

Number 1

A family with two school age children moved from Texas to Florida to obtain work sorting vegetables at a fruit and vegetable packing house. The work begins in April and ends in September. The parents must re-apply for their jobs in Florida.



Eligibility Scenarios: Basic Child Eligibility Factors

School Completion: The child is eligible for a free public education under state law (e.g., the child is not a high school graduate or does not hold a high school equivalency certificate.)

Time of Move: The move occurred within the past 36 months.

Age: The child is younger than 22

Move: The child and the worker “moved:

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- The move was from one school district to another, AND
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- The move was due to economic necessity, AND
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Purpose of the Move:

One purpose of the worker’s move was to seek or obtain qualifying work:

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The worker moved for qualifying work specifically, but did not obtain the work, AND

- (4ci) The worker has a prior history of moves to obtain qualifying work, OR
- (4cii) There is other credible evidence that the worker actively sought qualifying work soon after the move.

Qualifying Work:

- The employment is seasonal or temporary, AND
- The work is agricultural or fishing.

Number 2

An 18 year old pregnant woman moves across school district boundaries in search of qualifying work. She obtains qualifying work (seasonal employment in agricultural work), and gives birth to a son four months after the move. The young woman does not have a high school diploma or its equivalent. Are both mother and son eligible for the MEP?



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Qualifying Work:

The employment is seasonal or temporary, AND

The work is agricultural or fishing.

Number 3

A family with three school age children live in Indiana. The father works at a nursery. His employer tells him there is no work in December, so the whole family returns to their hometown in Mexico for five weeks including the children's winter break. The family returns during the end of January so the father can look for work. This year, the father hopes to be hired back at the same nursery to prune trees.



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Qualifying Work:

The employment is seasonal or temporary, AND

The work is agricultural or fishing.

Number 4

Recently, a worker and his wife left Indiana and traveled to Florida where they heard there was seasonal employment harvesting tomatoes. They arrived on May 10th. The mother was pregnant with the family's third child which was born three weeks later. On September 1st, their daughter, Lolita, joined her parents. On October 1st, their son, Octavio, arrived.



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Qualifying Work:

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Number 5

A mom and her three children moved back into your district to live with mom's new boyfriend in a Migrant housing camp. Mom's boyfriend currently picks vegetables. Mom gave birth 10 days ago and plans to start working soon picking vegetables.



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Number 6

A recruiter in your district encounters a family, two parents and their 12 year old son, that moved together from Florida one month ago, in search of any type of work. The mother has not been able to find work, but the father is currently employed picking blueberries. He just started the job a week ago. Immediately after the move, he worked a short-term construction job at an apartment complex. Based on the information provided, is their child eligible for the MEP?



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Qualifying Work:

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The work is agricultural or fishing.

Number 7

Last month, a non-migrant family told a recruiter that the family was going to Florida for a few weeks to pick strawberries and to see if they like Florida. The parents did not withdraw their children from the elementary school in Indiana. They all went to Florida and found out they did not like the work, and decided to return after a couple of weeks. The children were never enrolled in school while in Florida. Therefore, upon returning to Indiana the children went back to the same school they were originally in.



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Number 8

A worker moved from GA to FL with three children on June 5th, 2014. He came to Florida to work in a nursery irrigating ferns from June 2014 until Jan 2015. While the worker was in FL working at the nursery, another child (daughter) came to live with him. The other child came from Puebla, Mexico on January 5th, 2015. The reason the child joined the worker is because the grandmother has financial issues and she was not able to provide for the child anymore.



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Number 9

A family lived in District A for over 4 years. During that time, the father worked at the local poultry plant. He was laid off in November 2013. After being laid off, he found other none qualifying work. In March 2014, the family moved across school district lines (next county over, District B) so the father could find “any work” (poultry plant, chicken etc., because that is what he knows how to do). A few days after the move, the father receives a call from his old employer, the poultry plant in District A, asking him to return to work. The worker took the job, but never moved back to District A. The family continued to live in District B while the father commuted every day to District A (approximately 1 hour drive). The father did this from March 2014 to September 2014. The family was identified and interviewed in District B in April 2015. According to the father, work at the poultry plant ended in September 2014. Currently, the father is working as a painter in District B.



Eligibility Scenarios: Basic Child Eligibility Factors

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Qualifying Work:

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Number 10

The Martinez family returned to Florida from Guanajuato on January 4th with their child Jose, age 10. The parents tell the recruiter that they left FL on December 20th. The nursery where Mr. Martinez works pruning shrubs is closed annually from late December to mid-February. Mr. Martinez begins work again when the nursery opens in February.



Eligibility Scenarios: Basic Child Eligibility Factors

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Number 11

A recruiter in Florida identifies an out-of-school youth who does not have a high school diploma or equivalent, and is currently employed in seasonal agricultural work. The young man moved on his own to Florida in search of work, three months ago at the age of 21. By the time the recruiter identifies this young man however, he has since turned 22. Should the recruiter proceed with completing a Certificate of Eligibility (COE) for this young man?



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Qualifying Work:

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The work is agricultural or fishing.

Number 12

A 16 year old young man, Jose, leaves his home country, fearing for his life due to increased gang violence in his neighborhood. He intends to move to the U.S., as he feels he will be safer there, and he has a cousin in New York with whom he can live, at least temporarily. Shortly after crossing the U.S. border in Texas, Jose is detained by Immigration and Customs Enforcement (ICE). Jose is considered part of the growing number of unaccompanied youth crossing the U.S. border, and he is temporarily placed in a shelter run by the Department of Health and Human Services (HHS). While he is awaiting immigration proceedings, Jose is allowed to live with his cousin in New York. His cousin helps him get a seasonal job in the apple orchards where he works. Is Jose now eligible for the MEP?



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Qualifying Work:

The employment is seasonal or temporary, AND

The work is agricultural or fishing.

Number 13

A father and his two school-age sons move across school district boundaries in search of qualifying agricultural work. The father has a history of such moves, and is usually able to find seasonal work picking various crops. On the most recent move, the father is unable to find work picking crops, but he is offered temporary employment at one farm doing various odd jobs. These tasks include mowing the lawn around the owner's farmhouse, cleaning out the stalls of the dairy cows, and feeding the chickens. Are the children eligible for the MEP based on this most recent move?



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Qualifying Work:

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Number 14

A mother with two young children (both under the age of five) moves across school district boundaries in search of seasonal agricultural work. She has moved several times for seasonal work in various crops. The owner of the first farm she visits tells her that the picking and sorting jobs have been filled, but he is interested in hiring someone to work in the on-site day care facility for the season. The day care facility is provided for children of workers, at reduced rates. The woman accepts the job, and her own children are allowed to enroll in the daycare.



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Qualifying Work:

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- The work is agricultural or fishing.

Number 15

In 2013, a mother leaves her home country, Guatemala, and heads to the United States to look for qualifying work. She leaves behind her 8 year old son with her mother-in-law. The mother obtains various qualifying work in the United States. In 2014, the mother moved from TN to NC to work in the tobacco harvest. While in NC, the mother receives word that her mother-in-law passed away and now there is no one to care for her 8 year old son. The mother sends her sister-in-law (who has been traveling with her) back to Guatemala to bring her son to NC. The sister-in-law heads to Guatemala and returns with her own son, and the 8 year old (nephew). Upon crossing the border in Arizona, the aunt, her son, and her nephew are detained. The aunt and her son are released and continue their trip back to NC. The 8 year old is kept due to missing paperwork. A week later the 8 year old is released and joins the family in Florida, since the family has already traveled to FL to obtain qualifying work.



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