



FLORIDA MIGRANT EDUCATION PROGRAM

MANUAL FOR IDENTIFICATION AND RECRUITMENT

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Table of Contents

ABBREVIATIONS	1
INTRODUCTION	2
CHAPTER I: PURPOSE OF IDENTIFICATION AND RECRUITMENT	5
What is ID&R and Why is it Important?	5
National COE Form to Document a Migratory Child’s Eligibility	5
Overview of the ID&R Process	6
Overview of Florida’s ID&R System	8
CHAPTER II: ROLES AND RESPONSIBILITIES	10
Primary Responsibilities	10
Recruiter Responsibilities	10
Recruiter Characteristics	11
Florida Recruiter Code of Ethics	12
LOA Responsibilities	12
CHAPTER III: THE ID&R PROCESS	13
Properly Determining Eligibility	13
<i>The Statute, Code of Federal Regulations, and Guidance on MEP Eligibility Criteria</i>	13
<i>Florida Eligibility Vocabulary Terms</i>	14
Who is Eligible for the FMEP?	16
Preschool Children	16
Out-of-School Youth	16
Guardians and Spouses as the Migratory Qualifying Worker	18
End of Eligibility	20
<i>Qualifying Work</i>	20
Agricultural Work	20
<i>Livestock</i>	21
<i>Cultivation/Harvesting of Trees and Initial Processing of Trees</i>	21
<i>Decorative Greens</i>	22
Fishing Work	22
<i>Moving on a Boat</i>	23
Production/Processing	25
<i>Production</i>	25
<i>Initial Processing</i>	25
Drivers	26

Crew Leaders/Field Walkers/Mechanics	27
Wages or Personal Subsistence	27
Seasonal Employment	28
Temporary Employment	29
<i>Work that is constant and available year-round</i>	30
<i>Jobs occurring only at certain times of the year because of holidays</i>	30
<i>Still employed after 12 months</i>	31
Eligibility Red Flags	32
Qualifying Moves	33
Understanding the Difference between Move, Residence, and a Visit	33
Definition of a Qualifying Move	34
Migratory Qualifying Worker	36
<i>Preceding 36 months</i>	37
<i>Soon After the Move</i>	37
<i>Engaged in Qualifying Work</i>	37
<i>Actively Sought New Qualifying Work</i>	38
<i>Recent History of Moves for Qualifying Work</i>	39
Migratory Child	41
Qualifying Arrival Date	42
Residency Date	43
Types of Moves	43
<i>Previous Qualifying Moves</i>	43
<i>“To Join” Moves</i>	46
<i>Early Moves</i>	49
<i>International Moves</i>	50
<i>H-2A Workers</i>	51
<i>Annual Migration to the Same Farm</i>	52
<i>Short Duration Moves</i>	52
<i>Short Distance Moves</i>	53
<i>Daily Commuting</i>	54
Completing the Certificate of Eligibility	54
<i>Additional Comments on the COE</i>	56
<i>Signatures on the COE</i>	56
<i>COE copies</i>	58

Quality Control Assurances	59
<i>Florida’s ID&R Quality Control System</i>	60
Training for Recruitment Staff.....	60
Reviewing and Approving COEs.....	61
Resolving Eligibility Questions	62
COE Recertification for Residency Verification.....	63
<i>Continued Eligibility</i>	64
Re-Interviewing & Validating Migrant Families/Youth Eligibility	66
<i>Removing Families/Youth from the MEP</i>	66
CHAPTER IV: EFFECTIVE COMMUNICATION	68
Benefits to the Families/Youth.....	68
No Promises	69
Interviews.....	69
<i>Preparing for the Interview</i>	69
<i>During the Interview</i>	70
<i>Closing the Interview</i>	72
<i>After the Interview</i>	72
Eligibility Script	73
Leading Questions.....	73
Suspicious of Family/Youth Not Providing the Truth.....	74
Who Determines Eligibility?	75
<i>Unsure of Eligibility</i>	75
<i>Determined Not Eligible</i>	76
CHAPTER V: RECRUITMENT STRATEGIES.....	77
ID&R Action Plan.....	77
Locating Prospective Migratory Children/Youth.....	77
<i>Partnership with LOAs</i>	77
<i>Partnerships with Community-Based Organizations</i>	78
<i>Partnerships with Agricultural Businesses and Organizations</i>	78
Strategies to Promote the MEP	79
Recruiter Tool Kit.....	79
Safety	80
Developing and Implementing an Effective ID&R Plan	81
CHAPTER VI: TECHNICAL ASSISTANCE AND TRAINING.....	82

The FL Recruiter Website and Listserv	82
GLOSSARY.....	84
APPENDICES.....	90
<i>APPENDIX A: Certificate of Eligibility</i>	91
<i>APPENDIX B: Instructions for Completing the COE</i>	93
<i>APPENDIX C: Florida Recruiter Code of Ethics</i>	104
<i>APPENDIX D: OSY Profile</i>	105
<i>APPENDIX E: Qualifying Activity Chart</i>	107
<i>APPENDIX F: Eligibility Flowchart</i>	108
<i>APPENDIX G: FMEP COVID-19 COE Completion Protocol</i>	110
<i>APPENDIX H: COE Checklist</i>	114
<i>APPENDIX I: Sample COE Recertification.....</i>	115
<i>APPENDIX J: Re-interview Protocol</i>	116
<i>APPENDIX K: Recruiter Tips.....</i>	122
<i>APPENDIX L: ID&R Plan Template</i>	124
<i>APPENDIX M: ID&R Semiannual Reflection Template</i>	126

ABBREVIATIONS

AS	Actively Sought
AW	Agricultural Work
COE	Certificate of Eligibility
COS	Continuation of Services
EN	Economic Necessity
EID	Eligibility Interview Date
EOE	End of Eligibility
E	Engage
ESEA	Elementary and Secondary Education Act
ESSA	Every Student Succeeds Act
EWD	Established Worker Date
FW	Fishing Work
FMEP	Florida Migrant Education Program
I	Individual
ID&R	Identification and Recruitment
LEA	Local Education Agency
LOA	Local Operating Agency
MAW	Migratory Agricultural Worker
MC	Migratory Child
MEP	Migrant Education Program
MF	Migratory Fisher
MQW	Migratory Qualifying Worker
M	Move
MEP	Migrant Education Program
NCLB	No Child Left Behind Act
OMB	Office of Management and Budget
OME	Office of Migrant Education
OSY	Out-of-School Youth
PP	Performance Period
PFS	Priority for Services
QA	Qualifying Activity
QAD	Qualifying Arrival Date
QM	Qualifying Move
QW	Qualifying Work
RHM	Recent History of Moves
R	Residence
RD	Residency Date
SAM	Soon After the Move
SEA	State Education Agency
SY	School Year

INTRODUCTION

Children of migrant workers are affected by educational disruptions, cultural and language barriers, social isolation, various health-related problems, and factors that inhibit such children's ability 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 before completing high school. 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.

Under guidance from the United States Department of Education (USED), Office of Migrant Education (OME), 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. 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. As stated in the Florida Statutes, Florida school districts must cooperate with the FDOE to identify and report all possible migratory children residing in their area. Below is a snapshot of the statutes:

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.

[2019 Florida Statutes, Title XLVIII, K-20 Education Code, Chapter 1001 K-20 Governance, 1001.51]

The use of program funds for ID&R is also authorized through the Department’s Code of Federal Regulations (cited as C.F.R.):

34 C.F.R § 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 C.F.R § 200.82)

HOW TO USE THIS MANUAL

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

- Make proper eligibility determinations;
- Complete necessary documentation accurately; and
- 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 I discusses the purpose of ID&R, the importance of finding migrant children and youth, and an overview of the process. Chapter II explains the roles and responsibilities of recruiters and local districts. Chapter III 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 IV provides suggestions for effective communication with parents and out-of-school-youth (OSY). Chapter V reviews key strategies for recruitment, and Chapter VI 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 an 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 C.F.R, Title 34 (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 help readers 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 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.

In April 2020, the ID&R Office coordinated with the FMEP to develop a protocol and safety procedures related to ID&R to address the challenges imposed by the COVID-19 pandemic. At this time, these measures remain in effect and are noted in this Manual.

CHAPTER I: 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 to ascertain a child's 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.

National COE Form to Document a Migratory Child's Eligibility

On June 16, 2020, the Office of Management and Budget (OMB) extended its approval of the information collection requirements associated with the National COE, for use through June 30, 2023. States have been given certain flexibility in meeting the requirements of the national COE and therefore should read the instructions carefully as they implement the requirements. The national COE is comprised of three parts:

1. Required Data Elements, which States can organize according to State preference and need. Required Data Elements must be worded as they appear

in the instructions, and cannot be changed or shortened, with specific exceptions noted;

2. Required Data Sections, which States can place according to State preference and need, but that must be maintained in whole and unaltered, with specific exceptions noted; and

3. State Required/Requested information, where space is available, that States can use to collect other data. State-specific required/requested information may be placed anywhere on the COE, except inside any of the Required Data sections. States may choose their own header (e.g., State name) on the COE, as long as it identifies the form as the Certificate of Eligibility. States may also include their State logos or seals.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education. (n.d.). *National COE Form and Instructions*. <https://results.ed.gov/legislation>.

The Code of Federal Regulations states:

34 C.F.R § 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 C.F.R § 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 are 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 should 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.
- 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 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/youth name other places where they engaged in qualifying work? Can the family/youth indicate where they have applied for qualifying work?
- 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, determines preliminary eligibility (not the family, child, or youth).
- Refer families/youth who do not qualify to other collaborating agencies for needed services.

Complete the COE

- Properly – Correct information is entered in the appropriate fields in the presence of the interviewee.
- Accurately – Names, dates, and locations are correct as verified by the family or youth.
- Neatly – Text needs to be legible 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 QM in the preceding 36 months with, to-join, or as the MQW.

Follow Quality Control Measures

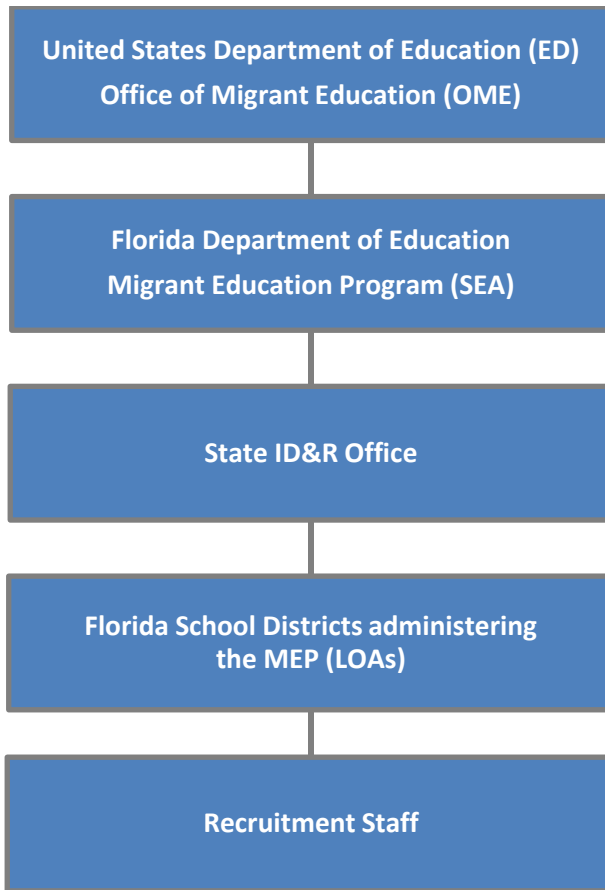
- Validate information on all questionable COEs.
- Review of all COEs for errors and omissions by *at least one additional* qualified peer recruiter, recruitment coordinator, migrant program coordinator or supervisor, or trained reviewer to verify that the written documentation is sufficient and that, 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.
- Implement re-certifications to verify residency or to identify if any new qualifying moves 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 C.F.R. (as published on the Federal Register Notice dated May 10, 2016) guide 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 C.F.R. in creating this manual.

It is important to clearly understand everyone’s role within the organizational hierarchy concerning 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 statewide 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 for 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.

CHAPTER II: 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 *Designated State Education Agency (SEA) Reviewer* 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 the 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; and
- attend state or local annual and ongoing recruitment training opportunities.

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 families/youth to community agencies for needed services.

Recruiter Characteristics

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

- 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 youth 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 families and youth, 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 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 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 goodwill ambassador and advocate for all migrant families and youth.

Florida Recruiter Code of Ethics

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 the following guidelines for LOAs.

- 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 training provided by the ID&R Office and the SEA.
- Assist the ID&R Office in the logistical coordination of recruitment training.
- 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 – discrepancies identified by the ID&R Office are resolved within 10 business days of receiving the notification by the ID&R Office.
- 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 notification if no COEs were completed by the 5th of every month.
- Submit any documentation and reports requested by the ID&R Office as authorized by the SEA.

CHAPTER III: 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 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:

The 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).

Agricultural Work (AW) – the production or initial processing of raw agricultural products, such as crops, poultry, livestock; dairy work; as well as the cultivation or harvesting of trees that is performed for wages or personal subsistence.

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 Date (EID) – 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.”

End of Eligibility (EOE) – the child(ren)’s 36-month eligibility time frame has expired or they no longer meet the definition of a Migratory Child (MC).

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

Established Worker Date (EWD) – the date that the individual established him/herself as a Migratory Qualifying Worker (MQW).

Fishing Work (FW) – is the catching or initial processing of fish or shellfish; as well as the raising or harvesting of fish or shellfish at fish farms that is performed for wages or personal subsistence.

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 (SAM), 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 Activity (QA) – the “ing” form of the verb, and crop. (e.g., picking strawberries)

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) – within 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 to help readers become familiar with the usage of the acronyms.

Who is Eligible for the FMEP?

The children who meet the 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 include children from birth to five years old who are not enrolled in Kindergarten. 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 recruit this population. Research indicates that children who receive educational services early 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 section of the COE.

When recruiting preschool children, recruiters shall make certain that the preschool child did make the qualifying move “with” or “to-join” the worker. Children born after the qualifying move, however, are not eligible for the MEP program and shall be documented in Section II No. 15 of the COE. These children may be eligible in future qualifying moves, 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.

