

Florida Migrant Education Program



MANUAL FOR IDENTIFICATION AND RECRUITMENT

WORKING DRAFT



Last revised February 2018

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Table of Contents

INTRODUCTION..... 1

PURPOSE OF IDENTIFICATION AND RECRUITMENT 3

 What is ID&R and Why is it Important? 3

 How is a Migratory Child’s Eligibility Documented? 4

 Overview of the ID&R Process 5

 Overview of Florida’s ID&R System 6

ROLES AND RESPONSIBILITIES..... 8

 Primary Responsibilities 8

 Recruiter Responsibilities 8

 Recruiter Characteristics 9

 Florida Recruiter Code of Ethics..... 10

 LOA Responsibilities 10

THE ID&R PROCESS 11

 Properly Determining Eligibility 11

Statute, Code of Federal Regulations, and Guidance on MEP Eligibility Criteria 11

Florida Eligibility Vocabulary Terms 12

Florida’s “STAMP” of Eligibility 13

Who is Eligible for the FMEP? 14

 Preschool Children..... 14

 Out-of-School Youth (OSY)..... 15

 Guardians and Spouses as the Migratory Qualifying Worker (MQW) 17

 End of Eligibility 18

Qualifying Work (QW)..... 18

 Agricultural Work 19

Livestock 19

Cultivation/Harvesting of Trees and Initial Processing of Trees 20

Decorative Greens 20

 Fishing Work..... 21

 Production/Processing 22

Production 22

Initial Processing 22

 Drivers..... 23

 Crew Leaders/Field Walkers/Mechanics 24

WORKING DRAFT

Wages or Personal Subsistence	24
Seasonal Employment	25
Temporary Employment	26
<i>Work that is constant and available year-round</i>	27
<i>Jobs occurring only certain times of the year because of holidays</i>	27
<i>Still employed after 12 months</i>	28
Eligibility Red Flags	29
<i>Qualifying Move (QM)</i>	30
Understanding the Difference between Move, Residence, and a Visit	30
Qualifying Move (QM)	30
Migratory Qualifying Worker (MQW)	33
<i>Preceding 36 months</i>	34
<i>Soon After the Move (SAM)</i>	34
<i>Engaged (E) in Qualifying Work (QW)</i>	34
<i>Actively Sought (AS) new Qualifying Work (QW)</i>	35
<i>Recent History of Moves (RHMs) for Qualifying Work (QW)</i>	37
Migratory Child (MC)	38
Qualifying Arrival Date (QAD)	39
Residency Date (RD)	40
Home Base	40
Types of Moves	41
<i>Previous Qualifying Moves (QM)</i>	41
<i>“To Join” Moves</i>	43
<i>Early Moves</i>	46
<i>International Moves</i>	47
<i>H-2A Workers</i>	49
<i>Annual Migration to the Same Farm</i>	49
<i>Short Duration Moves</i>	50
<i>Short Distance Moves</i>	51
<i>Daily Commuting</i>	51
<i>Moving on a Boat</i>	52
Completing the Certificate of Eligibility	52
<i>Additional Comments on the COE</i>	53
<i>Signatures on the COE</i>	54

WORKING DRAFT

Quality Control Assurances	56
<i>Florida’s ID&R Quality Control System</i>	57
Training for Recruitment Staff.....	57
Reviewing and Approving COEs.....	58
Resolving Eligibility Questions	59
Re-Interviewing & Validating Migrant Families/Youth Eligibility	61
<i>Removing Families/Youth from the FMEP</i>	62
COMMUNICATION WITH PARENTS.....	63
Benefits to the Families/Youth.....	64
No Promises	64
Interviews.....	65
<i>Preparing for the Interview</i>	65
<i>During the Interview</i>	65
<i>Closing the Interview</i>	67
<i>After the Interview</i>	67
Leading Questions.....	68
Suspicious of Family/Youth Not Providing the Truth.....	69
Who Determines Eligibility?	69
<i>Unsure of Eligibility</i>	69
<i>Determined Not Eligible</i>	70
RECRUITMENT STRATEGIES	71
ID&R Action Plans	71
Locating Prospective Migratory Children/Youth.....	71
<i>Partnership with LOAs</i>	71
<i>Partnerships with Community-Based Organizations</i>	72
<i>Partnerships with Agricultural Businesses and Organizations</i>	72
Recruiter Tool Kit.....	73
Safety	73
TECHNICAL ASSISTANCE AND ON-SITE TRAINING.....	75
The FL Recruiter Website and Listserv	75
GLOSSARY.....	76

APPENDICES 82

APPENDIX A: Certificate of Eligibility 83

APPENDIX B: Instructions for Completing the COE 85

APPENDIX C: Florida Recruiter Code of Ethics 98

APPENDIX D: STAMP of Eligibility 99

APPENDIX E: OSY Profile 100

APPENDIX F: Qualifying Activity Chart 102

APPENDIX G: Eligibility Flowchart 103

APPENDIX H: Family Education Rights and Privacy Act (FERPA) 104

APPENDIX I: COE Checklist 106

APPENDIX J: Recruiter Tips 107

INTRODUCTION

Children of migrant workers are affected by educational disruption, cultural and language barriers, social isolation, various health-related problems, and factors that inhibit the ability of such children to succeed in school. Due to these barriers, migrant children run a greater risk of failing to meet the challenging state academic standards which all students are expected to meet. Low academic achievement and frustration with school cause many migrant children and youth to drop out prior to completing high school. In order to reduce the impact of these educational barriers, in 1966 the United States Congress authorized Federal funding to establish the Migrant Education Program (MEP) under the authority of Title I of the Elementary and Secondary Education Act (ESEA). The U.S. Department of Education (herein referred to as “Department”), through the direction of the Office of Migrant Education (OME), currently administers the MEP and is responsible for meeting the unique educational needs of migratory children and youth.

Section 1301 of the ESEA of 1965, Title I, Part C, as amended, states the purposes of the MEP are as follows:

- (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) To 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.
- (5) To help migratory children benefit from State and local systemic reforms.

To achieve these purposes, OME assists state education agencies (SEAs) to administer the MEP within their state. Each SEA receiving MEP funds is responsible for developing and implementing programs that assist migrant children and youth to overcome the educational barriers resulting from their migratory lifestyle. The *Identification and Recruitment (ID&R)* of migrant children and youth is the first step in carrying out this important work. As such, ID&R activities are conducted in every school district at individual school locations and out in the community where migrant children and youth live and work; these activities are the foundation of the MEP.

The Florida Department of Education (FDOE) is ultimately responsible for the proper and timely ID&R of all eligible migrant children and youth residing in the state and must secure all pertinent information to document the basis of a child’s eligibility. In order to administer Identification & Recruitment (ID&R) and other program activities at the local level, the FDOE sub-grants MEP funds to local operating agencies (LOAs). It is imperative that the FDOE and the LOAs adequately and accurately implement the state guidance for ID&R.

Districts have the responsibility to assist the state in the effective ID&R of migratory children and youth. Florida districts are required by law to cooperate with the FDOE in identifying and reporting all possible migratory children residing in their area.

Duties and responsibilities of district school superintendent. – (13) COOPERATION WITH OTHER AGENCIES. – (b) *Identifying and reporting names of migratory children, other information.* – Recommend plans for identifying and reporting to the Department of Education the name of each child in the school district who qualifies according to the definition of a migratory child, based on Pub. L. No. 95-561, and for reporting such other information as may be prescribed by the Department.

[2017 Florida Statutes, Title XLVIII, K-20 Education Code, Chapter 1001 K-20 Governance, 1001.51]

In addition, the use of program funds for ID&R is authorized through the Department’s Code of Federal Regulations (cited as CFR):

34 CFR § 200.82 - Use of program funds for unique program function costs.

An SEA may use the funds available from its State Migrant Education Program (MEP) to carry out other administrative activities, beyond those allowable under § 200.101(b)(4), that are unique to the MEP, including those that are the same or similar to administrative activities performed by LOAs in the State under subpart A of this part. These activities include but are not limited to—

(a) Statewide identification and recruitment of eligible migratory children.

(34 CFR Part 200.82)

HOW TO USE THIS MANUAL

The objective of this manual is to familiarize recruiters with the rules and procedures for ID&R under the Florida Migrant Education Program (FMEP). In addition, this manual will explain how important the role of a recruiter is to the program and to migrant children and youth. It is a reference guide designed to help recruiters:

- Make proper eligibility determinations.
- Complete necessary documentation.
- Support quality control measures, such as training and re-interviewing criteria, established by the SEA and LOA.

This manual interprets current Guidance released by OME and how it affects ID&R practices in Florida. This manual also provides valuable information for recruiters and recruitment staff regarding ID&R strategies and procedures for making proper eligibility determinations. Chapter II discusses the purpose of ID&R, the importance of finding migrant children and youth, and an overview of the process. Chapter III explains the roles and responsibilities of recruiters and local districts. Chapter IV provides an in-depth discussion of the recruitment process. This chapter also discusses the program’s eligibility criteria and discusses the importance of quality control assurances in the ID&R process. Chapter V provides suggestions for effective communication

with parents and out-of-school-youth (OSY). Chapter VI reviews key strategies for recruitment. Chapter VII discusses the role of technical assistance in the FMEP.

This manual maintains a structure and contains key tools that will facilitate the reader's understanding of the FMEP ID&R policies.



TIP boxes will appear throughout the manual providing specific information relevant to the content on the page.

Readers will notice direct references to legislation, regulations, and policy guidance which appear indented, followed by in-text citation. Such sources include but are not limited to ESEA, Title I, Part C, as amended by the Every Student Succeeds Act (ESSA) in 2015, the CFR, Title 34 Education (as published and revised in the Federal Register of May 10, 2016), Department of Education's Instructions for completing the National COE, and OME's Non-Regulatory Guidance (herein referred to as "Guidance") for Title I, Part C, Education of Migratory Children (updated March 2017).

These references will further assist readers to understand how and why Florida has determined its State policies regarding ID&R. These references will be marked as direct quotes and will include citations to its specific location within OME's Guidance and/or Federal statutes and regulations. Other tools are located at the end of this manual for reference; such as, a glossary of definitions, instructions for completing the National Certificate of Eligibility (COE), other checklists, and other important information for recruiters. Also included at the end of this manual is a list of acronyms and their definitions. This Manual introduces several new acronyms related to the changes in Guidance and the COE. They are used throughout along with the related definition in order to help readers become familiar with the acronyms. It is especially important to become familiar with the acronyms that are frequently used in describing the moves and status of migratory workers.

PURPOSE OF IDENTIFICATION AND RECRUITMENT

What is ID&R and Why is it Important?

Identification means to determine the location and presence of migratory children/youth.

Recruitment means to contact migrant families and youth, explaining the MEP, securing the necessary information to make a determination that the child/youth is eligible for the MEP, and recording the basis of the child's eligibility on a COE. Upon successful identification of a migrant family or youth, and after local quality control measures have been completed, eligible children may be enrolled in the MEP.

Identification and Recruitment (ID&R) means locating and contacting the family in order to ascertain a child or youth's eligibility for the MEP.

As indicated in the Guidance, ID&R activities are critical because:

- The children who are most in need of program services are often those who are the most difficult to find.
- Many migrant children would not fully benefit from school, and in some cases would not attend school at all, if SEAs did not identify and recruit them into the MEP. This is particularly true of the most mobile migrant children who may be more difficult to identify than those who have settled in a community.
- Children cannot receive MEP services without a record of eligibility.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter III: Identification & Recruitment)

Each SEA is responsible for the proper and timely ID&R of all eligible migrant children from birth through 21 years of age residing in the state. The amount of funding allocated to the FDOE from the Department is in great part determined by the number of recruited eligible migrant children and youth, ages 3 through 21, within the State of Florida. States are responsible for maintaining documentation of proper eligibility determinations for each migrant child funded.

How is a Migratory Child's Eligibility Documented?

On May 16, 2017, OME issued a national COE form that all states are required to use. Florida must document eligibility determinations in order to comply with 34 CFR 76.731 of the Education Department General Administrative Regulations (EDGAR), which indicates that "State and a subgrantee shall keep records to show its compliance with program requirements." Additionally, the Code of Regulations states:

34 CFR § 200.89(c) Responsibilities of SEAs to document the eligibility of migratory children. (1) An SEA and its operating agencies must use the Certificate of Eligibility (COE) form established by the Secretary to document the State's determination of the eligibility of migratory children. (2) In addition to the form required under paragraph (a) of this section, the SEA and its operating agencies must maintain any additional documentation the SEA requires to confirm that each child found eligible for this program meets all of the eligibility definitions in § 200.81.

(34 CFR Part 200.89)

To comply with Federal regulations, the FMEP recognizes the COE (Form ESE 047), as the only acceptable document for use in the state to establish eligibility for MEP services.

A sample of the COE is in *Appendix A*. The instructions for completing the COE is found in *Appendix B*.

Overview of the ID&R Process

ID&R of migrant families requires detailed and rigorous efforts. As the migrant population changes, the state and LOAs must adopt ID&R strategies to adequately and accurately reflect the changing demographics of the migrant population. There are several steps that recruiters must follow for effectively recruiting migrant families:

Be Prepared

- Understand the purpose of the MEP and its benefits to migrant children and youth.
- Know the definition of migratory children and youth.
- Develop an understanding of MEP eligibility factors.
- Understand the instructions for completing a COE.
- Determine recruitment logistics – when, where, and how to concentrate ID&R efforts.
- Get to know the area: why migrant families move here where families reside; and where families obtain Qualifying Work (QW).
- Understand the cultures, languages, and lifestyles of migrant families.



**Wear proper attire!
Dress comfortably. Wear walking shoes and clothes that will help you and the family feel at ease.**

Find the Migrant Family, Child/Youth

- Contact employers, agencies, public officials, and service providers to establish a community network.
- Develop and maintain an ID&R network of parents, growers, employers, service providers, etc.
- Canvass the areas in which migrant families and youth are likely to reside and shop.

Approach the Families and/or Youth

- Be sensitive to all socio-economic living conditions.
- Be sensitive to possible legal worries.
- Demonstrate a helpful, non-threatening, non-authoritative demeanor in order to create trust with families.

Interview the Family and/or Youth

- Conduct a face-to-face initial interview in the family/youth's primary language (enlist an interpreter if necessary).
- Use an approved interview protocol.
- Use appropriate conversation, body language, and questioning techniques during the interview.
- Explain in general terms the reason for the interview (without making promises).
- Provide information about the local migrant education program including contact information (leave a flyer/brochure and business card if available)
- Collect all needed information to determine preliminary eligibility.

Determine Preliminary Eligibility

- Determine preliminary eligibility of the child/youth using:
 - Interview responses – Does the information provided make sense? Is it credible?
 - Observational data – Are there any clues that suggest the family is migrant, e.g., out of state license plates, children born in other states, housing is provided by the employer, etc.?
 - Corroborating evidence/documentation – Can the family name other places where they obtained qualifying employment? Can the family indicate where they have applied for Qualifying Work (QW)?
- Develop a Quality Control Plan
- The recruiter, through the proper guidance from the LOA and the local Quality Control Plan with the support of the ID&R Office, determine preliminary eligibility (not the family, child, or youth).
- Refer families who do not qualify to other collaborating agencies for needed services.

Complete the COE

- Properly – Correct information is entered in the appropriate fields.
- Accurately – Names, dates, and locations are correct as verified by the family or youth
- Neatly – Text needs to be legible in order to keep mistakes to a minimum.
- Timely – Verifying information shall be completed within five working days.



What information does it take to start a COE?

1. Age – 0 through 21 years old
2. No high school diploma or GED obtained
3. Made a Qualifying Move in the preceding 36 months with, to-join, or as the Migratory Worker

Follow Quality Control Measures

- Validate information on all questionable COEs.
- Review of all COEs for errors and omissions by *at least one additional* qualified peer recruiter, recruitment coordinator, migrant program coordinator or supervisor, or trained reviewer to verify that the written documentation is sufficient and that, based on the recorded data, the child is eligible for MEP services.
- Obtain additional guidance on any questionable eligibility decision from the ID&R Office or the SEA.
- Implement re-certifications to identify if any new Qualifying Moves (QM) have been made.
- Conduct annual re-interviews of currently enrolled migrant families/youth, following the approved FMEP ID&R Re-Interview Protocol. Properly and promptly remove enrolled families/youth that have been found ineligible.

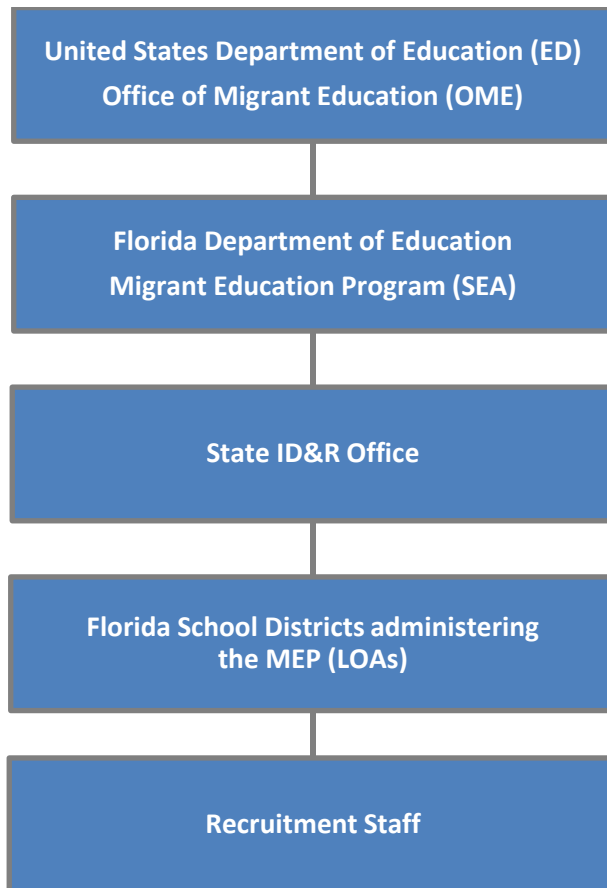
Overview of Florida's ID&R System

The FDOE receives support from OME to implement all aspects of the MEP program. The Guidance issued by OME in March 2017 (including Chapter II as amended by ESSA in 2015) and the CFR (as published on the Federal Register Notice dated May 10, 2016) provide guidance regarding ID&R. These two documents can be found in the legislation and policy guidelines

portion of the Department’s RESULTS website <https://results.ed.gov/legislation>. Florida utilized the Guidance and the CFR in creating this manual.

It is important to clearly understand everyone’s role within the organizational hierarchy with regard to ID&R. Therefore, the ID&R administrative hierarchy in Florida is as follows:

Florida ID&R Organizational Chart



The FMEP state office administers all ID&R efforts in the state with the assistance of the State ID&R Office. The FMEP state office receives all data regarding ID&R in Florida. Part of each LOA’s yearly allocation for their local MEP is designated from ID&R efforts. LOAs use these funds appropriately to hire recruitment staff, sponsor and provide ID&R training, and implement their local quality control plans.

ROLES AND RESPONSIBILITIES

The role of a recruiter is a challenging one; however, it is also an honorable and critical part of the FMEP.

- What is a recruiter?
- Who can be a recruiter?
- What qualities should a recruiter possess?
- Where does a recruiter work?

This section attempts to answer these and other questions regarding the complex and challenging job of recruiters. Understanding the important role of a recruiter in the MEP provides a greater appreciation of their efforts and critical contributions to the program, and supports accountability of all staff conducting recruitment efforts in Florida.

Primary Responsibilities

According to the Guidance:

A recruiter's primary responsibilities are: (1) to obtain information provided by parents, guardians, and others regarding the child's eligibility for the MEP; (2) to make determinations of eligibility; and (3) to accurately and clearly record information that establishes a child is eligible for the MEP on a COE. In every case, the recruiter (not the individual interviewed) determines the child's eligibility on the basis of the statute, regulations, and policies that the SEA implements through formal procedures.

Because the SEA is responsible for all determinations of MEP eligibility, recruiters must gather and record information from parents, guardians, and OSY, specific enough to be understood by a knowledgeable independent reviewer in order to make and document proper eligibility determinations.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter III, A8).

A child's eligibility is confirmed once the district staff has reviewed the COE and the coordinator or his/her designee has signed the form.

Recruiter Responsibilities

Along with completing their primary responsibilities, all Florida recruiters are expected to:

- Actively locate all potentially eligible migrant children and youth in schools, on farms, and the community.
- Conduct initial eligibility interviews with families/youth in person, in their primary language.
- Have a flexible work schedule to accommodate migrant worker hours and harvesting seasons.

- Gather and analyze information given by prospective migrant families/youth.
- Establish proper eligibility determinations based on the guidelines outlined in this manual, Guidance and other statutes governing the MEP.
- Record detailed eligibility information adequately and accurately on the COE.
- Follow proper procedures and protocol regarding the review of COEs.
- Maintain detailed work logs regarding all ID&R activities.
- Practice quality control measures required by FMEP.
- Attend state or local annual and on-going recruitment trainings.

Additional duties for recruiters may vary depending on the size of the district's migrant population and their needs, the district's staffing availability and their geographical location. The following are a few examples:

- Serve as a home-school or community liaison.
- Provide student support services (e.g. assistance with transportation, referrals, etc).
- Help refer migrant parents to community agencies for needed services.

Recruiter Characteristics

An effective recruiter shall possess certain characteristics. In terms of the MEP, an effective recruiter:

- Has good attention to detail in order to accurately and adequately recruit families and youth.
- Maintains a thorough knowledge of the MEP, its definitions and its eligibility guidelines.
- Is honest; families and the MEP expect a recruiter's honesty to ensure objective yet sound eligibility determinations.
- Relates comfortably to the worker or family in a variety of settings.
- Is safety conscious and adheres to safety procedures.
- Can establish rapport with parents, employers, and other community members. Effective rapport with these individuals will facilitate the recruiter's job of finding families and obtaining any information needed to determine proper eligibility.
- Creates a friendly climate in which the family's culture and values are respected in order to establish trust and to gather the most accurate, useful information possible.
- Is knowledgeable of migration patterns, crop seasons, migrant housing, MEP local services, and other resources available in the community.
- Possesses people skills in order to communicate effectively in a variety of settings.
- Can use effective probing techniques such as open-ended and follow-up questions for additional information or clarification when needed.
- Is bilingual, or able to use interpreting and translation services efficiently. Serves as a good-will ambassador and advocate for all migrant families and youth.

Components of the above information were derived from the Texas Education Agency, Office of Migrant Education, *Texas Manual for the Identification and Recruitment of Migrant Children*, Austin, Texas, 2011.

Florida Recruiter Code of Ethics

In order to ensure consistency and professionalism throughout Florida, recruiters are expected to follow the guidance of the Florida Recruiter Code of Ethics. The Code of Ethics is found in *Appendix C*.

This Code will assist all recruiters to understand the State's minimal expectations of how a recruiter shall conduct themselves while they work with and represent the MEP in their local communities.

LOA Responsibilities

The LOA must comply with all Federal and state guidelines regarding ID&R. The ID&R Office highly suggests that districts:

- Develop and implement a local ID&R Plan.
- Develop and implement written local quality control procedures.
- Prepare a detailed local job description for recruiters.
- Ensure local recruiters attend all recruitment trainings provided by the ID&R Office and the SEA.
- Assist the ID&R Office in the logistical coordination of recruitment trainings.
- Provide recruiters ample time to conduct ID&R activities such as: conducting interviews and follow-ups, gathering documentation, and visiting schools and employers.
- Provide flexible work hours to perform ID&R activities during nights and weekends.
- Provide supervision, annual review and evaluation of the ID&R practices of individual recruiters (with support from the ID&R Office).
- Provide interpreters/translators to assist non-bilingual recruiters during recruitment efforts.
- Demonstrate efforts towards active ID&R of migrant students at all levels and locations of MEP children, including preschool, in-school, and OSY.
- Collect and maintain data on all recruitment efforts.
- Ensure 100% accuracy in all eligibility determinations.
- Implement all MEP quality control measures required by the ID&R Office and SEA.
- Submit copies of completed COEs by the 5th of every month.
- Submit any documentation and reports requested by the ID&R Office or State Director.

THE ID&R PROCESS

Properly Determining Eligibility

By properly identifying eligible students for the FMEP, recruiters help to increase the educational resources available to migrant students in Florida. Appropriate recruitment efforts equate to funds allocated from OME. These funds allow FMEP to provide the supplemental educational services to Florida’s eligible migrant children and youth. When a recruiter accurately determines eligibility, he/she ensures FMEP resources will benefit children who are legally entitled to them. Recruiters have the opportunity to connect migrant students to educational services by making proper eligibility determinations. It is the responsibility of the FMEP to only provide services to children and youth eligible for the program. Recruiters/ advocates have the responsibility of adequately and accurately determining a migrant child/ youth’s eligibility based on the following guidelines:

Statute, Code of Federal Regulations, and Guidance on MEP Eligibility Criteria

There are specific criteria that a child must meet in order to be properly identified as a “migratory child”. On July 1, 2017, new statutory provisions authorized by statute – Title I, Part C of the ESEA as reauthorized by the ESSA came into effect. The Florida ID&R Manual reflects the changes found under the new provisions.

The ESSA is the current law authorizing the MEP and, as amended defines “migratory child” for the purposes of the program. Simply moving and then working in agriculture or fishing activities, or being in the care of a parent or guardian who works in agriculture or fishing, does not necessarily mean a child is eligible for the MEP.

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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, A1).

Florida Eligibility Vocabulary Terms

Before addressing the MEP eligibility criteria in Florida, readers are encouraged to become familiar with the following eligibility vocabulary terms that are used in determining eligibility for the FMEP. These vocabulary terms meet the eligibility requirements as defined by ESSA and are used throughout the FL ID&R Manual to explain how recruiters are to determine eligibility for the MEP. The terms are listed in alphabetical order for easier reference and are included in the [Glossary](#).

Actively Sought (AS) – having taken positive actions to look for Qualifying Work (QW).

