Appendix IX: New Recruiter Self Check

Child Eligibility for the Title I, Part C Migrant Education Program

Carefully gathering the facts on and reviewing each child’s circumstances is critical to making an accurate eligibility determination. There are four key factors, included in the Child Eligibility Checklist on the following page, to consider in determining eligibility for the MEP:

FACTOR 1: CHILD’S AGE

* The child is younger than 22 years old on the date of the interview.

FACTOR 2: CHILD’S SCHOOL COMPLETION STATUS

* The child is entitled to a free public education through grade 12 under state law, OR
* The child is not yet at a grade level at which the school district provides a free education.

FACTOR 3a: CHILD’S QUALIFYING MOVE(if the child’s move is not the same as the migratory agricultural worker or fisher)

* The child moved within the 36 months preceding the date of the interview.
* The move made by the child was due to economic necessity, AND from one residence to another residence, AND from one school district to another.

FACTOR 3b: CHILD’S QUALIFYING MOVE RELATIVE TO THE MIGRATORY AGRICULTURAL WORKER OR FISHER

* The child’s QUALIFYING MOVE in FACTOR 3a was as a migratory agricultural worker or migratory fisher, or was made with, to join or to precede a parent, guardian, or spouse who is a migratory agricultural worker or a migratory fisher (as determined in Factors 4a and 4b).

FACTOR 4a: MIGRATORY AGRICULTURAL WORKER’S OR MIGRATORY FISHER’S QUALIFYING MOVE

* The parent/guardian/spouse or child (if the child is the worker) moved within the 36 months preceding the date of the interview.
* The move made by the parent/guardian/spouse or child (if the child is the worker) was due to economic necessity, AND from one residence to another residence, AND from one school district to another.

FACTOR 4b: QUALIFYING WORK FOR THE MIGRATORY AGRICULTURAL WORKER OR FISHER

* After the QUALIFYING MOVE in Factor 4a, the parent/guardian/spouse or child (if the child is the worker):
  + engaged in new QUALIFYING WORK (QW) soon after the move, **OR**
  + did not engage in new QW soon after the move, but he or she
    - actively sought new QW, **AND**
    - has a recent history of moves for QW.

Child Eligibility Checklist

In order to be eligible for the MEP, a child must meet all the child eligibility criteria. The eligibility criteria are denoted in the checklist with check boxes for each factor and subparts. Before using the recruiter should refer to the guidelines provided in chapter 7 of this manual. The checklist may be copied as a worksheet and utilized to guide the recruiter through each eligibility determination.

The eligibility checklist can be found on the next page.

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| CHILD ELIGIBILITY CHECKLIST FOR THE MIGRANT EDUCATION PROGRAM  This checklist is intended to be a tool to determine if a child meets the basic eligibility factors of the MEP. It does not take into account all information necessary to complete a COE and document eligibility for the MEP. | |
| **FACTOR 1: CHILD’S AGE** | |
| 🞎 The child is younger than 22 years old on the date of the interview. | |
| **FACTOR 2: CHILD’S SCHOOL COMPLETION STATUS** | |
| 🞎 The child is entitled to a free public education through grade 12 under state law\*, **OR**  🞎 The child is not yet at a grade level at which the school district provides a free public education. | |
| **FACTOR 3a: CHILD’S QUALIFYING MOVE** | **FACTOR 3b: CHILD’S QUALIFYING MOVE RELATIVE TO THE MIGRATORY AGRICULTURAL WORKER OR MIGRATORY FISHER** |
| The child moved within the 36 months preceding the date of the interview  🞎 due to economic necessity, **AND**  🞎 from one residence to another residence, **AND**  🞎 from one school district to another. † | 🞎 The child’s QUALIFYING MOVE in FACTOR 3a was as a migratory agricultural worker or migratory fisher, or was made with, to join or to precede a parent, guardian, or spouse who is a migratory agricultural worker or a migratory fisher (as determined in Factors 4a and 4b). |
| **FACTOR 4a: MIGRATORY AGRICULTURAL WORKER’S** **OR MIGRATORY FISHER’S QUALIFYING MOVE** | **FACTOR 4b: QUALIFYING WORK FOR THE MIGRATORY AGRICULTURAL WORKER OR MIGRATORY FISHER** |
| The parent/guardian/spouse or child (if the child is the worker) moved within the 36 months preceding the date of the interview  🞎 due to economic necessity, **AND**  🞎 from one residence to another residence, **AND**  🞎 from one school district to another.† | After the QUALIFYING MOVE in Factor 4a, the parent/guardian/spouse or child (if the child is the worker)  🞎 engaged in new QUALIFYING WORK (QW) soon after the move, **OR**  🞎 did NOT engage in new QW soon after the move, but he or she  🞎 actively sought new QW, **AND**  🞎 has a recent history of moves for QW.  **AND**  The work is  🞎 seasonal employment, **OR**  🞎 temporary employment, **OR**  🞎 for personal subsistence.  **AND**  The work is  🞎 agricultural **OR**  🞎 fishing. |
| \* The recruiter should find out which older children are entitled to a free public education (through grade 12) in his or her state. If a question arises (e.g., the child has a secondary school degree issued by another country or has received a certificate of completion in lieu of a diploma), the recruiter should find out from state officials whether the child is entitled to continue to pursue a high school diploma in that state. See the Migrant Education Program Non-Regulatory Guidance, Chapter II, Section A for additional information.  † In a state that is comprised of a single school district, the child moved from one administrative area to another within such district or 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. | |