Out-of-School Youth

According to Guidance and regulations from OME:

For the purposes of the MEP, the Department considers the term “out-of-school youth” [OSY] 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 ask for his/her date of birth as a way 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 refers 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?*

- 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

Gathering of needs assessments on OSY is done by completing an OSY Profile. Although the recruiter’s 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 profile serves as a needs assessment tool used to determine the student’s unique needs. The OSY Profile form can be found in *Appendix D*.

Over the past few years, the number of OSY identified and enrolled in 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. The recruiter should 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 birthdate, 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 eligible OSY should be identified and recruited for the FMEP.
- Recruiters must appropriately document OSY on the COE. When the OSY is the migratory qualifying worker, his/her name shall be included in:
 - Section II Nos. 1-14 as the eligible child, and
 - Section III No. 2b migratory qualifying worker.
- Any 16-year old youth or older can sign his/her own COE.
- The COE reviewer or local MEP coordinator should contact the ID&R Office if a COE is completed for an OSY younger than 16 years old who is traveling on his/her own.
 - Anyone younger than 16 years old will need someone 18 years old or older (guardian, relative, supervisor, co-worker, roommate, etc.) who is knowledgeable of the information contained in the document to sign the COE.
 - Include the individual's full name and relationship to the child in Section IV: Comments.
- In cases where the youth is unable to sign his or her name, he or she should mark an "X" in Section V. The recruiter must print the interviewee's name (OSY's name) next to the "X" and add their initials. The recruiter must also indicate "self" as the relationship to the youth, and date.
- In cases where the youth refuses to sign the COE but is not refusing services, the recruiter must document the youth's refusal and the youth's name in Section IV: Comments. The recruiter should write dashes (-) for the signature, relationship to the child(ren), and date in Section V.

Guardians and Spouses as the Migratory Qualifying Worker

There are many different types of scenarios that recruiters must understand to make appropriate eligibility determinations. Before making eligibility determinations, recruiters must understand who the migratory qualifying worker 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 is the migratory child. However, there are also cases when the migratory qualifying worker is not a parent but a guardian or spouse of the migratory child.

In cases when the migratory child is traveling with a guardian (who is the migratory qualifying worker) 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).

In Florida, 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. 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. To clarify MEP eligibility in Florida, a guardian is any person who stands in the place of the migratory child’s parent. Such a guardian may include siblings, aunts/uncles, grandmothers/grandfathers, cousins, or even extended relatives.

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
- the ending of the 36-month eligibility period

Qualifying Work

Qualifying work is an important criterion for MEP eligibility. If a worker is not currently, or has not previously worked or Actively Sought work in what the MEP considers qualifying agricultural or fishing work, the worker’s status did not change to a migratory qualifying worker and therefore the children are not MEP eligible. This section of the manual discussing the eligibility criteria for qualifying work.

Qualifying work is defined by regulations as:

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

(34 C.F.R § 200.81)

$$\begin{array}{l} \text{Activity is} \\ \text{“agricultural” or} \\ \text{“fishing”} \end{array} + \begin{array}{l} \text{Activity is} \\ \text{“temporary”} \\ \text{or “seasonal”} \end{array} = \mathbf{QW}$$

Only such activities that meet the definition of Qualifying Work are acceptable when properly determining MEP eligibility. LEAs and LOAs are asked to review and revise their Qualifying Activity Chart annually. The full list of Qualifying Activity Charts (updated annually) is posted on the frecruiter.org website. *Appendix E* 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 C.F.R § 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, alligators). Whenever a recruiter comes across 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 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. Additionally, the transportation of trees is not agricultural work for purposes of the FMEP.

According to the 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 an 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 Florida recruiter comes across work activities involving the cultivating, harvesting, and initial processing of trees, the recruiter should contact the ID&R Office 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 to be agricultural work

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

Decorative Greens NOT considered to be agricultural work

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

Fishing Work

Fishing work is defined by regulations in this manner:

3. 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--
4. performed for wages or personal subsistence.

(34 C.F.R § 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 is 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 qualifying work, 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 for the purposes of the FMEP.

While the Federal definition provides special definitions regarding migrant fishers who move within large-sized districts, none of them are applicable to Florida. A worker involved in fishing activities in Florida *must make a qualifying move across school district lines* to establish their status as a migratory qualifying worker.

The activity of catching fish or shellfish for recreational or sports purposes is not considered “fishing work” for the FMEP. Individuals who charter a fishing boat for recreation or sporting trips may not be considered migratory qualifying workers.

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 is that the move is 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 should maintain documentation of school district boundaries as they extend into the water. In addition, all other eligibility requirements must be met.

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 as required by the definition of migratory agricultural worker or migratory fisher in sections 1309(2) and (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, F29).

Q. Do workers who own their own fishing boats and take their families to another state to fish for a season, qualify for the Migrant Education Program (MEP)? The size of the boats ranges from small 20-foot fishing boats to commercial size fishing boats and some of the boat owners hire workers.

A: The fact that a worker owns his own boat does not automatically disqualify him as a migratory fisher. In many cases, the Office of Migrant Education (OME) would equate a boat with the mode of transportation a worker uses to travel back and forth to the worksite where he harvests crops. To determine if the worker’s children qualify for the MEP, the recruiter should examine if the worker and his children meet the various eligibility criteria. The recruiter should be cautious to examine whether the worker is permanently employed as a fisher or whether his employment is, in fact, temporary or seasonal.

In the past, the MEP has seen incorrect eligibility determinations regarding individuals who own their own boats. These individuals were professionals who went fishing on their own boats for recreational purposes, even though they may have sold some of the product when they returned to port or consumed some of the product. The work was not performed for wages or personal subsistence. Moreover, these individuals did not change residence due to economic necessity.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *MEP Policy Q&As*, (Q4).

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 the raw product in a container

Fishing Industry

- scaling
- cutting
- dressing
- enclosing the 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 in determining whether an activity is production or initial processing.

When recruiting for the FMEP, it is important that the qualifying work truly meets the definitions of production and processing. Recruiters must fully investigate the worker’s responsibilities concerning 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 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 are still an integral part of the production or initial processing of the products/crops. Therefore, these activities are considered possible qualifying work for the FMEP. An example of this activity would be a 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.

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

Seasonal Employment

As defined above, qualifying work 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 C.F.R § 200.81)

Cycles of nature are 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 fish/seafood processing

Temporary Employment

Again, qualifying work 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 C.F.R § 200.81)

34 C.F.R § 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 is 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 C.F.R. § 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 State 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 indicating that the employment will be for no more than 12 months is not available, the LOA 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, for 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, *or*
- 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 the employer’s statement 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 at 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

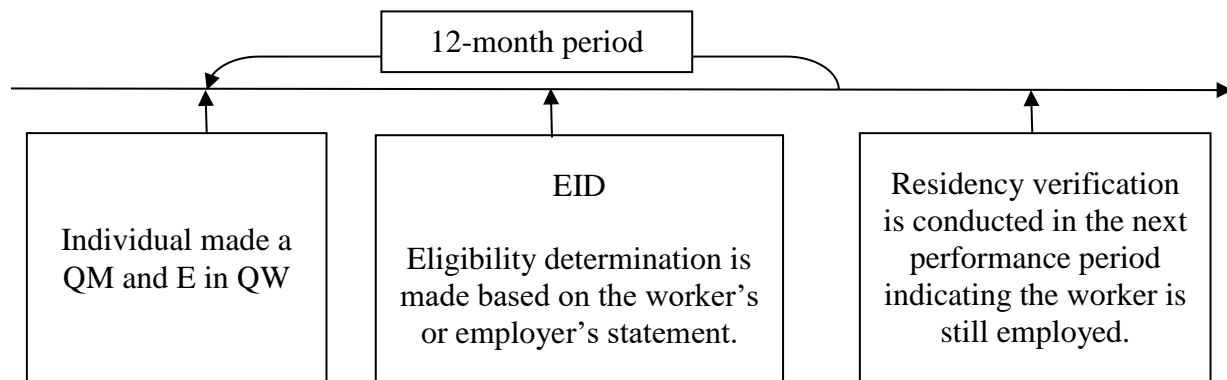
Q. Is a worker who was hired to perform a series of different jobs, which together lead to the worker being employed by the same employer for more than 12 months, employed on a temporary or seasonal basis?

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 provided in the definitions of migratory agricultural worker and migratory fisher in section 1309 (2) and (4) of the ESEA.

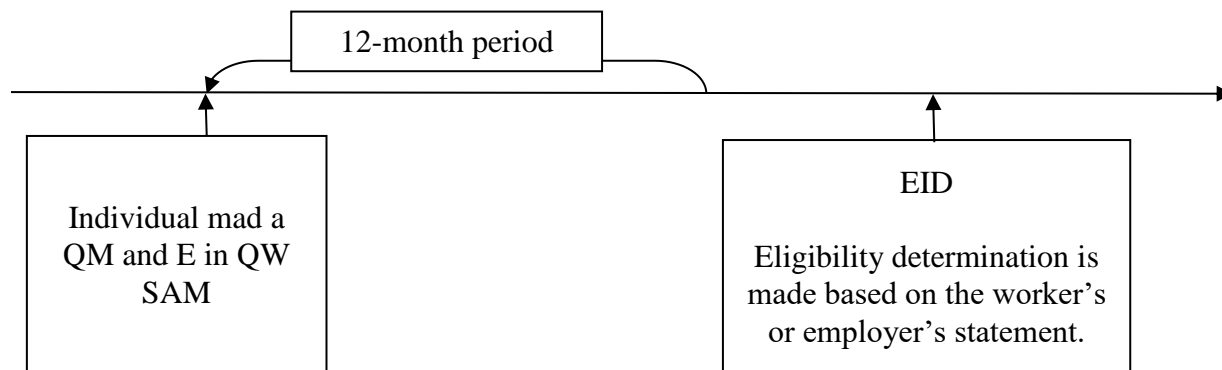
U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2017. (Chapter II, G7).

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

If the recruiter first identifies and recruits a family/OSY within 12 months from the established QAD, the recruiter may determine the work to be temporary based on the worker’s statement or the employer’s statement and must document this statement in Section IV: Comments 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 the children that are listed on the COE. The LOA may continue to count the children on their MEP counts for the remainder of their 36-month eligibility period as long as the children are still residing in the district. 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:



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 what 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. 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. If the worker arrived in the district and engaged in qualifying work more than 12 months prior, the question arises as to the temporary nature of the employment. In this case, employment is most likely to be permanent.

Eligibility Red Flags

During 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 additional information to provide evidence for any eligibility decision made. Red Flags to be aware of include the following.

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

1. The qualifying activity may be part of a series of activities done for the same employer. Workers who are hired to work for more than 12 months, regardless of how many different jobs they perform, are not “engaged in new temporary or seasonal employment.”
2. The worker is “transporting” or “moving” the qualifying activity in question. Recruiters should ensure that the work being done is not carried out by a third-party retailer, wholesaler, or contractors paid to transport these products. The service these companies

or contractors provide is “shipping” or “trucking and the activity is not considered to be production or initial processing.

3. The move is of short duration (less than 10 days). Recruiters should ensure that family/youth stayed in a new place long enough to substantiate a change of residence due to economic necessity.
4. The child is the worker who is enrolled in school during the regular school year. Recruiters should ensure the move to the current district meets the definition of a qualifying move.

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 Section IV: Comments.

Qualifying Moves

In order to make adequate and accurate decisions regarding eligibility, the recruiter should gather as much relevant information as possible. Because various scenarios may appear as a qualifying move, recruiters should understand all the various elements and factors that make up the complete definition of a qualifying move.

Understanding the Difference between Move, Residence, and a Visit

The first step in defining a *qualifying move* 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 should 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 location change. However, depending on the circumstances of the location change, the relocation may or may not be considered a qualifying move. 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 on a short-term basis, without the intention of establishing residency.

Definition of a Qualifying Move

Under section 1309(5) of the ESSA, a Qualifying Move 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 three elements which must all be present in order to constitute a *qualifying move*.

- ✓ *Due to EN, and*
- ✓ *From one R to another, and*
- ✓ *From one school district to another.*

= ***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.

- 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.

The ID&R Office does not recognize a move for vacation purposes as a qualifying move, even if the worker engages in qualifying work during the vacation. However, in certain cases family's state, they are 'going on vacation' but instead, they are going to live with another family member while they search for employment or in-between seasons. Therefore, recruiters should 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 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.

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. 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. In this case, the recruiter shall determine the family is eligible for the FMEP, assuming all other eligibility factors are met.

A recruiter should 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." For any move that was less than 10 days, the Florida recruiter must explain how the move was **due to economic necessity** in Section IV: Comments 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, the move itself is not considered a qualifying move. Therefore, the worker's status would not change to a migratory qualifying worker after moving for a vacation.

Migratory Qualifying Worker

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. 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*.

MAW = MQW

MF = 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 a worker made preceding 36 months of the eligibility interview date.

Soon After the Move

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 engages in qualifying work soon after the move, *OR* actively sought new qualifying work, *AND* has a recent history of moves for qualifying work.

Engaged in Qualifying Work

In order for a worker’s status to change to a migratory qualifying worker, soon after the move, the worker must engage in qualifying work. In the regulation and Guidance, the term “engaged” is used in the past tense form, therefore implying that the worker must have already started the qualifying work or started orientation, by the time the recruiter is conducting the eligibility interview. Therefore, the recruiter should use appropriate eligibility questions to help determine if the worker has already begun the qualifying work. Such questions may look like (but are not limited to) the following.

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 soon after the move. It is imperative that the recruiter only continues with the eligibility interview if the worker engaged in new qualifying work soon after the move. In Florida, the amount of time to be considered “soon after the move is defined as 60 days. Therefore, the worker should have engaged in new qualifying work within 60 days of the qualifying move in order for the worker’s status to change to a migratory qualifying worker.

The recruiter verifies through the eligibility interview and then documents that the worker has engaged in new qualifying work soon after the move in Sec III, No. 4 of the COE. The recruiter does not document the actual date when the worker engaged in new qualifying work. 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 in new qualifying work within 60 days of the worker’s qualifying move. The recruiter should not complete a COE without first verifying that the worker engaged in new qualifying work.

A worker who did not engage in new qualifying work soon after a qualifying move may still be considered a migratory qualifying worker if the worker:

- actively sought new qualifying work soon after the move, *AND*
- has a recent history of moves that resulted in the engagement of qualifying work

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 New Qualifying Work

If the worker did not engage in new qualifying work soon after the move, the recruiter must inquire if the worker took positive action to find new qualifying work soon after the move.