Economic Necessity (EN) – moving because an individual (I) had a financial need. For example, not being able to afford to stay in the current location, moving for work or because work has ended.

Eligibility Interview (EI) – the date when the recruiter conducts an eligibility interview with an individual. Recruiters must focus on moves that occurred “within the preceding 36 months of the eligibility interview.”

Engaged (E) “Engaged (E) in Qualifying Work (QW)” – having already begun working or performing Qualifying Work (QW) by the eligibility interview date. Having had started new Qualifying Work (QW). The emphasis is on “having already begun.”

Individual (I) –the parent/guardian/spouse *or* the child/youth.

Migratory Agriculture Worker (MAW) – an individual (I) who, in the preceding 36 months, made a Qualifying Move (QM) and, soon after the move, Engaged (E) in new temporary or seasonal employment or personal subsistence in Qualifying Work (QW) in agriculture.

Migratory Child (MC) – a child who is; (1) younger than 22 years of age; (2) entitled to a free public education under State law; (3) made a Qualifying Move (QM) in the preceding 36 months:

- “as” the Migratory Qualifying Worker (MQW), or
- “with” a Migratory Qualifying Worker (MQW), or
- “to join” or proceed a Migratory Qualifying Worker (MQW).

Migratory Fisher (MF) – an individual (I) who, in the preceding 36 months, made a Qualifying Move (QM) and, soon after the move, Engaged (E) in new temporary or seasonal employment or personal subsistence in Qualifying Work (QW) in fishing.

Migratory Qualifying Worker (MQW) – an individual (I) who is either a Migratory Agriculture Worker (MAW) or Migratory Fisher (MF).

Move (M) – changing from one residence to another. Traveling from one residence to another. Not a Visit.

Qualifying Arrival Date (QAD) – the date that both the child and the Migratory Qualifying Worker (MQW) complete the Qualifying Moves (QM). The child must have moved “as” the Migratory Qualifying Worker (MQW), or “with” or “to join” a parent/guardian/spouse who is a Migratory Qualifying Worker (MQW).

Qualifying Move (QM) – a move (M) that an individual (I) made under all the following conditions:

- due to economic necessity (EN),
- from one residency (R) to another, and
- from one school district to another.

The worker has to make a Qualifying Move (QM). The child has to make a Qualifying Move (QM).

Qualifying Work (QW) – work that is temporary or seasonal employment, or for personal subsistence, in agriculture or fishing.

Recent History of Moves (RHM) – moves (M) that resulted in the engagement of new Qualifying Work (QW) that occurred within the preceding 36 months of the eligibility interview.

Residence (R) – a place where one lives and not just visits. In certain circumstances, boats, vehicles, tents, trailers, etc., may serve as a residence.

Residency Date (RD) – the date when the child moves (establishes residency) into the present school district.

Soon After the Move (SAM) – 60 days.

Having a clear understanding of these eligibility vocabulary terms will assist recruiters or any other staff involved in recruitment-related activities to make proper eligibility determinations. This Manual includes the phrases as well as the related acronyms in order to help readers familiarize with usage of the acronyms.

Florida’s “STAMP” of Eligibility

Florida has developed an acronym to help recruiters remember the five key criteria for eligibility determinations. This acronym is referred to as the “STAMP” of Eligibility for determining proper eligibility in the State. Florida’s STAMP of Eligibility serves two purposes. First, it will improve recruiters’ overall comprehension of the eligibility factors, and will assist them in making proper eligibility determinations. Second, STAMP will serve as a tool for local districts to implement effective quality control efforts that verify and validate all information on the COE. COEs without a local STAMP of Eligibility review have not been validated or verified yet.

S.T.A.M.P. of Eligibility

S - School Completion – The child/youth has not graduated from a high school or earned a GED.

T - Time of move – The Qualifying Moves (**QM**) the child/youth and the worker made must have occurred in the preceding 36 months of the eligibility interview date.

A – Age – The child/youth must be from 0 through 21 years old to meet the age criteria for the FMEP.

M – Moves – Both the child/youth and the worker must have completed Qualifying Moves (**QM**). The Qualifying Move (**QM**) must be made under all the following conditions:

- due to economic necessity (**EN**),
- from one residency (**R**) to another, and
- from one school district to another.

P – Presently Engaged – Soon after the Move (**SAM**) (60 days), the worker Engaged (**E**) in new Qualifying Work (**QW**), or Actively Sought (**AS**) new Qualifying Work (**QW**), AND has a Recent History of Moves (**RHMs**) for Qualifying Work (**QW**).

In order for a child to be determined eligible for the MEP, all the factors discussed above must be met. When reviewed by a qualified COE reviewer and all eligibility factors are determined to be met, the COE will receive a “STAMP of Eligibility.”

The STAMP of Eligibility Flowchart can be found in *Appendix D*.

Who is Eligible for the FMEP?

The children who meet the STAMP eligibility criteria discussed earlier are eligible for the migrant education program. These children are identified by recruitment staff through a school registration process or conducting eligibility interviews at home, in the workplace or throughout the community.

In some cases, special circumstances require additional interpretation of the statute and regulations in order to determine eligibility for certain subpopulations of migrant students. These circumstances are discussed below.

Preschool Children

Preschool children are considered children from birth to five years-old who are not enrolled in a school setting. If these children meet all the eligibility criteria described above, then they shall be actively recruited by the local school districts. Although services available for this young population vary among districts, local programs shall take the necessary steps to actively identify and recruiter this population. Research indicates that children who receive early educational services are more prepared for school, especially children with barriers due to their high mobility. All migrant eligible children, from birth to 21 years old, shall be documented appropriately in Section II (Child Data), Item 1 of the COE.

When recruiting preschool children, recruiters shall make certain that the preschool child did make the Qualifying Move (QM) “with” or “to-join” the worker. Children born after the

Qualifying Move (QM), however, are not eligible for the MEP program and shall be documented in Section II, Item 16 (Child/Family Data Comments) of the COE. These children may be eligible on future Qualifying Moves (QM), so it is important to keep accurate information of every child in the household in order to identify every eligible migrant child in future Qualifying Moves (QM).

Out-of-School Youth (OSY)

According to Guidance and regulations from OME:

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, OSY who meet the definition of a “migratory child” are eligible for the MEP.



When interviewing an OSY, information can be verified by asking the same question two or three times in different ways.

For example, a recruiter could ask an OSY his/her age, and later on ask for his/her date of birth. By doing so, the recruiter may be able to verify the information provided by the OSY.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017 (Chapter II, A5).

OSY refer to identified school-aged migrant youth, who currently are not enrolled in elementary or secondary schools, and have not graduated from high school nor obtained a GED. Sometimes OSY are also referred to as emancipated youth. According to the Guidance, 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. Emancipated youth are eligible for the MEP so long as they meet the definition of a “migratory child.”

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, A6-7).

For the purposes of the FMEP, the official term “out-of-school youth” will be used when referring to this population. The OSY population is a dynamic group and the most difficult to recruit, identify, and serve for many districts. Why target OSY?*

WORKING DRAFT

- Fastest growing segment of the Migrant Education Program
- More than ever OSY are single instead of moving and living with families
- Unique needs resulting from migrant lifestyle
- High risk of being pushed out and forgotten
- Need advocates to motivate and assist with accessing needed services
- Little to no access to Federal or state resources
- Lack of education and English skills affects economic and social status

*“Why Target OSY?” As explained by the Out-of-School Consortium Incentive Grant <http://osymigrant.org/>.

OSY Profile

The Graduation and Outcomes for Success for OSY (GOSOSY) is a Consortium Incentive Grant (CIG) funded by the OME from 2015-2017. The CIG, which is funded in three-year cycles, has been in existence since 2008. The purpose of the consortium is to build capacity in states with a growing OSY population. Florida is part of this consortium, and contributes by gathering information on OSY identified in Florida. This information gathering is done by completing an OSY Profile questionnaire that was created collaboratively by the consortium states. Although the recruiter’s first priority shall be to complete a COE on each eligible OSY, the ID&R Office asks all recruiters to complete an OSY Profile for each OSY after the COE is completed when possible. The current OSY Profile form can be found in *Appendix E*.

Over the past few years, the number of OSY identified and enrolled into the FMEP has increased. This has created a challenge and a concern for many districts regarding the recruitment of this population. Verifying age is one of the challenges when recruiting OSY. Sometimes this population will intentionally misinform the interviewer about their age in an attempt to enroll in the FMEP stating they are younger than their actual age. Other times, they misstate their age as they attempt to obtain employment in agriculture or fishing and not attend school stating they are older than their actual age. It is important for the recruiter to verify the youth’s age not just once during the interview but two or three times throughout the interview to confirm that the interviewee is providing his/her true age. Documentation to help support his/her claim is the best source for verification. Such documentation may be a pay stub with a birth date, report card, immunization card, employee ID card with birth date, or work application. Other types of acceptable forms of verification are found on page 2 (Instructions) of the COE.

Florida ID&R Policies Regarding OSY

- When completing a COE for OSY, certain factors need to be taken into consideration. Is the OSY traveling with another OSY? Is the OSY traveling alone? Is the OSY traveling with a younger child?
- Each OSY must be identified and recruited for the FMEP.
- Recruiters must appropriately document OSY on the COE. When the OSY is the Migratory Qualifying Worker (MQW), his/her name shall be included in:
 - Eligible Child (Sec II, No. 1), and
 - Migratory Qualifying Worker (MQW) (Sec III, No.2b).

- Obtain the names of the youth’s biological parents whenever possible. Such information may serve as an identifier for Qualifying Moves (QM). Whenever the biological parent(s) name can be obtained, recruiters shall document this information as the Legal Parent/Guardian (Sec I, No. 2) of the FL COE.
- Any 16-year old youth or older can sign his/her own COE.
- The COE reviewer or coordinator should contact the ID&R Office if a COE is completed for an OSY younger than 16 years old that is traveling on their own.
 - Anyone younger than 16 years old will need someone 18 years old or older (guardian, relative, supervisor, co-worker, roommate, etc.) to sign the COE. This individual should be able to verify the information document on the COE.
- In cases where the youth cannot sign his/her own name, the youth may sign his/her name as an “X” and the recruiter will print the youth’s name and include the interviewer’s initials.
- In case the youth refuses to sign the COE, the interviewer should document “REFUSED TO SIGN” in Section IV Comments and print the youth’s name in the Signature field in Section V. The recruiter should include their initials.

Guardians and Spouses as the Migratory Qualifying Worker (MQW)

There are many different types of scenarios that recruiters must understand in order to make appropriate eligibility determinations. Before making eligibility determinations, recruiters must understand who the Migratory Qualifying Worker (MQW) is, who the Migratory Child(ren) is/are, and their relationship to one another. The recruiter will normally see cases of children migrating with their parents, or as mentioned in the previous section, cases of OSYs, where the Migratory Qualifying Worker (MQW) *is* the Migratory Child. However, there are also cases when the Migratory Qualifying Worker (MQW) is not a parent but a guardian or spouse of the Migratory Child (MC).

In cases when the migratory child is traveling with a guardian (who is the Migratory Qualifying Worker (MQW) there are a few things recruiters should remember according to the OME Guidance:

Q. May MEP eligibility be based on a guardian’s status as a migrant worker?

A. 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. The Non-Regulatory Guidance and the national COE use the term “parent/guardian” to include guardian within this statutory definition of parent.

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. 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. If a

working 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, B1-4).

A legal document is not necessary to establish guardianship, as long as the guardian stands in the place of a parent to a child and is responsible for the child's welfare. Siblings may act as a guardian if the sibling acknowledges responsibility for the children's welfare and stands in place of a parent.

At times, a migratory child/youth may travel with a "spouse" who is the Migratory Qualifying Worker (MQW). When the recruiter is conducting the interview, he/she is not required to see any legal documentation such as a marriage certificate that confirms the marriage.

Therefore, a migratory child's eligibility determination may be based on the child's parent, him/herself, or a guardian he/she is traveling with or joining. For the purposes of clarifying MEP eligibility in FL, a guardian is any person who stands in the place of the migratory child's parent. Such guardian may include siblings, aunts/uncles, grandmothers/grandfathers, cousins, or even a crew leader.

End of Eligibility

It is also important to note who is no longer eligible for the FMEP. Those children/youth whose eligibility has ended can no longer be found eligible for the FMEP or served by the FMEP. Some "end of eligibility" situations include:

- turning 22 years-old
- completing high school or earning a GED
- ending of the 36-month eligibility period

Qualifying Work (QW)

Qualifying Work (QW) is important criteria for MEP eligibility. If a worker is not currently, or has not previously worked or Actively Sought (AS) work in what the MEP considers qualifying agricultural or fishing work, the worker's status did not change to a Migratory Qualifying Worker (MQW) and therefore the children are not MEP eligible. This section of the manual discussing the eligibility criteria for Qualifying Work (QW).

Qualifying Work (QW) is defined by regulations as:

(i) *Qualifying work* means temporary employment or seasonal employment in agricultural work or fishing work.

(34 CFR Part 200.81)

$$\begin{array}{ccc} \text{Activity is} & & \text{Activity is} \\ \text{“agriculture” or} & + & \text{“temporary”} \\ \text{“fishing”} & & \text{or “seasonal”} \end{array} = \text{Qualifying Work}$$

Only such activities that meet the FMEP definition of Qualifying Work (QW) are accepted when properly determining MEP eligibility. FL LEAs and LOAs are asked to review and revise their Qualifying Activity (QA) Chart annually. The full list of Qualifying Activity QA charts (updated annually) are posted on the flrecruiter.org website. *Appendix F* offers a sample chart.

Agricultural Work

Agricultural work as defined by the regulations states:

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.

(34 CFR Part 200.81)

Livestock

Following OME Guidance for the purposes of determining eligibility in Florida:

The term “livestock” refers to any animal produced or kept primarily for breeding or slaughter purposes, including, but not limited to, beef and dairy 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.



For the purposes of the FMEP, livestock does not include animals that are raised for sport, recreation, research, service or as pets.

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; milking; caring for; branding; tagging, and assisting in the raising of livestock; 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, F6-8).

Florida’s agriculture includes a wide range of livestock that may not be seen in other states (for example, alligator). Whenever a recruiter comes across a questionable livestock or activity, the recruiter should contact the FL ID&R Office for assistance in eligibility determination and completing the COE.

Cultivation/Harvesting of Trees and Initial Processing of Trees

According to the OME Guidance, cultivation refers to “work that promotes the growth of trees.” For the FMEP, the following activities may be related to the cultivation of trees:

- soil preparation
- sorting seedlings
- staking trees
- applying insecticides
- tending trees
- topping trees
- gathering
- plowing land
- planting seedlings
- watering
- shearing tops and limbs
- pruning trees
- skidding
- taking of the tree
- fertilizing land
- transplanting trees
- removing diseased trees
- trimming trees
- removing diseased/undesirable trees
- felling

There are also cultivating/harvesting activities in the tree industry that do not qualify for the FMEP. Such activities are clearing trees in preparation for construction; trimming trees to make way for electric power lines, and cutting logs for firewood. Also, the transportation of trees is not agricultural work for purposes of the FMEP.

According to the new changes to eligibility under ESSA, the initial processing of trees is now considered agricultural work. However, the transporting of trees from a harvesting site to a processor (sawmill) is not considered agricultural worker for the purposes of the FMEP.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, F14-15).

Whenever a FL Recruiter comes across work activities involving the cultivating, harvesting, and initial processing of trees, the recruiter should contact the FL ID&R for specific guidance on determining eligibility and documenting the COE.

Decorative Greens

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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, F5).

The table below provides examples of plants that ARE considered agricultural work and those that are NOT considered agricultural work. If a specific example is not listed, the recruiter shall contact the ID&R Office for further clarification.

Decorative Greens considered agricultural work

- Fern (leatherleaf, sword, foxtail, etc.)
- Palmetto Fan
- Podocarpus
- Spanish moss
- Green ivy
- Pine straw

Decorative Greens *NOT* considered agricultural work

- Personal gardens (flower/vegetable)
- Plants grown for medicinal purposes
- Plants grown that are regarded as illegal drugs according to FL State Law.

Fishing Work

Fishing work is defined by regulations in this manner:

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.

(34 CFR Part 200.81)

A fish farm is a tract of water (pond, floating net pen, tank, or raceway) reserved for the raising or harvesting of fish and shellfish. Fish species raised on fish farms may include, but are not limited to, catfish, salmon, cod, carp, eels, oysters, and clams. The fish are artificially cultivated rather than caught in open running water as they are in a fishing activity. According to the regulations, work on fish farms are considered qualifying fishing work. They include, but are not limited to, raising, feeding, grading, collecting, and sorting of fish, removing dead or dying fish, and constructing net, long-lines, and cages. Such work on a fish farm is considered a Qualifying Work (QW), as long as all the other criteria for eligibility are met. However, recruiters may not consider work involved in the raising of fish or shellfish for sport, recreation, research, service, or pets as Qualifying Work (QW) for the purposes of the FMEP.

While the Federal definition provides special definitions regarding migrant fishers who move within large size districts, none of them are applicable to Florida. Workers involved in fishing activities in Florida *must make a Qualifying Move (QM) move across school district lines* to establish their status as a Migratory Qualifying Worker (MQW).

The catching fish or shellfish for recreational or sport purposes is not considered “fishing work” for the FMEP. Individual who charter fishing boat for recreation or sporting trips may not be considered Migratory Qualifying Workers (MQW).

Production/Processing

Production

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. The Department considers a crop to be a plant that is harvested for use by people or by livestock.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017 (Chapter II, F2-3).

Initial Processing

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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017 (Chapter II, F20).

For the purposes of determining eligibility in Florida, the following are examples of qualifying initial processing work:

Poultry and livestock

- stunning
- slaughtering
- skinning
- eviscerating
- splitting carcasses
- hanging
- cutting
- trimming
- deboning
- enclosing raw products in a container

Crop Industry

- cleaning
- weighing
- cutting
- grading
- peeling
- sorting
- freezing
- enclosing raw product in a container

Fishing Industry

- scaling
- cutting
- dressing
- enclosing raw product in a container

Examples of Activities Not Directly Related to Production or Processing:

- cooking
- baking
- marinating
- curing
- dehydrating
- breeding
- labeling boxes
- commercial transporting or hauling
- selling an agricultural or fishing product
- landscaping
- managing/crew leading
- providing care for children of workers
- working in a bakery or restaurant
- providing accounting, bookkeeping, or clerical services
- repairing/maintaining equipment
- cleaning or sterilizing farm machinery or processing equipment

Therefore, work up to (but not including) the start of the transformation process is agricultural or fishing work for the purposes of eligibility in Florida. It is recommended that recruiters consult with the ID&R Office for further clarification determining whether if an activity is production or initial processing.

When recruiting for the FMEP, it is important that the Qualifying Work (QW) truly meets the definitions of production and processing. Recruiters must fully investigate the worker's responsibilities with respect to these activities because not all tasks meet the definition.

Drivers

Florida recruiters need to be careful when determining if activities such as “*hauling*” and “*driving*” can be considered Qualifying Work (QW) when determining eligibility for the MEP.

Q. Is hauling a product on a farm, ranch or other facility considered agricultural work?

A. 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, F26).

For the purposes of the FMEP, *transporting, shipping, trucking* all refer to activities related to moving a product to an off-site destination. An example of this activity would be a truck driver (usually requiring a Commercial Driver's License [CDL]) transporting oranges from the orange grove to an orange processing facility.

Activities related to moving the product from one location to another location on the same farm site is still an integral part of production or initial processing of the products/crops. Therefore, these activities are considered possible Qualifying Work (QW) for the FMEP. An example of this activity would be worker operating/driving the Goat (farm truck) loading oranges in the orange grove onto a truck.

Crew Leaders/Field Walkers/Mechanics

A crew leader, field walker, field mechanic, or truck driver (or similar position) is not eligible for the FMEP. In the case where the worker in question is *only dedicated* to leading crews, working as a mechanic, or driving, he or she may not be considered to be performing Qualifying Work (QW).

Q. May a worker who performs both qualifying and non-qualifying work still be eligible for the MEP?

A. 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, F27).

Based on determinations made in 2007 by the FMEP ID&R Policy Group, a crew leader, field walker, field mechanic, or truck driver position may qualify as agriculture/fishing activities when such jobs also include “hands on” activity in the cultivating, cutting, fertilizing, grading, harvesting, hauling (on the farm site), loading, packing, picking, planting, pruning, rolling, sorting, thinning, weeding, etc. of crops or plants.

Wages or 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.

Q: May a worker who is “self-employed” qualify as a migratory agricultural worker or migratory fisher?

A: 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. The definitions of seasonal or temporary employment 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, F27).

Recruiters must contact the Florida ID&R Office for clarification regarding specific cases involving personal subsistence and workers how are “self-employed.”

Seasonal Employment

As defined above, Qualifying Work (QW) must be based on the fact that it is *both* agricultural or fishing, *and* seasonal or temporary. Seasonal employment/work, whether agricultural or fishing, can easily be determined since it is an activity dependent upon natural cycles and can only occur during certain times of the year. Seasonal employment may not last longer than 12 months.

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 Part 81)

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.

Like *temporary employment*, seasonal employment may not last longer than 12 months.

A worker’s employment is seasonal if:

1. It occurs during a certain period of the year; *and*
2. It is not continuous or carried on throughout the year.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, G1-4).

Examples of Seasonal Employment in Agricultural and/or Fishing:

Seasonal Agricultural Work

- planting
- picking
- cultivating
- pruning
- weeding
- harvesting
- processing seasonal/vegetable fruit

Seasonal Fishing Work

- planting and harvesting clams & oysters
- seasonal runs of fish
- seasonally related food processing

Temporary Employment

Again, Qualifying Work (QW) must be based on the fact that it is *both* agricultural or fishing, *and* seasonal or temporary. Temporary employment/work, whether agricultural or fishing, can easily be determined since it is an activity that may not last longer than 12 months.

Temporary Employment means “employment that lasts for a limited period of time, usually a few months, but no longer than 12 months.”

(34 CFR 200 Part 81)

Section 200.81(p) of the regulations identifies three ways in which an SEA may determine that employment is temporary:

- Employer Statement - The employer states that the worker was hired for a limited time frame, not to exceed 12 months;
- 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);
- State Determination - The SEA has determined on some other reasonable basis that the employment will not last longer than 12 months.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, G5-6).

Unlike seasonal work, temporary employment does not always have a clear beginning and/or end date corresponding to particular times of the year or dependent on cycles of nature. Activities not dependent upon a natural cycle of events may occur at any time and be for varying lengths of time, e.g., mending fences, digging irrigation ditches, or plucking chickens. Because certain jobs may be considered either permanent or temporary, recruiters must pay special attention to this classification of MEP eligibility.

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 with the employer. However, 34 CFR. § 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, G10).

The definition of temporary employment includes employment that is constant and available year-round (more than 12 months) **only if** the FMEP documents that, given the nature of the work and based on an approved attrition study, such work is considered “temporary employment” for purposes of the MEP. Currently, there is no state documentation used to identify temporary employers in Florida. Therefore, recruiters are to base the temporary nature of the worker’s employment based on the recruiter’s interview with the worker or with the employer. If a worker or employer statement is not available, the recruiter must contact the ID&R Office to seek guidance on determining the temporary nature of the worker’s employment.

Work that is constant and available year-round

The Department recognizes that some agricultural and fishing jobs may appear to be constant and available year-round. In Florida these jobs may be found in nurseries, on dairy farms, and at fern farm nurseries. In these cases, due to the nature of the work, workers typically do not stay long at these jobs. However, as stated above, employment that appears to be constant and available year-round, recruiters must base their determination solely on whether:

- 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.

To make proper temporary eligibility determinations, the recruiter must understand whether the work is available on a year-round basis. If it is, additional information must be carefully documented so that the reasons for the determination can be readily understood. The recruiter must indicate in Section III, Item 6 of the COE whether the worker’s statement or employer’s is being provided. The recruiter must document in Section IV Comments the worker’s statement indicate he/she intends to remain no longer than 12 months or the employer’s statement verifying that the worker was hired for a limited time frame. All other cases must be referred to the ID&R Office.

Jobs occurring only certain times of the year because of holidays

Jobs that occur only at certain times of the year due to the holidays (Thanksgiving, Christmas, etc.) shall be considered temporary employment because the time of the year that the work is performed is not dependent on the cycles of nature, but rather the holiday or event. In such cases, the recruiter shall document the worker’s or employer’s statement indicating the work will not last longer than 12 months.

Still employed after 12 months

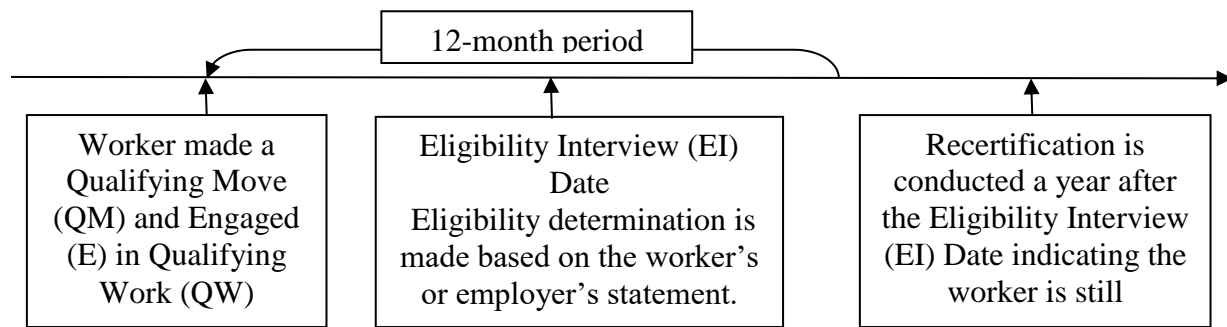
Q. What do you do if the worker is still employed at the same worksite for more than 12 months prior to signing them up?

A. 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 employed on a temporary or seasonal basis as defined in 200.81 (j) and (k) of the regulations.

