Glossary

The glossary includes definitions and descriptions taken primarily from the following OME sources. The sources are cited parenthetically after each definition or description.

Statute – **Elementary and Secondary Education Act of 1965, Title I, Part C, as amended by the Every Student Succeeds Act**. 20 USC §§ 6391-6399. (Education of Migratory Children, Section 1301-1309)

Code of Federal Regulations – **Code of Federal Regulations (Part 200 for Title I, Subpart C – Migrant Education Program)**, 34 CFR §§ 200.81-200.89

Non-Regulatory Guidance (NRG)*–* U.S. Department of Education, Migrant Education Program. (2017). **Non-regulatory Guidance: Education of Migratory Children under Title I, Part C of the Elementary and Secondary Education Act of 1965**

The **National *ID&R Manual*** *–* From this publication: U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education. (2017).

Agricultural Work

“Agricultural work” means the production or initial processing of crops, dairy products, poultry, or livestock, as well as the cultivation or harvesting of trees. It consists of work performed for wages or personal subsistence. (Section 1309(2) of the ESEA, as amended; 34 CFR § 200.81(a); NRG, Ch. II, F1)

Category 1 Child Count

The “Category 1 child count” is the 12-month unduplicated statewide total of children who are eligible to be counted for funding purposes. It consists of all the migratory children ages 3 through 21 who, within three years of a qualifying move, resided in the state for one or more days during the September 1 to August 31 performance period (NRG, Ch. IX, B2). A "migratory child" must meet the definition in Section 1309(3) of the ESEA, as amended and 34 CFR § 200.81(g). (See also NRG, Ch. II, A1).

Category 2 Child Count

The “Category 2 child count” is the unduplicated statewide total summer/intersession count of eligible MEP project participants who can be counted for funding purposes. It consists of all the migratory children who were served for one or more days in MEP-funded summer or intersession programs in the state during the September 1–August 31 performance period (NRG, Ch. IX, B3).

Certificate of Eligibility

The “Certificate of Eligibility,” also known by its acronym “COE” or the “National COE,” is a form established by the Secretary of Education that consists of required data elements and required data sections necessary for documenting a child’s eligibility for the MEP. (34 CFR § 200.89(c); NRG, Ch. II, H2).

Child Count

For purposes of the MEP, a “child count” is the state’s numeric calculation of the total unduplicated number of eligible migratory students statewide who can be counted for funding purposes. ED collects two separate child counts, known as the Category 1 and Category 2 child counts (NRG, Ch. IX, B1).

Comprehensive State Plan for Service Delivery

The “comprehensive state plan for service delivery,” also known as a state service delivery plan (SDP), describes the services the SEA will provide on a statewide basis to address the unique educational needs of migratory students (Section 1306(a)(1) of the ESEA, as amended; NRG, Ch. IV, B1).

Consolidated State Performance Report

The “Consolidated State Performance Report” is the instrument SEAs use to report to ED on the performance of many ESEA formula grant programs, including the MEP (Section 8303 of the ESEA, as amended; NRG, Ch. IX, A1).

Continuation of Service

The statute provides three circumstances in which a LOA may continue to provide services to children whose eligibility has ended: (1) a child who ceases to be a migratory child during a school term shall be eligible for services until the end of such term; (2) a child who is no longer a migratory child may continue to receive services for one additional school year, but only if comparable services are not available through other programs; and (3) students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation (Section 1304(e) of the ESEA, as amended). [Note: Before the agency provides services under these provisions, it should consider whether the child’s unmet unique educational needs are addressed by the general school program and whether migratory children who have a priority for services have already been served.] (NRG, Ch. V, A9)

College Assistance Migrant Program

The “College Assistance Migrant Program,” also known by its acronym CAMP, assists migratory students in completing their first year of college and provides follow-up services to help them continue in postsecondary education (Title IV of the Higher Education Opportunity Act; NRG, Table 1).

Cooperative Extension Service

Each state has a “land grant” college or university that addresses agricultural issues and supports a statewide system of Cooperative Extension Service offices. The county agents for each Cooperative Extension office often have in-depth knowledge of local farms and crops, and have many contacts in the farming community. The Cooperative Extension Service may also offer annual statewide activities such as farm shows or agricultural days that are good places to meet employers (National ID&R Manual, Chapter 4-8).

Crop

A “crop” is a plant that is harvested for use by people or by livestock (NRG, Ch. II, F3).

