

MIGRANT EDUCATION PROGRAM (MEP) ELIGIBILITY AND IDENTIFICATION AND RECRUITMENT (ID&R)

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OBJECTIVES

- Improve understanding of the basic requirements for determining and documenting MEP eligibility
- Consider possible methods and structures for Statewide identification and recruitment of eligible migratory children
- Improve understanding of the required quality controls for the proper identification and recruitment of eligible migratory children

REFERENCES

- Statute

Sections 1115(b) and (c), 1304(c)(2), and 1309 of the *Elementary and Secondary Education Act (ESEA)* of 1965, as amended by the *Every Student Succeeds Act (ESSA)* of 2015

- Code of Federal Regulations

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

National Certificate of Eligibility (COE) Instructions (OMB Control Number 1810-0662)

- Guidance

Chapters II and III of the *Non-Regulatory Guidance for the Title I, Part C Education of Migratory Children*

MEP ELIGIBILITY CRITERIA

ELIGIBILITY: THE BASICS

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

- Meets the definition of “migratory child”; and
- Has the basis for the State’s determination that the child is a “migratory child” properly recorded on the national Certificate of Eligibility (COE).

MIGRATORY CHILD

- Is not older than 21 years of age; and
- Is entitled to a free public education (through grade 12) under State law, *or* is not yet at a grade level at which the local educational agency (LEA) provides a free public education; and
- Made a qualifying move in the preceding 36 months:
 - As a migratory agricultural worker or migratory fisher, *or*
 - With or to join a parent/guardian or spouse who is a migratory agricultural worker or migratory fisher

((see section 1115(c)(1)(A) of the ESEA (incorporated into the MEP by sections 1304(c)(2), 1115(b), and 1309(3)) and 34 CFR 200.103(a); and Chapter II, A1-A7 of *MEP Non-Regulatory Guidance (NRG)*)

“QUALIFYING MOVE”

- Due to economic necessity; and
- From one residence to another; and
- From one school district to another school district, with specific exceptions:
 - For single-district States, must be from one administrative area to another
 - For districts of 15K+ square miles, must be a move of 20+ miles to a temporary residence

(see section 1309(5) of the ESEA and Chapter II, D1-D15 of *MEP NRG*)

“MIGRATORY AGRICULTURAL WORKER” OR “MIGRATORY FISHER”

- An individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new “qualifying work.”
- If the individual did not engage in new “qualifying work” soon after the move, the individual:
 - A. Actively sought “qualifying work” and
 - B. Has a recent history of moves for “qualifying work”

(see sections 1309(2) and (4) of the ESEA and Chapter II, C1-C2 of *MEP NRG*)

“QUALIFYING WORK”

- “Qualifying work” means temporary or seasonal employment (or personal subsistence) in agriculture or fishing.

(see 34 CFR 200.81(n), and Chapter II, C3 of *MEP NRG*)

- “Temporary employment,” “seasonal employment,” “personal subsistence,” “agricultural work,” and “fishing work” are also defined in the program regulations.

(see 34 CFR 200.81(a), (c), (m), (o), and (p), and Chapter II, Sections F and G of *MEP NRG*)

“QUALIFYING ARRIVAL DATE” (QAD)

- The QAD is the date that the child’s eligibility for the MEP begins.
- Children are eligible for the MEP for 36 months from the QAD, unless their eligibility ends for another reason (e.g., over age 21, earns a high school diploma)
- When the child and worker do not move together (i.e., a “to join” move), the QAD is the date that both the child and worker completed the move.
- The QAD is not affected by subsequent *non-qualifying* moves.