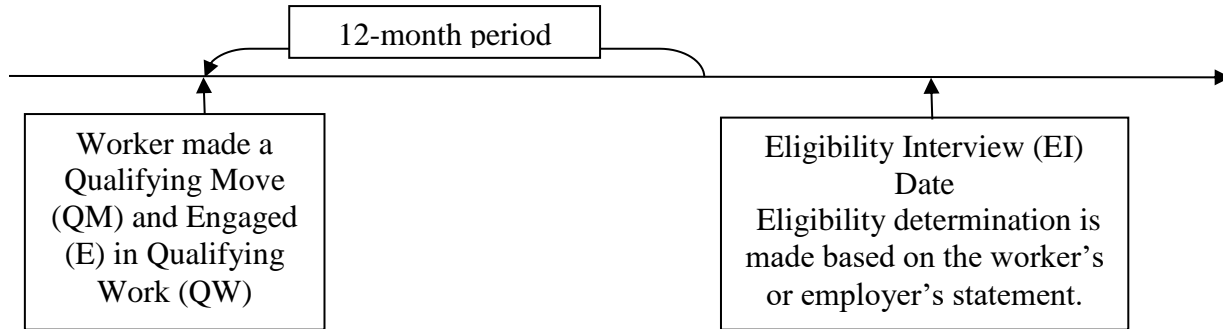
U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, G7).

The FL ID&R Office believes this depends on the timing when the family/OSY was first identified.

A.1: If the recruiter first identifies and recruits a family/OSY within 12 months from the established QAD, the recruiter may determine the work temporary based on the worker’s statement or the employer’s statement and must document this statement in the comment section of the COE. When a worker qualifies based on temporary employment with a documented (worker or employer) statement, yet is found to still be employed at the same worksite after 12 months, the FMEP may continue serving these children. They can keep them on its student MEP counts for the remainder of their 36-month eligibility period. However, the local MEP shall examine and document the reasons why the worker has remained employed, and contact the ID&R Office with such information. The following diagram illustrates this scenario:



A.2: If the recruiter first identifies and recruits a family/OSY after the 12-month period, and the worker is still employed at the same worksite, the ID&R Office finds it difficult to determine that the intentions of the worker were to gain temporary employment since the worker has already been employed at the same worksite for more than 12 months. In such situations, the recruiter should inquire about any previous moves where the worker engaged in Qualifying Work (QW). The following diagram illustrates this scenario:



Attention must be given when a recruiter completes a new COE for a family that has been residing in the district for an extended period of time. If the worker arrived into the district and engaged in Qualifying Work (QW) more than 12 months prior, the question arises as to the temporary nature of the employment. In this case, the employment is most likely to be permanent.

Eligibility Red Flags

During the course of the eligibility interview, there are occasionally “red flags” which will prompt the recruiter to ask additional **probing questions** related to the child’s eligibility. These red flags do not automatically mean that a family/youth is not eligible; rather, they will trigger the need for additional clarifying questions to help the recruiter decide whether the family/youth is eligible. Each red flag example listed below may indicate possible misidentification of migratory children. Further information may be necessary to establish eligibility. It is the responsibility of the ID&R staff to identify and gather the additional information to provide evidence for any eligibility decision made.

 **“Red Flags” are warning signs to alert the recruiter for the need to ask additional clarifying questions during an interview.**

Red Flags to be aware of include:

1. First agricultural or fishing move in work history – the family/youth has not performed agricultural or fishing work before
2. Move from urban or non-traditional migrant areas
3. Household in which some members have non-agricultural or non-fishing occupations
4. Housing that appears to have a longstanding history of residency
5. Worker that has a non-agricultural or non-fishing occupation for part of the year (especially if he or she goes back to this job regularly)
6. Lifestyle where migration does not seem to be an important factor in the family’s life (e.g., housing, no school interruptions)
7. Move with guardian or on own instead of with parent
8. Off-timing or off-season moves
9. Short-term or short-distance moves
10. No qualifying activities taking place

If a recruiter has a question regarding any “red flag” scenario, they shall contact their supervisor. If further clarification is needed, the supervisor shall contact the ID&R Office before making a final eligibility determination. Once guidance has been provided from the ID&R Office, recruiters shall document the basis of their determination in COE Sec IV Comments.

Qualifying Move (QM)

In order to make adequate and accurate decisions regarding eligibility, the recruiter must gather as much relevant information as possible. Because there are a variety of scenarios that may appear as a Qualifying Move (QM), it is important that recruiters understand all the various elements and factors that make up the complete definition of a Qualifying Move (QM).

Understanding the Difference between Move, Residence, and a Visit

The first step in defining a *Qualifying Move* (QM) is to understand that even the word ‘move’ can be interpreted differently by different people. In the FMEP we recognize there may be cultural differences in how people describe their relocations. The recruiter must confirm exactly what type of “move” has occurred to be sure they are making their eligibility determination based on proper evidence. For example, terms such as “move”, “residence”, and “visit” are all used by migrant families and youth when describing a change in location. However, depending on the circumstances of the change in location, the relocation may or may not be considered a Qualifying Move (QM). Therefore, it is up to the recruiter to confirm they are interpreting the word in the same manner as the family/youth.

Move – Under statute 200.81(j) of the regulations, “move” or “moved” means “a change from one residence to another residence that occurs due to economic necessity.” In Florida, a “move” is also expressed as “travel”.

Residence – Florida follows OME Guidance regarding “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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D2).

Visit – For the purposes of the FMEP, a “visit” is traveling from one’s residence to another place for a short-term basis, without the intentions of establishing residency.

Qualifying Move (QM)

Under section 1309(5) of the ESSA, a Qualifying Move (QM) 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D1).

The following emphasizes the importance of the five elements which must all be present in order to constitute a *Qualifying Move (QM)*.

- ✓ *Due to Economic Necessity (EN), and*
- ✓ *From one residence to another, and*
- ✓ *From one school district to another.*

= *Qualifying Move (QM)*

According to the OME Guidance...

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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D3).

A person who leaves the place where he or she lives on a short-term basis for any of the following reasons is interpreted to **not have moved or changed residence due to Economic Necessity**, but rather to have made a visit. Leaves to:

- visit family or friends
- attend a wedding or other event
- take a vacation
- have an educational or recreational experience
- take care of a legal/health matter
- for other personal reasons

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

WORKING DRAFT

The ID&R Office does not recognize a move for vacation purposes as a Qualifying Move (QM), even if the worker engages in Qualifying Work (QW) during the vacation. However, in certain cases family's state they are 'going on vacation' but instead, they are actually going to live with another family member while they search for employment or in between seasons. Therefore, recruiters must probe the worker's story carefully to determine what is meant when they assert that their family has 'moved' or says they are leaving for or returning from a vacation. A few questions a recruiter can use to determine if the family/youth moved due to a vacation are:

If work was available, would you have still moved?

Did you take time off from work?

Did you have paid time off from work?

However, there are times workers and their families move out of an area because they lack the economic means to sustain themselves until they can secure Qualifying Work (QW) again. Due to the lack of work during the off-season, the worker may not be able to afford housing or provide for the basic needs of his/her family, and may decide to move back to their home base where perhaps they own a home, rent is cheaper, or to live with relatives or friends. Once the season starts, these workers may return looking to engage in Qualifying Work (QW).

For example, if a migrant family loses their job at the end of the harvesting season and they are unable to find other work and pay rent during the off-season, the family may move to Mexico to live with relatives. When the next season is about to begin, the family may return to the same district to find Qualifying Work (QW). During the eligibility interview, the recruiter must establish that the worker moved out of the district due to "economic necessity" and returned to engage in Qualifying Work (QW). In this case the recruiter shall determine the family is eligible for the FMEP, assuming all other STAMP of eligibility factors are met.

A recruiter must take caution when a move is of short duration (*e.g.*, less than 10 days). In this case, an independent reviewer might question whether the move was really "due to economic necessity." Any move that occurred less than 10 days, the FL recruiter must document a comment explaining how the move was **due to economic necessity** in the Comment Section of the COE.

Q: 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?

A: The Department does not view a move for a vacation (*e.g.*, a visit to family and friends, a trip for entertainment purposes, etc.) as 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D4).

As explained by the Guidance, even if the worker engages in Qualifying Work (QW), the move itself is not considered a Qualifying Move (QM). Therefore, the worker’s status would not change to a Migratory Qualifying Worker (MQW) after moving for a vacation.

Migratory Qualifying Worker (MQW)

ESSA did make statutory changes in ways that SEAs and their recruiters are to determine the eligibility of migratory children. The Department feels that these changes should make SEA eligibility determinations much clearer and easier to document. One of the main eligibility changes that ESSA makes is how the MEP defines the migratory worker in relation to the “migratory child.”

The Department uses two terms to identify a worker who has engaged in Qualifying Work (QW). They are:

Under section 1309(2) of the ESEA (as amended by ESSA), 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).

Under section 1309(4) of the ESEA (as amended by ESSA), 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, C1-2).

Section 1309(2 & 4) 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, C1-2).

For the sake of simplifying these two terms, the FMEP will use the term, *Migratory Qualifying Worker* to mean a *Migratory Agricultural Worker* or a *Migratory Fisher*.

Migratory Agricultural Worker (MAW) = Migratory Qualifying Worker (MQW)

Migratory Fisher (MF) = Migratory Qualifying Worker (MQW)

Preceding 36 months

Under section 1309(2) and 1309(4), a “migratory agricultural worker” or “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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, C1-2).

Therefore, recruiters may ask about all Qualifying Moves (QM) a worker made preceding 36 months of the Eligibility Interview (EI) date.

Soon After the Move (SAM)

For purposes of the MEP, the Department recommends that “soon after the move” be within 60 days of the worker’s move. The 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.

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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, C5).

Florida recruiters are responsible for determining whether, in the preceding 36 months, the worker Engaged (E) in Qualifying Work (QW) Soon After the Move (SAM), *OR* Actively Sought (AS) new Qualifying Work (QW) *AND* has Recent History of Moves (RHMs) of Qualifying Work (QW). If the recruiter cannot determine that the worker has not Engaged (E) or Actively Sought (AS) in Qualifying Work (QW) within 60 days of the Qualifying Move (QM), then the recruiter cannot determine that the worker’s status has changed to a Migratory Qualifying Worker (MQW).

Engaged (E) in Qualifying Work (QW)

In order for a worker’s status to change to a Migratory Qualifying Worker (MQW), Soon After the Qualifying Move the worker must Engage (E) in Qualifying Work (QW). In the regulation and Guidance, the term in Engage is used in past tense form, therefore implying that the worker must have already started the Qualifying Work (QW) by the time the recruiter is conducting the Eligibility Interview (EI). Therefore, the recruiter should use appropriate eligibility questions to help determine if the worker has already begun the Qualifying Work (QW). Such questions may look like (but not limited to):

Where are you working?
Where do you work?
When did you start working?
What kind of work do you do?

Using these questions, the recruiter will be able to determine if the worker has engaged in new Qualifying Work (QW) Soon After the Move (SAM). It is imperative that the recruiter only continue with the Eligibility Interview (EI) if the worker Engaged (E) in new Qualifying Work (QW) Soon After the Move (SAM). In Florida, the amount of time to be considered “Soon After the Move (SAM) is defined as 60 days. Therefore, the worker should have Engaged (E) in new Qualifying Work (QW) within 60 days of the Qualifying Move (QM) in order for the worker’s status change to a Migratory Qualifying Worker (MQW).

The recruiter verifies through the Eligibility Interview (EI) and then documents that the worker has Engaged (E) in new Qualifying Work (QW) Soon After the Move (SAM) in Sec III, No. 4 of the COE. The recruiter does not document actual date when the worker Engaged in new Qualifying Work (QW). Instead, by completing and signing a COE, the recruiter indicates that he/she has verified through the eligibility interview that the worker has in fact Engaged (E) in new Qualifying Work (QW) within 60 days of the worker’s Qualifying Move (QM). The recruiter should not complete a COE without first verifying that the worker Engaged in new Qualifying Work (QW).

A worker who did not Engage (E) in new Qualifying Work (QW) soon after a Qualifying Move (QM) may still be considered a Migratory Qualifying Worker (MQW) if the worker:

- Actively Sought (AS) new Qualifying Work (QW) Soon After the Move (SAM),
AND
- Has Recent History of Moves (RHM) that resulted in the engagement of Qualifying Work (QW) Soon After the Move (SAM).

Q: If an individual did not engage in agriculture or fishing work soon after a qualifying move, may such an individual be considered a migratory agricultural worker or migratory fisher?

A: 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, C8).

Actively Sought (AS) new Qualifying Work (QW)

If the worker did not Engage (E) in new Qualifying Worker (QW) Soon After the Move (SAM), the recruiter must inquire if the worker took positive actions to find new Qualifying Work (QW) Soon After the Move (SAM).

Q: What does the phrase “actively sought” mean in reference to qualifying work?

A: 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, C10).

The recruiter should ask appropriate questions to inquire what actions the worker took to find Qualifying Work (QW). Such questions may look like, but are not limited to:

- Where have you applied for work?
- When did you apply for work?
- Who have you spoken with regarding work?

It is important for recruiters to ask appropriate questions inquiring how the worker has Actively Sought (AS) new Qualifying Work (QW) because the recruiter must document the responses in the Comment Section, Section IV. For example, the individual (or someone on his or her behalf) may have:

- applied for Qualifying Work (QW) 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, word of mouth, or the worker’s own experience) that such Qualifying Work (QW) would be available after the move.

Recruiters are encouraged to ask appropriate eligibility questions to inquire how exactly the worker Actively Sought (AS) new Qualifying Work (QW) Soon After the Move (SAM). Recruiters may rely on the worker’s statement regarding his or her attempts to obtain new Qualifying Work (QW). Credible evidence is not a requirement for completing comments for Actively Sought (AS). The following are examples of what a statement explaining how the worker Actively Sought (AS) new Qualifying Work (QW) may look like.

“The worker was told by relatives about possible work picking oranges in Arcadia County.”

“After arriving, the worker spoke with a local crew leader about working the crew harvesting sugar cane.”

“The worker applied for work but was told all the workers needed for the harvest were hired.”

Recent History of Moves (RHMs) for Qualifying Work (QW)

As mentioned earlier, if the worker did not Engage (E) in new Qualifying Worker (QW) Soon After the Move (SAM), the recruiter must inquire if the worker took positive actions to find new Qualifying Work (QW) Soon After the Move (SAM) AND have Recent History of Moves (RHMs) for Qualifying Work (QW).

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.”

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. The Department believes it is difficult to reasonably consider a period longer than 36 months to be “recent.”

Given the plural form of the word “moves,” an individual must have made at least two moves for qualifying work.

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

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, C13-18).

The recruiter should ask appropriate questions to inquire about the worker’s Recent History of Moves (RHMs) for Qualifying Work (QW). Such questions may look like, but are not limited to:

What kind of work have you done in the past?

When did you work in agricultural or fishing work in the past?

Where did you work in agricultural or fishing work in the past?

It is important for recruiters to ask appropriate questions inquiring about the worker’s Recent History of Moves (RHMs) for Qualifying Work (QW) because the recruiter must document the responses in the Comment Section, Section IV. Recruiters may rely on the worker’s statement regarding his or her Recent History of Moves (RHMs) for Qualifying Work (QW). Credible evidence is not a requirement for completing comments for Recent History of Moves (RHMs). Statements for Recent History of Moves (RHMs) must include the following information for each of the two recent moves:

- the month and year of the move,
- the “from” and “to” locations of the move, and
- the Qualifying Work (QW) the worker Engaged (E) for each of the two moves.

WORKING DRAFT

The following are examples of what a statement explaining the worker's two Recent History of Moves (RHMs) for Qualifying Work (QW) may look like:

"The worker has returned to Plant City from Georgia for the strawberry harvest every year (October 2017 and October 2016)."

"The worker moved to Georgia in July 2017 to pick watermelon. The worker also moved to Maine in July 2016 to rake blueberries."

"The worker picked oranges in California in May 2016 and planted strawberries in Florida in September 2017."

Therefore, in Florida, a *Migratory Qualifying Worker (MQW)* means a person who, in the preceding 36 months, made a Qualifying Move (QM) and Soon After the Move (SAM) Engaged (E) in new Qualifying Work (QW) *OR* Actively Sought (AS) new Qualifying Work (QW) *AND* has two Recent History of Moves (RHMs) for Qualifying Work (QW).

MQW = Preceding 36 months + QM + SAM + E in QW

OR

MQW = Preceding 36 months + QM + SAM + AS new QW + 2RHMs

Florida recruiters are responsible for determining whether, in the preceding 36 months, the worker Engaged (E) in Qualifying Work (QW) Soon After the Move (SAM), *OR* Actively Sought new Qualifying Work (QW) *AND* has Recent History of Moves (RHMs) of Qualifying Work (QW). If the recruiter cannot determine that the worker has Engaged (E) or Actively Sought (AS) in Qualifying Work (QW) within 60 days of the Qualifying Move (QM), then the recruiter cannot determine whether that the worker's status has changed to a Migratory Qualifying Worker (MQW).

According to ESSA, part of documenting the eligibility of the "migratory child" is to document on the COE when and how the worker's status changed to a Migratory Qualifying Worker (MQW). The recruiter should document the date the worker made a Qualifying Move (QM) and Soon After the Move (SAM) (within 60 days) the worker engaged in Qualifying Work (QW), in Sec III, No. 4.

Migratory Child (MC)

Determining whether the worker's status changed to a Migratory Qualifying Worker (MQW) is the first step in determining whether a child/youth can be identified as a Migratory Child (MC).

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 CFR. § 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, A1).

Once the recruiter determines whether the worker’s status changed to a Migratory Qualifying Worker (MQW), the recruiter must then determine if the child/youth has made a Qualifying Move (QM), in the preceding 36 months of the Eligibility Interview (EI) date:

- “as” the Migratory Qualifying Worker (MQW)
- “with” the Migratory Qualifying Worker (MQW), or
- “to join or precede” the Migratory Qualifying Worker (MQW).

$$MC = \frac{\textit{Preceding}}{\textit{36 months}} + \frac{\textit{Child/}}{\textit{youth}} \textit{QM} + \begin{matrix} \textit{“as”} \\ \textit{“with”} \\ \textit{“to join or precede”} \end{matrix} + \textit{MQW}$$


Refer to the Eligibility Flowchart in *Appendix G*.

Qualifying Arrival Date (QAD)

Dates are extremely important when determining MEP eligibility as they determine the length of supplemental educational service a migratory child/youth is eligible to receive. Dates in the MEP also help to determine the seasonal or temporary nature of one’s employment, as well as, help establish a history of a migratory lifestyle. Therefore, it is important to adequately and accurately identify the various dates related to one’s eligibility. One of the most important duties of a recruiter is establishing the Qualifying Arrival Date.

Qualifying Arrival Date (QAD) refers to the:

- Date when *both* the child *and* the Migratory Qualifying Worker (MQW) or the youth as the Migratory Qualifying Worker (MQW) have completed the Qualifying Move (QM). This is the date when they each complete the move and are *together* in the school district;
- Date that is entered in Section III, No. 3 of the COE;
- Date that begins the migrant child/youth’s 36-month eligibility period, and the date the child/youth was identified as a “migrant child”.



Since eligibility does not start until a Qualifying Move (QM) is complete, correctly identifying the Qualifying Arrival Date (QAD) is crucial when completing a COE.

The following example provides a clear picture of a QAD.

On May 23, 2017, a family with two school-aged children moved into a Florida school district. Soon After the Move (SAM) (within 60 days), the father engaged in Qualifying Work (QW) harvesting oranges. The family moved, traveled, and arrived into the Florida school district *together*. If all STAMP of Eligibility factors are present, the children's QAD would be May 23, 2017. Again, this is the date that is entered in Sec III, No. 3 of the COE.

Residency Date (RD)

While the QAD refers to the date when the child and the Migratory Qualifying Worker (MQW) complete Qualifying Moves (QM), the Residency Date (RD) refers *only* to the date when the child/youth establishes residency into the new school district. Recruiters shall document the Residency Date (RD) in Section III, Item 7 of the Florida COE.

Using the previous example again, the QAD was determined to be May 23, 2017, because this is the date when the child and the worker moved *together* into the school district to seek or obtain qualifying work. However, the Residency Date (RD) is also May 23, 2017, since this is also the date when the child moved into the school district. In this case, the Residency Date (RD) and QAD are the same because the Migratory Qualifying Worker (MQW) *and* the child/youth arrived *together* at the school district on the same date which is also the date the child established residency in the school district.

However, there are special circumstances when the Migratory Qualifying Worker (MQW) and the Migratory Child (MC) *do not* arrive on the same date. These circumstances will be discussed later under Types of Moves section in this manual.

In all instances, the recruiter should always remember that the Qualifying Arrival Date (QAD) is dependent on when the Migratory Child (MC) *and* the Migratory Qualifying Worker (MQW) complete the Qualifying Move (QM). The Residency Date (RD) is dependent on the child's/youth's move only.

QAD = Date when MC and MQW complete a QM

RD = Date when MC establishes residency in the district

The importance of establishing and documenting when the Residency Date (RD) and QAD take place cannot be emphasized enough. The QAD entered in the COE must be correct because it affects the child/youth's eligibility and length of eligible MEP service.

Home Base

Many migrant families have a home base or home town 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 migrant family might consider Florida to be their home base. They may 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.

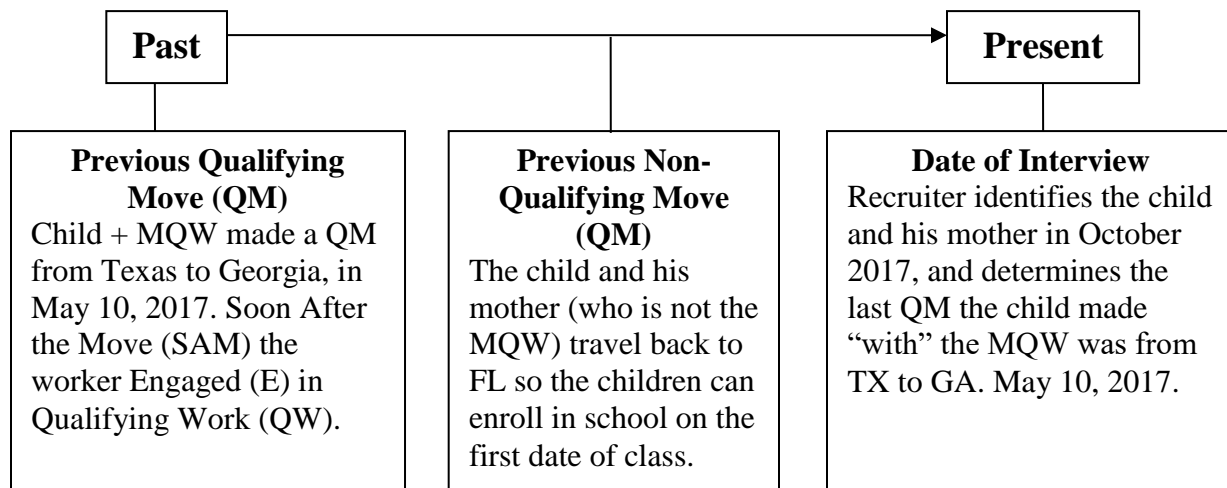
Therefore, a move to the home base may qualify if the move is due to economic necessity, from one residence to another, from one school district to another, and the child(ren) traveled with or to join/precede a qualifying worker. If the child(ren) does/do not move with or to join/precede the qualifying worker, then it is not a qualifying move just to return to the home base.

Types of Moves

Previous Qualifying Moves (QM)

Previous Qualifying Moves (QM) refer to any Qualifying Move (QM) that a child/youth has made within the last 36 months, and occurs prior to the most recent move into the school district where the recruiter has identified the child/youth. Determining that a child/youth is eligible for the MEP based on a previous Qualifying Move (QM) is not an easy task. It requires strong knowledge of eligibility factors and even stronger interview skills. The recruiter must accurately document on the COE the necessary information to corroborate such a scenario.

When a recruiter interviews a family and determines that the move to the present school district is not a Qualifying Move (QM), the recruiter should ask additional probing questions to find out if the child/youth has made any Previous Qualifying Moves (QM) *as/with/to join or precede* the Migratory Qualifying Worker (MQW) within the preceding 36 months of the Eligibility Interview (EI). If there is Previous Qualifying Move (QM) made prior to arriving to the current school district, then it may be used to determine the child or youth’s eligibility for the FMEP, as long as all other eligibility criteria were also met during the Previous Qualifying Move (QM).



In the above example, the recruiter determines the child’s eligibility for the FMEP began on the last Qualifying Move (QM) the child made “with” the Migratory Qualifying Worker (MQW) when the family traveled together from Texas to Georgia and Soon After the Move (SAM) the worker Engaged (E) becoming a Migratory Qualifying Worker (MQW).

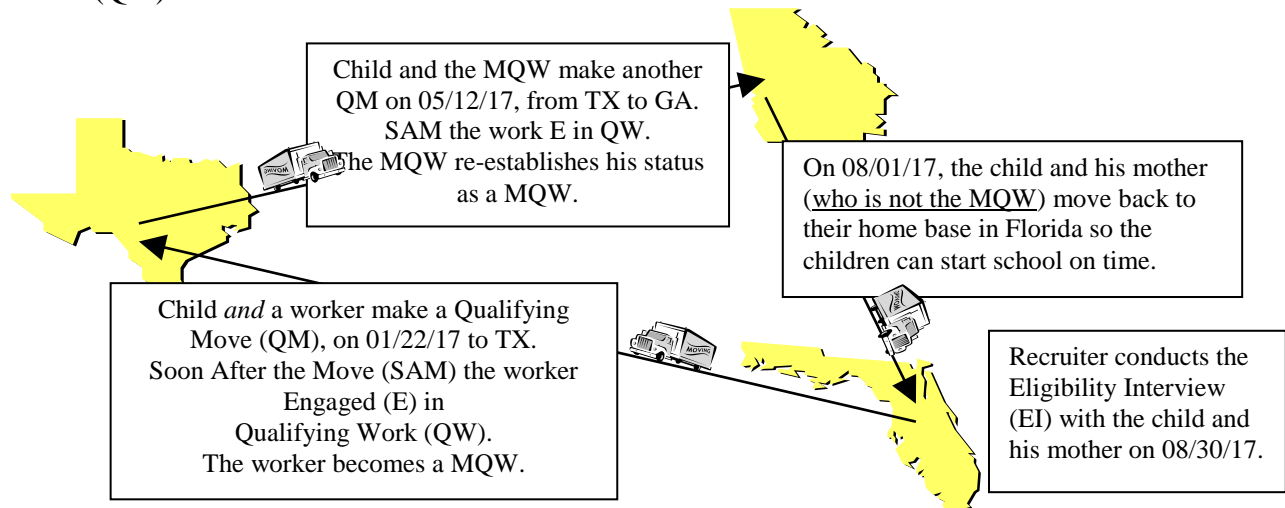
Accurately documenting the QAD, Residency Dates (RD), and the Qualifying Move (QM) when the worker became a Migratory Qualifying Worker (MQW) is critical when completing a COE based on a Previous Qualifying Move (QM).