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 about what actions the worker took to find qualifying work. 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 new qualifying work because the recruiter must document the responses in Section IV: Comments of the COE. 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, word of mouth, or the worker’s own experience) that such qualifying work would be available after the move.

Recruiters are encouraged to ask appropriate eligibility questions to inquire how exactly the worker actively sought new qualifying work soon after the move. Recruiters may rely on the worker’s statement regarding his or her attempts to obtain new qualifying work. Credible evidence is not a requirement for completing comments for actively sought. The following are examples of what a statement explaining how the worker actively sought new qualifying work 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 for Qualifying Work

As mentioned earlier, if the worker did not engage in new qualifying work soon after the move, the recruiter must inquire if the worker took positive action to find new qualifying work soon after the move *AND* have a recent history of moves for qualifying work.

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 for qualifying work. 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 for qualifying work because the recruiter must document the responses in Section IV: Comments of the COE. Recruiters may rely on the worker’s statement regarding his or her recent history of moves for qualifying work. Credible evidence is not a requirement for completing comments for a recent history of moves. Statements for a recent history of moves for qualifying work must include the following information for each of the two recent moves:

- The month and year of each move*.
- The “from” and “to” locations of each move.
- The qualifying work the worker engaged for each of the two moves.
- *If one of the recent history of moves happens to be the same month as the eligibility interview date, then please provide the full date for that previous move. Example: The eligibility interview date is June 6, 2021, then the recent history of moves comment should be “Worker moved from Brownsville, TX to Plant City, FL and planted strawberries on June 21, 2018.”

The following are examples of what a statement explaining the worker’s two recent history of moves for qualifying work may look like:

“Worker goes from Brownsville, TX to Plant City, FL to harvest strawberries every year (October 2020 and October 2019).”

“Worker moved from Jennings, FL to Georgia in July 2020 to pick watermelon, and moved from Jennings, FL to Maine in July 2019 to rake blueberries.”

“Worker moved from Vermont to Lake Placid, FL (residence 1) and picked oranges in May 2019 and moved to Lake Placid, FL (residence 2) and planted tomatoes in September 2020.”

Therefore, in Florida, a *migratory qualifying worker* means a person who, in the preceding 36 months, made a qualifying move and soon after the move engaged in new qualifying work *OR* actively sought new qualifying work *AND* has two recent history of moves for qualifying work.

$$MQW = \textit{Preceding 36 months} + QM + SAM + \underline{E \textit{ in QW}}$$

or

$$MQW = \textit{Preceding 36 months} + QM + SAM + \underline{AS \textit{ new QW} + 2RHMs}$$

In cases where the individual has not engaged in qualifying work, recruiters are responsible for determining whether, in the preceding 36 months, the individual actively sought new qualifying work *AND* has a recent history of moves that resulted in temporary or seasonal agricultural or fishing employment.

Migratory Child

Determining whether the worker’s status changed to a migratory qualifying worker is the first step in determining whether a child/youth can be identified as 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).

Once the recruiter determines whether the worker’s status changed to a migratory qualifying worker, the recruiter will then determine if the child/youth has made a qualifying move, in the preceding 36 months of the eligibility interview date...

- “as” the migratory qualifying worker,
- “with” the migratory qualifying worker, or
- “to join or precede” the migratory qualifying worker.

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


Refer to the Eligibility Flowchart in Appendix F.

Qualifying Arrival Date

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, commonly referred to as the QAD.

Qualifying Arrival Date refers to the:

- date when *both* the child *and* the migratory qualifying worker or the youth as the migratory qualifying worker have completed the qualifying move;
- date when they each complete the move and are *together* in the school district;
- the date that is entered in Section III, No. 3 of the COE; and
- the 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 QM is complete, correctly identifying the QAD is crucial when completing a COE.

The following example provides a clear picture of a QAD.

On May 23, 2021, a family with two school-aged children moved into a Florida school district. Soon after the move (within 60 days), the father engaged in qualifying work harvesting oranges. The family moved, traveled, and arrived in the Florida school district *together*. If all eligibility factors are present, the children’s QAD would be May 23, 2021. Again, this is the date that is entered in Section III No. 3 of the COE.

Residency Date

While the QAD refers to the date when the child and the migratory qualifying worker complete qualifying moves, the residency date refers *only* to the date when the child/youth establishes residency into the new school district. Recruiters shall document the residency date in Section II, No. 14 of the Florida COE.

Using the previous example again, the QAD was determined to be May 23, 2021, because this is the date when the child and the worker moved *together* into the school district to engage or actively seek qualifying work. However, the residency date is also May 23, 2021, since this is also the date when the child moved into the school district. In this case, the residency date and QAD are the same because the migratory qualifying worker *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.

There may be circumstances when the migratory qualifying worker and the migratory child *do not* arrive on the same date. These circumstances will be discussed later under the *Types of Moves* section in this manual.

In all instances, the recruiter should always remember that the QAD is dependent on when the migratory child *and* the migratory qualifying worker complete the qualifying move. The residency date 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

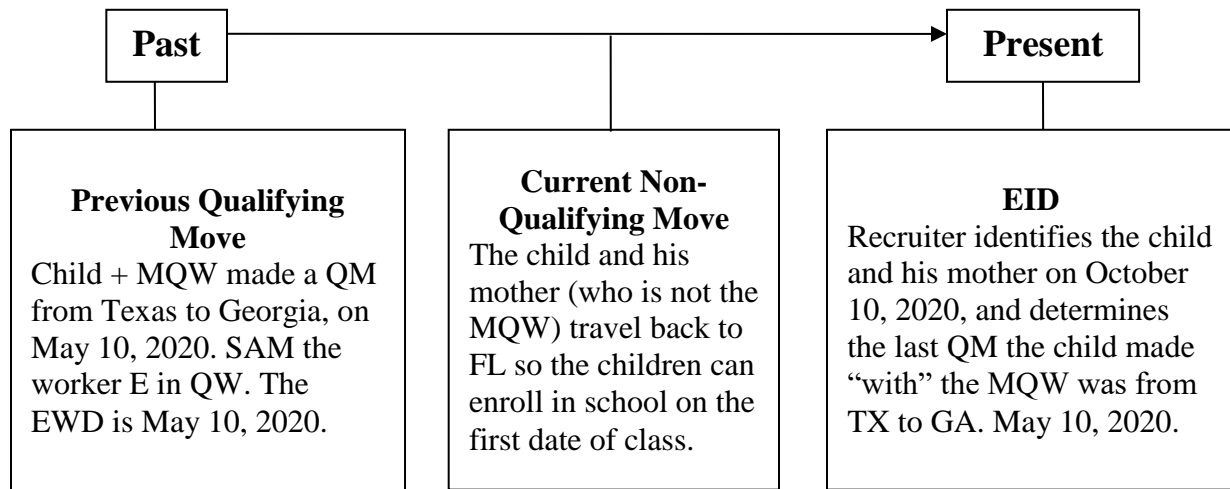
The QAD entered in the COE must be correct because it affects the child/youth's eligibility and length of eligible MEP service.

Types of Moves

Previous Qualifying Moves

Previous qualifying moves refer to any qualifying move 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 is not an easy task. It requires a 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, the recruiter should ask additional probing questions to find out if the child/youth has made any previous qualifying moves *as/with/to join or precede* the migratory qualifying worker within the preceding 36 months of the eligibility interview. If there is a previous qualifying move made prior to arriving in the current school district, then it may be used to determine the child or youth's eligibility for the MEP, as long as all other eligibility criteria were also met during the previous qualifying move.



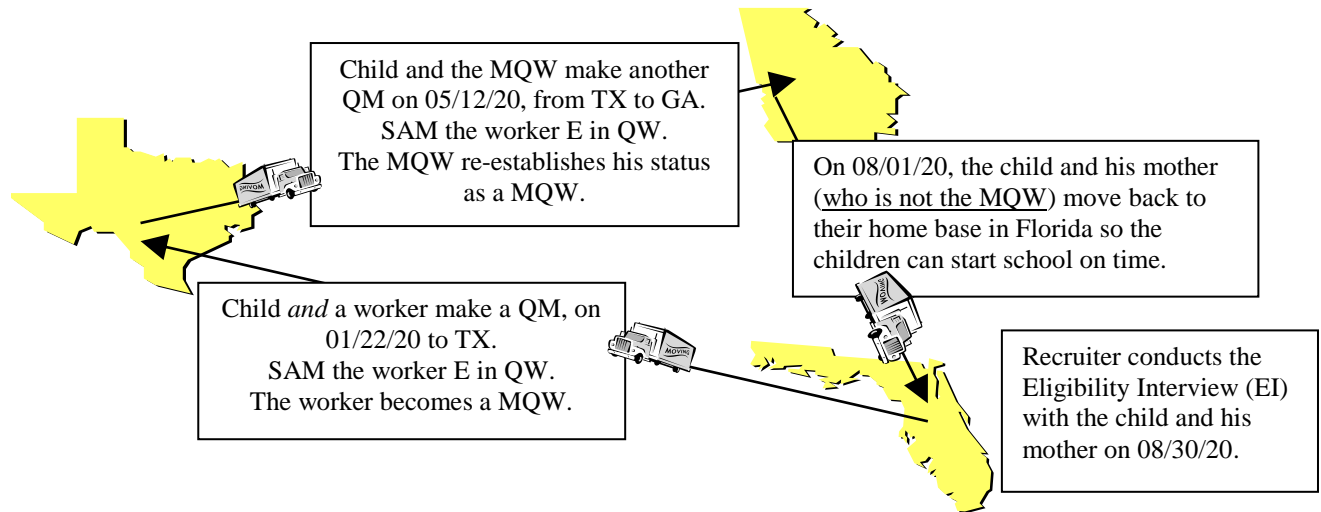
In the above example, the recruiter determines the child’s eligibility for the FMEP began on the last qualifying move the child made “with” the migratory qualifying worker when the family traveled together from Texas to Georgia and soon after the move the worker engaged becoming a migratory qualifying worker.

Accurately documenting the qualifying arrival date, residency date, and the established worker date when the worker became a migratory qualifying worker is critical when completing a COE based on a previous qualifying move.

As mentioned earlier, the qualifying arrival date and residency date are normally the same when the migratory child makes a qualifying move with the migratory qualifying worker. However, these dates may not be the same when the eligibility determination is based on a previous qualifying move. In other words, the school district to where the child last made a qualifying move *as/with/to join or precede* the migratory qualifying worker and the current school district is *not* the same.

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

The following graphic illustrates a “previous qualifying move.”



In this example, the recruiter identifies and interviews the family on 08/30/20. During the interview, the mother discloses that she and the child had recently moved to Florida on 08/01/20 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 in qualifying work, 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 in the preceding 36 months. Some of these resulted in the father engaging in qualifying work. The mother shares that the family moved to Texas to work on a cantaloupe farm this past January. This past May, they moved to Georgia to pick peaches. Then, in August, the mother and the child moved to Florida too so the children can begin school.

This example serves as a guide when determining eligibility based on a previous qualifying move and how to document it on a COE. For an eligibility determination to be made on a previous qualifying move, all eligibility factors must be met *at the time* of the qualifying move. According to this example, the recruiter determines the family meets all eligibility factors based on two of the family’s previous qualifying moves. One of the qualifying moves is from Florida to Texas, and the other qualifying move is from Texas to Georgia. Although the child did move with his mother back to Florida, this move cannot be considered a qualifying move because it was not due to economic necessity. Also, the child did not move *as/with/to join or precede* the migratory qualifying worker. When reviewing multiple qualifying moves, recruiters should document the most recent qualifying move the child/youth made *as/with/to join or precede* the migratory qualifying worker.

Therefore, the most recent qualifying move the child made *with* the migratory qualifying worker was the move from Texas to Georgia. The QAD is 05/12/20. This is what the recruiter would document in Section III No. 1 through 3 on the COE.

The most recent qualifying move the worker made where he engaged in qualifying work soon after the move is the move from Texas to Georgia on 05/12/20. The recruiter would document this information in Section III No. 4 through 6 on the COE.

The residency date in this scenario would be when the child moved to Florida and entered the current school district, on 08/01/20.

A child is a “migratory child” if 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 migratory fisher.

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 (3)).

Therefore, a recruiter may go as far back as 36 months of the eligibility interview date to determine if the child/youth made any previous qualifying move *with/as/to join or precede* the migratory qualifying worker.

The LOA must contact the ID&R Office if further guidance is needed to determine eligibility and document the COE based on a previous qualifying move.

“To Join” Moves

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

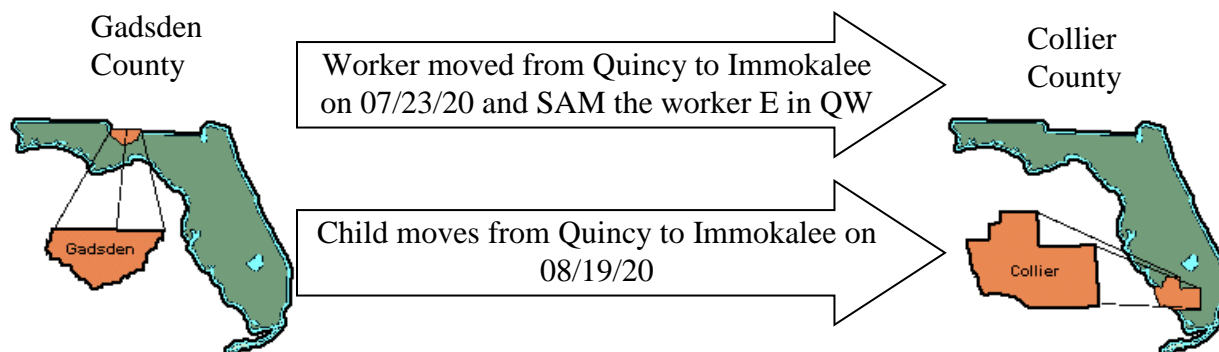
A: No. Section 1309(3) of the ESEA provides that if the child is not the migratory agricultural worker or migratory fisher, the child must move “with, or to join” a parent/guardian or spouse who is a migratory agricultural worker or fisher. The Department considers this provision to mean that the child’s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

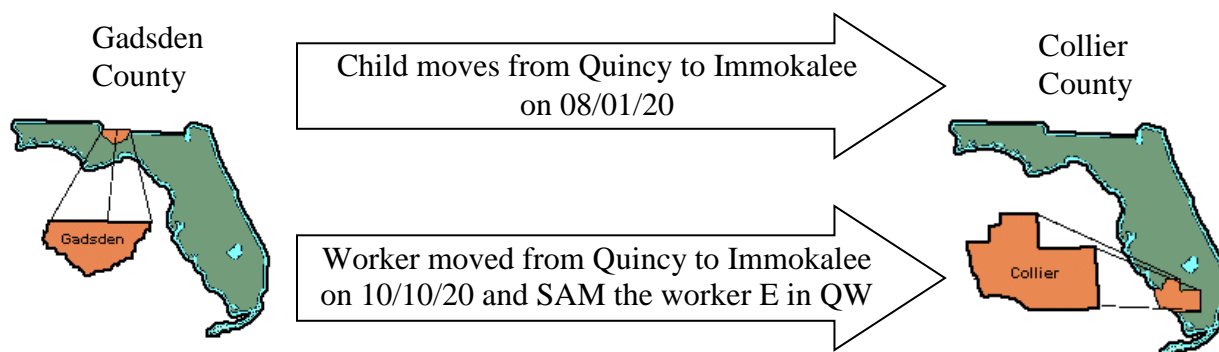
There are times when a child *does not* travel *with* their parent/guardian/spouse. Different scenarios may encourage a parent to travel first, such as: to canvass new environments, solicit and secure work and housing, and establish adequate child care. Other scenarios may force parents to stay behind 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 and the child made the qualifying move by the time the recruiter conducts the eligibility interview. 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, and the residency date appropriately.

