

**H7. Must each SEA maintain a COE on all children eligible for the MEP?**

Yes. Every child who the SEA determines is eligible for the MEP must have the basis for his or her eligibility recorded on the national COE. Children within the same family may be recorded on one COE so long as all of the children have the same eligibility information.

**H8. When should a recruiter complete a new COE for a child?**

In order to ensure that children remain eligible to be counted and served by the MEP as long as is appropriate, recruiters should complete a new COE every time they have determined that a child has made a new move that would re-qualify the child as a migratory child under the MEP.

**H9. Must the interviewee sign the national COE?**

Except for a few limited exceptions, yes. (See the instructions for completing the national COE at <http://www2.ed.gov/programs/mep/legislation.html> for more information about these exceptions.) By signing the national COE, the interviewee confirms that the information he or she provided is accurate and identifies who provided the information so that the SEA can verify information contained on the COE at a later date, if necessary.

---

**H10. Must the recruiter sign the national COE?**

Yes. The recruiter's signature on the national COE certifies that: (1) the children are eligible for the MEP, and (2) the information upon which the recruiter based the eligibility determination is correct to the best of his or her knowledge. Moreover, under 34 C.F.R. § 200.89(c) and (d), the Department requires this signature on the national COE as an element of a reasonable system of quality control.

**H11. Must someone else, other than the recruiter, review the information on the national COE?**

Yes. As part of a sound system of quality control, 34 C.F.R. § 200.89(d)(4) requires that the system of quality control that an SEA establishes must include “[a]n examination by qualified individuals at the SEA or local operating agency level of each COE to verify that the written documentation is sufficient and that, based on the recorded data, the child is eligible for MEP services.” Therefore, the SEA may designate someone at the State, regional, or local level to assume this responsibility. This person must sign and date the national COE to indicate that this level of review has occurred. (For more information about ID&R quality control requirements, see 34 C.F.R. 200.89.)

**H12. May an SEA base its determination of a child’s eligibility on a qualifying move that occurred in another State within the past 36 months?**

Yes. It is possible that a child and his or her family will make a move, for example, to State A under which the child meets the MEP eligibility criteria, and then make a subsequent move to State B under which the child does not meet those criteria. So long as State B identifies the child as a migratory child on the basis of the move to State A within 36 months of that move, it may enroll the child in the MEP for the remainder of the 36 months. In doing so, State B makes its own independent determination that the child is eligible based on the earlier qualifying move, and completes its own State’s COE. We encourage SEAs to coordinate with the State to which or in which the qualifying move occurred in order to confirm the qualifying information that the State’s own recruiters had received.

**H13. May a recruiter accept automatically another State’s COE as evidence of a child’s eligibility for the MEP?**

No. Each State is responsible for making its own eligibility determination for the children it enrolls in the MEP. We encourage recruiters and States to utilize the Migrant Student Information Exchange (MSIX) as one source of information in making eligibility determinations— e.g., to view the child’s record or communicate with colleagues in other States— thereby facilitating a child’s participation in the MEP.