WORKING DRAFT

As mentioned earlier, the QAD and Residency Dates (RD) are usually the same. However, these dates are not the same when the eligibility determination is based on a Previous Qualifying Move (QM). In other words, the move to where the child last made a Qualifying Move (QM) *as/with/to join or precede* the Migratory Qualifying Worker (MQW) and the current school district are *not* the same school districts. The following graphic illustrates a “Previous Qualifying Move (QM).”



When determining eligibility based on a previous QM, make sure the previous QAD is within the last 36 months.



In this example, the recruiter identifies and interviews the family in 08/30/17. During the interview, the mother discloses that she and the child had recently moved to Florida on 08/01/17 so the children can be present for the first day of school. The recruiter begins to probe further and discovers that the father, who was the one that Engaged (E) in Qualifying Work (QW), stayed in Georgia until the end of the season. The mother expects the father to join the family later in October before the start of the orange season. The recruiter also discovers that the family has made other Qualifying Moves (QM) in the preceding 36 months. Some of these resulted in the father engaging in Qualifying Work (QW). The mother shares that this past January, the family moved to Texas to work on a cantaloupe farm. This past May, they moved to Georgia to pick peaches. Then, in August, the mother and the child moved to Florida so the children can begin school.

This example serves as a guide when determining eligibility based on a previous Qualifying Move (QM) and how to document it on a COE. In order for an eligibility determination to be made on a previous Qualifying Move (QM), all STAMP of Eligibility factors must be met *at the time* of the Qualifying Move (QM). According to this example, the recruiter determines the family meets all STAMP of Eligibility factors based on two of the family's previous Qualifying Moves (QM). One of the Qualifying Moves (QM) is from Florida to Texas, and the other Qualifying Move (QM) is from Texas to Georgia. Although the child did move with his mother back to Florida, this move cannot be considered a Qualifying Move (QM) because it was not due to Economic Necessity (EN). Also the child did not move *as/with/to join or precede* the Migratory Qualifying Worker (MQW). When reviewing multiple Qualifying Moves (QM), recruiters should document the most recent Qualifying Move (QM) the child/youth made *as/with/to join or precede* the Migratory Qualifying Worker (MQW).

WORKING DRAFT

Therefore, the most recent Qualifying Move (QM) the child made *with* the Migratory Qualifying Worker (MQW) was the move from Texas to Georgia. The QAD is 05/12/17. This is what the recruiter would document in Sec III, No. 1 through 3 on the COE.

As mentioned earlier, part of documenting the eligibility of the “Migratory Child (MC)” is to document on the COE when and the worker’s status changed to a Migratory Qualifying Worker (MQW). Therefore, the recruiter should document the Qualifying Move (QM) the worker made and Engaged (E) in Qualifying Work (QW) Soon After the Move (SAM). Recruiters should document the most recent Qualifying Move (QM) the worker made *as/with/to join or precede* the child. The recruiter would document this information Sec III, No. 4 through 6 on the COE. In the previous Qualifying Move (QM) example above, the most recent Qualifying Move (QM) the worker made *with* the child and Soon after the Move (SAM) the worker Engaged (E) in Qualifying Work (QW), thus becoming a Migratory Qualifying Worker (MQW) was when the family move from Texas to Georgia on 05/12/17.

The Residency Date (RD) in this scenario would be when the child moved to Florida and entered the current school district, on 08/01/17.

A child is a “migratory child” if the child made a Qualifying Move (QM) the preceding 36 months *as/with/to join or precede* a Migratory Qualifying Worker (MQW).

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, A1).

Therefore, a recruiter may go as far back as 36 months of the Eligibility Interview (EI) date to determine if the child/youth made any previous Qualifying Move (QM) *with/as/to join or precede* the Migratory Qualifying Worker (MQW).

The recruiter must contact the ID&R Office if further guidance is need determining eligibility and documenting the COE based on a previous Qualifying Move (QM).

“To Join” Moves

Q: Must a child move at the same time as the worker to be eligible for the MEP?

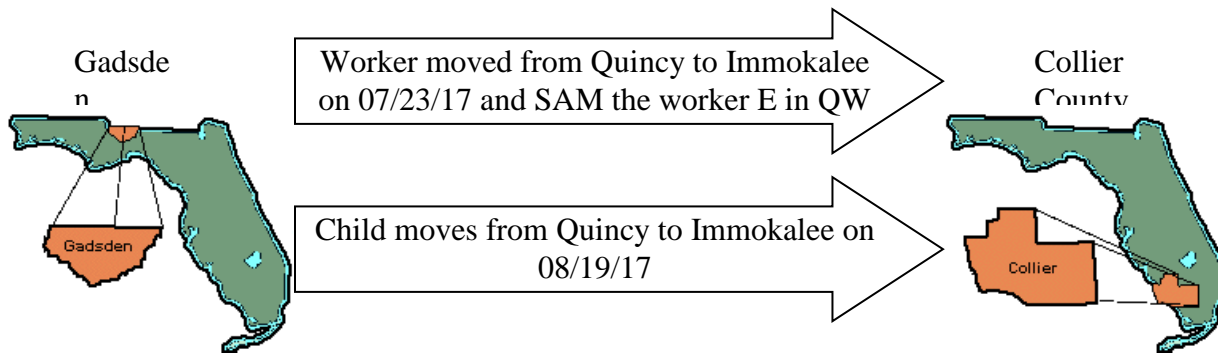
A: No. Section 1309(3) of the ESEA provides that if the child is not the migratory agricultural worker or migratory fisher, the child must move “with, or to join” a parent/guardian or spouse who is a migratory agricultural worker or fisher. The Department considers this provision to mean that the child’s 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, E2).

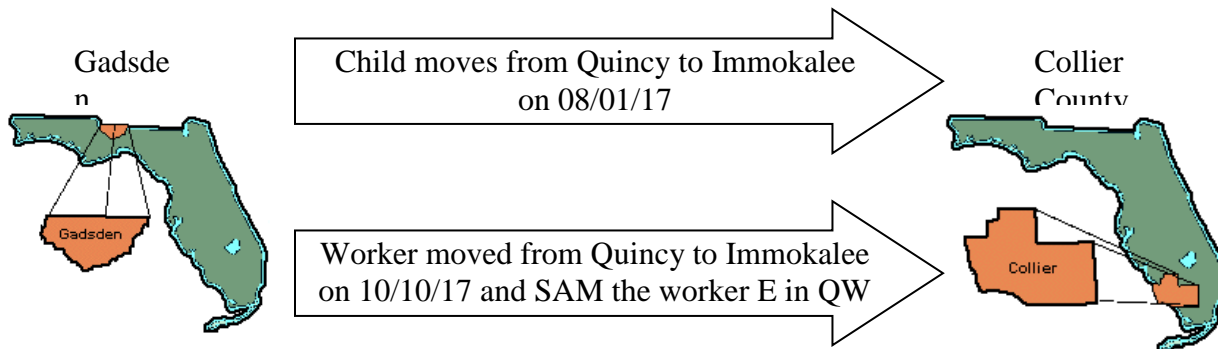
There are times when a child *does not* travel *with* their parent/guardian/spouse. Different scenarios may encourage a parent to travel first, such as: to canvass new environments, solicit and secure work and housing, and establish adequate child care. Other scenarios may force parents to stay behind while their children move first to a new area or to move back to their home base. These scenarios may include: parents finishing up harvest work, waiting to be paid for the season, lack of adequate child care, or the need to enroll children in school. These types of moves are identified as “To Join” moves. To accurately determine eligibility in a “to join” situation, recruiters must make sure that both the Migratory Qualifying Worker (MQW) and the child made the Qualifying Move (QM) by the time the recruiter conducts the Eligibility Interview (EI). Also, it is important for the recruiter to document the QAD, the Qualifying Move when the worker’s status changed to a Migratory Qualifying Worker (MQW), and the Residency Date (RD) appropriately.

“To Join” Move - Worker Moves First



If the Migratory Qualifying Worker (MQW) made the Qualifying Move (QM) *before* the child, the QAD and the Residency Date (RD) are both the date when the child completes the Qualifying Move (QM) into the school district. In this case, the QAD and the RD are 08/19/17. The child’s eligibility is not established until the child physically arrives in the new school district. Even though the Migratory Qualifying Worker (MQW) has already moved into the school district prior to the child/youth, the child is not a Migratory Child (MC) until the child/youth completes the Qualifying Move (QM).

“To Join” Move - Child Moves First



If the child made the Qualifying Move (QM) *before* the Migratory Qualifying Worker (MQW), the QAD and the Residency Date (RD) are different dates. The date when the child completes the Qualifying Move (QM) into the school district is different from when the Migratory Qualifying Worker (MQW) completes the Qualifying Move (QM). The child's eligibility is not established until the worker physically arrives in the new school district. Even though the child has already moved into the school district prior to the worker, the child is not a Migratory Child (MC) until the Migratory Qualifying Worker (MQW) completes the Qualifying Move (QM).



When documenting “to join” moves, the QAD is the date when *both* the child or youth *and* the qualifying worker complete the Qualifying Move (QM) into the school district.

Whether the child moved *before* the Migratory Qualifying Worker (MQW) or the worker moved *before* the child, the recruiter must document both dates in the respective fields in Section III, No. 2bi. Also, the recruiter must include a comment explaining why the child and Migratory Qualifying Worker (MQW) moved on different dates.

If a recruiter interviews a family and the Migratory Qualifying Worker (MQW) has not arrived yet, the recruiter must ascertain when the worker is expected to arrive.

- The recruiter may inquire about previous Qualifying Moves (QM) the child made *with/to join or precede* the Migratory Qualifying Worker (MQW).
- The recruiter may decide to visit the family after the worker has arrived and complete the COE using the worker's arrival as the QAD.

Although the child's move may precede or follow the worker's move, the child's eligibility is not established until the Migratory Qualifying Worker (MQW) worker arrives in the school district.

Time limit on “To Join” Moves

Q: How much time may separate the worker's move from a child's move “to join” a worker?

A: 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, E4).

The more time that occurs between the child's and the Migratory Qualifying Worker's (MQW) moves, the more difficult it is to establish a credible relationship between the child's move and

the MQW's move. Through the Eligibility Interview (EI), recruiters shall be able to determine the time between the child's move and the worker's move. Anytime there is the child moves to join or precede the Migratory Qualifying Worker (MQW), recruiters must document in the COE an explanation for the separate moves.

The FL ID&R Office has established a 12-month time limit regarding "to join" moves. As a rule of thumb, any "to join" move that takes more than 12 months to complete is not considered eligible for the FMEP. However, 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 recruiter should contact the ID&R Office and provide specific information that prevented the child from moving within 12 months from the worker, or vice versa. The ID&R Office will review the specific information with the recruiter and assist in making the eligibility determination on a case-by-case basis.

The following examples will assist recruiters making proper eligibility determinations when conducting interviews:

Early Moves

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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, A Note on ESSA and Child Eligibility under the MEP).

According to the above Guidance, "Now, the worker must only have moved due to economic necessity from one residence to another and from one school district to another, 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." Therefore, by removing the "intent of the worker in making a move" criterion from the MEP eligibility, recruiters may not determine a worker has Engaged (E) in Qualifying Work (QW) if the work has not yet started, or if the worker "plans" to start work later past the Eligibility Interview (EI) date.

Recruiters have the following options:

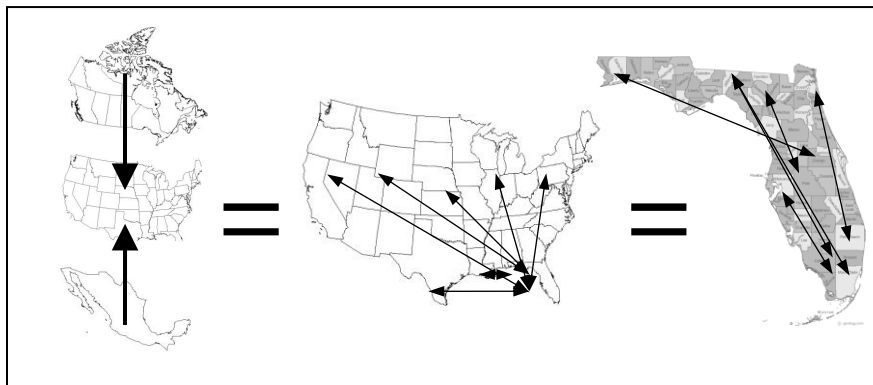
- Inquire if the worker has Actively Sought (AS) new Qualifying Work (QW) *AND* has two Recent History of Moves (RHMs) for the Migratory Qualifying Worker (MQW). If the worker has taken positive actions to find new Qualifying Work (QW) (even if it's the work that is supposed to start at a later date) *AND* has two Recent History of Moves (RHMs) for Qualifying Work (QW), then the recruiter may determine that the worker's status changed to a Migratory Qualifying Worker (MQW). In this case, the recruiter would document the date of the worker's most recent Qualifying Move (QM) and check Sec III, No 4b, in the COE. Also, the recruiter will document the Qualifying Work (QW) the worker was looking for in Sec III, No. 5. Lastly, the recruiter will also need to include a comment for Actively Sought (AS) and a comment describing the worker's two Recent History of Moves (RHMs).
- Inquire if the worker has engaged in any other Qualifying Work (QW). Even if the worker plans on engaging in a specific Qualifying Work (QW) that starts at a later date, the worker may have Engaged (E) in other Qualifying Work (QW) since the move, prior to the Eligibility Interview (EI) date. If the worker has engaged in any other Qualifying Work (QW), then the recruiter may determine that the worker's status changed to a Migratory Qualifying Worker (MQW). In this case, the recruiter would document the date of the worker's most recent Qualifying Move (QM) and check Sec III, No 4a, in the COE. Also, the recruiter will document the Qualifying Work (QW) the worker Engaged (E) in Sec III, No. 5.
- Inquire about previous Qualifying Moves (QM) that the child/youth has made *as/with/to join or precede* the Migratory Qualifying Worker (MQW).
- Inquire when the Qualifying Work (QW) is expected to begin. The recruiter may conduct a follow-up visit *AFTER* the expected start date and complete the Eligibility Interview (EI) then. Recruiters should use this as last resort. It is already very difficult to identify potential migratory children, and the recruiter runs the risk of the being able to relocate the family at a later date, if they need to return to complete the Eligibility Interview (EI). In such cases, the recruiter must remember that the COE cannot be completed unless the recruiter can determine and document that the worker's status has changed to a Migratory Qualifying Worker (MQW), and the child has made a Qualifying Move (QM) *as/with/to join or precede* the MQW, as well as other STAMP of Eligibility criteria is present.

International Moves

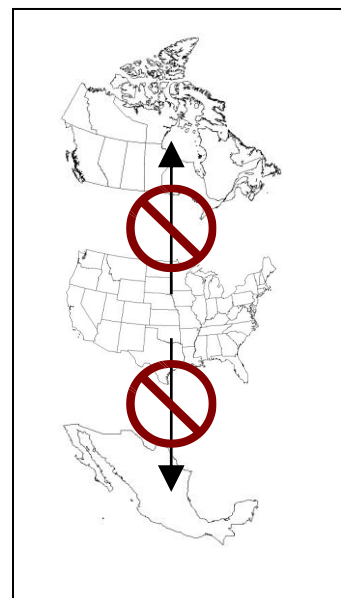
Q: May an individual's move to the United States from another country qualify for the MEP?

A: 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D13).



There have been historical patterns of migration from Mexico, Guatemala and Canada *to* the U.S. to engage in temporary or seasonal work in agriculture and fishing. A child’s and a Migratory Qualifying Worker’s (MQW) move from any country to any school district in the U.S. is considered the same as a move from one school district to another *within* the U.S. as long as all STAMP of Eligibility criteria is present. These moves are also considered the same as a move from one school district to another *within* Florida. See the diagram below to see the comparison.



Moves from a school district in the U.S. *to* a school district *outside* the US in Mexico or Canada *to* engage in Qualifying Work (QW) *do not* qualify. The MEP is meant to benefit families who perform Qualifying Work (QW) *within* the U.S. The Federal statute does not authorize moves to another country to engage in temporary or seasonal employment in agriculture or fishing work to be considered Qualifying Moves (QM).

Q: Is a move from the United States to another country a qualifying move?

A: 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D15).

There are cases when OSY/workers and their families move back to their native countries at the end of the temporary or seasonal employment. These moves *back* to their native countries may be considered a Qualifying Move (QM) (due to Economic Necessity (EN), from one residence to another, from one school district to another). Subsequently, the child's and the Migratory Qualifying Worker's (MQW) move from another county back to a school district in the U.S. could be a Qualifying Move (QM) if all STAMP of Eligibility requirements are present.



Recruiters should be careful in making these determinations and should document the basis for their decision in Section II, # 16 of the COE.

H-2A Workers

Q: 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?

A: 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D14).

According to the U.S. Department of Labor...“The H-2A temporary agricultural program allows agricultural employers who anticipate a shortage of domestic workers to bring nonimmigrant foreign workers to the U.S. to perform agricultural labor or services of a temporary or seasonal nature. Employment is of a seasonal nature where it is tied to a certain time of year by an event or pattern, such as a short annual growing cycle, and requires labor levels above what is necessary for ongoing operations. Employment is of a temporary nature when the employer's need to fill the position with a temporary worker will, except in extraordinary circumstances, last no longer than 1 year.”

Recruiters are strongly encouraged to utilize the Department of Labor Employment and Training Administration online database (<https://icert.doleta.gov/index.cfm>) as a resource to identify potential Migratory Qualifying Workers (MQW).

Annual Migration to the Same Farm

An annual migration to perform temporary or seasonal work for the same farmer is not considered permanent employment. This is true even if the farmer guarantees the worker employment each year and reserves the same temporary residence for the worker. Therefore, the worker is eligible.

Short Duration Moves

According to the OME Guidance...

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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D5).

The regulations do not indicate a minimum duration for a Qualifying Move (QM); however, the move must be due to economic necessity. In addition, prior Guidance indicated that a move must be of sufficient duration to establish residency.

In Florida, any one-time short-duration move of less than 10 days requires supporting documentation on the COE to explain the recruiter’s determination of eligibility. Additionally, when determining eligibility based on short duration moves, recruiters shall ascertain if there has been a *series* of short moves within the same season or period. The Florida MEP has determined that a *series of moves* consists of at least three moves.

The following information obtained through the interview *must* be documented in the COE:

- where children resided (Section III, No. 1)
- whether the worker Engaged (E) in Qualifying Work (QW), or Actively Sought (AS) new Qualifying Work (QW) and has Recent History of Moves (RHM) (Section III, No. 4)
- type of Qualifying Work (QW) (Section III, No. 5)
- series of short duration moves of three Qualifying Arrival Dates (QADs) within a season or a 6-month period (Section IV)
- Comment indicating how the worker Actively Sought (AS) new Qualifying Work (QW) Soon After the Move (SAM) and two Recent History of Moves (RHM), if applicable. (Section IV)



Short duration moves consisting of ten days or less are Red Flags! Further probing questions are necessary.

Short Distance Moves

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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D6).

Any move that occurs within the same school district boundaries is not a Qualifying Move (QM) for the FMEP. All Qualifying Moves (QM) must occur across school district lines for the purposes of eligibility. Moves for relocation within a school district are not considered Qualifying Moves (QM). Guidance requires that a Qualifying Move (QM) meet three criteria: (1) due to economic necessity (EN), (2) from one residence to another, and (3) from one school district to another. A move across school district lines ONLY to establish a new residence does not meet the criteria of a Qualifying Move (QM), since the move was not due to Economic Necessity (EN). If the Qualifying Move (QM) is of a very short distance, the recruiter shall contact the FL ID&R Office to seek further guidance. The recruiter should be able to explain the basis for determining that the move meets all three criteria for Qualifying Moves (QM); (1) due to economic necessity, (2) from one residence to another, and (3) from one school district to another. The final eligibility determination will be made with the FL ID&R Office and on a case-by-case basis.

Daily Commuting

Q: 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?

A: 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D7).

Commuting, regardless of whether it is across school district lines, is NOT a Qualifying Move (QM). The worker is not changing their residency to engaged in Qualifying Work (QW). Such a worker is a “day-haul” worker and his/her travel is a commute, not a move or change of residence. This type of travel is not considered a Qualifying Move (QM) for the purpose of eligibility for the MEP.

Moving on a Boat

Q: Are there special issues that affect only the moves of migratory fishers who travel by boat?

A: No. These workers' moves must be from one school district to another, 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.

A fisher who travels by boat to a new school district, 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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, D8-9).

As mentioned before, one of the requirements for a Qualifying Move (QM) is that the move be across school district lines. Such boundaries are easy to determine on land, however there are special issues that affect the moves of migratory fishers who move on a boat. These workers must also travel across school district lines, whether the moves are by land or by water. Therefore, local school districts must maintain documentation of school district boundaries as they extend into the water. In addition, all other eligibility requirements must be met.

Completing the Certificate of Eligibility

States are required to use the COE form issued by the Department to document the basis of their child eligibility determinations for the MEP. As such, the COE is the legal document used in Florida to enroll children and youth into our migrant program. The COE serves as the official record of eligibility for the FMEP. The COE used in the State follows the requirements from the national form. 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 May 10, 2016 CFR, is available on the Department's website at <https://results.ed.gov/legislation>.

Florida LEAs and LOAs are responsible for documenting every migrant child's eligibility on the COE. Because the COE establishes the basis for migrant education eligibility, it is imperative that the information on the COE is correct.

When completing the COE, the following general guidelines must be followed:

- The form ***must*** be completed by a trained recruiter. The interviewer must be knowledgeable about eligibility criteria in order to make correct eligibility determinations and to convey information about available services for eligible students. Educational and support services ***cannot*** be provided until the COE form is completed in writing *and* the child has been determined eligible by the local COE review process.
- A COE must be completed every time a child makes a new Qualifying Move (QM) that would renew the child's eligibility for the MEP.

WORKING DRAFT

- Each section must be completed. Do not leave any section blank. Use “N/A” or dashes to acknowledge that an inquiry has been made. Use “Same” to indicate that the information is equivalent to that of the previous item.
- The COE must be completed legibly in BLUE ink. Use of color ink other than blue, erasable ink, correction fluid (e.g., “White-Out” or “Liquid Paper”) is not acceptable. Any corrections must be initialed and dated by the person making the correction.
- If additional space is needed to clarify the information on this form, please use the reverse side of the white sheet or attach additional forms.
- The completed form shall include the names of all eligible children who moved/traveled with the family. This includes preschool children, children attending school, and children not attending school.
- If the recruiter completes a COE for a family, the recruiter must fill out a separate COE for any child who has a different QAD for any child who has different eligibility criteria than the rest of the children in the family, such as an OSY who may have moved on his or her own.
- If more than one COE is necessary for a family because not all the children have the same eligibility information (e.g., one child moved with the worker and the sibling moved to precede the worker), the recruiter must complete all sections on each form. Also, the recruiter must refer to the other COE by documenting the unique preprinted COE number in Section II, No. 16 of the COE.
- The recruiter must ***not*** include in the **Child Data Section of the COE (Sec II)** any child who:
 - (1) was born after the Qualifying Move (QM)*
 - (2) is not eligible to receive a free public school education [e.g., has graduated from a high school or obtained a General Educational Development (GED) certificate]
 - (3) did not make the Qualifying Move (QM) described on the COE*
- The completed form shall be submitted within five (5) working days to the District Migrant Program Coordinator or designee for certification of eligibility.

* *Children born after the move or children who did not make the Qualifying Move (QM) described in the COE shall be included in the Child/Family Data Comments Section (Sec II, No. 16) of the Florida COE.*

It is important that the COE be properly reviewed, filed, secured, and maintained so it is available for review at any time. The completed form shall be submitted within five (5) working days to the District Migrant Program Coordinator or designee for certification of eligibility

Instructions for completing the COE are found in *Appendix B*.

Additional Comments on the COE

A recruiter shall provide additional comments on the COE when circumstances require the recruiter to clarify why he or she found a particular child to be eligible for the MEP. At a minimum, the recruiter must provide comments that clearly explain items 2bi, 4c, 5*, and 6a or 6b in Section III Qualifying Moves and Work if applicable. Comments must explain the circumstances that led the recruiter to believe the child was eligible. The mandatory comment sections are outlined in detail in the COE instructions in the *Appendix B*.

WORKING DRAFT

The following are circumstances that require further explanation on the COE:

- The household is supported, at least in part, by non-agricultural/non-fishing work.
- A "move" is of such brief duration (10 days or less) and/or of such a short distance that one could question whether any migration has occurred (e.g., intra-city or intra-town move that is across school district boundaries).
- The child's move joined or preceded the worker's move. If the child(ren) joined or preceded the parent, spouse, or guardian, record the reason for the child's later move or the worker's later move.
- The child and the worker moved from different locations.
- The worker did not engage in new Qualifying Work (QW) Soon After the Move (SAM). In this case, the recruiter must document:
 - how the worker Actively Sought (AS) new Qualifying Work (QW) Soon After the Move (SAM), *and*
 - two Recent History of Moves (RHMs) for Qualifying Work (QW).
- The work is unusual enough that an independent reviewer is unlikely to understand that it is a qualifying activity.
- The child(ren) qualified on the basis of "personal subsistence." In Florida, there are no documented cases of families qualifying under "personal subsistence". Recruitment staff shall contact the ID&R Office if they encounter family or youth that may qualify under "personal subsistence" for clarification on how to determine eligibility and document the COE.