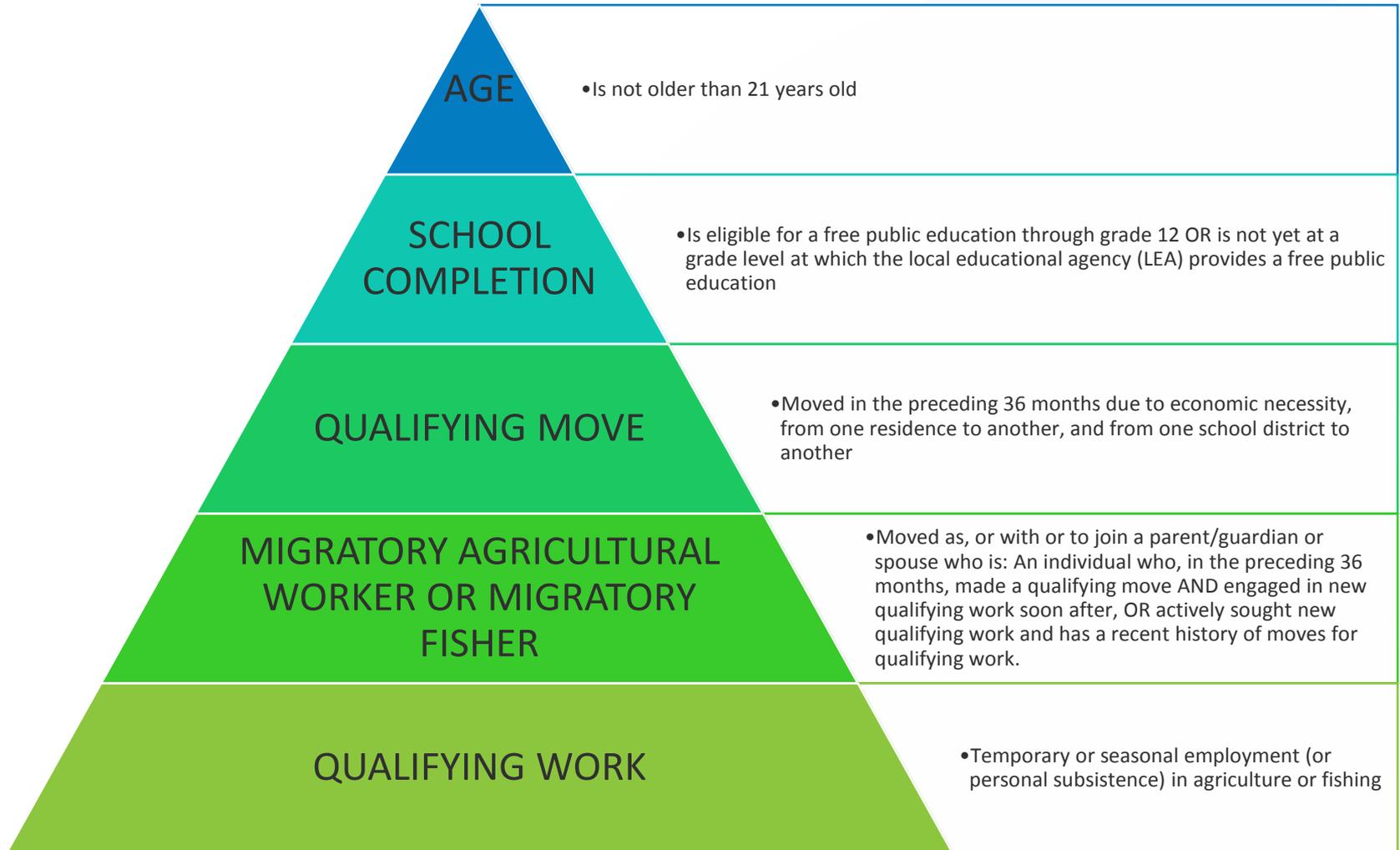
CHILD'S MOVE WITH OR TO JOIN PARENT/GUARDIAN OR SPOUSE

The child's move with his or her parent/guardian or spouse *may* have been the same move (i.e., to the same location) that established the parent/guardian or spouse as a “migratory agricultural worker” or “migratory fisher.”

However, this is not necessary— as long as the child made a qualifying move with a parent/guardian or spouse who meets the definition of a “migratory agricultural worker” or “migratory fisher.”

In other words, the parent/guardian or spouse is an individual who, in the preceding 36 months, made a qualifying move and soon after, engaged in new qualifying work (or actively sought new qualifying work and has a recent history of moves for qualifying work).

MIGRATORY CHILD: REVIEW THE FIVE KEY FACTORS



ELIGIBILITY SCENARIOS

SCENARIO 1

Maria became unemployed in June 2018 and was unsuccessful in her efforts to find work in Pine Bluff, AR. On September 15, 2018, Maria and her three year old daughter, Reina, moved from Pine Bluff to Bradenton, FL. One week later, Maria began a seasonal job picking oranges.

SCENARIO 1: RATIONALE

Reina is a migratory child because she:

- Meets the definition of a “child” (under 22 years old and eligible for a free public education through grade 12);
- Made a “qualifying move” in the preceding 36 months (September 15, 2018);
- Made the qualifying move with her mother who is a “migratory agricultural worker”

Reina’s mother is a “migratory agricultural worker” because she:

- Made a qualifying move in the preceding 36 months (September 15, 2018), soon after which she engaged in new qualifying work (seasonal employment picking oranges).