“To Join” Move - Worker Moves First




If the migratory qualifying worker made the qualifying move before the child, the QAD and the residency date are both the date when the child completes the qualifying move into the school district. In this case, the QAD and the residency date are 08/19/20. The child’s eligibility is not established until the child physically arrives in the new school district. Even though the migratory qualifying worker has already moved into the school district prior to the child/youth, the child is not a migratory child until the child/youth completes the qualifying move.

“To Join” Move - Child Moves First



If the child made the qualifying move before the migratory qualifying worker, the QAD and the residency date are different dates. The date when the child completes the qualifying move into the school district is different from when the migratory qualifying worker completes the qualifying move. 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 until the migratory qualifying worker completes the qualifying move.

Whether the child moved *before* the migratory qualifying worker 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 moved on different dates.



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

If a recruiter interviews a family and the migratory qualifying worker has not arrived yet, the recruiter must ascertain when the worker is expected to arrive.

- The recruiter may inquire about the previous qualifying moves the child made *with/to join or precede* the migratory qualifying worker.
- 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 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 be 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 moves, the more difficult it is to establish a credible relationship between the child's move and the migratory qualifying worker's move. Through the eligibility interview, recruiters shall be able to determine the time between the child's move and the worker's move. Anytime the child moves to join or precede the migratory qualifying worker, 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 MEP. 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 LOA 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 LOA and assist in making the eligibility determination on a case-by-case basis.

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 in qualifying work if the work has not yet started, or if the worker “plans” to start work later past the eligibility interview date.

Recruiters have the following options:

- Inquire if the worker has actively sought new qualifying work AND has two recent history of moves for the migratory qualifying work. If the worker has taken positive action to find new qualifying work (even if it’s the work that is supposed to start at a later date) AND has two recent history of moves for qualifying work, then the recruiter may determine that the worker’s status changed to a migratory qualifying worker. In this case, the recruiter would document the date of the worker’s most recent qualifying move and check Section III No 4b, in the COE. Also, the recruiter will document the qualifying work the worker was looking for in Section III No. 5. Lastly, the recruiter will also need to include a comment for actively sought and a comment describing the worker’s two recent history of moves.
- Inquire if the worker has engaged in any other qualifying work. Even if the worker plans on engaging in a specific qualifying work that starts at a later date, the worker may have engaged in other qualifying work since the move, prior to the eligibility interview date. If the worker has engaged in any other qualifying work, then the recruiter may determine that the worker’s status changed to a migratory qualifying

worker. In this case, the recruiter would document the date of the worker’s most recent qualifying move and check Section III, No 4a, in the COE. Also, the recruiter will document the qualifying work the worker engaged in Section III, No. 5.

- Inquire about the previous qualifying moves that the child/youth has made *as/with/to join or precede* the migratory qualifying worker.
- Inquire when the qualifying work is expected to begin. The recruiter may conduct a follow-up visit **AFTER** the expected start date and complete the eligibility interview then. Recruiters should use this as a last resort. It is already very difficult to identify potential migratory children, and the recruiter runs the risk of being able to locate the family at a later date if they need to return to complete the eligibility interview. 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, and the child has made a qualifying move *as/with/to join or precede* the migratory qualifying worker, as well as other eligibility criteria, are present.

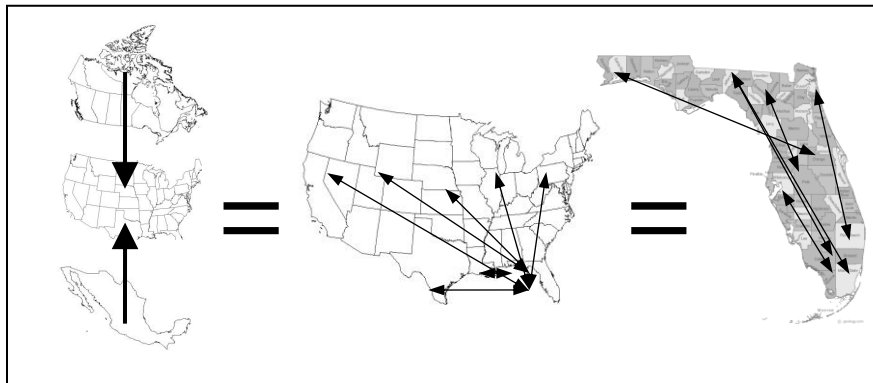
International Moves

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

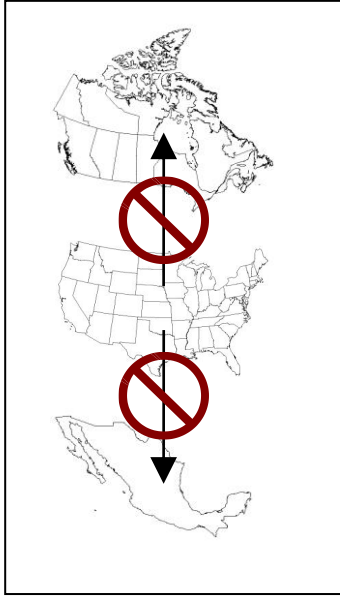
A: Yes. The only criteria for being considered a migratory child, migratory agricultural worker, or migratory fisher are those established in sections 1115(c) and 1309 of the ESEA, and in applicable regulations in 34 C.F.R. § 200.81, 200.89(c) and 200.103. The law does not establish additional criteria 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 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 eligibility criteria are 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 do *not* qualify. The MEP is meant to benefit families who perform qualifying work *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.



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. Subsequently, the child’s and the migratory qualifying worker’s move from another county back to a school district in the U.S. could be a qualifying move if all eligibility requirements are present.

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://seasonaljobs.dol.gov/>) as a resource to identify potential migratory qualifying workers.

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 provided all eligibility criteria are met.

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 a 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; 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 short duration move of fewer than 10 days requires supporting documentation on the COE to explain the recruiter’s determination of eligibility.

NOTE - LOAs must contact the ID&R Office for guidance regarding cases involving any one-time short-duration move.



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

When determining eligibility based on a *series of short-duration moves*, recruiters shall ascertain if the series of moves are within a three-month period. The FMEP has determined that the combined number of days in the *series of moves* should total a minimum of 10 days.

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

- how the family/youth can substantiate a change of residence and the change was due to economic necessity;
- move dates and locations (from/to) in the series of short-duration moves within a 3-month period that combined total a minimum of 10 days; and,
- if applicable, a comment indicating how the worker actively sought new qualifying work soon after the move and two recent history of moves.

NOTE - LOAs must contact the ID&R Office for guidance regarding cases involving a series of short-duration moves within a 3-month timeframe that does not total 10 days.

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 for the FMEP. All qualifying moves must occur across school district lines for the purposes of eligibility. Moves for relocation within a school district are not considered qualifying moves. The Guidance requires that a qualifying move meet three criteria: (1) due to economic necessity, (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 since the move was not due to economic necessity. If the qualifying move 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; (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. The worker is not changing their residency to engage in qualifying work. 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 for the purpose of eligibility for the MEP.

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 MEP. 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 May 10, 2016, C.F.R, 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 in 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 that would renew the child’s eligibility for the MEP.
- Each section must be completed. Do not leave any section blank. Use “N/A” or dashes to acknowledge that an inquiry has been made.
- 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.
- During a district’s COE review, a completion error must be corrected and initialed by the recruiter or other district MEP staff making the correction in **RED** ink.
 - If the ID&R Office discusses COE completion errors with the district, the corrections should be made and initialed in **RED** ink by the recruiter or other district MEP staff making the COE correction.

- The COE ***cannot*** be completed in cursive – information must be printed.
- 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.
- The recruiter and interviewee signatures should be captured only once the COE has been completed.
- The person who signs the COE must be the source of the information contained in the document and should verify any information provided by another source.
- The interviewee should also be able to give permission for the child(ren) to participate in the MEP and receive medical referral services.
- 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 or 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.
 - The recruiter should cross-reference the COEs by documenting in Section II No. 15, the unique preprinted COE number(s) for the other COE(s) associated with the family.
- If more than one COE is necessary for a family because not all children can be documented on one COE (e.g., there are 6 or more children who made the move), the recruiter must complete all sections on each form.
 - The recruiter must cross out the unique preprinted COE number on the second COE, and add the unique preprinted COE number from the first COE.
 - The recruiter should add a comment in Section II No. 15 indicating, “Additional child(ren) on second COE” and “Additional children on first COE” respectively.
- The recruiter must ***not*** include in Section II: Child Data of the COE any child who:
 - (1) was born after the qualifying move *
 - (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 described on the COE *
- The completed form should be submitted within five (5) working days to the District MEP Coordinator or designee for certification of eligibility.
- The Designated SEA Reviewer must be trained in ID&R before reviewing and approving COEs.

** The full name of children born after the move or children who did not make the qualifying move described in the COE should be included in Section II No. 15 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. Instructions for completing the COE are found in *Appendix B*.

Additional Comments on the COE

A recruiter shall provide additional comments in Section IV 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 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 *Appendix B*.

In Florida, a recruiter must provide additional comments on the COE in the following circumstances and in any other circumstance in which a third party or independent outside reviewer may question the eligibility determination.

- 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 child's move in Section III of the COE does not list the move to the current district.
- If the worker is either not currently residing with the child or is currently not responsible for the child, document the full name of the worker and the relationship to the child.
- The worker did not engage in new qualifying work soon after the move. In this case, the recruiter must document:
 - how the worker actively sought new qualifying work soon after the move *and*
 - two recent history of moves for qualifying work.
- The work is unusual enough that an independent reviewer is unlikely to understand that it is a qualifying activity.
- The work could be part of a "series of activities" that, viewed together, would constitute year-round employment (e.g., mending fences and bailing hay 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.
- The child(ren) qualified on the basis of "personal subsistence." The LOA 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.

Signatures on the COE

In April 2020, the ID&R Office coordinated with the FMEP to develop the FMEP COVID-19 COE Completion Protocol to address the challenges imposed on capturing an interviewee's signature on a COE during a pandemic. The FMEP COVID-19 COE Completion Protocol remains in effect until further notice from the FMEP. Please refer to *Appendix G* for specific instructions regarding the interviewee's signature during the pandemic.

Federal regulations require a parent/guardian/youth signature on a COE except for a few limited exceptions. Therefore, the Florida MEP 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 interviewee is unable to sign his or her name, he or she shall mark an “X” in Section V of the COE. The recruiter should then print the interviewee’s name next to the “X” and write their own initials (i.e., the recruiter’s initials). The recruiter must also indicate the interviewee’s relationship to the child(ren), and enter the date the interview was conducted.

If the interviewee refuses to sign his or her name but is not refusing services, the recruiter must document the interviewee’s refusal to sign in Section IV: Comments and print the interviewee’s name and relationship to the child in this section. The recruiter should write dashes (-) for the signature, relationship to the child(ren), and date in Section V of the COE.

If the interviewee who signs the COE is not listed in Section I, II, or III, provide a comment in Section IV; document the interviewee’s full name and how this person has knowledge of the qualifying moves.

Anyone younger than 16 years old will need someone 18 years old or older (guardian, relative, supervisor, co-worker, roommate, etc.) who is knowledgeable of the information contained in the document to sign the COE. Include the individual’s full name and relationship to the child in Section IV: Comments. Refer to *Florida ID&R Policies Regarding OSY* (page 18) for further guidance on youth younger than 16 years old traveling on their own.

Obtaining the interviewee’s 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's 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.

In addition to the interviewee’s signature, the recruiter’s signature is also required under Federal regulations. The recruiter's signature at the end of the COE certifies the following.

- The recruiter received all the information on the COE directly from the family/youth.
- The recruiter collected all the documentation 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.

In cases where the recruiter cannot make an eligibility determination, the COE shall not be signed by the interviewee or the recruiter 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.**



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

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.

Important Note – The ID&R Office and LOAs may not share a copy of a completed Florida COE with another state.

Q: May a recruiter accept automatically another State's COE as evidence of a child's eligibility for the MEP?

A: No. Each State is responsible for making its own eligibility determination for the children it enrolls in the MEP. We encourage recruiters and States to utilize the Migrant Student Information Exchange (MSIX) as one source of information in making eligibility determinations – e.g., to view the child's record or communicate with colleagues in other States – thereby facilitating a child's participation in 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, H13).

Quality Control Assurances

The local MEPs 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 SEA, the ID&R Office, and participating LOAs. Each office fulfills a unique role and has specific responsibilities to ensure the system complies with all federal and state regulations pertaining to the MEP.

In order to accomplish this task, the **SEA and the ID&R Office** should assume the following responsibilities.

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 of Florida 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 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** should assume the following responsibilities.

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:

- 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;
- an 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; and
- effective and efficient procedures for reviewing COEs before determining eligibility.