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.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, Guidance for the Title I, Part C Education of Migratory Children, Washington, D.C., 2017. (Chapter II, F28).

- The work could be part of a "series of activities" that, viewed together, would constitute year-round employment (e.g., mending fences and haying could be two parts of year-round ranching with one employer).
- The work is temporary or could be perceived as year-round employment (e.g., collecting eggs or milking cows).
 - In these cases, the work must be confirmed as temporary either by the worker's statement, the employer's statement.

Signatures on the COE

Federal regulations now require a parent/guardian signature on a COE except for a few limited exceptions. Therefore, FMEP also requires a signature upon completion of the COE. The person who signs the COE must be the source of the information contained in the document and shall verify any information provided by another source. By signing the national COE, the parent or guardian confirms that the information he or she provided is accurate.

If the parent/guardian/spouse/youth is unable to sign his or her name, they shall place an "X" on the signature line. The recruiter should then print the name of the person on the line, write the person's relationship to the child(ren), and include the recruiter's initials.

WORKING DRAFT

If a parent/guardian/spouse/youth refuses to sign his or her name, the recruiter must document “REFUSED TO SIGN” in Section IV Comments and print the interviewee’s name in the Signature field in Section V. The recruiter should include their initials.

Anyone younger than 16 years old will need someone 18 years old or older (guardian, relative, supervisor, co-worker, roommate, etc.) to sign the COE. The individual should be able to verify the information on the COE. Refer to *Florida ID&R Policies Regarding OSY* (page) for further guidance on youth younger than 16 years old traveling on their own.

Obtaining the parent/guardian/spouse/youth signature is a good practice for the following reasons:

- A signature allows the parent/guardian/spouse/youth to attest that the information he or she provided is accurate (which promotes quality control).
- An interviewee signature identifies who provided the information so that the recruiter can verify it at a later date, if necessary.
- The parent/guardian/spouse/youth agrees to allow the child to participate in the FMEP for the duration of the eligibility period, unless permission is withdrawn.
- The parent/guardian/spouse/youth gives permission for the child to be given emergency medical referral services.
- A parent/guardian/spouse/youth signature may be used to confirm that the recruiter informed the parent/guardian/spouse/youth about the MEP and about his or her rights regarding the transfer of school records under the Family Educational Rights & Privacy Act (FERPA). More information on FERPA is found in *Appendix H*.

In addition to the parent/guardian/spouse/youth signature, the recruiter’s signature is also required under Federal regulations. The recruiter's signature at the end of the COE certifies that:

- The recruiter received all the information on the COE directly from the family/youth.
- The recruiter collected all the documentation needed to make a proper eligibility determination.
- The information upon which the recruiter based the eligibility determination is correct to the best of his or her knowledge.
- The children are eligible for the MEP.
- The recruiter informed the parent or guardian about FERPA.

In cases where the recruiter cannot make an eligibility determination, the COE shall not be signed until a thorough verification of the information provided by the family and/or youth has been completed. The recruiter’s signature on the COE is a necessary element of a reasonable system of quality control.

COE copies

Once the COE has gone through a review and all the information has been corroborated, the family/youth may receive a copy of the COE, according to the LOA's procedures. The ID&R Office does not require that a copy of the COE be provided. **Under no circumstance should the "green" color copy ever be provided to the family/youth.**

Q: During the interview, if the recruiter has found the family/youth not eligible, do they get a copy of the COE?

A: If a child/youth is not found eligible for the FMEP *during the initial interview*, a COE should not have been completed in the first place.

If the recruiter determines that further verification of information is necessary to make a proper eligibility determination, he or she *shall not* give a copy of the COE to the family/youth at the end of the interview. After the verification process, if the child/youth *is* found *eligible* for the FMEP they *may then* be provided with a copy of the COE according to the LOA's procedures.

COEs of families and/or youth that have been found *not* eligible after the verification process shall be kept in a separate file for future reference, and not used for any child count purposes.

Quality Control Assurances

The FMEP and their staff are responsible for ensuring that only those children who are truly eligible for the MEP are recruited, counted and served. The key outcome of ID&R is a proper and timely eligibility determination, and not just merely completing a COE. Because local funding is based on the number of children and youth identified and recruited into the program, accurate eligibility determinations are imperative. To this purpose, the FMEP has established key assurances and strategies to ensure the accuracy of such determinations. Understanding 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.

In Florida the quality control system involves the State MEP Office (SEA), the ID&R Office, and participating LOAs. Each office fulfills a unique role and has specific responsibilities to make the system work.

In order to accomplish this task, the ***SEA and the ID&R Office*** shall:

1. Provide technical assistance and training to LOAs on procedures and guidelines for ID&R.
2. Assist LOAs in developing, implementing, and documenting their local Quality Control Plans.
3. Conduct an annual review from a random yet representative sample of FL COEs for accuracy and completeness.
4. Resolve questionable eligibility information on the COE and verified by the district MEP through the use of other credible sources (e.g., school records, information obtained from



If you give a copy of the COE to the family/youth, do not provide the green copy which contains the instructions on how to complete the COE.

other districts or states, or visits to parents) to establish the authenticity of the information.

5. Assist with corrective action if the LOA finds COEs that do not sufficiently document a child's eligibility for the MEP.
6. Assist in response to internal state audit findings and/or Federal audits or monitoring reports.

The *LOA* shall:

1. Follow the procedures and practices contained in the Florida Manual for ID&R.
2. Develop, implement and monitor a documented local Quality Control Plan, reviewed by the ID&R Office that works best for the LOA.
3. Maintain a record of actions taken to improve the Quality Control Plan where periodic reviews and evaluations indicate a need to do so.
4. Conduct awareness training for LOA staff to ensure they are knowledgeable about the local quality control plan and the established procedures and guidelines for ID&R in Florida.
5. Supervise and provide an annual review and evaluation of the identification and recruitment practices of individual recruiters.
6. Participate, as appropriate, in workshops and/or conferences conducted or sponsored by the SEA and/or ID&R Office which focuses on the continuity of a statewide ID&R system in Florida.

Florida's ID&R Quality Control System

Florida's ID&R quality control includes the following:

- proper and adequate training of all staff making eligibility determinations and completing COEs as well as proper and adequate training of all staff reviewing, certifying and monitoring ID&R activities, including the review of COEs in Florida
- use of an approved interview protocol to obtain information from families and/or children
- proper and consistent instructions for completing the COE
- effective and accepted process for resolving eligibility questions
- effective process for the mandatory annual re-interview of migrant families
- fair corrective actions for districts failing to implement proper and adequate ID&R activities
- effective and efficient procedures for reviewing COEs before determining eligibility

Training for Recruitment Staff

According to regulations, proper training of recruiters and recruitment staff shall include the following topics:

- knowledge of MEP eligibility definitions
- understanding of the decision-making process used to determine eligibility for the MEP
- knowledge of local agricultural and fishing production and processing activities
- familiarity with local growers, processors, etc.

WORKING DRAFT

- proficiency in accurately, completely, and clearly filling out all sections of the COE
- knowledge of the types of situations that need additional narrative or documentation beyond what is normally recorded on the COE
- familiarity with reviewing and evaluating an individual recruiter's ID&R practices on an annual basis
- familiarity with supervising recruiters

Furthermore, training may include these additional topics, at the discretion of the ID&R Office and/or local district:

- eligibility policy decisions affecting Florida
- quality control in identification & recruitment
- safety
- interview skills
- networking strategies/resource mapping
- local district logistics
- process for resolving eligibility questions

In the event that a recruiter overlooks a recruitment red flag or in some other way makes inaccurate preliminary eligibility determinations, the quality control system is designed to catch these errors. It is the responsibility of the LOA to identify, organize, and provide training for recruitment staff and those responsible for *Quality Control* of ID&R. Staff must understand their role in the LOA and state's quality control plan. It is the responsibility of the ID&R Office to provide guidance and assist in developing and implementing training for aforementioned staff. The ID&R Office will continue to conduct yearly regional recruitment trainings at geographically strategic locations throughout the State.

Reviewing and Approving COEs

An important part of quality control is the review of the COE. Federal regulations state:

(d) Responsibilities of an SEA to establish and implement a system of quality controls for the proper identification and recruitment of eligible migratory children. 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:

(4) An 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.

(34 CFR 200 Part 89)

In Florida, the COE will be reviewed at different levels. All COEs are to be reviewed at the district level by at least two of the following trained individuals:

- recruiter (for accuracy prior to submitting the COE)
- lead or senior recruiter (where available)
- data entry specialist
- migrant coordinator or designee

The LOA will follow these steps:

1. Review the COE as part of the local quality control plan.
2. Further verify information on the COE, if needed.
3. Confirm or over-rule any previous eligibility determination, if needed, based on findings from a thorough verification process.
4. Search the district database for existing COEs on migrant children.
5. Update any existing COE or create a new COE for each recruited child as appropriate.
6. Validate eligibility determinations on new COEs.
7. Verify that the written documentation is sufficient and supports the recruiter's preliminary eligibility determination.
8. Input new COEs into the district student database.

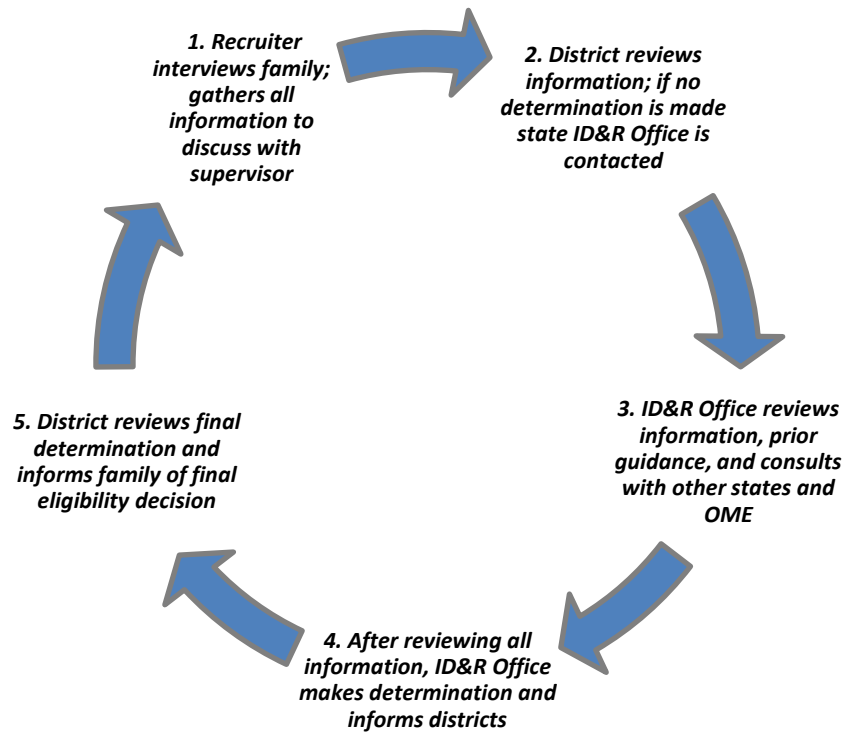
In each district, at least two individuals other than the recruiter who originally completed the COE shall review the form. COE reviewers must ensure that the form is neat, accurate and complete. The form must be legible and with limited errors; the information in the form is correct; and the form is fully completed. Also, the information in the COE must be verified in a timely manner.

A sample COE Checklist is found in *Appendix I*.

Resolving Eligibility Questions

Occasionally, recruiters and/or districts face eligibility questions for which they have no answer or may need further clarification from the ID&R Office or the SEA. Federal regulations say an SEA must have a formal process for resolving eligibility questions raised by recruiters and their supervisors and for ensuring that this information is communicated to all LOAs. In these instances, the following procedures shall be followed:

1. Recruiters shall consult with their immediate supervisor or his/her designee for answers to eligibility questions and problems that may arise at the LOA level.
2. LOA administrators may contact the ID&R Office for assistance in providing answers to recruiters' questions. All written eligibility inquiries must include:
 - a. Detailed explanation of case scenario
 - b. Summary of all documentation and information gathered
 - c. LOA's actual question on eligibility
 - d. LOA's thought process and opinion of eligibility
3. The ID&R Office shall consult the SEA Program Administrator if those questions require the interpretations of the Federal or State law, regulation, or policy. The SEA or State ID&R Coordinator will contact OME, as appropriate, in writing for the resolution of questions and interpretations.
4. The ID&R Office will research the question and will provide a response to the State administrator and LOA administrator. The information will be shared with all districts when feasible.
5. The local district coordinator and recruiter(s) review the final determination from the ID&R Office. The district informs the family or OSY of the final eligibility decision.




Recertification

Families/youth previously identified as migrant must be revisited annually to determine whether the family/youth has made another Qualifying Move (QM) out of the district and back again during the year. These follow-ups ensure that eligible families/youth continue to be served under the FMEP.

When the recruiter/advocate follows up for recertification and learns the family/youth has moved out of the district and back again; and...

- One of these moves was a Qualifying Move (QM), a new COE is required and their new eligibility period needs to reflect the most recent Qualifying Move (QM) (new QAD).
- One of these moves was not a Qualifying Move (QM), their eligibility period and QAD remains the same. The family/youth’s eligibility will continue for the remainder of their 36-month eligibility period starting on the QAD documented on the COE. The LOA shall document on the existing COE that a contact was made during the year. The district has the option to either:
 - Update the Residency Date (RD), record when and how the contact was made and any other new information such as the address, telephone number, enrollment date, etc. by documenting this information legibly on a copy of the existing (previous) COE; *or*

 **It is good practice to have a recertification signed and dated by the recruiter on the date the contact was made.**

- Complete a new COE to include the new Residency Date (RD) along with the previous Qualifying Move (QM) information.

The recertification box in the COE must be checked anytime a recertification is completed and documented, regardless of whether a new form is being completed or copy of the existing COE is used. The date (MM/DD/YY) the COE was recertified should be written in the Section IV Comments box. Although the recertification follow up can be conducted over the phone, a new COE must be completed through a face-to-face interview anytime a new Qualifying Move (QM) has been made (new QAD)).

Re-Interviewing & Validating Migrant Families/Youth Eligibility

Section 200.89(d) of the Federal regulations states an SEA must have a process to validate that eligibility determinations were properly made. There are multiple ways of ensuring the accuracy of eligibility determinations made by recruiters. Re-interviewing parents and OSY is one of these ways. In Florida, this practice may consist of “rolling re-interviews” (sometimes also referred to as “prospective re-interviews” or “independent re-interviews”).

The primary purpose of the re-interview process, regardless of whether it is a prospective or formal re-interview, is to confirm eligibility determinations were made properly. Through re-interviews, local districts will systematically corroborate the information provided by the migrant family or child during the interview. While the rolling re-interviews will be conducted in an on-going manner, the independent re-interview will be conducted once every three years using external, non-district personnel as interviewers.

Helpful steps in validating child eligibility:

1. Inform administrators about the re-interviewing process.
2. Determine which families will be re-interviewed.
3. Decide who will conduct the re-interview.
4. Develop an interview protocol.
5. Train the interviewer.
6. Interview the family.
7. Determine if each child or youth is eligible for the MEP.
8. Resolve any problems that are identified.
9. Develop a process for recruiters to provide additional evidence, information or documentation.
10. Determine defect rate.
11. Summarize problems and identify their causes.
12. Document the process.

For rolling re-interviews, the target number for LOAs to re-interview should be:

- 10% of the total population that fit the re-interview parameters;
- No less than five(5) rolling re-interviews; and
- No more than 50 rolling re-interviews.

In general, each recruiter shall have at least one randomly selected eligibility determination checked each year. As a best practice, rolling re-interviews shall be conducted as shortly after the initial interview as possible. This is because the interviewee will be easier to locate and, it will be

easier for the interviewee to remember what he or she said in the original interview. Finally, the sooner the LOA can identify any inaccuracies, the quicker they can correct the mistake.

Each LOA is responsible for maintaining documentation explaining how the quality control process regarding the annual rolling re-interview was implemented, what the results were, and how the LOA resolved any ineligible findings.

For a detailed explanation of how to conduct prospective re-interviewing see section III of the *OME Technical Assistance Guide on Re-interviewing*.

<http://www2.ed.gov/programs/mep/mep-reinterviewing-guide-dec-10.pdf>

The ID&R Office will provide districts with specific information and training regarding interview protocols for conducting re-interviews as well as provide assistance in determining the expected number of annual re-interviews/sampling pool for each district.

The frecruiter.org site has additional information regarding the re-interview process; including the State's re-interview form, instructions and approved protocol. The site also has the reporting form districts shall use when providing the ID&R Office with the results of their rolling re-interviews.

Removing Families/Youth from the FMEP

All Florida school districts are responsible for maintaining an accurate roster of eligible migrant families/youth. Once a child or youth is identified as no longer eligible, they must be removed from the school district's MEP roster. There may be a number of reasons why the LOA may need to remove a migrant family from the FMEP. Reasons for removing a family/youth include but are not limited to:

- The eligibility period expired.
- Family/youth was found to be ineligible for the FMEP after conducting a re-interview.
- The family/youth no longer wish to participate in the program.

If a child/youth's eligibility period expires, the LOA shall:

- Conduct follow-up interviews to check for possible new QADs. If there has not been a new QAD, the recruiter shall inform the family of the expiration of their eligibility for the MEP.
- Stop all services provided by the MEP (some exceptions apply – see provisions for continuation of services below).
- File the COE as “End of Eligibility” or in a similar manner. LOAs are also responsible for identifying the reason for the child/youth no longer being eligible, for example, “36 months expired.”
- Follow district procedures and remove the migrant child/youth from the district and state migrant database.

If a parent/guardian or an OSY indicates that they *no longer* wish to participate in the MEP, the LOA shall:

- First determine when the COE was completed...

WORKING DRAFT

- If the COE was newly completed during the current school year, the recruiter shall update the COE by adding a comment in Section IV stating, “As of MM/DD/YY, the parent/guardian/OSY (write the full name) no longer wishes to participate in the MEP.” The recruiter should initial the statement.
- If the recruiter is completing a COE for Recertification, the recruiter should complete the form and check “NO” in the appropriate boxes in Section IV Comments and obtain the parent/guardian/OSY signature.
- Follow district procedures for changing the MEP service code.

If a parent/guardian or an OSY indicates, *during the initial interview*, that they wish not to be identified as migrant, the recruiter shall still complete a new COE indicating that the parent/guardian or OSY does not want to be part of the program. This ensures that the student is reported as identified, but not served in the program.

If a family/youth was incorrectly determined eligible for the MEP, as a result of the SEA or LOA Quality Control Plan, the local district must follow proper procedures that include:

- Stop serving the child immediately.
- Inform the family that the child is not eligible for the MEP.
- Take the appropriate steps to remove the migrant status or other program eligibility indicators for the migrant students affected from the local database (contact the district’s student information systems manager for the appropriate procedures).
- Contact the State office and request that the child(ren) be removed from their migrant count. In addition....
 - Mail a letter to the State Director of the FMPEP stating the reason for removing the child(ren) and include a copy of the original COE. The letter should contain the child(ren)’s full name, child(ren)’s date of birth, COE number.
- Contact the ID&R Office and indicate, if possible, the cause of the erroneous eligibility determination and any local corrective actions to address such cause.
 - A copy of the letter to the State Director and a copy of the COE should be mailed to the ID&R Office.

COMMUNICATION WITH PARENTS

It is necessary that MEP staff have an ongoing and effective line of communication with migrant parents. This ongoing communication between the parents and the program will facilitate the corroboration of eligibility determinations. Effective communication through the ID&R process is the first step in creating this relationship between the program and the migrant parents.

Using effective communication skills with parents will certainly enhance the ID&R of migrant families. Remember that families may know other families in similar situations. Parents are an important source of information and networking for the recruiters; keeping these lines of communication open is essential.

In order to accomplish this task, the *SEA* shall:

1. Coordinate with other states to exchange the information about shared families who move in and out of Florida.
2. Operate the Manual for ID&R in consultation with the Florida Migrant Parent Advisory Council (FMPAC) to strengthen the ID&R of migrant families.
3. Provide technical assistance to LOAs in developing and implementing local parental involvement activities related to the ID&R of migratory children.

Each *LOA* shall:

1. Develop and disseminate to parents materials and information relevant to concerns and issues of the migrant families (i.e., school requirements, educational programs, supportive services, etc.).
2. Network with the migrant population when identifying eligible families.
3. Develop and implement parent involvement activities related to ID&R.

Benefits to the Families/Youth

Q. What are the benefits for a family who have been identified and recruited as migrant?

A. All recruiters shall understand the struggles and adversities migratory children and youth face with regard to their education. Truly successful recruiters/advocates also believe in the MEP and its positive influences in helping migrant children succeed in school and beyond graduation. Effective recruiters take time to learn about the services provided by their LOA for migrant students. They collaborate with MEP service providers when implementing program services which allow them to see the program in action. Recruiters can then share these experiences and knowledge when speaking with families and youth about the benefits of the MEP.



When interviewing OSY, explain to them how their recruitment benefits them and helps school-aged migrant students.

When explaining benefits to families/youth:

- Be sincere.
- Share what community agencies offer in the area.
- Remember that migrant students are eligible for free lunch under the National School Lunch Program at their schools.

No Promises

Before a recruiter/advocate approaches a possible eligible migrant worker/youth, the recruiter shall be aware of all *possible* services provided by the LOA. However, it is critical that the recruiter never makes promises of eligibility or services to be provided. It is always difficult for a recruiter to have to return to a family and inform them that they are not eligible due to an incorrect eligibility determination. Unfulfilled promises will promote a negative opinion of the MEP. Families may lose trust and confidence in the MEP and may not refer other families to the program.

Interviews

Interviews are most likely the first form of contact between the migrant family and the FMEP. These suggestions may help recruiters prepare for an effective interview with families.

Preparing for the Interview

- Review the scope of the FMEP including definitions, benefits to the family, and the eligibility guidelines.
- Obtain as much information as possible from the school (if lead was provided by the school) to have an idea about the prospective migrant family's situation and needs.
- Check a previous COE on file for background knowledge about the prospective migrant family's previous Qualifying Moves (QM), if applicable.
- Contact prospective migrant family to schedule a face-to-face interview with the parent/worker whenever possible.
- Confirm address and directions.
- Carry proper identification such as a picture ID provided by the local school district.
- Be prepared to make a positive first impression. This will help create a relaxed, yet professional, climate. Show up to an interview in comfortable attire. Overdressing or questionable attire may create an uncomfortable environment for the family/youth.
- When recruiting at a school site during school enrollment, recruiters shall make sure that necessary forms are completed and all information is collected. Sometimes it is difficult to reach parents at home; therefore, the recruiter shall make effective use of their school visit.

During the Interview

The purpose of the interview is to determine whether the child/youth may be eligible for the MEP. In Florida, recruiters shall always utilize the STAMP of Eligibility to help make the appropriate eligibility determination.

- Identify yourself, show your ID, and ask to speak with the family.
- Briefly explain your affiliation with the school district. For example,

“The MEP is a program that helps migrant students overcome the challenges of mobility and other difficulties associated with a migratory lifestyle in order to help them succeed in school and to successfully transition to postsecondary education or employment.

The school district referred us to you because of the family survey that you completed stating that you have moved in the last three years to do agricultural work. I would like to ask some questions regarding the work that was done to see if your child(ren) may be eligible for MEP services.”

- Conduct the interview in person and speak directly with the family/youth or other adult that is knowledgeable with the move.
- Briefly explain the program and your purpose for your contact to the family. Some recruiters may wish to elaborate on the benefits of the program. However, it is advised

that the explanation of program services be kept to a minimum until eligibility has been established.

- Create a friendly climate in which the family’s culture and values are respected in order to establish trust and gather the most accurate, useful information possible.
- Show courtesy and respect for the migrant family and for the right to privacy. Don’t make the family/youth feel pressured, threatened, or inferior in any way.
- Use multiple words to explain the eligibility terminology (move, go, travel).
- Do not rely on scripted questions only. Utilize effective questioning such as open-ended questions and follow-up questions when needed.

As the recruiter conducts the interview, gather information on:

Children who actually traveled with or joined the worker *Who are the children who traveled with or joined the worker? Who are the children that traveled on their own? Do you have any other children? Where are they? Are they expected to join you later?*

Home Base *Where are you from? Where is your family from? Where do you call home? Where do you go if you are not working?*

Residency Date (RD) *When did you and your family arrive in this school district? When did your children arrive? Are any more of your children expected to arrive here to be with you?*

Qualifying Arrival Date (QAD) *From where did you and your family move? How long ago did you make that move? When did you live there? When did you come here? Do you remember when you arrived?*

If Worker Engaged in Qualifying Work (QW) *What type of work did you get? Exactly what are you doing at your job? When did you start working?*

Economic Necessity *Why did you choose this area to move to? Why did you decide to move? Why didn’t you stay at your previous residence? Would you have moved here if there was no work?*

- If uncertain about any information, ask as many times as needed to verify information. Migrant families/youth are highly mobile; this may be the last time you have the opportunity to verify this information.
- Gather all information through the interview and record it carefully on the COE. Never ask the Migratory Qualifying Worker (MQW) to fill out the COE form.
- Scan surroundings. Be attentive to details that may provide relevant or contrary information.

Closing the Interview

- Review the information entered on the COE with Migratory Qualifying Worker (MQW).
- Explain FERPA *before* obtaining a signature. Parents have a right to:
 1. obtain access to and inspect their child’s education records;
 2. seek to have the records amended; *and*
 3. provide consent prior to disclosure of information from education and health records.
- Obtain signature from parent/youth.