SCENARIO 2

Jose moved from Mercedes, Texas to Carrizo Springs, Texas, to work harvesting cantaloupe. His wife and 12 year old son, Ramon, remained at home. Jose arrived in Carrizo Springs on April 23, 2018, and began work that week. He returned home after work ended on June 20, 2018. Later that summer on August 10, 2018, the family moved to more affordable housing in Weslaco, Texas.

SCENARIO 2: RATIONALE

Ramon is a migratory child because he:

- Meets the definition of a “child” (under 22 years old and eligible for a free public education through grade 12);
- Made a “qualifying move” in the preceding 36 months (August 10, 2018);
- Made the qualifying move with his father who is a “migratory agricultural worker”

Ramon’s father is a “migratory agricultural worker” because he:

- Made a qualifying move in the preceding 36 months (April 23, 2018), soon after which he engaged in new qualifying work (seasonal employment harvesting cantaloupe).

DOCUMENTING ELIGIBILITY

NATIONAL CERTIFICATE OF ELIGIBILITY (COE)

- Required form that all States and their local MEPs must use to document the eligibility determinations of migratory children
- States may add State-specific information, within parameters of instructions
- May be in paper or electronic format

(see 34 CFR 200.89(c) and *National Certificate of Eligibility (COE) Instructions* (OMB Control Number 1810-0662))

COE CONTINUED

- Must be completed based on the known facts at the time of the interview.
- Signed by the interviewee, the recruiter/interviewer, and at least one SEA-designated reviewer.
 - The interviewer and reviewer sign a statement certifying that they are *satisfied that these children **are** migratory children... and thus eligible as such for MEP services* [emphasis added].

COE SECTIONS AND DATA ELEMENTS

- I. Family Data
- II. Child Data
- III. Qualifying Moves and Work Section
- IV. Comments Section
- V. Interviewee Signature Section
- VI. Eligibility Certification Section (signed by recruiter/interviewer and SEA-designated reviewer)

ELIGIBILITY DETERMINATIONS

- Eligibility determinations and COEs do not automatically transfer from State to State.
- Each State must have confidence in the accuracy of its eligibility determinations.
- If you are unsure or have questions about an eligibility determination, don't hesitate to ask!

IDENTIFICATION AND
RECRUITMENT (ID&R):
METHODS AND
STRUCTURES

WHAT IS ID&R?

- *Identification* means actively looking for and finding migratory children.
- *Recruitment* means making contact with a family or youth and obtaining the necessary information to document the child(ren)'s eligibility for, and enroll them into, the MEP.
- SEAs are responsible for the proper and timely ID&R of all eligible migratory children in the State, including preschool migratory children and out-of-school youth (OSY).

EXAMPLES OF ID&R STRATEGIES

- School-based: Develop and maintain contacts with staff in local schools
- Non-school based:
 - Develop and maintain contacts in communities and places where migratory families are likely to reside
 - Develop and maintain contact with employers who hire migratory workers
 - Develop and maintain contact with local businesses and organizations that serve migratory families
 - Referrals from other agencies and organizations
 - Attend community events, use social media, and/or use mass media to raise awareness about the MEP and available services
 - Utilize the Migrant Student Information Exchange (MSIX) to send and receive notifications about recent or upcoming moves

KEY PERSONNEL: RECRUITER

- The recruiter's primary job is to find and enroll eligible migratory children into the MEP. Responsibilities include:
 - Learning the MEP eligibility requirements
 - Establishing and maintaining a recruitment network
 - Becoming familiar with locations where migratory families and youth live and work
 - Interviewing migratory families and youth
 - Making preliminary determinations on the eligibility of the child and youth and completing the COE
 - Implementing state quality control procedures
 - Following ethical standards and confidentiality laws
 - Facilitating communication among migratory families, schools, agricultural employers, and the community

KEY PERSONNEL: ID&R ADMINISTRATOR

An effective ID&R administrator:

- Understands the work of the recruiter, but also understands the unique responsibilities that come with managing a state, regional, or local ID&R system.;
- Is central to the ID&R process, having primary responsibility for hiring, training, deploying, supervising, supporting, managing, and evaluating ID&R staff; and
- Helps to develop and implement state and local policies and procedures, and to ensure the quality of eligibility determinations.