Training for Recruitment Staff

According to regulations, proper training of recruiters, recruitment staff, re-interviewers, and Designated SEA Reviewers shall include:

- 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.;
- proficiency in completing a COE accurately and completely as well as clearly filling out all sections;
- 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; and
- 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

If 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 should understand their role in the LOA

and the 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 the aforementioned staff. The ID&R Office will continue to conduct yearly regional recruitment training at geographically strategic locations throughout the State.

Reviewing and Approving COEs

An important part of quality control is the review of the COE. The 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 C.F.R 200.89)

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
- MEP 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 overrule 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.

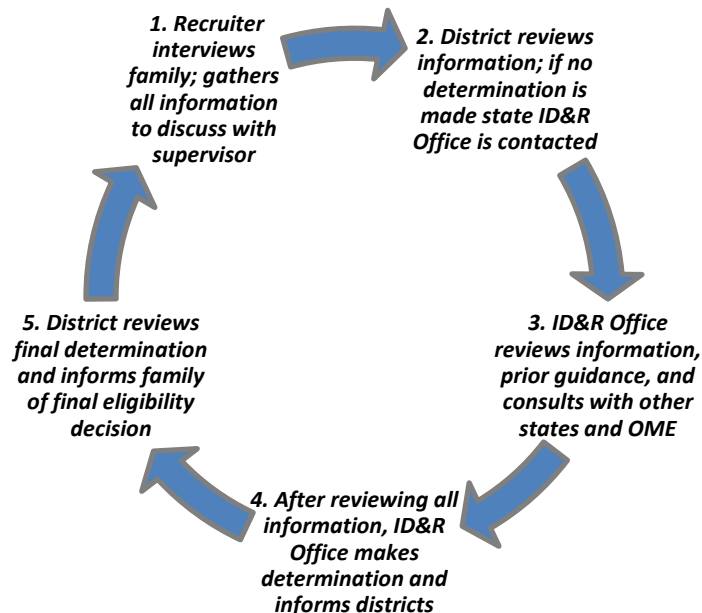
In each district, at least two individuals other than the recruiter who originally completed the COE shall review the form. COE reviewers must ensure that the form is neat, accurate, and complete. The form must be legible and with limited errors; the information in the form is correct, and the form is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

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

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.

- 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.
- LOA administrators may contact the ID&R Office for assistance in providing answers to recruiters' questions. All written eligibility inquiries must include:
 - a. A detailed explanation of the 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
- 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.
- 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.
- 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.



COE Recertification for Residency Verification

Residency Verification confirms that the migratory child, whose eligibility has not expired because of age or 36-month limit, continues to reside in Florida and has not made a new qualifying move since the previous Performance Period (PP). Families/youth previously identified as migrant should be contacted annually to determine whether:

- the family/youth has made another qualifying move out of the district and back again since the original COE was completed *, *OR*
- the family/youth still is residing in the district.

*NOTE – If during the residency verification the district learns that the migratory child has made a new qualifying move, a new COE must be completed. As a *Best Practice*, districts should make contact with migrant families/youth annually to find out if a new move was made since the previous COE was completed.

REMINDER – The Performance Period is from September 1 to August 31 of each project year. Residency verification must be conducted for each PP in order to verify the migratory child’s continued residence in the district.

The COE recertification for Residency Verification may be conducted using one of the following methods:

1. **Face-to-Face or Phone Interview** – For non-attenders, in particular, an interview with the parent/guardian/worker may be used to verify that the migrant child/youth who was previously found eligible did reside in the district at least one day the following PP. (*Non-attenders may be migrant children preschool children not enrolled in school and/or out-of-school youth*).
2. **School attendance** – For migrant children enrolled in school, attendance records may be used to confirm that students who were previously found eligible did attend school at least one day of the following PP. (*If school attendance is used, the documentation should be accessible at the local level and available for SEA review as needed*).
3. **Service Logs** – Districts may use date-stamped service logs documenting services were provided to verify a migrant child/youth, including non-attenders, who was previously identified did reside in the district at least one day the following PP. (*If a service log is used, the documentation should be accessible at the local level and available for SEA review as needed*).

REMINDER – Districts must verify every migrant child/youth whose eligibility has not expired because of age or 36-month limit continues to reside in the district each PP.

How to recertify a COE

If the recruiter/advocate learns that the family/youth did not make a new qualifying move, the eligibility period and QAD remain 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 original COE should be recertified. The instructions to recertify a COE are as follows.

- The LOA should make a copy of the original COE.
- If the COE that is being recertified has a stamped COE number beginning in “**2022**”, then Section III No. 7 should be completed. Note – the recertification question is located on the COE in Section III No. 9 prior to the 2021-2022 performance period.

- The appropriate PP must be marked and the date the COE was recertified must be entered.
- The recruiter/advocate initials and the Designated SEA Reviewer initials must be entered.
- If the COE that is being recertified has a stamped COE number beginning in less than “1920...” the date the COE was recertified must be entered in Section IV of the COE.
 - The recruiter/advocate initials and the Designated SEA Reviewer initials must be entered in Section VI.

Refer to *Appendix I* for samples of COE Recertification.

Continued Eligibility

Q. How should a Florida Local (District B) Migrant Education Program (MEP) update a Certificate of Eligibility (COE) originally completed by another Florida Local (District A) MEP and continue serving a migrant child for the remainder of their eligibility that was based on the worker’s statement of temporary employment, which was provided during the original eligibility interview (Florida COE Section VI Comments) if the employment ends up lasting more than 12 months?

Sample Scenario

- During the 2019-2020 performance period, a mother and her three school-aged children (ages 13, 11, and 9) made a qualifying move to District A, FL on 09/08/19. Soon after the move, the mother engaged in qualifying work raking pine straw.
- The District A recruiter conducted an eligibility interview on 09/10/19. At the time of the eligibility interview, the worker stated that the employment will last seven months. The Designated SEA Reviewer in District A approved the COE on 09/15/19. The children’s qualifying arrival date (QAD) to District A is 09/08/19; therefore, their 36-months of MEP eligibility ends on 09/07/22, as long as they continue meeting all MEP criteria. The worker’s employment lasts 16 months.
- On February 1, 2021, the family moved to District B, FL, and the worker engaged in non-qualifying work. District B MEP found out about the family from the school survey.

A. District B may not complete a new COE since the worker remained employed in raking pine straw in District A for more than 12 months, no longer meeting the definition of a migratory qualifying worker (MQW). However, based on the Office of Migrant Education (OME) Policy Q&A, the children may retain MEP eligibility in the state for the full 36 months from the previously established QAD for their move to District A, if the original eligibility determination was valid and reliable at that time.

For MEP eligibility to be continued, District B should follow these procedures:

- District B should contact the ID&R Office for assistance in conducting a COE recertification if during the eligibility interview the worker no longer meets the definition of a MQW but the child still has eligibility remaining based on the move to District A.
- District B should obtain a copy of the original COE that was completed by District A from the ID&R Office. Reminder – a new COE may not be completed.
- District B should update the following sections of the COE in **RED** ink.
 - District/Agency – Cross out District A and write District B name.

- Section II: Child Data No. 14 – Change the Residency Date to the date when the child moved to District B. Note – the residency date is located on the COE in Section III No. 7 prior to the 2021-2022 performance period.
- Section III: Qualifying Moves & Work No. 7 – Enter the Recertification Date, the Interviewer’s initials, and the SEA Reviewer’s initials. Note – the recertification question is located on the COE in Section III No. 9 prior to the 2021-2022 performance period.
- Section IV: Comments – Add a comment that explains the family made a non-qualifying move to District B but the child remains eligible based on the original QAD for their move to District A.

District B should submit a copy of the recertified COE to the ID&R Office with the monthly COE submissions.

Q: A migratory agricultural worker moved with his child to District A with the intent of engaging in temporary employment for less than 12 months. After the migratory agricultural worker and child make an intrastate move to District B, the recruiter in District B finds out the “temporary” employment in District A really lasted two years. Would the parent still be considered a migratory agricultural worker if the work wasn’t really “temporary”? Would the child’s eligibility continue for the full 36 months from the original qualifying arrival date (QAD) in District A?

A: The answers to these questions depend on when the family is identified by the MEP, and the information available at that time. If the MEP identified the family after they made a qualifying move to District A, and, soon after that move, the child’s parent engaged in employment he described as temporary (and at the time, he had been employed for less than 12 months), the recruiter may consider the parent to be engaged in temporary employment based on the information available at that time. Assuming all other MEP eligibility criteria are met, the recruiter may establish a qualifying arrival date (QAD) for the child based on that move. Even if the MEP later learns that the parent remained employed for longer than 12 months, as long as the information on which the original eligibility determination was based was valid and reliable (i.e., the MEP has no reason to believe that the parent purposely provided misleading or inaccurate information), the child may retain MEP eligibility for the full 36 months from his or her last QAD.

If the family made a subsequent qualifying move to District B, the MEP may only complete a new COE for the child with a new QAD for the move to District B if, at the time, the recruiter is able to determine that the child made that move with a parent who is a migratory agricultural worker. If the recruiter has reliable information (e.g., information provided by the worker or employer) that the parent remained employed in his previously qualifying work for more than 12 months, then the parent does not meet the definition of a “migratory agricultural worker” based on his employment in District A, and a new COE cannot be completed for the child for the move to District B. Again, this would not impact the previously established QAD for the move to District A, because that COE was based on the facts available at the time.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education. (n.d.). *MEP Policy Q&As*. https://results.ed.gov/legislation/policy_qas.

Re-Interviewing & Validating Migrant Families/Youth Eligibility

The purpose of the re-interview process is to verify that a proper and timely eligibility determination of a student and/or OSY was made based on FMEP regulations and guidance.

Code of Federal Regulations Title 34 – Subtitle B – Chapter II – Part 200.89

§ 200.89 (d) Responsibilities of an SEA [State Education Agency] to establish and implement a system of quality controls for the proper identification and recruitment of eligible migratory children on a statewide basis.

§ 200.89 (2) Prospective re-interviewing. As part of the system of quality controls identified in §200.89(d), an SEA that receives MEP funds must, on an annual basis, validate current-year child eligibility determinations through the re-interview of a randomly selected sample of children previously identified as migratory.

In Florida, Local Operating Agencies (LOAs) annually must carry out the task of re-interviewing a randomly selected sample of children in an ongoing manner for the FMEP to be in compliance with federal regulations.

Rolling Re-interview Best Practice

Rolling re-interviews shall be conducted as soon after the original eligibility interview as possible. This increases the likelihood that the child chosen in the sample is still residing in the district and will be easier to locate. This also ensures that any inaccuracies with the original eligibility determination and/or COE documentation that are identified during the re-interview can be resolved in a timely manner.

LOAs should follow the approved Re-interview Protocol (refer to *Appendix J*) and use the approved forms mentioned above for all rolling re-interviews. LOAs should contact the ID&R Office if assistance is needed to plan a rolling re-interview.

LOAs should refer to the frecruiter.org site for additional information regarding the re-interview process; including the current Re-interview Form and the Re-interview Reporting Form.

Removing Families/Youth from the MEP

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 several reasons why the LOA may need to remove a migrant family from the MEP. Reasons for removing a family/youth include but are not limited to the following.

- The eligibility period expired.
- Family/youth was found to be ineligible for the MEP after conducting a re-interview.
- The family/youth no longer wishes to participate in the program.
- The family/youth was incorrectly determined eligible for the MEP.

If a child/youth's eligibility period expires, the LOA shall follow these guidelines.

- 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 at the end of the term (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 for removing migrant children from their record-keeping systems.

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

- First, determine when the COE was complete.
 - 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 recertification, the recruiter should 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 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 the following.

- Stop serving the child immediately.
- Inform the family that the child is not eligible for the MEP.
- Take the appropriate steps to remove from the local database the migrant status or other program eligibility indicators for the migrant students affected (contact the district's student information systems manager for the appropriate procedures).
- Contact the SEA and request that the child(ren) be removed from their migrant count. In addition...
 - Mail a letter to the State Director of the Florida MEP 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.
 - A copy of the letter to the State Director and a copy of the COE should be mailed to the ID&R Office.
- 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.
- FDOE will inform the LOA regarding its final determination.

CHAPTER IV: EFFECTIVE COMMUNICATION

It is necessary that MEP staff have an ongoing and effective line of communication with migrant parents/youth. This ongoing communication between the parents/youth 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/youth.

Using effective communication skills with parents/youth will certainly enhance the ID&R of migrant families and OSY. Remember that families and OSY may know other families or youth in similar situations. Keeping these lines of communication open with families/youth is essential for networking and building trust within a community.

In order to accomplish this task, the **SEA** shall be responsible for the following.

1. Coordinate with other states to exchange 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 be responsible for the following.

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 that has been identified and recruited as migrant?

A. All recruiters should understand the struggles and adversities migratory children and youth face concerning 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 along with the services available through local community agencies. Having background knowledge of services available for migrant families/youth will help the recruiter to promote the MEP more effectively. Skilled recruiters also collaborate with MEP service providers when implementing program services which allows 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, remember the following.

- Be sincere.
- Explain the services available to migrant students and OSY.
- 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, the recruiter must never make promises of eligibility or services to be provided. It is always difficult for a recruiter to have to return to a family or youth 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 and youth may lose trust and confidence in the MEP and may not refer other families or youth to the program.

Interviews

As mentioned previously, the ID&R Office coordinated with the FMEP in April 2020 to develop the FMEP COVID-19 COE Completion Protocol to address the challenges imposed on recruitment during a pandemic. This protocol allows the COE to be completed via phone or video interview. Additionally, the protocol includes provisions that allow flexibility for MEP staff who may have resumed in-person interviews based on local jurisdiction procedures. The FMEP COVID-19 Completion Protocol remains in effect until further notice from the FMEP (refer to *Appendix G*).

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

Preparing for the Interview

- Review the scope of the MEP including definitions, benefits to the family, and the eligibility guidelines.
- Obtain as much information as possible from the school (if a 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, if applicable.
- Contact prospective migrant families 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.
- Have appropriate supplies for the interview (i.e., blank COEs, blue pens, notepad/sticky notes, informational brochures, etc.).



As a precautionary measure during the pandemic, please follow your local jurisdiction's procedures if interviews are conducted in-person.

- 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.
- Be prepared to provide mini or life skill lesson materials to OSY (given the availability of the youth and as time permits).

