

Revisions to the National Certificate of Eligibility (COE)

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The mission of the Office of Migrant Education is to provide excellent leadership, technical assistance, and financial support to improve the educational opportunities and academic success of migratory children, youth, agricultural workers, fishers, and their families.



Objectives

- Understand the changes to the national COE template and instructions.
- Apply eligibility scenarios to become familiar with how changes to eligibility requirements are reflected on the revised COE.



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, and 200.89(c)

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

Guidance

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



COE 101

- 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
- National COE Instructions (including Template) are approved through 5/31/2020
- Revisions have been made to reflect changes to MEP eligibility under the reauthorized statute (ESSA)



HISTORY OF COE REVISION PROCESS



COE Revision Process

- The national COE, as part of the information collection requirements for the MEP, was subject to clearance under the Paperwork Reduction Act (PRA)
- When a Federal agency must collection information from 10 or more members of the public, the PRA requires that the Office of Management and Budget (OMB) approve the collection
- For this type of information collection request, there are two public comment periods
- OMB approval is granted for up to three years



Timeline

- **January 5, 2017:** Federal Register (FR) Notice published, opening a 60-day public comment period
- **March 6, 2017:** 60-day public comment period closed
- **April 5, 2017:** 2nd FR notice publishes, 30-day public comment period opened
- **May 5, 2017:** 30-day public comment period closed
- **May 16, 2017:** OMB approval



WHAT IS NEW/DIFFERENT ABOUT THE PROPOSED COE



Revised Titles and Instructions

Past COE

- Male Parent/Guardian and Female Parent/Guardian
- Parent/Guardian/Spouse/Worker
- Qualifying Move and Work Section

Revised COE

- Parent/Guardian 1 and Parent/Guardian 2
- Interviewee
- Qualifying Moves and Work Section



Alignment to MSIX Minimum Data Elements (MDEs)

Past COE

- Residency Date instruction: write dash (-) or “N/A” if same as QAD
- Birth Date Verification Code (Code): last two of four digits of NCES code

Revised COE

- Residency Date instruction: write residency date, even if same as QAD
- Birth Date Verification Code (Code): all four digits of NCES code but States may choose to abbreviate by using last two digits



Qualifying Moves and Work Section

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 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 after the move 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
 - b. agricultural OR fishing work

*If applicable, check:
 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 _____.



QUESTIONS?



SCENARIOS AND DISCUSSION



Scenario #1

On June 1, 2017, Jessica moves with her two children, ages 6 and 8, from Omaha, NE to Wichita, KS, to live with relatives after losing her job in Omaha. Jessica is hoping to find work similar to her last job in housekeeping, but finds that she can earn more money in a job at a poultry-processing facility. She only plans to stay for a few months to save money, and begins work deboning chicken at the poultry plant on July 15, 2017. Are Jessica's children eligible for the MEP?



Scenario #1:

Are Jessica's children eligible for the MEP?

YES

- Are the children under age 22 and still entitled to a free public education (through grade 12) in the State? **YES**
- Did the children move in the preceding 36 months, on their own OR with, or to join, a parent/guardian or spouse? **YES – with a parent/guardian**
- Was the children's move with the parent/guardian or spouse a "qualifying move"- i.e., due to economic necessity, from one residence to another, and from one school district to another? **YES**
- Is the parent/guardian or spouse with whom the children moved a "migratory agricultural worker" or "migratory fisher"? **YES. The children's mother is a migratory agricultural worker because she made a qualifying move in the preceding 36 months, soon after which she engaged in new qualifying work.**



Qualifying Moves and Work Section

1. The child(ren) listed on this form moved due to economic necessity from a residence in School district / Omaha/
NE / USA to a residence in School district / Wichita/ KS.

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, Jessica, 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 was 06/01/17

4. The worker moved due to economic necessity on 06/01/17, from a residence in School District/
Omaha/ KS/ USA to a residence in School District/ Wichita /KS, 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 after the move AND has a recent history of moves for qualifying work (provide comment)

5. The qualifying work,* Deboning Chicken was (make a selection in both a. and b.):
 - a. seasonal OR temporary employment
 - b. agricultural OR fishing work

*If applicable, check:
 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.



Scenario #3

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 identifies Paul on July 1, 2017. Is Paul eligible for the MEP?



Scenario #3:

Is Paul eligible for the MEP?