If the recruiter is unclear about how to respond to any of the factors, the recruiter must resolve the issue by (1) collecting any additional information that is needed to make a determination, and (2) following the State’s procedure for resolving eligibility questions (e.g., consulting with a supervisor, asking the SEA to make a determination, etc.) before the child can be considered eligible for the program.

Scenarios

The recruiter may complete the Child Eligibility Checklist for each of the scenarios below. If the recruiter discovers that the family or child does not meet the criteria listed in any of the factors, he or she does not need to continue completing the checklist. For example, if the worker has not made a qualifying move within the preceding 36 months from the date of the interview, the child will not be eligible. Therefore, it is not necessary to complete the rest of the checklist. For more detailed instructions on completing the checklist, see Chapter 7.

For complex cases, the recruiter should develop a timeline to ensure that dates for qualifying moves and qualifying work fall within the required timelines for MEP eligibility.

A discussion of each scenario is provided along with the correct eligibility determination.

1. A family with three children, ages 13, 15, and 23, moved in September of this year from Arizona to New York to pick tomatoes while they were in season. This is the family’s only livelihood. Are the children eligible for the MEP?
2. A male, age 19, who graduated from high school in Louisiana, moved from Louisiana to Michigan last year to harvest apples in order to help his family with their living expenses.   
   Is he eligible for the MEP?
3. A family with two children, ages 11 and 14, moved ten miles down the road last month to pick blueberries as they were coming into season. The children changed schools, but they remained in the same school district. This is the family’s only means of income. Do the children qualify for the MEP based on this move?
4. A young couple, ages 18 and 20 (neither of whom have a high school diploma or a HSED), moved from Texas to Montana two months ago. The man moved to Montana because his family told him that local builders are hiring in construction. Upon the move, the man obtained a construction job. The young woman did not plan to work. Are either of them eligible for the MEP?
5. As its only source of livelihood, a family with three children ages 3, 8, and 10, moved from Florida to Georgia last August where during the past four years the parents had spent three months picking crops. When they arrived, the parents were unable to find employment due to minimal harvesting resulting from a drought. They tried to find work on several farms in the area, but none were hiring. It’s been a month and a half since the family moved and the parents still have not found work. Are the children eligible for MEP?
6. Anna, age 18, worked at a processing plant in Arkansas. Her friends told her that the Tyson plant in Iowa was hiring temporary workers in preparation for the holiday season. In September, Anna moved to Iowa to work at the Tyson plant. When she arrived, the Tyson plant hired her to work for a three-month period cutting poultry. This is her only means of income. Assuming that Anna has not graduated from high school and does not have her HSED, is she eligible for the MEP?
7. In May 2011, a family moved from Texas to Michigan with their children, ages 5 and 8, to pick the local crops in season. A recruiter finds them in 2017 and wants to qualify them for the MEP because the family is still picking crops and this is their only means of livelihood. The family has not moved since 2011. Are the children eligible for the MEP?
8. A family with children, ages 2 and 6, moved from Idaho to Montana two years ago. The father had lost his job as a ranch hand and was seeking another permanent job as a ranch hand. He was hired to be the crew chief on the farm on a year-round basis. The mother stays at home with the children. Are the children eligible for the MEP?
9. Paul, age 13, lived with his parents in Portland, ME. Unable to find work in Portland, Paul’s father moved on his own to Presque Isle on September 1, 2016, and engaged in seasonal employment harvesting potatoes (within one week of his move). Paul’s father returned to Portland on October 20, 2016. Shortly thereafter, Paul’s mother was able to find work in a restaurant in Bangor, ME. So, Paul and his parents moved from Portland to Bangor on November 1, 2016. The ME MEP identified Paul on July 1, 2017. Is Paul eligible for the MEP?
10. Diana, age 15, and her parents lived in Yukon, AK. Diana and her parents moved to Dillingham, AK on June 20, 2016. For as long as Diana can remember, the family has moved to Dillingham each summer, where her father worked a temporary job canning salmon. When they moved in June 2016, Diana’s father, Joe, went to the cannery where he had worked for the previous two summers and found that the cannery had closed. Is Diana eligible for the MEP?
11. Javier, his spouse, and six-year-old daughter Marisa moved from Cleveland, OH, to Biglerville, PA, to engage in seasonal agricultural work picking apples. The family moved on August 24, 2016. The father began work the next day and continued working until October 2016. After the work ended, the entire family moved to Philadelphia, PA, where the mother obtained work in a hotel. The family remained in Philadelphia until August 15, 2017, when they moved to York, PA, where the father found work in a motorcycle factory. A recruiter interviews the father on August 28, 2017. Are Javier’s children eligible for the MEP?
12. Raul, a 14-year-old 8th grade student moved from Rochester, NY to Belle Glade, FL for his parents to work in migratory agricultural work picking oranges on December 1, 2014, two weeks after arriving in Florida. On October 15, 2017, the family made a qualifying move from Belle Glade, FL to Brockport, NY due to economic necessity to move in with their grandparents. The father found part-time work as a grounds keeper at a local hospital. The local recruiter located the family and conducted an interview on July 15, 2018.