During the Interview

The purpose of the interview is to determine whether the child/youth may be eligible for the MEP.

- Identify yourself, show your ID, and ask to speak with the family.
- Briefly explain the benefits of the FMEP in a way that is relatable to the person with whom you are speaking.
- Conduct the interview in person and speak directly with the family/youth or another adult that is knowledgeable about the move.
- Briefly explain the program and your purpose for your contact with the family/youth. 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 and youth'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/youth and their right to privacy. Do not 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.
- If uncertain about any information, ask as many times as needed to verify the 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 interviewee to fill out the COE form.
- Scan surroundings. Be attentive to details that may provide relevant or contrary information.

As the recruiter conducts the interview, the information should be gathered in the following manner.

Does the “individual” meet the definition of “MIGRATORY QUALIFYING WORKER”?	
<i>When was the last time you and/or your family moved or traveled?</i>	Determine the EWD and/or QAD. Make sure the move occurs within the 36 months of the EID.
<i>Where did you move from? What brings you to the area?</i>	Determine if this move was a QM. <ul style="list-style-type: none"> • Due to economic necessity? • From one residence to another? • Was the move across school district lines?
<i>What type of work are you or your spouse (or anyone in the home) currently engaged in?</i>	Determine if the work is QW. If so, is it... <ul style="list-style-type: none"> • Seasonal or temporary employment? • Agricultural or fishing work? Inquire about any additional adults and/or MQWs. If the individual has not engaged in any QW, inquire about the recent history of moves (also for the spouse or anyone in the home) for temporary or seasonal agricultural employment (at least two moves).
<i>How long after your arrival did you start working?</i>	Determine if the worker engaged in QW SAM –within 60 days.
Does the “child” meet the definition of a “MIGRATORY CHILD”?	
<i>How many of the children made this current move with you? Who made this most recent move with you?</i>	Determine if any/all of the children moved <i>as, with, or to join</i> the Migratory Qualifying Worker. Make sure to capture everyone who made the move, including children under 3 years of age and OSY. <ul style="list-style-type: none"> • Due to economic necessity? • From one residence to another? • Was the move across school district lines?
<i>When did the child(ren) arrive?</i>	Determine the possible QAD and if the move occurred within 36 months of the EID.
<i>How old are the children as of today’s date?</i>	Determine the date of birth of the child(ren). Determine that the date of birth matches the age of the child(ren) at the time of the EID.
<i>Have any of the children graduated from high school or obtained their GED?</i>	Determine if the child is still eligible for free public education in your state.

Closing the Interview

- Review the information entered on the COE with the interviewee.
- Document all information, including all necessary comments on the COE.
- 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.

- Answer any additional questions from the interviewee.
- Avoid promising eligibility for the MEP.
- Avoid promising services to the family/youth.
- Make appropriate referrals to other community services that may be beneficial to the family/youth.
- Ask the interviewee for names of other prospective migrant families or OSY 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 where you work who recently traveled here with children or is younger than 22?"

After the Interview

If the recruiter is unable to make a proper eligibility determination, the recruiter should take these steps.

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

When a determination is made, inform the family/youth, and continue with the district's MEP procedures in submitting a COE.

Eligibility Script

If questions remain after the interview regarding the family/youth's eligibility, contact the ID&R Office for guidance. When communicating with the ID&R office, the following elements are required for any/all scenarios in order to assist with a proper eligibility determination.

- To and from locations and dates (month/day/year) for all moves in question.
- Whether or not the worker engaged in qualifying work soon after for all moves in question - please include the qualifying activity.
- Whether the worker actively sought new qualifying work and has a recent history of moves - please include locations, dates, qualifying activity for each move - make sure are all within 36 months of the eligibility interview date.
- Whether or not all moves in question were qualifying moves (due to economic necessity, from one residence to another, from one school district to another).
- The number of children ages 0-21.

Never include any confidential or personally identifiable information in communication that is sent via email.

Leading Questions

One way of influencing a person is to ask them questions 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 the MEP benefits, are particularly susceptible to leading questions. These families/youth may be attuned to taking cues from recruiters and deciphering the MEP eligibility criteria. Families/youth may tailor their answers based on the way questions are worded in an attempt to be found eligible for the MEP.



Avoid leading questions

by:

- using “open-ended” questions;
- staying away from soliciting an opinion; and
- staying neutral.

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 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.

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 type of work did you do when you first arrived here?

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 the details.
- Examine the data carefully. Be mindful of 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 carefully collects all the necessary information, 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 MEP is well known among the migrant community in Florida. It is known for its 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 desires or needs of the family/youth. If the interview, documentation, or any source of evidence finds the family ineligible, the recruiter must follow through and not enroll the family/youth into the MEP.

The timeframe from the initial eligibility interview and the final determination shall be as concise as possible. Migrant workers have traveled many miles to work and provide for their families. It is a professional courtesy to determine their eligibility as quickly as possible. Also, migrant workers, particularly OSY, do migrate often. You may find the family/youth has moved again by the time you return with additional questions or your eligibility determination. It is the recruiter's responsibility 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."

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

Although recruiters may rely on the interviewee's information regarding qualifying work or if the worker actively sought and has a recent history of moves, there are times when the recruiter may receive conflicting information pertaining to the child's eligibility for the MEP. In these cases, the recruiter and/or the Designated SEA Reviewer may request additional documentation to make a proper eligibility determination.

Q. What type of documentation is needed when we are seeking more information from the interviewee to substantiate a move?

A. It depends...

If there is a question as to:

Whether the parent was employed in a specific agricultural activity

What documentation is sufficient:

- Contact with the employer to substantiate the employment via phone
- Old pay stubs with the name and address of the employer, and the name of the worker

Whether or not the family moved and returned

- Contact with the school authorities for possible enrollment, withdrawal dates, or absence of student
- Contact with neighbors, friends, or family members who can confirm information
- MSIX records documenting any previous qualifying moves

Determined Not Eligible

If a family/youth is found ineligible and the COE is not approved, 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.

For guidance on *Removing Families/Youth from the MEP*, please refer to the instructions provided on page 66.

CHAPTER V: RECRUITMENT STRATEGIES

ID&R Action Plan

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 for recruiting.

The plan should 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;
- a safe and effective process for deploying recruiters within the district;
- an 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; and
- information on qualifying activities and employment periods that is updated annually by the LOA on the Qualifying Activity Chart.

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 MEP 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 first to 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 should follow these recommendations.

- 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.
- Contact partners regularly; check on staffing changes; enlist CBOs to collect items to be used for ID&R.

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 is indeed agricultural or fishing.

To partner with agricultural businesses and organizations, the **LOA** should follow these recommendations.

- 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.
- Remember to speak with crew leaders/employers about “workers” vs “families”. When you limit the discussions to families, you may miss identifying and recruiting OSY.
- Develop a 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 should follow these recommendations.

- 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 must not pull workers away from work. Appropriate onsite 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.

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

Strategies to Promote the MEP

- Present a welcoming presence in the community, at housing sites, and district schools, whether the connection is in-person or by phone.
- Even if the MEP has limited services or the family/youth does not qualify, be prepared to share referral information. Leave the family/youth knowing that the MEP is here to help.
- Commit to identifying at least one new community/organization partner at the start of each new school year.
 - Find common objectives to establish a “win-win” collaborative partnership.
 - Reach out to all for donations (e.g., books, clothes, food, etc.) that can be distributed to prospective families/youth. If possible, place labels with the district’s MEP contact information on donated items.
- Consider allowing flexibility in scheduling purposeful ID&R efforts
 - Cast a wide net! Interview everyone and follow up on all leads.
 - Do not limit recruitment to only facilities that are known to employ individuals that meet the definition of migratory agricultural or fishing workers.
 - Remember – a family/youth may be eligible based on a prior move.

Recruiter Tool Kit

An effective recruiter 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 successful recruiters. MEP staff may choose to incorporate electronic versions accessible through mobile devices (smartphones, tablets, etc.).

- Picture identification – with the school district and MEP logos
- Business cards – with recruiter’s name and complete business contact information (multilingual if possible)
- Promotional materials (flyers, brochures, door hangers, and tear-off tab flyers)
- 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 – known growers and other agencies serving migrant families and the services provided
- Handouts of information from other helpful agencies in the community
- Mobile phone charger

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

Safety

Safety is a top priority for the Florida MEP. 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 its 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 members your daily/weekly schedule).
- It is best to wear clothes and shoes that do not impede your movement.
- Things to consider bringing – additional clothing, raincoats, umbrella, shoes; water/snacks; emergency car kit (i.e., car jack, spare tire, flares, flashlights).

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.
- 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 await 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. Contact 911 on your mobile phone or go to the nearest well-lit payphone or emergency phone box and call 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 mobile phone, 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 the 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 mobile 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 interviewee 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.
- If applicable, enable WiFi calling on your mobile phone.

Developing and Implementing an Effective ID&R Plan

The ID&R Office has created a template to assist local MEPs in designing an effective ID&R plan. Additionally, a Semiannual Reflection tool has been developed to assist districts in reflecting on their ID&R efforts.

Districts may want to complete these new recruitment planning tools and share them with the ID&R Office for feedback and technical assistance.

Districts can contact the ID&R Office to obtain these tools in Word format, which can be modified to suit the needs of the local MEP.

- ID&R Plan Template – refer to *Appendix L*
- ID&R Semiannual Reflection Template– refer to *Appendix M*

CHAPTER VI: TECHNICAL ASSISTANCE AND TRAINING

LOAs are responsible for the ongoing ID&R of eligible migrant children. Staff who recruit migrant children are expected to be knowledgeable of the schools, community agencies, and agricultural and fishing employers. MEP staff should also be knowledgeable of their district's program services, responsibilities, and adherence to the MEP Quality Control Plans.

In order to accomplish this task, the **SEA** is responsible for the following.

- Provide online technical assistance and 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” with 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 LOAs 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 ongoing Quality Control checks and support the LOA's annual re-interview processes.
- Assist participating districts and operating agencies with the development and implementation of the district's ID&R plan, if requested.

To facilitate continuous and timely recruitment efforts both in the schools and in the community, the **LOA** is responsible for the following.

- Provide ongoing technical assistance and training, in collaboration with the State ID&R Coordinator and the Senior ID&R Trainer, to LOA recruiters on ID&R techniques.
- Periodically meet remotely with the SEA and the State 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 and youth.

The FL Recruiter Website and Listserv

In an effort to ensure consistency regarding recruitment, the ID&R Office maintains a website, frecruiter.org, which serves as a repository for the training materials, policy determinations, and other information (ID&R Manual, eligibility checklist and flowchart, COE checklist, the Re-interview Protocol, and re-interview forms, OSY Profile, etc.) used in the during the eligibility process. The site also serves as a means to inform recruiters about issues affecting migrant children's eligibility. The ID&R Office also maintains an FL Recruiter Listserv of local MEP

administrators and Key MEP staff. This communication tool contains information that will assist LOAs to understand recruitment policy, become aware of training opportunities, and utilize actual case studies on recruitment issues for local training purposes. Local MEP administrators are expected to disseminate information to their recruitment staff accordingly.

LOAs should contact the ID&R Office to report any MEP administrator and/or Key MEP staff changes to the ID&R Office.

Florida MEP ID&R Office
10014 N. Dale Mabry Hwy. Suite 202
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 MEP in Florida, 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 members, 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.
Agricultural Work (AW)	The production or initial processing of raw agricultural products, such as crops, poultry, livestock; dairy work; as well as the cultivation or harvesting of trees that is performed for wages or personal subsistence.
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.
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, are 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.

TERM	DEFINITION
Day Haulers	Workers that are responsible for the locating and transporting of migrant workers to and from the qualifying work. Those who work as Day Haulers are not eligible for the MEP.
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 MEP.
Eligibility Interview Date (EID)	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> .
End of Eligibility (EOE)	The child(ren)’s 36-month eligibility time frame has expired or they no longer meet the definition of a migratory child.
Engaged (E)	“Engaged in qualifying work” – having already begun working or performing qualifying work by the eligibility interview date. Having had started new qualifying work. The emphasis is on “having already begun.”
Established Worker Date (EWD)	The date the individual established him/herself as a migratory qualifying worker.
FMEP	Refers to the Florida Migrant Education Program.
Fish Farm	A 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.
Fishing Work (FW)	The catching or initial processing of fish or shellfish; as well as the raising or harvesting of fish or shellfish at fish farms that is performed for wages or personal subsistence.
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.

TERM	DEFINITION
Further Processing	After an initial commercial sale or processing goods into a more refined product and are <u>not</u> considered eligible qualifying activities.
Harvest	<ol style="list-style-type: none"> 1. The 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 in 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 child/youth. Also known as the worker.
Initial Processing	Qualifying Work that involves working with “raw products”.
Interview	The process of gathering information that is needed to determine a child’s or youth’s eligibility for the MEP.
Lead	Information that is given by a third party regarding possible migrant children/youth.
Leading Question	A question that subtly prompts a possible migrant family/youth to answer in a particular way and is 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	A family consisting of at least one family member who is a migratory qualifying worker that has moved to seek or obtain qualifying agricultural/fishing work.
Migratory Agricultural Worker (MAW)	An individual who, in the preceding 36 months, made a qualifying move and, soon after the move, engaged in new temporary or seasonal employment or personal subsistence in qualifying work in agriculture.