Economic Necessity

ED considers “economic necessity” to mean that the child and the worker (if the child is not the worker) moved because they could not afford to stay in the current location. The MEP is premised on the understanding that migratory children have unique needs in view of their mobility, and generally are in low-income families. The statutory requirement that a qualifying move be made due to economic necessity clarifies that, under the ESEA, economic necessity is integral to a move that makes a child a “migratory” child (NRG, Ch. II, D3).

ED Data Express

“ED Data Express” (<https://eddataexpress.ed.gov/index.cfm>) is the tool developed by ED that enables the public to access data submitted from SEAs and LEAs to EDFacts. EDFacts is the current vehicle for collecting 70 per cent of the state data for the Consolidate State Performance Reports (CSPR) submitted annually by SEAs and LEAs.

Engaged in New Qualifying Work

“Engaged in new qualifying work” soon after a qualifying move is one of the criteria for determining whether a worker is a migratory agricultural worker or migratory fisher. In this context, engaged in new qualifying work means that the worker began temporary or seasonal employment in agriculture or fishing (e.g., picking strawberries).

Emancipated Youth

“Emancipated youth” are children who have not 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 (NRG, Ch. II, A6).

Fish Farm

A “fish farm” is 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 (NRG, Ch. II, F17).

Fishing Work

“Fishing work” is 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 performed for wages or personal subsistence   
(34 CFR § 200.81(c); NRG, Ch. II, F16).

Guardian

For MEP purposes, a “guardian” is 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 (NRG, Ch. II, B2).

High School Equivalency Program

The “High School Equivalency Program,” also known by the acronym HEP, assists migratory students who are 16 years or older in obtaining a High School Equivalency (HSE) certificate or the equivalent of a high school diploma (NRG, Table 1).

Home Base

Many migratory families have a home base or hometown where they live for much of the year. They travel or migrate from this home base to other places to work for temporary or seasonal work out of economic necessity. For example, a migratory family might consider Florida to be their home base. They live in Florida all winter and work through the citrus harvest in the spring, and then they move to South Carolina to work during the peach harvest. They might also travel to other states or locations and then return to their home base in Florida in the fall (National ID&R Manual, Chapter 4-3).

Identification and Recruitment

“Identification” means determining the location and presence of migratory children. “Recruitment” means making contact with migratory families, explaining the 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 COE or like form (National ID&R Manual, Chapter 1-6).

Initial Processing

“Initial processing” is 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 (NRG, Ch. II, F20).

Interstate Coordination

“Interstate coordination” refers to collaborative activities undertaken by two or more states to improve the education of migratory children in those states. Ideally, this term refers to the collaborative activities that two or more states assume to improve the education of migratory children who move between those states (NRG, Ch. VI, B3).

Intrastate Coordination

“Intrastate coordination” refers to efforts involving two or more LOAs within a state to improve educational services to migratory children in that state. The SEA may facilitate these efforts among LOAs or the LOAs may conduct them directly (NRG, Ch. VI, B4 ).

Join Date

“Join date,” also referred to as “to join” date, refers to situations where the child and parent do not move together. The “to join” date is the day that the child and worker complete the move to be together. If the child’s move precedes the worker’s move, the Qualifying Arrival Date (QAD) is the date that the worker arrived. If the child’s move followed the worker’s move, the QAD is the date the child arrived (NRG, Ch. II, E3).

The SEA should establish a reasonable time limit for “to join” moves. If the SEA has not established a time limit, the recruiter should determine what is reasonable based on the circumstances. ED 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, the SEA should document in the Comments 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 (NRG, Ch. II, E4).

Leading Questions

Because the interview is critical to determining the child or youth’s eligibility for the MEP, the recruiter should avoid asking questions that “lead” families to give vague or untruthful answers. Leading questions can often be answered by “yes” or “no” responses and prompt the interviewee to give a particular answer. On the other hand, open-ended questions prompt the interviewee to provide more information than simply “yes” or “no.” In the example below, “you moved here to work in agriculture, right?” makes it appear that “yes” is the “correct” response. Rephrasing the question to “Why did you move here?” allows the interviewee to provide various reasons without having a predetermined answer in mind (National ID&R Manual, Chapter 6-14).

Lessons Learned

In recognition of the experience of the ID&R community, OME has interspersed “lessons learned” from veteran ID&R staff throughout the National ID&R Manual. Lessons learned reflect advice from veteran ID&R staff regarding both strategies to adopt and pitfalls to avoid. These lessons learned help new and veteran recruiters alike benefit from the experience of others (National ID&R Manual, Preface).

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, or pets. ED does not consider the term “livestock” to include animals hunted or captured in the wild (NRG, Ch. II, F6).