Scenario Review and Discussion

Scenario 1

A family with three children, ages 13, 15, and 23, moved in September of this year from Arizona to New York to pick tomatoes while they were in season. This is the family’s only livelihood. Are the children eligible for the MEP?

**Answer:** The two youngest children meet basic eligibility factors for the MEP; the oldest child does not because he is older than 22 years of age.

Scenario 2

A male, age 19, who graduated from high school in Louisiana, moved from Louisiana to Michigan last year to harvest apples in order to help his family with their living expenses.   
Is he eligible for the MEP?

**Answer:** The youth does not meet basic eligibility factors for the MEP because he graduated from high school.

Scenario 3

A family with two children, ages 11 and 14, moved ten miles down the road last month to pick blueberries as they were coming into season. The children changed schools, but they remained in the same school district. This is the family’s only means of income. Do the children qualify for the MEP based on this move?

**Answer:** The children meet basic eligibility factors for the MEP because they did not move from one school district to another, which is a requirement for a qualifying move.

Scenario 4

A young couple, ages 18 and 20 (neither of whom have a high school diploma or a HSED), moved from Texas to Montana two months ago. The man moved to Montana because his family told him that local builders are hiring in construction. Upon the move, the man obtained a construction job. The young woman did not plan to work. Are either of them eligible for the MEP?

**Answer:** The young man and woman meet basic eligibility factors for the MEP because neither of them is a migratory agricultural worker or migratory fisher; the man is a construction worker.

Scenario 5

As its only source of livelihood, a family with three children ages 3, 8, and 10, moved from Florida to Georgia last August where during the past four years the parents had spent three months picking crops. When they arrived, the parents were unable to find employment due to minimal harvesting resulting from a drought. They tried to find work on several farms in the area, but none were hiring. It’s been a month and a half since the family moved and the parents still have not found work. Are the children eligible for MEP?

**Answer:** The children meet basic eligibility factors for the MEP. The family made a qualifying move in August. Even though the parents did not engage in qualifying work soon after the move, they actively sought new qualifying work and have recent history of moves for qualifying work.

Scenario 6

Anna, age 18, worked at a processing plant in Arkansas. Her friends told her that the Tyson plant in Iowa was hiring temporary workers in preparation for the holiday season. In September, Anna moved to Iowa to work at the Tyson plant. When she arrived, the Tyson plant hired her to work for a three-month period cutting poultry. This is her only means of income. Assuming that Anna has not graduated from high school and does not have her HSED, is she eligible for the MEP?