TERM	DEFINITION
Migratory Child (MC)	<p>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 work in the preceding 36 months:</p> <ul style="list-style-type: none"> • “as” the migratory qualifying worker, or • “with” a migratory qualifying worker, or • “to join” or proceed a migratory qualifying worker.
Migratory Fisher (MF)	<p>An individual who, in the preceding 36 months, made a qualifying move and, soon after the move, engaged in new temporary or seasonal employment or personal subsistence in qualifying work in fishing.</p>
Migratory Qualifying Worker (MQW)	<p>An individual who is either a migratory agricultural worker or a migratory fisher.</p>
Move (M)	<p>Changing from one residence to another. Traveling from one residence to another. Not a Visit.</p>
Original Product	<p>Crop at its most natural state before processing of any form begins.</p>
Out-of-School Youth (OSY)	<p>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.</p>
Performance Period	<p>The period from September 1 to August 31 of each project year.</p>
Permanent Relocation	<p>Move made without the intent to move again.</p>
Personal Subsistence	<p>A worker and his or her family consume the crops, dairy products, or livestock they produce or the fish they catch in order to survive.</p>
Probing Questions	<p>Additional questions asked by recruiters/advocates/COE reviewers to families/youths to determine appropriate eligibility.</p>
Processing	<p>Transforming a “raw” agricultural or fishing product into a more refined product that includes:</p> <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. <p>See definition for <i>Initial Processing</i>. See definition for <i>Further Processing</i>.</p>
Production	<p>Activities on farms, dairies, orchards, and nurseries that engage in the production of crops, plants, or vines and the keeping, grazing, or feeding of livestock or livestock products for sale.</p>
Qualifying Activity (QA)	<p>The “ing” form of the verb, and crop. (e.g., pick<u>ing</u> strawberries).</p>

TERM	DEFINITION
Qualifying Arrival Date (QAD)	The date that both the child and the migratory qualifying worker complete the qualifying moves. The child must have moved “as” the migratory qualifying worker, or “with” or “to join” a parent/guardian/spouse who is a migratory qualifying worker.
Qualifying Move (QM)	A move that an individual made under all the following conditions: <ul style="list-style-type: none"> • due to economic necessity, • from one residency to another, and • from one school district to another. Both the migratory qualifying worker and the migratory child must make a qualifying move.
Qualifying Work (QW)	Work that is temporary or seasonal employment, or for personal subsistence, in agriculture or fishing.
Quality Control	A process that ensures migrant children/youth are accurately identified and recruited in the MEP.
Raw Product	Any agricultural or fishing product that is removed from its natural state of growth from the 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 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 MEP.
Recruiter	Those assigned with the responsibility to identify and recruit all possible migrant children/youth.
Referral	The act of directing someone with a need for 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 that resulted in the engagement of new qualifying work 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 the <i>date of arrival</i> - student’s arrival in the school district for the first time.
Reviewer	The 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)	Within 60 Days

TERM	DEFINITION
School Completion	Graduation from high school or the receipt of a high school equivalency diploma such as 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 states for qualifying activities - Florida is considered to be a sending state.
Short Move	Relocating to an area for a period of fewer 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 local MEP.
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 move date.
To Join Date	Date when the child(ren) and migratory qualifying worker complete the move to be united.

APPENDICES

<u>Appendix:</u>	<u>Document:</u>	<u>Page:</u>
A	Certificate of Eligibility	91
B	Instructions for Completing the COE	93
C	Florida Recruiter Code of Ethics	104
D	OSY Profile	105
E	Qualifying Activity Chart	107
F	Eligibility Flowchart	108
G	FMEP COVID-19 COE Completion Protocol	110
H	COE Checklist	114
I	Sample COE Recertification	115
J	Re-interview Protocol	116
K	Recruiter Tips	122
L	ID&R Plan Template	124
M	ID&R Semiannual Reflection Template	126

APPENDIX A: Certificate of Eligibility

FLORIDA DEPARTMENT OF EDUCATION ~ DIVISION OF PUBLIC SCHOOLS
 FLORIDA MIGRANT EDUCATION PROGRAM CERTIFICATE OF ELIGIBILITY (COE) FORM School Year 2021-2022 District/Agency: _____ District COE # _____

SECTION I: FAMILY DATA

1. Current Parent/Guardian 1: (Last Name, First Name) _____ 2. Current Address (Street, Rural Route, Lot Number – Physical Address Only) _____
 Current Parent/Guardian 2: (Last Name, First Name) _____ City _____ State _____ Zip _____ 3. Telephone (include area code) 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. Sex	7. Birth Date MM/DD/YY	8. Age	9. MB	10. Code	11. Birthplace City State Country	12. School	13. Gr.
1.						/ /						
2.						/ /						
3.						/ /						
4.						/ /						
5.						/ /						

14. RESIDENCY DATE MM/DD/YY _____ 15. CHILD/FAMILY DATA COMMENTS (e.g., MSDX IDs, urgent health, non-eligible children in the household, additional phone number(s), email address)
 DO NOT USE SPACE TO ENTER ELIGIBILITY INFORMATION

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. PP 2021-22 Recertification Date _____ MM/DD/YY _____ Interviewer Initials _____ SEA Reviewer Initials _____
 PP 2022-23 Recertification Date _____ MM/DD/YY _____ Interviewer Initials _____ SEA Reviewer Initials _____
 PP 2023-24 Recertification Date _____ MM/DD/YY _____ Interviewer Initials _____ SEA Reviewer Initials _____
 PP 2024-25 Recertification Date _____ MM/DD/YY _____ Interviewer Initials _____ SEA Reviewer Initials _____

SECTION IV: COMMENTS (Must include 2b, 4a, 4b, 5*, 6a and 6b of the Section III: Qualifying Moves & Work Section, 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 Yes / No
 1. I give my permission for my child(ren) to participate in the Title I Migrant Program.
 2. I give my permission for my child(ren) to be given emergency medical referral services.

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 07/01/21

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

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. Print – do not write in cursive handwriting. 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 additional guidance, refer to the *Florida Migrant Education Program Manual for Identification and Recruitment*.

Top of COE: REQUIRED – Enter the District Name. ONLY IF APPLICABLE – Enter the district's COE#.

SECTION I: FAMILY DATA

- 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."
- Enter the current and complete physical address where the child(ren) reside(s).
- 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

- 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.
- 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 (-).
- 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.
- 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 (-).
- Suffix. Where applicable, record the child's generation in the family (Jr., Sr., III, etc.). Otherwise, record a dash (-).
- Sex. Indicate the child's sex by entering M for male or F for female.
- Birth Date. Enter two-digit numbers for the month, day and year (e.g., 06/07/21).
- Age. Record the current age of each eligible child or youth. Calculate accurately.
- Multiple Birth. Record "Y" for "yes" if the child is a twin, triplet, etc. Record a dash (-) for not applicable.
- Verification Code. Record the two (2) 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
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."
- 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.
- School. Enter the school name or code in which the child is enrolled.
- Grade. Enter the grade in which the child is enrolled.
- 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.
- Child/Family Data Comments. Enter any details about individual child(ren) or any pertinent family information.

SECTION III: QUALIFYING MOVES & WORK

- "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."
- 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 "1" under 2b). Mark only one box.
 - 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).
 - 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.
- 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.
- 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):
 - Mark (a) if the worker engaged in new temporary or seasonal employment (or personal subsistence) in agriculture or fishing.
 - 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).
- 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.
 - 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.
 - Mark the appropriate box – select "agricultural" or "fishing work."
- 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.
- For Recertification ONLY. Check each appropriate Performance Period (PP) between September 1 and August 31 and the date the COE was recertified. Enter the interviewer/recruiter's initials and the SEA Reviewer initials.

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.

SECTION V: INTERVIEWEE SIGNATURE

Review all the information obtained with the interviewee. Procure a signature or mark from current/legal parent/guardian/spouse or youth and date after the form is completed. 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). Explain the Yes/No permissions for question 1 and 2. Mark "X" in the appropriate box for each statement.

SECTION VI: ELIGIBILITY DATA CERTIFICATION

- Person conducting the interview signs and dates the COE on the day the interview is conducted.
- 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. In addition, the Designated SEA Reviewer and MEP staff that conducts re-interviews must be trained on COE completion.

- The completed form shall be submitted within five (5) working days to the District Migrant Program Coordinator or designated SEA Reviewer for certification of eligibility.
- The form shall be completed legibly in Blue ink. Do not write in cursive.
- Do not leave any item blank. Use "same," "N/A," or dashes (–) to acknowledge that an inquiry has been made for each item.
- The form shall be completed after each new qualifying move the child/youth makes *as/with/to join or precede* the migratory qualifying worker.

TOP OF THE FORM

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

District COE # Enter the district-specific COE # only if applicable.

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 is 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 is disclosed, or if the child is responsible for his or her own welfare, write a dash (-) or N/A in Item 1.

**No. 2: 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 help assist others to locate the family.

No. 3: 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.

- 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, No. 14), 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 on the first form (found at the bottom of the COE).

*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 for the family.

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 (preceded or joined) the worker.

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

No. 6: Sex

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

No. 7: Birth Date (Month, Date, Year)

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

No. 8: Age

Enter the child’s age at the time of the interview. Age must match the birth date (No. 7).

No. 9: Multiple Birth (MB)

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

No. 10: 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. 11: 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. 12: 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.13: 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. 14 Residency Date

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. 15: 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, list their names and write "born after the move" after their names.

SECTION III: QUALIFYING MOVES & WORK

In this section, record the qualifying move of the child and the migratory qualifying worker, along with the qualifying work 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 applicable), city or town, state, and country (if applicable) from which the child(ren)/youth moved. This is the last place of residence before the child/youth made a qualifying work *as/with/to join or precede* the migratory qualifying worker. Every effort should be made to document the school district (if applicable). If the city is in Florida, the school district must be documented.

To a residence in (School district/City/State)
Enter the name of the school district, city, and state to which the child(ren)/youth made a qualifying move *as/with/to join or precede* the migratory qualifying worker.

- Enter the school district, city, and state the child(ren) resided (moved to) immediately following the qualifying move. Every effort should be made to document the school district. If the city is in Florida, the school district must be documented.
- If the child and the migratory qualifying worker moved from different residences, record the child's prior residence in Section III, No. 1, and provide the required comment in Section IV Comments.

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.

- Check the box "as the worker" if the child himself or herself moved and became the migratory qualifying worker.
- 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.
- 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 and last name) of the person who became the migratory qualifying worker. In cases in which more than one person may be considered the migratory qualifying worker, only one worker's name may be entered. Indicate with a check (✓) that indicates the child(ren)/youth's relationship to the migratory qualifying worker (i.e., child – if own as the worker, parent/guardian, or spouse).

- If the migratory qualifying worker is the Current Parent (1) (2) or is the Child, the full name must be written the same in each section.

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

Enter the date the worker moved and record the date the child(ren) moved in. Also, record an explanation of why the child(ren) and the migratory qualifying worker traveled/moved on different dates in Section IV: Comments.

- A move “to join or precede” the migratory qualifying worker must take place within one year (12 months) of the child(ren)’s, or vice versa. If extenuating circumstances exist that prevented the child(ren) from joining/preceding the worker within one year, contact the ID&R Office for further guidance.

No. 3: Qualifying Arrival Date (QAD)

The QAD is the date the child(ren)/youth complete a qualifying move *as/with/to join or precede* the migratory qualifying worker. 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, 2019, would be written as 05/20/19.

- If the child(ren) moved before the migratory qualifying worker, the QAD will be considered the same as when the migratory qualifying worker arrived. Eligibility does not begin until this date.
- If the child(ren) moved after the migratory qualifying worker, 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. A worker's status changes to a migratory qualifying worker when a worker makes a qualifying move and soon after the move engages in new qualifying work, *OR* he/she actively sought qualifying work and has a recent history of moves. 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, 2019, would be written as 05/20/19. Please note, recruiters should record the date the worker made the qualifying move, *NOT* the date the worker engaged in new qualifying work or actively sought qualifying work.

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

Enter the name of the school district (if applicable), city or town, state, and country (if applicable) from which the migratory qualifying worker moved. This is the last place of residency before the worker made a qualifying move and became a migratory qualifying worker. Every effort should be made to document the school district (if applicable). If the city is in Florida, the school district must be documented.

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

Enter the name of the school district, city, and state to which the worker made a qualifying move and became a migratory qualifying worker. Every effort should be made to document the school district. If the city is in Florida, the school district must be documented.

No. 4a: Engaged in new Qualifying Work

Check (✓) 4a only if the migratory qualifying worker listed as the worker in No. 2b moved due to economic necessity from a residence in one school district to another, and, soon after the move, engaged in new qualifying work.

No. 4b: Actively Sought new Qualifying Work, AND has a Recent History of Moves for Qualifying Work

Check (✓) 4b only if the individual listed as the worker in #2b moved due to economic necessity from a residence in one school district to another, and, soon after the move engaged in new qualifying work.

Provide a comment in Section IV: Comments, explaining “how and when” the worker actively sought new qualifying work (took positive action). For example, the worker stated that he or she (or someone on his or her behalf) applied for qualifying work at a particular agricultural or fishing job site, or applied with a crew leader or at a center that coordinates available qualifying work. Recruiters may rely on the worker’s statement regarding his or her attempts to obtain new qualifying work.

Provide a second comment, documenting two (2) of the worker’s recent history of moves for qualifying work. Recruiters may rely on the worker’s statement regarding his or her history of moves for qualifying work.

Statements for the recent history of moves must include the following information for each of the two recent moves:

- The month and year of each move*;
- The “to” location of each move; AND
- The qualifying work the worker engaged for each of the two moves.

*If one of the recent history of moves happens to be the same month as the eligibility interview date, provide the full date for that previous move.

Example: The eligibility interview date is June 21, 2020, then the recent history of moves comment should be “the worker planted strawberries in Plant City on June 6, 2020.

No. 5: Qualifying Work

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;

pruning grapes; detasseling corn; catching chickens; planting oysters; walking (weeding) soybeans; and crab harvesting.

No. 5a: Seasonal or Temporary Employment

Check (✓) only one of the appropriate boxes (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.” If a family appears to qualify under this provision, the local MEP 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.” The line should be left blank; however, the recruiter is permitted to write a dash (-). In addition, the recruiter may write the temporary employer’s name in Section IV: Comments. NOTE – the employer’s full name must be written in Section IV: Comments if the recruiter obtained an employer’s statement for the migratory qualifying worker’s temporary employment.

No. 7 Recertification for residency verification

For recertification purposes ONLY. Check (✓) the appropriate Performance Period (PP) and enter the date the COE was recertified. Enter the interviewer initials and the Designated SEA Reviewer initials.

- 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 (or until the child reaches the age of 22, the child graduates, or the child receives a GED).
- All migratory families and youth shall be contacted annually to determine whether there is a new QAD. If the QAD has not changed, the original COE may be recertified to verify the family or youth still resides in the district.
- Recertification may be conducted by phone if permitted by the LOA.

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 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 the worker moved separately.
 - Provide a comment if the child(ren) joined or preceded the worker, record the reason for the child’s and worker’s separate moves.
 - Provide a comment if the child moved from a residence in a different location than the worker.
- No. 4b: The worker did not engage in new qualifying work soon after the qualifying move. In this case, the recruiter must document that:

- Worker actively sought new qualifying work; AND
- The worker has a recent history of moves for qualifying work.
- 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 C.F.R. § 200.81(m)).
- No. 6a or 6b: The employment is temporarily 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 employment to last.