If an eligibility determination is made based on all the information gathered from the interview:

- Use good judgment when determining the family/youth’s eligibility based on the interview and all eligibility guidelines provided in this manual.
- Sign and date the COE on the same date of the interview.

If an eligibility determination cannot be made, and further investigation is required:

- Explain that the COE will be reviewed and, after a determination of eligibility is made, the parent/youth will be contacted and will receive a copy of the COE, if applicable.

Before leaving the recruiter shall take the following steps:

- Inform the parent/guardian of his/her rights under FERPA.
- Document all information, including all necessary comments on the COE.
- Review the COE for completeness and accuracy.
- Obtain parent/youth’s signature.
- Answer questions from the parent/youth.
- Avoid promising eligibility for the FMEP.
- Avoid promising services to the family/youth.
- Make appropriate referrals to other community services that may be beneficial to the family/youth.
- Ask the parent/youth for names of other prospective migrant families who might have come to the area to work in agriculture or fishing.
- Verify all contact information, including phone numbers, and make necessary changes or notes to address information in case a follow-up interview is needed by a recruiter.
- Thank the family/youth for their time and information.



When closing the interview, a recruiter may ask, “Do you know anyone from work who recently moved here with children or is younger than 22?”

After the Interview

If the recruiter is unable to make a proper eligibility determination:

- Verify information given by the family/youth. Contact previous school district, employers, or references.
- Ensure the COE is verified by another trained reviewer.
- Consult with an experienced recruiter, supervisor, or coordinator if determination was not possible.

When a determination is made, inform the family/youth, and continue with your local FMEP procedures in submitting a COE.

Leading Questions

One way of influencing a person is to ask them questions that are deliberately designed to make them think in a certain way. Leading questions may include the answer or subtly prompt the respondent to answer in a particular way. Families/youth, particularly ones who have knowledge of FMEP benefits, are particularly susceptible to leading questions. These families/youth may be attuned to taking cues from recruiters and deciphering FMEP eligibility criteria. Families/youth may tailor their answers based on the way questions are worded in an attempt to be found eligible for the FMEP.

Leading questions are undesirable as they result in false or slanted information and improper eligibility determinations. Interviews shall be used to seek as much information about the family/youth's possible migrant lifestyle. Recruiters shall use open-ended questions designed to encourage a full, meaningful answer using the interviewee's own knowledge. Open-ended questions typically begin with words such as: when, where, who, or how. Even the most experienced recruiter can easily fall into asking leading questions. The best way to avoid leading questions is to ask "open ended" questions that solicit a clear and factual response. Some examples follow.



Avoid leading questions

by:

- Using "open-ended" questions
- Avoiding soliciting an opinion
- Staying neutral

Leading Questions

Did you move here for agriculture?

Did you move here within the past 36 months?

When you arrived did you work in agriculture?

Before you moved here, did you hear about agriculture/fishing work?

Do you pick oranges at work?

Is your job an important part of your income?

Are your children between 3 and 22 years old?

I know you are a crew leader, but don't you help the workers and also work in the field?

Information Seeking Questions

What kind of work did you get when you arrived? How did you hear about the work in this area?

When exactly did you move here?

What did you work in when you arrived here? What type of work did you do?

How did you learn about this place? What made you decide to come here specifically?

What do you do at work? What does a day at work look like for you?

What did you do when you first arrived? Did you work?

Tell me about your children. How old are they?

What are all your responsibilities at work? Tell me about your responsibilities at work.

Suspicious of Family/Youth Not Providing the Truth

If a recruiter suspects a family is not telling the truth, it is the recruiter's responsibility to determine what the truth is based on any information gathered.

- Press the family for all details.
- Examine the data carefully. Look for conflicting information, dates or stories.
- Analyze the information given.

If a parent/youth gives incorrect or conflicting data, *do not* accuse them of not telling the truth. The recruiter shall point out that he/she will only make a preliminary determination based on the information provided. The recruiter shall not explain why/how the family/youth was found eligible or not eligible for the FMEP. When the parent/guardian/emancipated youth signs the COE, they are attesting that the information they provided throughout the interview is true and accurate.

Who Determines Eligibility?

It is trained MEP staff, not the individual being interviewed, who determines the child's eligibility for the program. Therefore, it is essential that the recruiter collects all the information necessary in an accurate manner, and records such information in the COE and/or the supplemental interview protocol.



The purpose of the interview is to make a *proper eligibility determination*, and not to simply *find* a family eligible.

The FMEP is well known among the migrant community in Florida. It is known for the excellent services for children and youth. Many families/youth know the great advantages of being eligible for the program. Therefore, they may say and do whatever possible to be found eligible. During an interview, a recruiter's eligibility determination must not be led by the family's desires or needs. If the interview, documentation, or any source of evidence finds the family ineligible, the recruiter must follow through and not enroll the family into the MEP.

The time frame from the initial interview and the final determination shall be as short as possible. Migrant workers have traveled many miles to work and provide for their families. It is only a professional courtesy to determine their eligibility as quickly as possible. Also, migrant workers, especially emancipated youth, migrate so often they may have moved again by the time you return with additional questions or your eligibility determination. It is the responsibility of the recruiter to identify and recruit all possible eligible migrant families/youth; timing is critical.

Unsure of Eligibility

In the case where the recruiter is not sure of the eligibility based on the information gathered, the recruiter must inform the family/youth that more information may be needed.

"I will take this back to my supervisor since he/she makes all the final decisions. We may have to contact you again for more information if the need should arise."

WORKING DRAFT

This shall give the recruiter sufficient time to consult with his/her supervisor for guidance which will yield a more accurate determination.

Recruiters may rely on the worker's statement regarding his or her attempts to obtain new qualifying work. Recruiters may rely on the worker's statement regarding his or her history of moves for qualifying work.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, C11 and 15).

Although recruiters may rely on the worker's statement regarding Actively Sought (AS) and Recent History of Moves (RHMs) Comments, there are times when the recruiter (of the COE Review Process) receives conflicting information regarding the eligibility of the child(ren)/youth. Therefore, recruiters and/or the COE reviewer may request additional documentation in order to make a proper eligibility determination.

Q. What type of documentation is needed when we want the parent/guardian to supply more information to substantiate a move?

A. It depends:

If there is a question as to:

Whether the parent was employed in a specific agricultural activity

Whether or not the family moved and returned

What documentation is sufficient:

- Contacting that employer to substantiate the employment via phone
- Old pay stubs with name and address of employer, and name of worker
- Contact school authorities for possible enrollment, withdrawal dates, or absence of student
- Contact neighbors, friends, family members who can confirm information
- Check MSIX for any previous Qualifying Moves (QM)

Determined Not Eligible

If a family/youth is found ineligible, the recruiter must inform the family as soon as possible.

“According to our conversation (or documentation found), it is my responsibility to inform you that you are not eligible for this particular program. I would still like to provide information about other community agencies that may help you. They are...”

The recruiter shall refer them to other applicable community agencies. It is important to know and share what your community can offer. One of the reasons why migrant children do not succeed as well in school is the disconnectedness with the community and all its possible resources. The recruiter/advocate has the opportunity to assist children and families by sharing information about available resources.

RECRUITMENT STRATEGIES

ID&R Action Plans

LOAs shall develop a written ID&R action plan that outlines the identification and recruitment of migratory children. The plan shall detail timelines, effective recruitment strategies and methods to find all migrant children and their families.

The plan shall include:

- schedule of training activities for all recruiters, including agenda topics
- various strategies and activities to actively identify and recruit all eligible migrant children in the district, including preschool and out of school migrant children
- map of the district and current migrant housing lists to target all areas in which migrant families or emancipated youth are likely to reside
- daily, weekly, and annual schedules of activities related to ID&R, outlining efficient efforts during high and low periods of migration
- coordination and networking with local and regional agencies and organizations that provide services to migrant workers and their families
- safe and effective process for deploying recruiters within the district
- effective protocol for eligibility review
- plan for monitoring recruiters, recruitment efforts, and eligibility determinations, i.e., recruiter log
- written quality control procedures for ID&R

Locating Prospective Migratory Children/Youth

Using a variety of recruitment strategies will greatly improve a recruiter's opportunity to find migratory families. This will increase the likelihood that the FMEP services will reach those who need them. The following are strategies to consider.

Partnership with LOAs

At the beginning of the school year, utilize recruitment tools that can be used effectively during open registration. Some examples may include, but are not limited to family surveys and an eligibility screening tool.

If a family survey is used for ID&R, the LOA may choose to first conduct awareness training for key school personnel, registrars, attendance clerks, nurses, teachers, counselors, etc. This may help them to be able to recognize when a child or family may be migratory.



Many local MEPs find it effective to set up information booths at school events (i.e., back to school events, assemblies, parent-teacher night, reading/math events, etc.).

Partnerships with Community-Based Organizations

Community-based ID&R strategies help establish partnerships with community members and organizations that can assist with the ID&R process. This approach includes strategies to be used outside of the schools to find eligible migrants who may not be attending school or who have no siblings in school.

The recruiter shall:

- Contact local community-based organizations (CBOs) and become aware of their services and eligibility requirements.
- Obtain information that may be helpful to migrant families.
- Collaborate with these CBOs to conduct MEP Awareness Training. Many CBOs conduct weekly or monthly staff meetings that may include training from outside agencies. This would be our opportunity to provide awareness training to their staff.

Partnerships with Agricultural Businesses and Organizations

These partnerships can be a source of quality leads for recruiters. Being able to recruit where migrant families/youth are employed helps the recruiter determine if the Qualifying Work (QW) is indeed agricultural or fishing.

In order to partner with agricultural businesses and organizations, the *SEA* shall:

- Contact and enlist the assistance of Federal and state agencies whose responsibilities include agriculture.
- Contact and enlist the assistance of the growers, farmers, and processors of local crops.
- Conduct MEP awareness training for agricultural businesses and organizations.

Each participating *LOA* shall:

- Identify and contact all growers, farmers, and processors that work with migrant families.
- Maintain a list of such growers and processors and revisit them often.
- Develop professional rapport with agricultural businesses informing them of MEP benefits for their workers and their businesses as well.
- Conduct surveys with local growers, farmers, and processors to determine the existing migrant population residing in the district.
- Conduct annual meetings with agricultural businesses & organizations.

Recruiters shall:

- Start with and focus on one grower at a time.
- Meet growers face to face.
- Recruit before, after work, and/or during lunch breaks. The recruiter shall not pull workers away from work. Appropriate on-site interviewing provides an opportunity for the owner to see recruiters in action.
- Thank the grower, in writing, for providing permission to speak with workers.
- Ask the grower to recommend other growers.
- Ask if the recruiter can use his/her name when contacting other growers.

In order to expand and strengthen state efforts to identify and recruit migratory children and families, the SEA and participating operating agencies must coordinate with other appropriate state and local governmental and private agencies. This assists MEP staff in determining eligibility of existing agriculture/food processing migrant activities within the school district(s).

Recruiter Tool Kit

An effective recruiter is one that has full comprehension of eligibility criteria and knows how to use tools resourcefully to recruit migrant children/youths.

Listed below are some of the tools that can help individuals become a successful recruiter. MEP staff may choose to incorporate electronic versions accessible through mobile devices (smart phones, tablets, etc.).

- picture identification – with school district and MEP logos
- business cards – with recruiter’s name and complete business contact information (multilingual if possible)
- family survey
- eligibility screening tool
- detailed map - school district/county
- atlas of 50 states - including state abbreviation and cities
- list of counties/districts/provinces of Mexico and Canada
- blank COE and a sample COE already filled out for reference purposes
- address book
- contacts of known growers
- contact information of other agencies serving migrant families and the services provided
- handouts of information from other helpful agencies in the community

A list of Recruiter Tips is found in *Appendix J*.

Safety

Safety is a top priority for the FMEP. The safety of migrant families and migrant staff is as critical as the ID&R process itself. Since interviews are conducted under different situations at various times of the day, safety shall be at the forefront of any program activity.

Although each LOA may establish procedures for the safety of their staff, here are a few tips to consider when addressing these issues:

Before You Go

- Ensure that you have obtained as much information about the family/youth as possible.
- Communicate your schedule and likely route to your supervisor. Notify your office of your arrival.
- Make sure someone always knows where you are (give coordinator or other staff member your daily/weekly schedule).
- It is best to wear clothes and shoes that do not impede your movement.

Vehicle Safety

- Do not ask for casual street corner directions.
- If you are told by a passing motorist that something is wrong with your vehicle -- or if someone bumps you from behind -- do not stop. Drive to the nearest well lighted public area and call for assistance (police emergencies -- dial 911).
- Always keep doors locked and windows up when driving or parked. Keep valuables in the trunk or locked glove compartment.
- Learn the signals of the emergency vehicles (police lights are blue or red). Do not stop for flashing headlights alone.
- In the rare event that you are approached by a stranger who demands your valuables, do not resist. Your well-being is more important than your belongings.
- Do not give strangers a ride under any circumstances. Always be aware of the pedestrian traffic around your vehicle.
- Always park in well lighted areas. Have car keys in hand and check the surrounding areas and vehicle's interior before entering.
- If car trouble is experienced on a major thoroughfare, lock the doors, turn on flashers and wait the arrival of a law enforcement officer. If someone offers assistance, have them call 911.
- Never leave your vehicle unattended with the motor running.
- Do not stop to assist someone with car trouble. Go to the nearest well-lit pay phone or emergency phone box and call police (dial 911).

Upon Arrival

- If possible, canvass the area around the home's address. Assess potential safety concerns and take precautions.
- Carry only your ID, a cell phone and/or pager, and keys.
- Park within direct sight of the home's entry. Park in a well-lighted, unobstructed area. Do not park in the driveway of the home. Park your car close to the door (keep car facing out when parked).
- As you exit your car, be attentive to people in the area and any unsecured dogs.
- Keep your hands as free as possible.
- Have emergency numbers saved under speed dial features. Keep your cell phone close at hand.
- Carry a personal alarm if feasible – a clip-on one is best.
- Be aware of your surroundings as you walk towards the home.

Safety During the Visit

- Wear a name badge if you have one, but do not wear one around your neck. A clip-on is best.
- Present yourself as calm, confident, observant and in control.
- Know your exits within the home.
- Position yourself between the client and an exit.
- Sit in a hard-backed chair.
- Have an excuse for leaving prepared in advance.
- Be aware of your surroundings and leave if your instincts tell you to.

TECHNICAL ASSISTANCE AND ON-SITE TRAINING

Participating (LOAs are responsible for the ongoing ID&R of eligible migrant children. Staff members who recruit migrant children are expected to be knowledgeable of the schools, community agencies, growers, their district's program services as well as their responsibilities and involvement with the FMEP Quality Control Plans.

In order to accomplish this task, the *SEA* must:

- Provide technical assistance and on-site training for LOA personnel, if requested, in techniques and strategies for the ID&R of migratory children.
- Develop training materials, in collaboration with LOAs and other agencies, regarding successful ID&R practices and share information about “what works” within school districts.
- Provide leadership by initiating communication, sharing information, and modeling collaboration and cooperation among school districts and states related to successful ID&R practices.
- Provide a State Manual for ID&R to operating agencies to serve as a guide for ID&R of eligible children.
- Distribute to all LOAs the COE forms for certification of migrant eligibility in the state.
- Validate ID&R through on-going Quality Control checks and support the LOA's annual re-interview processes.
- Assist participating school districts and operating agencies with the development and implementation of the district's ID&R plan, if requested.

In order to facilitate continuous and timely recruitment efforts both in the schools and in the community, the *LOA* must:

- Provide ongoing technical assistance and training, in collaboration with the ID&R Coordinator and the ID&R Trainer, to LOA recruiters on ID&R techniques.
- Meet periodically with the SEA and the ID&R Coordinator to discuss issues in the area of ID&R.
- Develop a district's ID&R Plan to ensure that all geographical areas are visited by recruiters to identify and recruit all eligible children.
- Utilize the State Manual for ID&R and various reports provided by the SEA in designing the plan for ID&R and Quality Control measures.
- Cooperate with other participating community agencies in the development of a network to assist with the ID&R of migratory children.
- Continue to maintain rapport with migrant families.

The FL Recruiter Website and Listserv

In an effort to ensure consistency regarding recruitment, the ID&R Office maintains a website, flrecruiter.org, which serves as a means to inform recruiters about issues affecting migrant children's eligibility. The site also serves as a repository for the training materials, policy determinations and other information (ID&R Manual, COE checklist, re-interview forms, OSY

WORKING DRAFT

Profile form, etc.) used in the during the eligibility process. The ID&R Office has also maintains a FL Recruiter Listserv. This communication tool contains information that will assist recruiters to understand recruitment policy, become aware of training opportunities, and utilize actual case studies on recruitment issues for local training purposes.

To sign up for this Listserv, please contact the ID&R Office to provide your email address.

FMEP ID&R Office
10006 N. Dale Mabry Hwy. Suite 102
Tampa, FL 33618
Phone: (866) 963-6677
Fax: (813) 964-8985
Website: flrecruiter.org
Email: fl-idr-office@escmail.org

GLOSSARY

For the purposes of the FMEP, the following key terms are explained, specifically for the ID&R of migrant children and youth.

TERM	DEFINITION
Actively Sought (AS)	Having taken positive actions to look for Qualifying Work (QW).
Advocate	FMEP staff member, usually employed by the LOA. Responsibilities may include, but are not limited to: ID&R, Student Support Services, and Social Service Support to migrant children or youth.
Agricultural Activity	Any activity directly related to the production or processing of crops, dairy products, poultry, or livestock for initial commercial sales or as a principal means of personal subsistence; any activity directly related to the cultivation or harvesting of trees; or activity directly related to fish farms.
Camps	Also known as Farm Villages; refers to housing for migrant agricultural workers - living conditions may be below standards.
Certificate of Eligibility (COE)	Documentation used by Florida (Form ESE 047) as the legal document used to enroll eligible migrant children/youth into the FMEP.
Comments	Statements on the COE that provide additional corroborating information for the family. <ul style="list-style-type: none">• Section II Item 16 may be used for information pertinent to the family.• Section III, Item 8 must be used for eligibility comments only.
Crew	Group of agricultural workers, usually under the supervision of a Crew Leader, who work on a farm.

WORKING DRAFT

TERM	DEFINITION
Crew Leader	Workers responsible for the supervision of the crew/agricultural workers - those who work exclusively as Crew Leaders are not eligible for the FMEP.
Crop	Cultivated plants or agricultural produce, such as grain, vegetables, or fruit, considered as a group.
Cultivating	Also known as harvesting - refers to the soil preparation, planting, tending, pruning, and cutting of plant crops.
Dairy worker	Agricultural workers who work in milking, herding, cleaning after dairy animals, and in the product and processing of dairy products.
Day Haulers	Workers responsible for the locating and transporting of migrant workers to and from the Qualifying Work (QW). Those who work as Day Haulers are not eligible for the FMEP.
Documentation	Any information/record or other proof that may corroborate a worker and their family's migrant lifestyle, move, and work, such as: <ul style="list-style-type: none"> • birth certificate, shots record, school enrollment forms, report cards, pay stubs, etc.
Early Move	Move that occurs before work is reasonably expected to be available.
Economic Necessity (EN)	Moving because the worker had a financial need. For example, not being able to afford to stay in the current location, moving for work or because work has ended.
Eligibility	Determining a migratory family as qualified to participate in the FMEP.
Eligibility Interview (EI)	The date when the recruiter conducts an eligibility interview with an individual. Recruiters must focus on moves that occurred <i>within the preceding 36 months of the eligibility interview</i> .
Emancipated Youth	See definition for <i>Out-of-School Youth (OSY)</i> .
Engaged (E)	“Engaged in Qualifying Work” – having already begun working or performing Qualifying Work (QW) by the eligibility interview date. Having had started new Qualifying Work (QW). The emphasis is on “having already begun.”
FMEP	Refers to the Florida Migrant Education Program.
FERPA	The Family Education Rights and Privacy Act of 1974 - provides each family the right to access their child's records, and provides that the privacy of such records is protected.
Fish Farm	Tract of water reserved for the artificial cultivation of fish or shellfish, such as catfish, eels, oysters, or clams, rather than caught in open running water as they would be in a “fishing activity”.
Fishing Activity	Any activity directly related to the catching or processing of fish or shellfish for initial commercial sale or personal subsistence.

WORKING DRAFT

TERM	DEFINITION
Follow-up	<ol style="list-style-type: none"> 1. Re-contact the worker/family for further documentation in order to determine accurate eligibility. 2. Contact the family/youth, on a yearly basis, to document any changes in eligibility.
Further Processing	After an initial commercial sale, processing goods into a more refined product, but are <u>not</u> eligible qualifying activities.
Harvest	<ol style="list-style-type: none"> 1. Season for gathering crops. 2. Act or process of gathering a crop. 3. Mature crops, the quantity of a natural product gathered in a single season.
Home base	City/town/state/country which the worker considers the permanent address where he/she resides for much of the year when not migrating for work.
ID&R Plan	Plan which details ID&R activities, strategies to be used to identify and recruit all migrant children/youth and includes a timeline for ID&R activities.
Individual (I)	The parent/guardian/spouse or the child/youth. Also known as the worker.
Initial Processing	Qualifying Work (QW) that involves working with “raw products”.
Interview	Process that gathers information needed to determine a child’s or youth’s eligibility for the FMEP.
Lead	Information given by a third-party regarding possible migrant children/youth.
Leading Question	Question which subtly prompts a possible migrant family/youth to answer in a particular way and are not recommended during the eligibility interview.
Livestock	Any domestic animal produced or kept primarily for breeding or slaughtering purposes: beef and dairy cattle, hogs, sheep, rabbits, deer, goats, and horses - activities may include herding, feeding, watering, caring for, branding, or tagging.
Local Operating Agency	Florida school districts that receive funds and are responsible for the daily operations of the MEP such as ensuring ID&R and providing migrant education services (also referred to as local educational agency).
Migrant Family	Family consisting of at least one family member who is a Migratory Qualifying Worker (MQW) that has moved to seek or obtain qualifying agricultural/fishing work.

WORKING DRAFT

TERM	DEFINITION
Migratory Agricultural Worker (MAW)	An individual (I) who, in the preceding 36 months, made a Qualifying Move (QM) and, soon after the move, Engaged (E) in new temporary or seasonal employment or personal subsistence in Qualifying Work (QW) in agriculture.
Migratory Child (MC)	A child who is; (1) younger than 22 years of age; (2) entitled to a free public education under State law; (3) made a Qualifying Move (QM) in the preceding 36 months: <ul style="list-style-type: none"> • “as” the Migratory Qualifying Worker (MQW), or • “with” a Migratory Qualifying Worker (MQW), or • “to join” or proceed a Migratory Qualifying Worker (MQW).
Migratory Fisher (MF)	An individual (I) who, in the preceding 36 months, made a Qualifying Move (QM) and, soon after the move, Engaged (E) in new temporary or seasonal employment or personal subsistence in Qualifying Work (QW) in fishing.
Migratory Qualifying Worker (MQW)	An individual (I) who is either a Migratory Agriculture Worker (MAW) or Migratory Fisher (MF).
Move (M)	Changing from one residence to another. Traveling from one residence to another. Not a Visit.
Original Product	Crop at its most natural state before processing of any form.
Out-of-School Youth (OSY)	Also known as Emancipated Youth - under the age of majority (age 16 in Florida) who is no longer under the control of a parent or guardian and is solely responsible for his or her own welfare and is the worker.
Permanent Relocation	Move made without the intent to move again.
Personal Subsistence	Worker and his or her family consume the crops, dairy products, or livestock they produce or the fish they catch in order to survive.
Probing Questions	Additional questions asked by recruiters/advocates/COE reviewers to families/youths to determine appropriate eligibility.
Processing	Transforming a “raw” agricultural or fishing product into a more refined product that includes: <ul style="list-style-type: none"> • cooking, baking, curing, heating, drying, mixing, grinding, churning, separating, extracting, slaughtering, cutting, fermenting, distilling, eviscerating, preserving, dehydrating, freezing, chilling, packaging, canning, jarring, or otherwise enclosing “raw” agricultural fishing products in a container. See definition for <i>Initial Processing</i> . See definition for <i>Further Processing</i> .

WORKING DRAFT

TERM	DEFINITION
Production	Activities on farms, dairies, orchards, and nurseries that engage in the production of crops, plants, or vines and keeping, grazing, or feeding of livestock or livestock products for sale.
Qualifying Arrival Date (QAD)	The date that both the child and the Migratory Qualifying Worker (MQW) complete the Qualifying Moves (QM). The child must have moved “as” the Migratory Qualifying Worker (MQW), or “with” or “to join” a parent/guardian/ spouse who is a Migratory Qualifying Worker (MQW).
Qualifying Move (QM)	A move (M) that an individual (I) made under all the following conditions: <ul style="list-style-type: none"> • due to economic necessity (EN), • from one residency (R) to another, and • from one school district to another. The worker has to make a QM. The child has to make a QM.
Qualifying Work (QW)	Work that is temporary or seasonal employment, or for personal subsistence, in agriculture or fishing.
Quality Control	Process that ensures migrant children/youth are accurately identified and recruited in the FMEP.
Raw Product	Any agricultural or fishing product that is removed from its natural state of growth from ground, trees, vines, or water and can include livestock from farms where they are bred, raised, and slaughtered.
Receiving State	States whose migrant population moves from other states for qualifying activities.
Recertification	Previously identified migrant families/youth revisited annually to determine whether they have made another Qualifying Move (QM) out of the district and back again during the year in order to ensure that those that are eligible continue to be served under the FMEP.
Recruiter	Those assigned with the responsibility to identify and recruit all possible migrant children/youth.
Referral	The act of directing someone with a need to the appropriate resource for addressing that need.
Re-Interview	Contact family/youth to re-verify that the information on the COE supports a proper determination of eligibility.
Recent History of Moves (RHM)	Moves (M) that resulted in the engagement of new QW that occurred within the preceding 36 months of the eligibility interview.
Residence (R)	A place where one lives and not just visits. In certain circumstances, boats, vehicles, tents, trailers, etc., may serve as a residence.
Residency Date (RD)	Also known as <i>date of arrival</i> - student’s arrival in the school district for the first time.