Migrant Education Program (MEP)

The Migrant Education Program (MEP) is authorized by Part C of Title I of the ESEA, as amended. The MEP provides formula grants to SEAs to establish or improve education programs for migratory children. The purpose of the grants is

1. 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;
2. to 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;
3. ensure that migratory children receive full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet;
4. to help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed in school; and
5. to help migratory children benefit from state and local systemic reforms. (Section 1301 of the ESEA, as amended)

Migratory Agricultural Worker

The term “migratory agricultural worker” means an individual who made a qualifying move in the preceding 36 months 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. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal agricultural employment (Section 1309(2) of the ESEA, as amended).

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) of ED’s Title I regulations) a child is a “migratory child” and is eligible for MEP services if all of the following conditions are met:

1. The child is not older than 21 years of age; *and*
2. The child is entitled to a free public education (through grade 12) under state law, *or*
3. The child is not yet at a grade level at which the LEA provides a free public education, *and*
4. 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*
5. 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
   1. From one school district to another; *or*
   2. In a state that is comprised of a single school district, has moved from one administrative area to another with such district; *or*
   3. 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. (NRG, Ch. II, A1)

Migratory Fisher

The term “migratory fisher” means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in such new employment soon after the move, the individual may be considered a migratory fisher if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal fishing employment. (Section 1309(4) of the ESEA, as amended).

Move

The terms “move” or “moved” mean a change from one residence to another residence that occurs due to economic necessity [34 CFR § 200.81(j)].

MSIX

The Migrant Student Information Exchange (MSIX) (<https://www2.ed.gov/admins/lead/account/recordstransfer.html>) system is the technology that allows states to share educational and health information on migratory children who travel from state to state and who as a result, have student records in multiple states' information systems. MSIX works in concert with the existing migratory student information systems that states currently use to manage their migratory student data to fulfill its mission to ensure the appropriate enrollment, placement, and accrual of credits for migratory children nationwide (National ID&R Manual, Appendix XIII).

Network

A “network” is a supportive system of sharing information and services among individuals and groups having a common interest. The five most common information sources when building a recruitment network are: (1) employers; (2) local school staff; (3) community contacts, organizations, and commercial establishments; (4) other government agencies; and (5) migratory families or youth themselves. Although the recruiter wants to encourage the recruiting network to refer children who might be eligible for the MEP, the recruiter should let network members know that while referrals are appreciated, only those who work for the MEP can determine if a child is eligible to receive services (National ID&R Manual, Chapter 4-1).

Non-Regulatory Guidance (NRG)

The 2017 NRG is designed to help SEAs and LOAs use MEP funds to develop and implement supplemental educational and support services to help migratory children. The 2017 NRG replaces all prior non-regulatory guidance for the MEP. Compliance with the NRG is deemed by ED officials, including the Inspector General, as compliance with the applicable federal statutes and regulations. This guidance does not impose requirements beyond those in the ESEA and other federal statutes and regulations that apply to the MEP. While states may wish to consider the NRG, they are free to develop their own approaches that are consistent with applicable federal statutes and regulations. The NRG is not intended to be prescriptive or exhaustive. It is one of many resources for SEAs and LOAs to use as they determine how best to meet the needs of migratory students in a manner consistent with the requirements of the ESEA and MEP regulations. It is intended to be read in conjunction with the authorizing statute, applicable regulations, and ED’s guidance on other programs (such as Title I, Part A, and Title III) that are relevant to the MEP (NRG, Purpose of This Guidance).

Office of the Inspector General (OIG)

Congress created the OIG through the Inspector General Act of 1978. Although it reports to the Secretary, it is separate and distinct from the program office units in ED. The authorizing statute establishes OIG as an independent and objective unit that

* conducts and supervises audits and investigations relating to the programs and operations of ED;
* provides leadership, coordination, and recommendations on activities that (1) promote economy, efficiency, and effectiveness and (2) reduce or detect fraud and abuse in the administration of programs; and
* provides a means of keeping the Secretary and Congress informed about problems and deficiencies relating to the administration of the ED's programs and the necessity for corrective action (NRG, Ch. XI, F6).

Parent Advisory Council

In the planning and operation of MEP programs and projects, SEAs and LOAs must consult with parents of migratory children, including a parent advisory council (PAC), for programs not less than one school year in duration (Section 1304(c)(3) of the ESEA, as amended). The SEA must develop its comprehensive State plan in consultation with the State parent advisory council or, for SEAs not operating programs for one school year in duration, in consultation with the parents of migratory children. This consultation must be in a format and language that the parents understand. (34 CFR § 200.83(b); NRG, Ch. VII, B2).