**Answer:** Anna, as the child and or migratory agricultural worker, meets basic eligibility factors for the MEP.

Scenario 7

In May 2011, a family moved from Texas to Michigan with their children, ages 5 and 8, to pick the local crops in season. A recruiter finds them in 2017 and wants to qualify them for the MEP because the family is still picking crops and this is their only means of livelihood. The family has not moved since 2011. Are the children eligible for the MEP?

**Answer:** The children do not meet basic eligibility factors for the MEP because the

move did not occur within the last 36 months.

Scenario 8

A family with children, ages 2 and 6, moved from Idaho to Montana two years ago. The father had lost his job as a ranch hand and was seeking another permanent job as a ranch hand. He was hired to be the crew chief on the farm on a year-round basis. The mother stays at home with the children. Are the children eligible for the MEP?

**Answer:** The children do not meet basic eligibility for the MEP. The worker sought and obtained permanent employment, not seasonal or temporary work.

Scenario 9

Paul, age 13, lived with his parents in Portland, ME. Unable to find work in Portland, Paul’s father moved on his own to Presque Isle on September 1, 2016, and engaged in seasonal employment harvesting potatoes (within one week of his move). Paul’s father returned to Portland on October 20, 2016. Shortly thereafter, Paul’s mother was able to find work in a restaurant in Bangor, ME. So, Paul and his parents moved from Portland to Bangor on November 1, 2016. The ME MEP identified Paul on July 1, 2017. Is Paul eligible for the MEP?

**Answer:** Paul meets basiceligibility factors for the MEP. Paul made a qualifying move in the preceding 36 months with his father, a migratory agricultural worker, on November 1, 2016. Paul’s father is a migratory agricultural worker because he made a qualifying move in the preceding 36 months (September 1, 2016), soon after which he engaged in new qualifying work. Note that the child’s qualifying move and the worker’s qualifying move do not have to be the same date.

Scenario 10

Diana, age 15, and her parents lived in Yukon, AK. Diana and her parents moved to Dillingham, AK on June 20, 2016. For as long as Diana can remember, the family has moved to Dillingham each summer, where her father worked a temporary job canning salmon. When they moved in June 2016, Diana’s father, Joe, went to the cannery where he had worked for the previous two summers and found that the cannery had closed. Is Diana eligible for the MEP?

**Answer:** Diana meets basic eligibility factors for the MEP. Diana made a qualifying move with her father, a migratory agricultural worker, in the preceding 36 months. Her father is a migratory agricultural worker because he made a qualifying move in the preceding 36 months, after which he actively sought new employment in qualifying work, AND he has a recent history of moves for qualifying work.

Scenario 11

Javier, his spouse, and six-year-old daughter Marisa moved from Cleveland, OH, to Biglerville, PA, to engage in seasonal agricultural work picking apples. The family moved on August 24, 2016. The father began work the next day and continued working until October 2016. After the work ended, the entire family moved to Philadelphia, PA, where the mother obtained work in a hotel. The family remained in Philadelphia until August 15, 2017, when they moved to York, PA, where the father found work in a motorcycle factory. A recruiter interviewed the father on August 28, 2017. Is Javier’s daughter eligible for the MEP?

**Answer:** Marisa meets basic eligibility factors for the MEP. Marisa made a qualifying move with her father, a migratory agricultural worker, in the preceding 36 months. Her father is a migratory agricultural worker because he made a qualifying move in the preceding 36 months (August 24, 2016), soon after which he engaged in new qualifying work.

Scenario 12

Raul, a 14-year-old 8th grade student moved from Rochester, NY to Belle Glade, FL for his parents to work in migratory agricultural work picking oranges on December 1, 2014, two weeks after arriving in Florida.  On October 15, 2017, the family made a qualifying move from Belle Glade, FL to Brockport, NY due to economic necessity to move in with their grandparents. The father found part-time work as a grounds keeper at a local hospital. The local recruiter located the family and conducted an interview on July 15, 2018.

**Answer:** Raul does not meet basic factors for the MEP. Although, in 2014, the family made a qualifying move, and soon after which, the parents engaged in qualifying work, this move was not within the 36-month window (from the date of the interview) to be considered eligible for MEP services. The family made a qualifying move in 2017, but the parents did not engage in qualifying work soon after the move. Moreover, the parents did not seek new qualifying work, nor did they have a history of recent moves for qualifying work. Note that “recent history” should not exceed 36 months prior to the date of the recruiter’s interview (NRG, C16).