COMMON ID&R STRUCTURES: SMALLER STATES

- **State Recruiter Model:** SEA employs one or more “state recruiter(s)” who conduct all recruitment activities statewide. The state recruiter function could be performed at the SEA, at an LOA, or through a contract.
- **Local Recruiter Model:** Each LOA employs its own local recruiter with oversight by the SEA (generally through monitoring). Direct supervision, training, support, etc., occurs at each LOA.

COMMON ID&R STRUCTURES: MID-SIZE STATES

- **ID&R Coordinators and Local Recruiters Model:** SEA employs a state ID&R Coordinator who provides training, technical assistance, quality control, and related functions for local recruiters that are employed by LOAs from across the state.
- **ID&R Coordinator, State Recruiters, and Local Recruiters Model:** Same as model above, but also utilizes a state recruiter to cover non-project areas (the state recruiter could be a contractor or employed by a local LOA).

COMMON ID&R STRUCTURES: LARGER STATES

- **Regional Office Model:** State ID&R Coordinator supports a group of regional MEP directors, who supervise regional recruiters and/or provide guidance to local recruiters employed by LOAs. The state generally continues to make major policy and procedural decisions. Regional MEP directors and/or local administrators make many of the operational decisions.
- **Regional Office and ID&R Center Model:** Local recruiters receive supervision/instruction from the LOA and the SEA (typically through a state ID&R Coordinator or ID&R center).

IDENTIFICATION AND
RECRUITMENT (ID&R):
QUALITY CONTROL

IMPORTANCE OF QUALITY CONTROL

- A core responsibility of each SEA is to ensure that only those children who are truly eligible for the MEP are recruited, counted, and served.
- The number of eligible migratory children, as reported by SEAs, is a key factor in determining the amount of MEP funds awarded to SEAs.
- Everyone who works in ID&R, including the recruiter and the administrator, is responsible for knowing the child eligibility requirements and ensuring quality control.

MINIMUM COMPONENTS OF ID&R QUALITY CONTROL

1. Training for recruiters and all other staff involved in determining eligibility.
2. Supervision and annual review and evaluation of the ID&R practices of individual recruiters.
3. A formal process for resolving eligibility questions and for ensuring that this information is communicated to all LOAs.
4. Examination by qualified individuals at the SEA or LOA level of each COE to verify that the child is eligible.

MINIMUM COMPONENTS OF ID&R QUALITY CONTROL (CONTINUED)

5. A process for the SEA to validate that eligibility determinations were properly made, including conducting prospective re-interviewing.
6. Documentation that supports the SEA's implementation of its quality-control system and of a record of actions taken to improve the system where periodic reviews and evaluations indicate a need to do so.
7. A process for implementing corrective action if the SEA finds COEs that do not sufficiently document MEP eligibility, or in response to internal State audit findings and recommendations, or monitoring or audit findings of the Secretary.

(see 34 CFR 200.89(d))

ANNUAL PROSPECTIVE RE-INTERVIEWING

- All MEP-funded SEAs must, on an annual basis, validate *current-year* child eligibility determinations through the re-interview of a randomly selected sample of children previously identified as migratory.
- Allows for the identification of problems early on so they can be quickly corrected.
- The SEA may sample on a statewide basis or within categories associated with identified risk factors (e.g., experience of recruiters, size or growth in local migratory child population, effectiveness of local quality control procedures)
- Prospective re-interviews are completed prior to reporting child counts to the Department.

ANNUAL PROSPECTIVE RE-INTERVIEWING: “INDEPENDENT” INTERVIEWERS

- At least once every three years, the SEA must use one or more independent interviewers trained to conduct personal interviews and to understand and apply program eligibility requirements
- Independent interviewers are neither SEA or local operating agency staff members working to administer or operate the State MEP (nor any other persons who worked on the initial eligibility determinations being tested)

(see 34 CFR 200.89(b)(2))

DISCUSSION

- What do you perceive as the greatest challenge in identifying and recruiting eligible migratory children in your State?
- How have you addressed this challenge?

RESOURCES

Please visit our coordination website, www.RESULTS.ed.gov, for additional information, including:

- ID&R Manual and Curriculum
- Technical Assistance Guide on Re-interviewing
- National COE Instructions
- MEP Non-Regulatory Guidance
- Policy Questions and Answers
- Presentations on MEP Eligibility and the National COE (see 2017 and 2018 ADM, 2017 National ID&R Forum, and 2017 webinars)

Resources are also available from the Identification and Recruitment Rapid Response Consortium (IRRC) at:
www.idr-consortium.net

THANK YOU

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RESULTS.ED.GOV