WORKING DRAFT

TERM	DEFINITION
Reviewer	Staff person (trained annually) responsible for approving and verifying that the information on a given COE supports a proper determination of eligibility.
Soon After the Move (SAM)	60 Days
S.T.A.M.P. of Eligibility	Final approval and assurance from the LOA that all eligibility factors are met by the migrant family - S chool Completion, T ime of Move, A ge, M ove Across District Lines, and P resently engaged.
School Completion	Graduation from high school or the receipt of a GED.
Seasonal Work / Employment	Employment that depends on the natural cycles of weather and meteorological, atmospheric and/or climate/weather cycles. <ul style="list-style-type: none"> • Planting, cultivating, pruning, harvesting, and related food processing are seasonal activities in agriculture. • Planting and harvesting clams and oysters, fishing during seasonal runs of fish, and related food processing are seasonal activities in commercial fishing.
Sending State	States whose migrant population moves to other state for qualifying activities - Florida is considered to be a sending state.
Short Move	Relocating to an area for a time period less than 10 days.
State Educational Agency (SEA)	The Florida DOE - responsible for the daily administration of the MEP at the state level that may include disbursing MEP funds to LOAs for the purposes of the FMEP.
Temporary Work / Employment	Employment in agriculture or fishing that lasts no longer than 12 months.
To Join	Move by the child(ren), less than 12 months prior to or after the Migratory Qualifying Worker's (MQW) move date.
To Join Date	Date when the child(ren) and Migratory Qualifying Worker's (MQW) complete the move to be united.

APPENDICES

<u>Appendix:</u>	<u>Document:</u>	<u>Page:</u>
A	Certificate of Eligibility	83
B	Instructions for Completing the COE	85
C	Florida Recruiter Code of Ethics	98
D	STAMP of Eligibility	99
E	OSY Profile	100
F	Qualifying Activity Chart	102
G	Eligibility Flowchart	103
H	Family Education Rights and Privacy Act (FERPA)	104
I	COE Checklist	106
J	Recruiter Tips	107

APPENDIX A: Certificate of Eligibility

FLORIDA DEPARTMENT OF EDUCATION ~ DIVISION OF PUBLIC SCHOOLS
FLORIDA MIGRANT EDUCATION PROGRAM CERTIFICATE OF ELIGIBILITY (COE) FORM

District/Agency: _____ District COE # _____
 SY20 ____ (Recertification) | SY20 ____ (Recertification) | SY20 ____ (Recertification)

SECTION I: FAMILY DATA

1. Current Parent/Guardian 1: (Last Name, First Name) _____
 Current Parent/Guardian 2: (Last Name, First Name) _____

2. Legal Parent/Guardian 1: (Last Name, First Name) _____
 Legal Parent/Guardian 2: (Last Name, First Name) _____

3. Current Address (Street, Rural Route, Lot Number – Physical Address Only)

 City _____ State _____ Zip _____

4. Home Base (City/State/Country) _____ 5. Telephone Check if mobile number _____

SECTION II: CHILD DATA

1. Last Name 1	2. Last Name 2	3. First Name	4. Middle Name	5. Suffix	6. H	7. Race	8. Sex	9. Birth Date MM/DD/YY	10. Age	11. MB	12. Code	13. Birthplace City State Country	14. School	15. Gr.
1.								/ /						
2.								/ /						
3.								/ /						
4.								/ /						
5.								/ /						

16. Child/Family Data Comments (e.g., urgent health, non-eligible children in the household, additional phone number(s), email address)

SECTION III: QUALIFYING MOVES & 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 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
 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 _____.

7. Residency Date (child arrival date) MM/DD/YY _____
 8. OSY Info ONLY. Was OSY Profile completed? Yes No
 Last grade attended _____ OSY Sec. II no. _____
 When (year) _____ OSY Sec. II no. _____
 Where (country) _____

SECTION IV: COMMENTS (Must include 2bi, 4a, 4b, 5*, 6a and 6b of the Qualifying Moves & Work Section, applicable.) Enter Recertification Date (if applicable) _____

SECTION V: INTERVIEWEE SIGNATURE

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.

Signature _____ Relationship to the child(ren) _____ Date _____

Check all that apply

1. I give my permission for my child(ren) to participate in the Title I Migrant Program. Yes / No
 2. I give my permission for my child(ren) to be given emergency medical referral services. Yes / No
 3. I have been informed about FERPA. I authorize the district to release, transfer, and/or receive Yes / No my child(ren)'s educational and health records with other districts, educational agencies including HEP/CAMP, and pertinent agencies, including the ID&R Office.

SECTION VI: ELIGIBILITY DATA 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 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 _____

ESE 047
 Rev. Date 07/1/17

DO NOT PROVIDE THE GREEN COPY TO THE PARENT/GUARDIAN/SPOUSE/WORKER

_____ of _____

Office of the Commissioner
 Florida Department of Education



The Florida Migrant Education Program Certificate of Eligibility (COE) Form (ESE 047) is the only acceptable document utilized in Florida for the proper identification and recruitment of migratory children. The form is divided into six major sections: Section I Family Data; Section II Child Data; Section III, Qualifying Moves & Work; Section IV, Comments; Section V, Interviewee Signature; Section VI, Eligibility/Data Certification. The Recruiter/Home School Liaison or other trained interviewer shall complete the form. The completed form shall be submitted within five (5) working days to the District Migrant Program Coordinator or designee for certification of eligibility. The form shall be completed legibly in blue ink. Do not leave any item blank. Use "same," "N/A," or dashes to acknowledge that an inquiry has been made for each item. Use the reverse side of the white sheet to clarify information on this form, as appropriate. The form shall be completed after each new qualifying arrival date is established. For further guidance, refer to the Manual for Identification and Recruitment.

Top of COE: REQUIRED – Enter the District AND Enter the corresponding School Year (Example 2017-18; do not enter a date), ONLY IF APPLICABLE – Check the recertification box. Enter the district's COE#.

SECTION I: FAMILY DATA

- 1. Record the names of current parent(s)/guardian(s) (last name, first name). Enter name of current parent/guardian 1 on first line and current parent/guardian 2 on second line. 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."
2. Record the names of legal parent(s)/guardian(s) (last name, first name). Enter name of legal parent/guardian 1 on first line and legal parent/guardian 2 on second line. If same as current parent, write "Same".
3. Enter the current and complete physical address where the child(ren) reside(s).
4. Enter the home base; include city, state, and country. Families may consider a home base the location where they return most often, own a home, pay taxes, or have relatives residing. If home base is the same as the current address, write "Same".
5. Enter phone number where worker or current/legal parent(s)/guardian(s) may be reached; check if mobile number.

SECTION II: CHILD DATA –In numbers 1 through 15, list only eligible children (birth to 21) who made the qualifying move

- 1. Last Name 1. Record the legal last name of each eligible child in the family. If the eligible child has a multiple or hyphenated last name, record the first part of the name.
2. Last Name 2. If the child has a multiple or hyphenated last name, record the second part of the name. If the child does not have a multiple or hyphenated name, write a dash (-).
3. First Name. Record the legal first name. This is the name given at birth, baptism, during another naming ceremony, or through a legal name change. Do not record nicknames or shortened names.
4. Middle Name. Record the legal middle name. Do not record nicknames or shortened names. If the child does not have a middle name record a dash (-).
5. Suffix. Where applicable, record the child's generation in the family (Jr., Sr., III, etc.). Otherwise, record a dash (-).
6. Hispanic. Record a "Y" for "yes" if the child is considered Hispanic. Record an "N" for "no" if the child is not considered Hispanic.
7. Race. Enter the race code(s) for each child: A – Asian; B – Black; I – American Indian; P – Native Hawaiian/Pacific Islander; W – White
8. Sex. Indicate the child's sex by entering M for male or F for female.
9. Birth Date. Enter two-digit numbers for the month, day, and year (e.g., 06/07/82).
10. Age. Record the current age of each eligible child or youth.
11. Multiple Birth. Record "Y" for "yes" if the child is a twin, triplet, etc. Record a dash (-) for not applicable.
12. Verification Code. Record the digits that correspond to the evidence used to confirm each child's birth date:
03 – Baptism or Church Certificate 07 – Parent's Affidavit* 11 – State-issued ID 99 – Other
04 – Birth Certificate 08 – Passport 12 – Driver's License
05 – Entry in Family Bible 09 – Physician's Certificate 13 – Immigration Documents
06 – Hospital Certificate 10 – Verified School Records 82 – Life Insurance Policy
*If written evidence is not available, the interviewer may rely on a parent's or youth's verbal statement. In such cases, the interviewer should record "07" – the number that corresponds to "Parent's Affidavit".
13. Birthplace. Enter the city, state, and country of the child's birth. If the child was born in a foreign country, enter the name of the city, the state (if available), and country.
14. School. Enter the name or code of the school in which the child is enrolled.
15. Grade. Enter the grade in which the child is enrolled.
16. Child/Family Data Comments. Enter any details about individual child(ren) or any pertinent family information.

SECTION III: QUALIFYING MOVES & WORK

- 1. "From a residence in ____." 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 ____." This location is where the child(ren) resided immediately following the qualifying move: "as the worker"; "with the worker"; or "to join or precede the worker".
2. a. Mark the appropriate box to indicate if the child(ren) made a move: as the worker; with the worker; or to join or precede the worker (if "to join or precede" box is marked, also complete "i" under 2b). Mark only one box.
b. 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).
i. 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 using the two-digit numbers for the month, day, and year (MM/DD/YY). Also record the reason for the different move dates, and whether the worker moved from a different location than the child(ren), in Section IV Comments.
3. Record the Qualifying Arrival Date (QAD) using two-digit numbers for the month, day, and year (MM/DD/YY). The QAD is the date that both the child and worker completed the move to the school district listed in #1.
4. Record the date using two-digit numbers for the month, day, and year (MM/DD/YY) the worker in #2b moved due to economic necessity from a residence in one school district to another, and, soon after the move (within 60 days):
a. Mark (a) if the worker engaged in new temporary or seasonal employment (or personal subsistence) in agriculture or fishing.
b. Mark (b) if the worker actively sought new qualifying work and has a history of moves for qualifying work. Explain in Section IV Comments section how and when the worker actively sought new qualifying work as well as the worker's recent history of moves that resulted in qualifying work (must have at least two prior moves when the worker engaged in qualifying work).
5. Using an action verb and a noun (crop, livestock, or seafood), describe the qualifying work (i.e., "picking tomatoes"). If necessary, provide explanatory comments in Section IV Comments.
a. Mark the appropriate box – select "temporary" or "seasonal." If "temporary," continue and complete # 6. If "seasonal," write "N/A" in item 6c (employer's name) in this section.
b. Mark the appropriate box – select "agricultural" or "fishing work."
6. If temporary work, indicate how the work was determined to be temporary, whether based on (a) the worker's statement, (b) the employer's statement, or (c) state documentation. Provide explanatory comments in Section IV Comments. Document the name of the employer in 6c whenever employment is temporary.
7. Residency Date (Child Arrival Date) using the two-digit numbers for the month, day, and year (MM/DD/YY) that the child(ren) entered the present school district.
8. OSY Info ONLY. Check if OSY Profile was completed. Document last grade attended, when (YEAR) and where (COUNTRY) for OSY(s) listed in Section II. Indicate the corresponding Section II no. for each OSY.

SECTION IV: COMMENTS

Use this space to provide further clarification of the child(ren)'s eligibility. At minimum, comments must clearly explain items 2bi, 4a, 4b, 5* (if personal subsistence is checked), 6a and 6b of Section III, if applicable. Only if applicable, enter the date the recertification was completed (MM/DD/YY).

SECTION V: INTERVIEWEE SIGNATURE

Procure a signature or mark of current/legal parent/guardian/spouse or youth and date. Any person unable to sign their name should place an X on the signature line. The interviewer should then print the name of this person on the line, write the relationship to the child(ren), and include the interviewer's initials. If the interviewee refuses to sign their name, the interviewer should document "refused to sign" in Section II Comments box, and print the person's name and relationship to the child(ren). 1, 2, 3. Mark "X" in the appropriate box for each statement.

SECTION VI: ELIGIBILITY DATA CERTIFICATION

- 1. Person conducting the interview signs and dates the COE on the day the interview is conducted.
2. The local migrant program coordinator is designated in Florida as the SEA Reviewer. As such, procure the signature of the Designated SEA Reviewer and enter the date signed (month, day, and year). The person conducting interview (#1 in this section.) and the person certifying eligibility (#2 in this section) cannot be the same.

APPENDIX B: Instructions for Completing the COE

The Florida Migrant Education Program Certificate of Eligibility (COE) Form (ESE 047) is the only acceptable document utilized in Florida for the proper identification and recruitment of migratory children. The form is divided into five major sections: Section I. Family Data; Section II. Child Data; Section III. Qualifying Moves & Work; Section IV. Comments; Section V. Interviewee Signature; and Section VI. Eligibility Data Certification. Only a trained Florida Recruiter/Home School Liaison or other trained eligibility interviewer shall complete the Florida COE. The completed form shall be submitted within five (5) working days to the District Migrant Program Coordinator or designee for certification of eligibility. The form shall be completed legibly in ink. Do not leave any item blank. Use "same," "N/A," or dashes (-) to acknowledge that an inquiry has been made for each item. Use the reverse side of the white sheet to clarify information on this form, if needed. The form shall be completed after each new Qualifying Move (QM) the child/youth makes *as/with/to join or precede* the Migratory Qualifying Worker (MQW).

TOP OF THE FORM

District/Agency Indicate the district or agency that is completing the COE.

School Year Indicate the school year when the family is interviewed. Indicate any subsequent school years when the child is “recertified” and is still living in the district. An example is, “2017-18”; do not enter a date.

Recertification Include a check (✓) in the box only if this COE is a Recertification. Once a child is identified, she or he may continue to be counted as a Migratory Child for 36 months from his or her latest Qualifying Arrival Date (QAD), as long as the child still meets the STAMP eligibility factors. All migratory families shall be contacted annually to determine whether there is a new QAD. If a new QAD does occur, a new COE must be completed. If no new Qualifying Move (QM) has occurred, then the district may check (✓) “Recertification” and include the school year when the children is “recertified” and still living in the district.

SECTION I: FAMILY DATA

In this section of the COE, the recruiter will record the name and address of the child’s male and/or female parent or parents.

No. 1: **Current Parent/Guardian (Last Name, First Name)**
This item pertains to the “current” parents/guardians of the migrant child. The term “parent” includes a legal guardian or other person who is standing in the place of the parent or *in loco parentis* (such as a grandparent, spouse, or stepparent with whom the child lives who is responsible for the welfare of the child). If no parent/guardian information disclosed, or if the child is responsible for his or her own welfare, write a dash (-) or N/A.

- Enter the name (last name, first name) of “Current” Parent/Guardian 1 on the *first line*.
- Enter the name (last name, first name) of “Current” Parent/Guardian 2 on the *second line*.
- Reminder - If no parent/guardian information disclosed, or if the child is responsible for his or her own welfare, write a dash (-) or N/A in Item 1.

No. 2: Legal Parent/Guardian (Last Name, First Name)

This item pertains to legal parents/guardians of the child(ren). If the child(ren) reside(s) with adults other than legal parent(s), enter the legal parent/guardian information if available. If the child is the worker traveling alone AND the recruiter can obtain the names of the legal parents, the recruiter shall document them as well using the instructions in the following bullets.

- Enter the name (last name, first name) of “Legal” Parent/Guardian 1 on the *first line*.
- Enter the names (last name, first name) of “Legal” Parent/Guardian 2 on the *second line*.
- If the legal parents/guardians names are the same as the “current” parent/guardian in Item 1, then write “Same” in Item 2.
- If the legal parents/guardians names are not obtainable, write a dash (-) or N/A in Item 2.

**No. 3: Current Address (Street, Rural Route, Box Number);
City, State, Zip**

Enter all information for the current address of the family. Use the reverse side of the white copy of the COE for any specific directions that may be helpful in assisting others to locate the family.

No. 4: Home Base (City, State, Country)

Enter the city, state, and country that the family or youth considers being their home base. Some may consider home base to be the location where they return most often, own a home, pay taxes, or have relatives residing. If home base is the same as the current address, write “Same” in the space provided.

No. 5: Telephone

Enter the telephone number, including area code, where the child or legal parent or current parent can be reached. Include a check (✓) if the telephone number is a mobile number.

SECTION II: CHILD DATA

Child/school data includes the name, sex, birth date, etc. of each eligible child, birth through age 21, who made the Qualifying Move (QM).

- A recruiter shall include all children with the same family and eligibility data on the same COE.

- Any child who has different (1) current family or (2) eligibility data—including a different QAD—must be documented on a separate COE.
- Children who travel on their own or with a spouse shall each have a separate COE.
- Children born after the QAD are not eligible for service, but shall be identified on the COE. The recruiter shall include their names in the Child Data Comments Box (Section II, Item 16), and write “born after the move” next to the child’s name.
- If the family has more than five children *with the same eligibility information*, the recruiter may use additional COE(s)* to document the eligibility information of the remaining children. The recruiter shall cross-out the preprinted COE number(s) on the additional form(s) and handwrite the preprinted COE number of the first form (found at the bottom of the COE).
 - If two (or more) COEs are needed to document the same eligibility of all the children in the family, indicate the how the COE corresponds to the total number of COEs for the family, for example, “1 of 2” or “2 of 2” or so forth (found at the bottom of the COE). *Note* – This only applies to more than five children in the household that all have the same eligibility information.

*If a recruiter uses more than one COE to document all eligible children in the family *with the same eligibility*, the recruiter must write all the eligible information (Section III) in every COE used.

No. 1: Last Name 1

Enter the legal last name as it appears on the legal document (e.g., birth certificate, school records, or immunization record) of each eligible child who traveled with (joined or preceded) the worker.

No. 2: Last Name 2

Enter the second legal last name as it appears on the legal document (e.g., birth certificate, school records, or immunization record) of each eligible child who traveled with (preceded or joined) the worker.

- If the child does not have a second last name, then write a dash (–).

No. 3: First Name

Enter the legal first name as it appears on the legal document (e.g., birth certificate, school records, or immunization record) of each eligible child who traveled with (preceded or joined) the worker.

No. 4: Middle Name

Enter the legal middle name as it appears on the legal document (e.g., birth certificate, school records, or immunization record) of each eligible child who traveled with (preceded or joined) the worker.

- If the child does not have a middle name, then write a dash (-).

No. 5:

Suffix

Enter the name suffix (such as Jr., II, III, Sr., etc.) as it appears on the legal document (e.g., birth certificate, school records, or immunization record) of each eligible child who traveled with (proceeded or joined) the worker.

- If the child does not have a name suffix, then write a dash (-).

No. 6:

Hispanic (H)

Indicate if the child is Hispanic or not.

- Write a “Y” if the child *is* considered Hispanic.
- Write an “N” if the child *is not* considered Hispanic.

No. 7:

Race

Enter the code(s) for the race of each child.

- A:** Asian
- B:** Black
- I:** American Indian or Alaskan Native
- P:** Native Hawaiian/Pacific Islander
- W:** White

Note: For children of parents from more than one ethnic background, ask the parent or guardian of the child (or youth) being interviewed what race he or she considers the child to be.

No. 8:

Sex

Indicate “F” for Female or “M” for Male to indicate the child’s gender.

No. 9:

Birth Date (Month, Date, Year)

Enter the child’s date of birth in MM/DD/YY format.

No. 10:

Age

Enter the child’s age at the time of the interview.

No. 11:

Multiple Birth (MB)

Record a “Y” if the child is a twin, triplet, etc. Record a dash (-) for not applicable.

No. 12:

Birth Date Verification Code (Code)

Enter the birth date verification code by recording the digits that correspond to the evidence used to confirm each child’s birth date:

- 03 – Baptism or Church Certificate
- 04 – Birth Certificate
- 05 – Entry in Family Bible

- 06 – Hospital Certificate
- 07 – Parent’s Affidavit*
- 08 – Passport
- 09 – Physician’s Certificate
- 10 – Verified School Records
- 11 – State-issued ID
- 12 – Driver’s License
- 13 – Immigration Documents
- 82 – Life Insurance Policy
- 99 – Other

*If written information is not available, the recruiter may rely on a parent’s or youth’s verbal statement. In such cases, the recruiter shall record “07” – the number that corresponds to “Parent’s Affidavit.”

No. 13: Birthplace (City, State, Country)

Encourage the family to accurately identify the city and state of birth for each child listed. Use only the two-letter U.S Post Office abbreviation for the state of birth. If the child was born in a foreign country, enter the name of the city, state or province (if applicable), and country.

No. 14: School

Enter the name of the school the child is currently attending. If the child is not in school, write “N/A” or put dashes in the block.

No.15: Grade

Enter the grade the child is currently in. If the parent or guardian is uncertain about this information, obtain it directly from the school after the interview.

- If the child is the worker traveling alone, and not attending school, enter grade 30.

No. 16: Child/Family Data Comments

This space is provided to describe any particulars about an individual child or any pertinent family information that will assist the sub-grantee migrant administration.

- If children of the same family were born after the Qualifying Move (QM), list their names and write “born after the move” after their names.

SECTION III: QUALIFYING MOVES & WORK

In this section, record the Qualifying Moves (QM) of the child and the Migratory Qualifying Worker (MQW), along with the Qualifying Work (QW) information which the recruiter believes documents the child’s eligibility for the program.

No. 1: From a residence in (School district/City/State/Country)

Enter the name of the school district (if available), city or town, state and country (if applicable) from which the child(ren)/youth moved. This is the last

WORKING DRAFT

place of residency before the child/youth made a Qualifying Move (QM) *as/with/to join or precede* the Migratory Qualifying Worker (MQW).

To a residence in (School district/City/State)

Enter the name of the school district, city and state of which the child(ren)/ youth made a Qualifying Move (QM) *as/with/to join or precede* the Migratory Qualifying Worker (MQW).

- If the child(ren) moved from a residence in one school district to a residence in *another school district within the same U.S. State* – Record the *city* the child(ren) resided prior to the Qualifying Move (QM), and record the *city* the child(ren) resided immediately following the Qualifying Move (QM).
- If the child(ren) moved from a residence in *one U.S. State to a residence in another U.S. State* – Record the *city and state* the child(ren) resided prior to the Qualifying Move (QM), and record the *city and state* the child(ren) resided immediately following the Qualifying Move (QM).
- If the child(ren) moved from a residence in a *country other than the U.S. to a residence in the U.S.* – Record the *city, state and country* the child(ren) resided prior to the Qualifying Move (QM), and record the *city and state* the child(ren) resided immediately following the Qualifying Move (QM).
- If the child and the Migratory Qualifying Worker (MQW) moved from different residences, record the child’s prior residence in Sec III, No. 1 and record the parent’s prior residence in Sec IV: Comments. In order for the child to be eligible, both the child and the worker must have made Qualifying Moves (QM) (due to Economic Necessity (EN), moved from one residence to another, and from one school district to another).

No. 2a: The Child(ren) Moved *As/With/To Join or Precede* the worker

Indicate with a check (✓) how the child moved in relation to the Migratory Qualifying Worker (MQW).

- Check the box “as the worker” if the child himself or herself moved and became the Migratory Qualifying Worker (MQW).
- Check the box “with the worker” if the child(ren) made a move with a parent, guardian, or spouse that became the Migratory Qualifying Worker (MQW).
- Check the box “to join or precede the worker” if the child(ren) moved on a date either before or after (but not on) the date the parent, guardian, or spouse became the Migratory Qualifying Worker.

No. 2b: First Name and Last Name of Worker

Enter the name (first name, then last name) of the person who became the Migratory Qualifying Worker (MQW). In cases in which more than one person may be considered the Migratory Qualifying Worker (MQW), any one

worker's name may be entered. Indicate with a check (✓) that indicates the child(ren)/youth's relationship to the Migratory Qualifying Worker (MQW) (i.e., child – if own as the worker, parent/guardian, or spouse).

No. 2bi: Complete if “to join or precede” is checked in 2a

Record the date the worker moved and record the date the child(ren) moved in. Also, record an explanation why the child(ren) and the Migratory Qualifying Worker (MQW) traveled/moved on different dates in Sec IV, Comments.

- A move “to join or precede” the Migratory Qualifying Worker (MQW) must take place within one year (12 months) of the child(ren)'s, or vice versa. If extenuating circumstances exists that prevented the child(ren) from joining/preceding the worker within one year, then include a comment explaining the extenuating circumstances why it took longer than a year for the child to join or precede the worker.

No. 3: Qualifying Arrival Date (QAD)

The QAD is the date the child(ren)/youth complete a Qualifying Move (QM) *as/with/to join or precede* the Migratory Qualifying Worker (MQW). This item identifies and begins a child(ren)'s or youth's eligibility period. 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, 2017, would be written as 05/20/17.

- If the child(ren) moved before the Migratory Qualifying Worker (MQW), the QAD will be considered the same as when the MQW arrived. Eligibility does not begin until this date.
- If the child(ren) moved after the Migratory Qualifying Worker (MQW), the QAD will be considered the same date the child(ren) arrived. Eligibility does not begin until this date.

No. 4: The worker moved due to economic necessity on _____:

Enter the date when the worker moved and his/her status changed to a Migratory Qualifying Worker (MQW). A worker's status changes to a Migratory Qualifying Worker (MQW) when a worker make a Qualifying Move (QM) and Soon After the Move (SAM) Engaged (E) in new Qualifying Work (QW), *OR* Actively Sought (AS) Qualifying Work (QW) and has Recent History of Moves (RHMs). Record this date, using the two-digit numbers that refer to the month and day, and the last two digits of the year. For example, May 20, 2017, would be written as 05/20/17. Please note, recruiters should record the date the worker made the Qualifying Move (QM), *NOT* the date the worker Engaged (E) in new Qualifying Work (QW) or Actively Sought (AS) Qualifying Work (QW).