Personal Subsistence

As used in the definitions of migratory agricultural worker and migratory fisher in sections 1309(2) and 1309(4) of the ESEA, as amended, and the definitions of agricultural work and fishing work, and as defined in 34 CFR § 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 (NRG, Ch. II, F28).

Priority for Services

“Priority for services” children are migratory children who have made a qualifying move within the previous one-year period and who (1) are failing, or most at risk of failing, to meet the challenging state academic standards; or (2) have dropped out of school (Section 1304(d) of the ESEA, as amended; NRG, Ch. V, B1).

Qualifying Arrival Date (QAD)

A child’s eligibility for the MEP begins when the child completes a qualifying move. This is often referred to as the “qualifying arrival date” (QAD) for purposes of the COE. In situations where the child and parent do not move together, the “to join” date is the day that the child and worker complete the move to be together. If the child’s move precedes the worker’s move, the qualifying arrival date is the date that the worker arrived. If the child’s move followed the worker’s move, the QAD is the date the child arrived. The reason for this is that the child does not establish eligibility as a migratory child until he or she physically arrives in the receiving school district (NRG, Ch. II, E3).

Qualifying Move

The term “qualifying move” means a move due to economic necessity (A) from one residence to another residence; and (B) from one school district to another school district, except (i) in the case of a state that is comprised of a single school district, wherein a qualifying move is from one administrative area to another within such district; or (ii) in the case of a school district of more than 15,000 square miles, where a qualifying move is a distance of 20 miles or more (Section 1309(5) of the ESEA, as amended; NRG, Ch. II, D1).

Qualifying Work

“Qualifying work” means temporary or seasonal employment or personal subsistence in agriculture or fishing work (34 CFR § 200.81(n); NRG, Ch. II, C3).

Quality Control

An SEA must establish and implement a system of quality controls for the proper identification and recruitment of eligible migratory children on a statewide basis. At a minimum, this system of quality controls must include the following components:

(1) training to ensure that recruiters and all other staff involved in determining eligibility and in conducting quality control procedures know the requirements for accurately determining and documenting child eligibility under the MEP

(2) supervision and annual review and evaluation of the identification and recruitment practices of individual recruiters

(3) a formal process for resolving eligibility questions raised by recruiters and their supervisors and for ensuring that this information is communicated to all LOAs

(4) an examination by qualified individuals at the SEA or LOA 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

(5) a process for the SEA to validate that eligibility determinations were properly made, including conducting prospective re-interviewing as described in paragraph (b)(2)

(6) documentation that supports the SEA's implementation of this 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 a child's eligibility for the MEP, or in response to internal state audit findings and recommendations, or monitoring or audit findings of the Secretary. (34 CFR § 200.89(d))

Re-interviewing

“Re-interviewing” is the process of checking the eligibility determinations recorded on a State’s COEs. It involves independently interviewing families and checking each criterion that makes children eligible for the MEP. States can use prospective re-interviewing for quality control before submission of annual child counts. Or states can use retrospective re-interviewing, which establishes valid and reliable defect rates that measure the quality of a state’s eligibility determinations for an entire child count year (i.e., eligibility determinations made over the course of a three-year period) (34 CFR § 200.89(a)(2); Technical Assistance Guide on Re-interviewing).

Seasonal Employment

“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 (34 CFR § 200.81(o); NRG, Ch. II, G1).

Soon after the Move

The ESEA, as amended by 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. For purposes of the MEP, ED recommends that “soon after the move” be within 60 days of the worker’s move. A 60-day window allows for extenuating circumstances that would delay an individual’s engagement in new qualifying work immediately after the 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 (NRG, Ch. II, C5).

Temporary Employment

“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. (34 CFR § 200.81(p); NRG, Ch. II, G5-G6).

Unduplicated Count

An “unduplicated count” is a count in which a given child is only counted once on a statewide basis in a single category (i.e., within a row or with a cell in a row) (RR 11/06/06). In an unduplicated count, an individual child is included in a state's count only once, regardless of how many places within the state that child may have resided or was served by the MEP. Each SEA is required to submit unduplicated Category 1 and Category 2 child counts (NRG, Ch. IX, B17).

Uniform Guidance **(** <https://ed.gov/policy/fund/guid/uniform-guidance/index.html> )

The Office of Management and Budget's (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (commonly called "Uniform Guidance") was officially implemented in December 2014 by the Council on Financial Assistance Reform (COFAR). The Uniform Guidance is a "government-wide framework for grants management" and synthesizes and supersedes guidance from earlier OMB circulars.