YES

- Is the child under age 22 and still entitled to a free public education (through grade 12) in the State? **YES**
- Did the child move in the preceding 36 months, on his own OR with, or to join, a parent/guardian or spouse? **YES – with parent/guardian**
- Was the child’s move with the parent/guardian or spouse a “qualifying move”- i.e., due to economic necessity, from one residence to another, and from one school district to another? **YES**
- Is the parent/guardian or spouse with whom the child moved a “migratory agricultural worker” or “migratory fisher”? **YES. The child’s father is a migratory agricultural worker because he made a qualifying move in the preceding 36 months, soon after which he engaged in new qualifying work.**



Qualifying Moves and Work Section

1. The child(ren) listed on this form moved due to economic necessity from a residence in _____ School district _____ / Portland/ ME/ USA to a residence in _____ School district _____ / Bangor/ ME.

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, Paul's Father, 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 was 11/01/16

4. The worker moved due to economic necessity on 09/01/16, from a residence in School District/ Portland / ME/ USA to a residence in School District/ Presque Isle/ME 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 after the move AND has a recent history of moves for qualifying work (provide comment)

5. The qualifying work,* Harvesting Potatoes was (make a selection in both a. and b.):
 - a. seasonal OR temporary employment
 - b. agricultural OR fishing work

*If applicable, check:
 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 _____.



Scenario #4

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?



Scenario #4:

Is Diana eligible for the MEP?

YES

- Is the child under age 22 and still entitled to a free public education (through grade 12) in the State? **YES**
- Did the child move in the preceding 36 months, on her own OR with or to join a parent/guardian or spouse? **YES – with parent/guardian**
- Was the child’s move with the parent/guardian or spouse a “qualifying move”- i.e., due to economic necessity, from one residence to another, and from one school district to another? **YES**
- Is the parent/guardian or spouse with whom the child moved a “migratory agricultural worker” or “migratory fisher”? **YES. The child’s father is a migratory fisher 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.**



Qualifying Moves and Work Section

1. The child(ren) listed on this form moved due to economic necessity from a residence in _____ School district _____ / Yukon/ AK/ USA to a residence in _____ School district _____ / Dillingham/ AK

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, Joe 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 was 06/20/16

4. The worker moved due to economic necessity on 06/20/16, from a residence in School District/ Yukon/ AK/ USA to a residence in School District/ Dillingham/ AK, 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 after the move AND has a recent history of moves for qualifying work (provide comment)

5. The qualifying work,* Canning Salmon was (make a selection in both a. and b.):
 - a. seasonal OR temporary employment
 - b. agricultural OR fishing work

*If applicable, check:
 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 _____.



Scenario 5

Javier, his spouse and six year old daughter Marisa, move from Cleveland, OH, to Biglerville, PA, to engage in seasonal agricultural work picking apples. The family moves on August 24, 2016. The father begins work the next day and continues working until October 2016. After the work ends, the entire family moves to Philadelphia, PA, where the mother obtains work in a hotel. The family remains in Philadelphia until August 15, 2017, when they move to York, PA, where the father finds work in a motorcycle factory. A recruiter interviews the father on August 28, 2017. Are Javier's children eligible for the MEP?



Scenario #5:

Are Javier's children eligible for the MEP?

YES

- Is the child under age 22 and still entitled to a free public education (through grade 12) in the State? **YES**
- Did the child move in the preceding 36 months, on her own OR with or to join a parent/guardian or spouse? **YES – with parent/guardian**
- Was the child's move with the parent/guardian or spouse a "qualifying move"- i.e., due to economic necessity, from one residence to another, and from one school district to another? **YES**
- Is the parent/guardian or spouse with whom the child moved a "migratory agricultural worker" or "migratory fisher"? **YES. The child's father is a migratory agricultural worker because he made a qualifying move in the preceding 36 months, soon after which he engaged in new qualifying work.**



Qualifying Moves and Work Section

1. The child(ren) listed on this form moved due to economic necessity from a residence in School district / Philadelphia / PA/ USA to a residence in School district / York/ PA

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, **Javier** 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 was 08/15/17

4. The worker moved due to economic necessity on 08/24/16, from a residence in School District/ Cleveland/ OH/ USA to a residence in School District/ Biglerville/ PA, 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 after the move AND has a recent history of moves for qualifying work (provide comment)

5. The qualifying work,* Picking Apples was (make a selection in both a. and b.):
 - a. seasonal OR temporary employment
 - b. agricultural OR fishing work

*If applicable, check:
 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.



Thank You

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