From a residence in (School district/City/State/Country)

Enter the name of the school district, city or town, state and country (if applicable) from which the Migratory Qualifying Worker (MQW) moved.

WORKING DRAFT

This is the last place of residency before the worker made a Qualifying Move (QM) and became a Migratory Qualifying Worker (MQW).

To a residence in (School district/City/State)

Enter the name of the school district, city and state of which the worker made a Qualifying Move (QM) and became a Migratory Qualifying Worker (MQW).

- If the worker moved from a residence in one school district to a residence in *another school district within the same U.S. State* – Record the *city* the worker resided prior to the Qualifying Move (QM), and record the *city* the Migratory Qualifying Worker (MQW) resided immediately following the Qualifying Move (QM).
- If the worker moved from a residence in *one U.S. State to a residence in another U.S. State* – Record the *city and state* the worker resided prior to the Qualifying Move (QM), and record the *city and state* the Migratory Qualifying Worker (MQW) resided immediately following the Qualifying Move (QM).
- If the worker moved from a residence in a *country other than the U.S. to a residence in the U.S.* – Record the *city and country* the worker resided prior to the Qualifying Move (QM), and record the *city and state* the Migratory Qualifying Worker (MQW) resided immediately following the Qualifying Move (QM).

No. 4a: Engaged (E) in new Qualifying Work (QW)

Check (✓) 4a only if the worker listed as the worker in No. 2b moved due to Economic Necessity (EN) from a residence in one school district to another, and, Soon After the Move (SAM), Engaged (E) in new Qualifying Work (QW).

No. 4b: Actively Sought (AS) new Qualifying Work, AND has a Recent History of Moves (RHMs) for Qualifying Work (QM)

Check (✓) 4b only if the individual listed as the worker in #2b moved due to Economic Necessity (EN) from a residence in one school district to another, and, Soon After the Move (SAM), Engaged (E) in new Qualifying Work (QW).

Provide a comment in Sec IV, Comments, explaining “how and when” the worker Actively Sought (AS) new Qualifying Work (QW). For example, the worker stated that he or she (or someone on his or her behalf) applied for Qualifying Work (QW) at a particular agricultural or fishing job site, or applied with a crewleader or at a center that coordinates available Qualifying Work (QW). Recruiters may rely on the worker’s statement regarding his or her attempts to obtain new Qualifying Work (QW).

Provide a second comment, documenting two (2) of the worker’s Recent History of Moves (RHMs) for Qualifying Work (QW). Include the month and

year, *to* and *from* residence information and the Qualifying Work (QW) for both RHMs. 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.” Recruiters may rely on the worker’s statement regarding his or her history of moves for Qualifying Work (QW).

No. 5: Qualifying Work (QW)

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”). 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.

If the activity is temporary, explain the basis for making that determination in “Comments” (Item 15).

No. 5a: Seasonal or Temporary Employment

Check (✓) only one of the appropriate box (either “seasonal” or “temporary employment”).

- Check “*seasonal*” 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.
- Check “*temporary employment*” if the employment lasts for a limited period of time, usually a few months, but not longer than 12 months. NOTE: If the recruiter checks “*temporary employment*,” then complete Section III, item 6.

No. 5b: Agricultural or Fishing Work

Check (✓) only one of the appropriate boxes (either “agricultural” or “fishing work”). The work may be performed either for wages or personal subsistence.

- Check “agricultural” if the work involves the production or initial processing of crops, dairy products, poultry, or livestock, as well as the cultivation or harvesting of trees.
- Check “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.

No. 5*: Personal Subsistence

Check (✓) the box for “personal subsistence” if “...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.” In Florida, there are no cases where

WORKING DRAFT

Qualifying Work (QW) is determined as “personal subsistence.” However, if a family appears to qualify under this provision, the local district must contact the ID&R Office for further guidance.

No. 6: **Complete if “temporary employment” is checked in Section III, item 5a**

Check (✓) how the work was determined to be temporary employment.

- Check (a) for “*worker’s statement*” if the work was determined to be temporary employment based on a statement by the worker or the worker’s family (e.g., 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 Section IV Comments.
- Check (b) for “*employer’s statement*” 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 Section IV Comments. Attach supporting documentation if available.

No. 6c: **Employer**

In Florida, there is no State documentation identifying temporary employers. Therefore, recruiters must never check (c) for “State documentation.” However, recruiters must document the name of the employer where the worker Engaged (E) in temporary Qualifying Work (QW).

No. 7: **Residency Date (RD)**

Use the two-digit number that refers to the month and day, and the last two digits of the year that the child(ren) entered the present school district.

No. 8: **OSY Info ONLY**

Check (✓) if an OSY Profile was completed. Document Last grade attended, When (Year), and Where (Country) attended school for the OSY listed in Section II Child Data. If there is more than one OSY listed in Section II, indicate their corresponding Section II number.

SECTION IV: COMMENTS

The Comments box in Section IV of the COE allows the recruiter to provide additional information or details that clarify the reasons for the recruiter’s eligibility determination. The recruiter shall 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. The comment(s) shall be of sufficient length to adequately document how the recruiter came to the eligibility decision. At a

WORKING DRAFT

minimum, the recruiter must provide comments that clearly explain items 2bi, 4b, 5*, and 6a or 6b of Section III Qualifying Moves & Work, if applicable.

- No. 2bi: The child(ren) and worker moved separately. If the child(ren) joined or preceded the worker, record the reason for the child's and worker's separate moves. 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.
- No. 4b: The worker did not engage in new Qualifying Work (QW) soon after the Qualifying Move (QM). In this case, the recruiter must document that:
 - Worker actively sought new Qualifying Work (QW); AND
 - Worker has a recent history of moves for Qualifying Work (QW)
- No. 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 CFR. § 200.81(m)).
- No. 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(s) should be of sufficient length to adequately document how the recruiter came to the eligibility decision.

The recruiter must 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 worker engaged in new Qualifying Work (QW) more than 60 days after the Qualifying Move (QM). Provide an explanation for the early move.
- 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 (QW). 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 work 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 that one could question whether it was a move due to economic necessity from one residence to another residence.
- 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.

Enter Recertification Date (if applicable)

If the COE is a recertification, record the date (two-digit month, two-digit day, two-digit year) the recertification took place. For example, May 20, 2017, would be written as 05/20/17.

SECTION V: INTERVIEW SIGNATURE

In this section, obtain appropriate permission to enroll the child into the MEP, provide emergency medical referral services, inform the interviewee about FERPA, and obtain the signature of the interviewee. Recruiters shall read the statement in Section V to parents, making sure that they consent to the exchange of student records with other legitimate educational agencies. The recruiters shall make sure that parents understand their right to request and see any educational records that will be shared with other legitimate educational agencies.

Signature | Relationship to the child | Date

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. The signature of interviewee is required in Florida only on the initial COE or a new QAD. The person who signs the COE must be the source of the information documented on the COE.

- 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 Section IV, Comments.
- If the interviewee refuses to sign his or her name, the recruiter must document the interviewee's refusal in Section IV, Comments and print the interviewee's name and relationship to the child.

Once a child is identified, she or he may continue to be counted as a migrant for 36 months from his or her latest QAD. All migratory families shall be contacted annually to determine whether there is a new QAD. If the QAD has changed, a new COE must be completed. If no move has occurred, a signature for this COE is not required. However, contact must be documented on the COE.

No. 1: Participate in the Title I Migrant Program

Check (✓) the appropriate box (either "Yes" or "No) indicating if the parent/guardian/spouse/worker gives permission to enroll the child into the Title I Migrant Program.

No. 2: Emergency medical referral services

Check (✓) the appropriate box (either "Yes" or "No) indicating if the parent/guardian/spouse/worker gives permission for the child to receive emergency medical referral services.

No. 3: FERPA

Check (✓) the appropriate box (either “Yes” or “No”) indicating if the parent/guardian/spouse/worker gives the local school district permission to release, transfer, and/or receive the educational and health records with other districts, educational agencies and pertinent agencies, including the ID&R Office.

SECTION VI: ELIGIBILITY/DATA CERTIFICATION

The recruiter signs and dates the COE on the day the interview is conducted. Since this procedure involves verification of eligibility information recorded by an interviewer, the person conducting the interview and the person certifying eligibility cannot be the same. At least one 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.

Signature of Interviewer | Date

The recruiter shall be aware of what they are signing and the expectations for making valid and reliable eligibility determinations as well as the consequences for not making valid and reliable eligibility determinations. The person conducting the interview shall sign in the space provided and enter the date signed.

Signature of District Program Coordinator or Designee | Date Signed

The district program coordinator or designee shall sign in the space provided and enter the date signed.

BOTTOM OF THE FORM

___ of ___

If two (or more) COEs are needed to document the same eligibility of all the children in the family, indicate the how the COE corresponds to the total number of COEs for the family, for example, “1 of 2” or “2 of 2” or so forth. *Note – This only applies to more than five children in the household that all have the same eligibility information.*

APPENDIX C: Florida Recruiter Code of Ethics

Preamble

Commitment to ethical, professional conduct is expected of every recruiter and any individual with identification and recruitment responsibilities (recruiter, advocate, COE reviewer) in the Florida Migrant Education Program (FMEP). This code is intended to serve as a basis for ethical decision making in the conduct of professional work. In addition, it may serve as a basis for judging the merit of a formal complaint pertaining to violation of professional ethical standards.

Standards of Professional Conduct

All recruiters, and all those involved in the identification and recruitment of migrant families, children, and/or youth must:

- Seek to enhance the recruitment profession by upholding high standards in all aspects of their professional responsibilities to the FMEP.
- Commit to represent themselves and the FMEP fairly, with dignity, honesty, and courteousness at all times; and should not engage in any activities which would bring the recruitment efforts or the MEP into disrepute.
- Comply with Federal and state legislation and regulations as they affect the process of identification and recruitment; and must not assist or act in collusion with migrant families, children, and/or youth to knowingly circumvent the law or standards of ethical recruitment practices in any way.
- Accept that, as an employee of the FMEP, each individual has a responsibility not only to do the right thing but also to avoid behavior that could be perceived as failing to do the right thing. Employees should always act in the best interest of the FMEP and avoid even the appearance of a conflict of interest.
- Ensure that they continuously update their professional knowledge in relation to identification and recruitment by committing to a minimum of 18 hours of professional development per program year.
- Respect confidentiality at all times in relation to families, children, and/or youth (Family Education Rights and Privacy Act - FERPA).
- Report to the appropriate local regulatory body any recruiter or individual involved in identification and recruitment that has breached any regulation or legislation applicable to the identification and recruitment of migrant families, children, and/or youth in Florida.
- Use the Certificate of Eligibility (COE) at all times to document the eligibility of a child and/or youth in the FMEP.
- Refrain from inappropriately using any FMEP document (i.e., documenting false information on COE or sharing family/youth's information beyond FERPA guidelines).
- Take the necessary steps to perform the job safely at all times, protecting clients, colleagues, and themselves. An employee should immediately report to management any unsafe situation.

Conclusion

The role of a recruiter is a challenging one; however, it is also an honorable and critical part of the FMEP. This code was developed for those who serve in this role and should be used as a tool for proper ethical decision making. Committing to this code will ensure the integrity of the FMEP and the continued service of eligible migrant families, children, and/or youth.

APPENDIX D: STAMP of Eligibility

S.T.A.M.P. of Eligibility

S – School Completion

T – Time of Moves

A – Age of Child/Youth

M – Moves

P – Presently Engaged



APPENDIX E: OSY Profile



**Florida Migrant Education Program | Graduation and Outcomes for Success for OSY (GOSOSY)
Out-of-School Youth PROFILE**

Date: _____		District: _____		COE Form #: _____																																			
Last Name: _____			First Name: _____			<input type="checkbox"/> Male <input type="checkbox"/> Female	Age: _____																																
Address/Camp: _____			Phone: _____		Optional: How long is youth planning on being in the area? <input type="checkbox"/> less than 3 months <input type="checkbox"/> 4 or more months <input type="checkbox"/> not sure																																		
Has access to transportation: <input type="checkbox"/> Yes <input type="checkbox"/> No		Last grade attended: (Check last grade attended if applicable)																																					
English oral language proficiency: <input type="checkbox"/> Yes <input type="checkbox"/> No		When (year)? _____		Where (country)? _____		Or <input type="checkbox"/> Did not attend school																																	
Home language: <input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other: _____		<input type="checkbox"/> 1st grade/primero de primaria <input type="checkbox"/> 2nd grade/segundo de primaria <input type="checkbox"/> 3rd grade/tercero de primaria <input type="checkbox"/> 4th grade/cuarto de primaria <input type="checkbox"/> 5th grade/quinto de primaria <input type="checkbox"/> 6th grade/sexta de primaria		<input type="checkbox"/> 7th grade/primero de secundaria <input type="checkbox"/> 8th grade/segundo de secundaria <input type="checkbox"/> 9th grade/tercero de secundaria <input type="checkbox"/> 10th grade/primer y segundo semestres de preparatoria (Bachillerato) <input type="checkbox"/> 11th grade/tercer y cuarto semestres de preparatoria (Bachillerato) <input type="checkbox"/> * 12th grade/quinto y sexto semestres de preparatoria (Bachillerato)																																			
Health needs: <input type="checkbox"/> Medical <input type="checkbox"/> Vision <input type="checkbox"/> Dental <input type="checkbox"/> Urgent <input type="checkbox"/> Other: _____				Advocacy Needs: <input type="checkbox"/> Legal <input type="checkbox"/> Childcare <input type="checkbox"/> Translation/Interpretation <input type="checkbox"/> Other: _____																																			
Youth lives: <input type="checkbox"/> With a crew <input type="checkbox"/> With friends outside of work <input type="checkbox"/> With his/her parents/family <input type="checkbox"/> With spouse only <input type="checkbox"/> With spouse & children <input type="checkbox"/> With children <input type="checkbox"/> Alone				Reason for leaving school: <input type="checkbox"/> Discipline issues <input type="checkbox"/> Lacking credits <input type="checkbox"/> Needed to work <input type="checkbox"/> Medical issues <input type="checkbox"/> Missed State test <input type="checkbox"/> Pregnancy <input type="checkbox"/> Other: _____																																			
Expressed interest in: <input type="checkbox"/> Earning a diploma <input type="checkbox"/> GED <input type="checkbox"/> Job training <input type="checkbox"/> Learning English <input type="checkbox"/> No interests <input type="checkbox"/> Not sure <input type="checkbox"/> Technology <input type="checkbox"/> Other: _____				Availability: (Check)																																			
				<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <td></td> <td>Sun</td> <td>M</td> <td>T</td> <td>W</td> <td>Th</td> <td>F</td> <td>Sat</td> </tr> <tr> <td>Morning</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Afternoon</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Evening</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>					Sun	M	T	W	Th	F	Sat	Morning								Afternoon								Evening							
	Sun	M	T	W	Th	F	Sat																																
Morning																																							
Afternoon																																							
Evening																																							
At interview, youth received: <input type="checkbox"/> Educational materials <input type="checkbox"/> Support services <input type="checkbox"/> OSY welcome bag <input type="checkbox"/> Referral(s) (list in comments) <input type="checkbox"/> Other: _____				Youth is a candidate for: <input type="checkbox"/> Adult Basic Ed <input type="checkbox"/> Credit Accrual (PASS/Virtual School) <input type="checkbox"/> Career Exploration <input type="checkbox"/> Health Ed <input type="checkbox"/> HEP <input type="checkbox"/> HS diploma <input type="checkbox"/> HSED (Pre GED/GED) <input type="checkbox"/> Job training <input type="checkbox"/> Learning English <input type="checkbox"/> Life skills <input type="checkbox"/> Mobile Technology <input type="checkbox"/> Post-Secondary Awareness (CAMP) <input type="checkbox"/> Other: _____																																			
Comments: _____						Where will youth move to next? Youth does not know. <input type="checkbox"/>																																	

Signature of interviewer: _____ OSY Signature: _____

Revised 7/06/17

Florida Migrant Education Program | Graduation and Outcomes for Success for OSY (GOSOSY)
PROFILE Instructions

To the extent possible, please complete this form for every OSY. If form already exists, complete a new form for each new school year.

Date – Enter date the profile was completed.

District – Enter the name of the district or agency.

COE Form # – Enter the preprinted COE number at the bottom of the form.

Last Name/First Name | Gender | Age | Address/Camp | Phone – Enter appropriate information.

How long is youth planning on being in the area? Check appropriate estimated length of stay.

Has access to transportation – Indicate if the youth has access to transportation services.

Last grade attended? When? Where? – Check the last grade attended; enter the year; enter the country.

- If the youth did not attend school, check the box marked “Did not attend school.”
- If the youth says he/she attended 12th grade, ask if he/she received a diploma in the country where he/she completed 12th grade.
- Include this information in the Comments box. Also be sure to include this on the COE.

English oral language proficiency – Indicate if the youth understands English based on oral language proficiency.

Home language – Indicate the language spoken by the youth “at home”. If other than English or Spanish, please specify.

Health needs – Check if the youth indicates having any health-related needs.

Advocacy needs – Check if the youth indicates having any advocacy needs.

Youth lives – Indicate housing accordingly.

Reason for leaving school – Indicate why the youth left school.

Expressed interest in – Check which option(s) may be of interest to the youth.

Availability – Indicate the best time(s) for youth to participate in educational or support services programs.

At the interview, youth received – Check what materials were provided to the youth while completing the profile.

Youth is a candidate for – Check which educational or support services option(s) may benefit the youth.

Comments – Share any important highlights or next steps for the student, as well as any referral provided. See instructions for last grade attended comments.

Where will youth move to next? – Enter as much information as possible (city, state, country). If youth does not know, check box.

Signature of interviewer – Complete accordingly.

Signature of OSY – Obtain signature of OSY. If unable to sign their name, place an X on signature line and make note that youth is unable to sign his/her name.

Revised 7/06/17

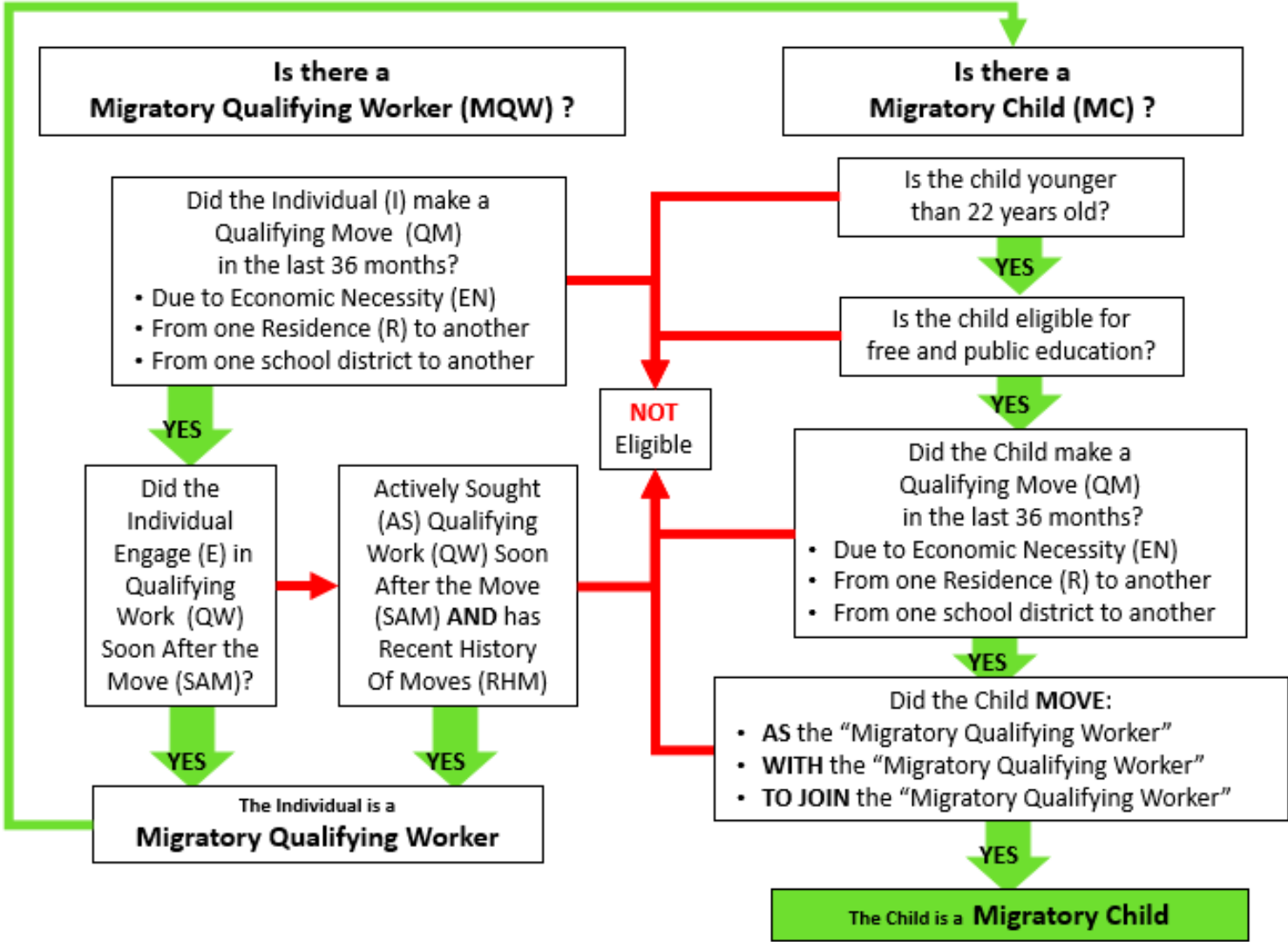
WORKING DRAFT

APPENDIX F: Qualifying Activity Chart

COUNTY NAME

Crop	Action	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
CABBAGES	Planting	X								X	X	X	X
	Harvesting				X	X							
BEANS(SNAP)	Planting		X	X	X				X	X			
	Harvesting				X	X				X	X	X	
CANTELOUPES	Planting		X	X	X								
	Harvesting							X	X	X			
CUCUMBERS	Planting		X	X	X			X	X	X	X	X	X
	Harvesting	X	X	X	X	X	X		X	X	X	X	X
ORANGES	Planting												
	Harvesting	X	X	X	X					X	X	X	X
PEPPERS	Planting	X	X	X				X	X	X	X	X	X
	Harvesting	X	X	X	X	X	X		X	X	X	X	X
POTATOES	Planting	X	X								X	X	X
	Harvesting	X			X	X				X	X	X	
TOMATOES	Planting	X	X	X				X	X	X			
	Harvesting	X			X	X				X	X	X	X
SQUASH	Planting		X	X						X			
	Harvesting						X	X			X	X	X
STRAWBERRIES	Planting										X	X	X
	Harvesting	X	X	X	X								
WATERMELONS	Planting	X	X	X					X	X			
	Harvesting				X	X	X			X	X	X	
WATERCRESS AND GREENS	Planting	X	X	X	X					X	X	X	X
	Harvesting	X	X	X	X	X	X				X	X	X

APPENDIX G: Eligibility Flowchart



APPENDIX H: Family Education Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

WORKING DRAFT

By signing a COE, the parent, guardian, or student is certifying that his/her rights under FERPA have been explained by the recruiter. Therefore, it is important that the recruiter know that FERPA provides for the following:

- Parents or eligible students have the right to access and inspect the student's education records.
- Parents or eligible students have the right to request that education records be corrected if they are found to be inaccurate or misleading.

Generally, schools must have written permission from the parent or eligible student before releasing any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to certain parties under certain conditions.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may call 1-800-437-0833.

Or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

U.S. Department of Education Family Educational Rights and Privacy Act (FERPA) Available at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

(20 U.S.C. § 1232g; 34 CFR Part 99)

APPENDIX J: Recruiter Tips

- Invite school personnel to join in home visits as a way to help break down barriers between school and families.
- Demonstrate an appreciation for each family’s culture, language, lifestyle, and unique background.
- Consider each prospective worker on an individual basis regarding migrant history, purpose for moving, length of time at job, etc.
- Be sure to confirm that each child in the migrant family meets eligibility criteria.
- Document everything!
- Network and coordinate with local/regional organizations that provide services to migrant families.
- Enlist the help of a parent advocate for the MEP when working with a hesitant family.
- Never promise eligibility or services to the families/youth.
- Recruit by areas.
- Identify high-impact migrant areas.
- Identify peak flux periods for migrant families.
- Maintain direct communication with schools.
- Set up weekly schedules for recruitment.
- Develop partnerships with agencies. Contact them on a regular basis for referrals.
- Conduct “door-to-door” recruitment in high-impact neighborhoods.
- Get to know crew leaders, farmers, and growers.
- Become familiar with the geographic area and what crops are cultivated.
- Attend and participate in regional and state ID&R training opportunities.
- Work regularly with a regional support team.
- Have access to current student information.
- Keep in touch with recruited families.
- Organize a schedule around phone calls, home visits, community contacts, and school visits.
- Keep track of how many families were contacted and how many qualified on a regular basis.
- Set goals not based on numbers but on recruitment efforts.
- Revisit families. New Qualifying Moves (QM) count.
- Ask: Are there any students/siblings who are not attending school or have not graduated from high school under the age of 22?
- Check with labor contractors and labor camps.
- Establish contact with agencies and businesses that serve migrant families for the purpose of having them assist by referring potential eligible families. Community agency contacts may include health clinics, day care centers, adult education program providers, government agencies, farm worker unions, legal aid agencies, and churches. Business

WORKING DRAFT

contacts may include Laundromats, stores, movie theaters, restaurants, and shopping malls.

- Develop positive public relations between the MEP and the community. Inform the public of your local MEP. Use newsletters, posters, and fliers to inform and recruit potential migrant families by placing them in prominent locations throughout the community.
- Contact the media so that announcements are played on local radio and television stations. Announcements are also placed in the public service announcement section of the local newspaper.
- Other migrant families are a rich source of information. They know of other families and coworkers who may qualify and other places that potential migrant families may frequent, such as parks and flea markets. Invite parents to contact you when they know of other families moving into the area.
- Establish flexible hours that are crucial in the design of community-based recruitment efforts.