In Florida, a recruiter must provide additional comments on the COE for any circumstances in which a third party or independent outside reviewer may question the eligibility determination. Refer to *Additional Comments on the COE* (page 55) and *Signatures on the COE* (page 56) for more information on Section IV comments.

SECTION V: INTERVIEW SIGNATURE

In this section, obtain appropriate permission to enroll the child into the MEP, and to provide emergency medical referral services.

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 the 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, 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), enter the date, and include the recruiter’s initials.
- If the interviewee refuses to sign his or her name but is not refusing services, the recruiter must document the interviewee’s refusal to sign in Section IV: Comments and print the interviewee’s name and relationship to the child in this section. The recruiter should write dashes (-) for the signature, relationship to the child(ren), and date in Section V of 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.

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 Signed

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 Designated SEA Reviewer | Date Signed

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

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 a 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 representing 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 concerning identification and recruitment by committing to a minimum of 18 hours of professional development per program year.
- Respect confidentiality at all times concerning families, children, and/or youth.
- 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 school district 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: OSY Profile

Florida Migrant Education Program 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/primer 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/primer 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"/> Learning English <input type="checkbox"/> Job training <input type="checkbox"/> GED <input type="checkbox"/> Earning a diploma <input type="checkbox"/> Not sure <input type="checkbox"/> No interests <input type="checkbox"/> Other:				Availability: (Check)																																			
				<table border="1"> <thead> <tr> <th></th> <th>Sun</th> <th>M</th> <th>T</th> <th>W</th> <th>Th</th> <th>F</th> <th>Sat</th> </tr> </thead> <tbody> <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> </tbody> </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 06/18/20

**Florida Migrant Education Program
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 6/18/20

APPENDIX E: Qualifying Activity Chart

**Florida Migrant Education Program
Agricultural and Fishing Qualifying Activity Chart**

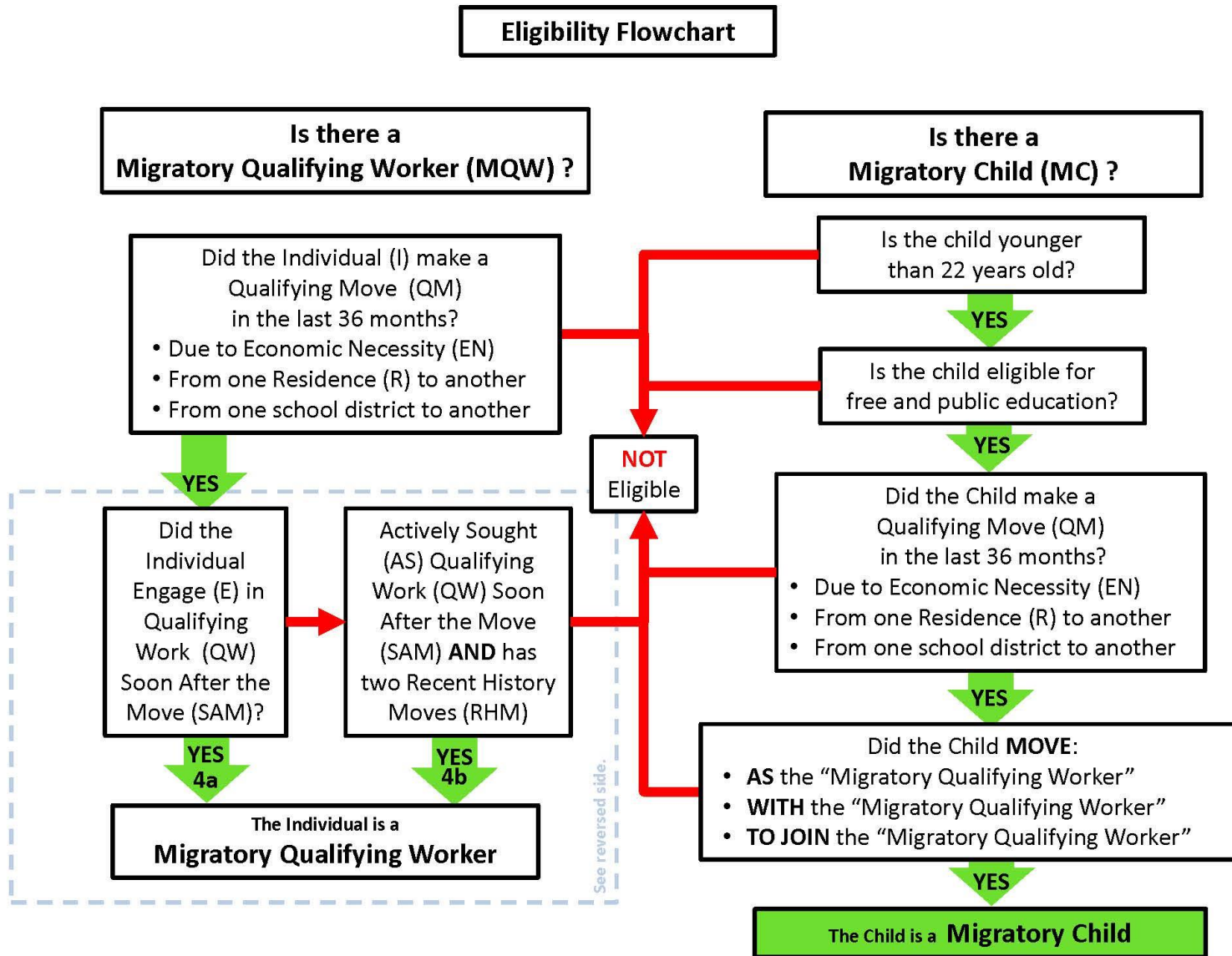
District Name: _____

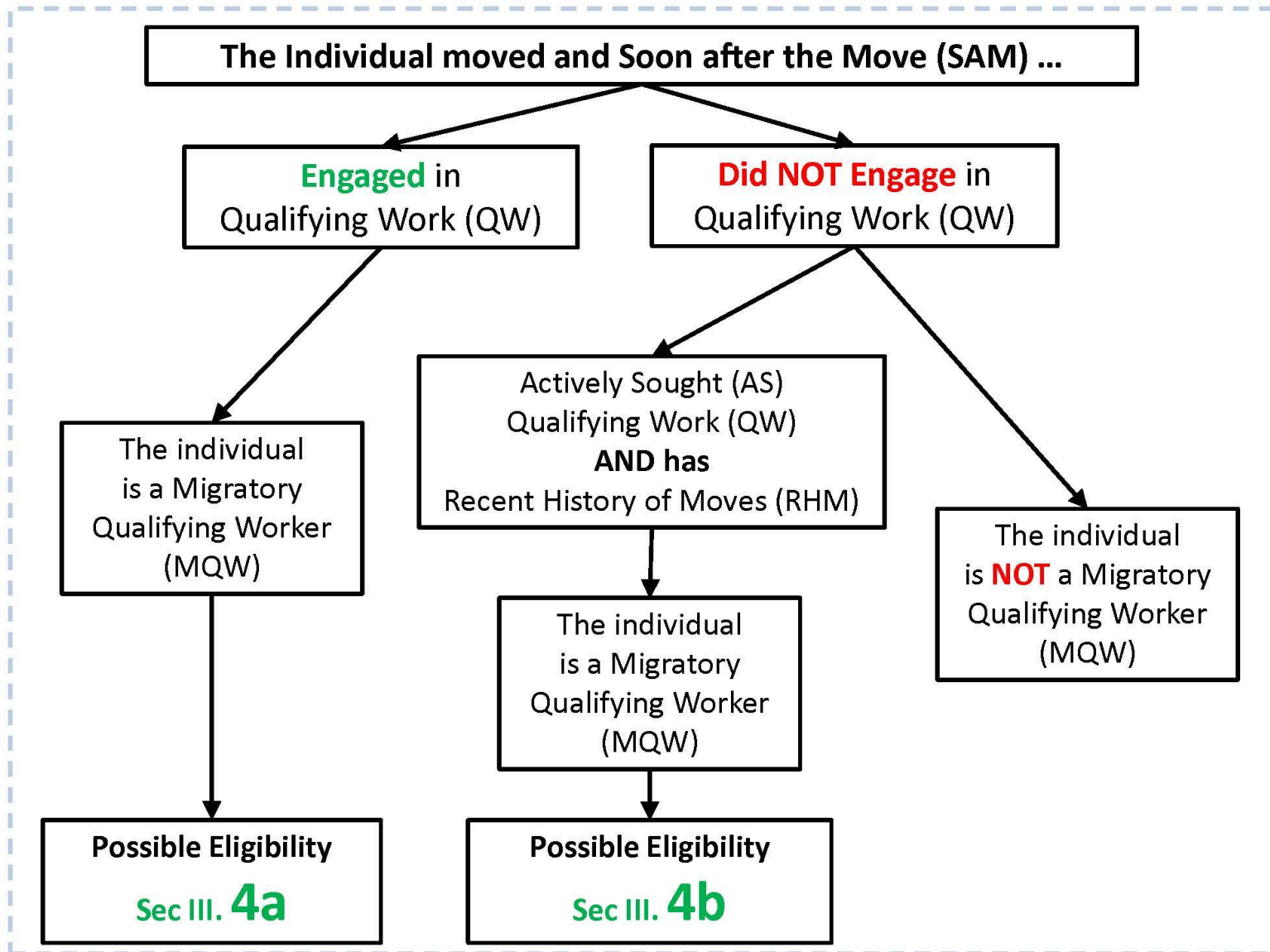
List each qualifying crop/fish	List each qualifying activity	Mark if employment is seasonal (S) or temporary (T) and indicate when the activity occurs													
		S or T	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
<i>Example: Tomato</i>	<i>Example: Picking</i>	S								X	X	X			

SAMPLE

Revised September 2019

APPENDIX F: Eligibility Flowchart





APPENDIX G: FMEP COVID-19 COE Completion Protocol

The Coronavirus (COVID-19) has impacted identification and recruitment (ID&R) efforts in the Florida Migrant Education Program (FMEP) by severely restricting recruiters' abilities to meet with families in person. According to the United States Department of Education Office of Migrant Education, it would be acceptable for MEP staff to conduct recruitment activities via telephone or video conferencing. This would include holding interviews with potentially eligible migratory families to obtain information necessary to complete the Certificate of Eligibility (COE). As a result, the FMEP implemented this COE Completion Protocol that indicates how the COE may be completed without requiring a recruiter to meet in person with a potentially eligible family or requiring the interviewee's signature at the time the interview was conducted. If any COE is completed during this time, the person completing the COE must follow this protocol including MEP staff that may have resumed in-person interviews based on local jurisdiction procedures.

- Effective immediately, recruiters may continue to conduct recruitment activities via telephone or video conferencing until advised to resume face-to-face interviews as allowed by local policy.
- If the recruiter conducts a face-to-face interview, the recruiter may complete the COE without the interviewee's signature due to potential health and safety concerns. The recruiter should follow any applicable local public health and LEA recommendations regarding social distancing and precautions during the pandemic, for their protection as well as the protection of migrant families, children, and youth.
- The recruiter will add a note to the Comments section explaining the circumstances that prevented the recruiter/interviewer from obtaining the interviewee's signature.
- After normal activities resume, if MEP staff are able to contact the interviewee in-person, we recommend that the interviewee's signature be added to the COE and the Comments section be updated. Signatures may also be collected by mail.

We note that certain precautionary or containment measures taken in response to the pandemic such as school closures and social distancing can compound the challenges already faced by migratory families, such as access to health care and food assistance, social isolation, etc. Recognizing the key role that MEP staff often play in outreach and advocacy for migratory families, we urge MEP recruiters and other staff to use telephone or video contact as an opportunity to assess the immediate needs of migratory children and their families and work to either address those needs directly or connect the families to other available resources for assistance. Read each section of the protocol thoroughly before completing a COE by phone or video interview.

Preparation

To prepare for an eligibility interview during this time, the recruiter is encouraged to follow these steps:

1. Research available resources for MEP and non-MEP families within your district or region.

2. Be prepared to share the MEP services that will be provided to the family if they are eligible.
3. Collect all necessary eligibility resources that may aid your eligibility determination.
4. Completing an eligibility interview over the phone is different than in person. Below are some additional tips that may be helpful.
 - Be mindful that it may be more difficult to gain the interviewee’s trust over the phone.
 - Have a calendar, digital or paper, available for reference.
 - Be prepared to create a timeline of the family’s moves using the Eligibility Checklist and Eligibility Flowchart.

Conduction the Interview by Phone

1. To put the family at ease, begin the phone or video conversation by letting the individual know that the MEP is here to keep them informed about information and resources available to them during the Coronavirus pandemic.
2. Provide information about all available resources in the area and ask if they have any questions.
3. Conduct the eligibility interview by asking all relevant questions to determine if the family/youth is eligible for the MEP.

MEP Eligibility Criteria Met After Phone Interview

1. If the family/youth is eligible, the recruiter will complete the COE, taking extra time to carefully review all the information with the interviewee.
2. The recruiter will write the following statement in Section IV – Comments:
"Due to the pandemic, the interviewee [insert Full Name and relationship to the child(ren)] verified by phone interview the eligibility information on [insert date XX/XX/XX]."
3. The recruiter is required to follow these additional procedures:
 - To complete Section V Interviewee signature section:
 - Read the verification statement above the signature line.
 - Read statements 1 and 2 below the signature line regarding the MEP. Ask for a “yes” or “no” reply.
 - The recruiter will write “**COVID-19 Call**” on the interviewee's signature line then will draw a dash (-) for relationship to child(ren) and date in Section V.

MEP Eligibility Criteria Met After In-Person Interview

1. If the family/youth is eligible, the recruiter will complete the COE, taking extra time to carefully review all the information with the interviewee.
2. The recruiter will write the following statement in Section IV – Comments:
"Due to the pandemic, the interviewee [insert Full Name and relationship to the child(ren)] verified by in-person interview the eligibility information on [insert date XX/XX/XX]."

3. The recruiter is required to follow these additional procedures:
 - To complete Section V Interviewee signature section:
 - Read the verification statement above the signature line.
 - Read statements 1 and 2 below the signature line regarding the MEP. Ask for a “yes” or “no” reply.
 - The recruiter will write “**COVID-19 Call In-Person Interview**” on the interviewee's signature line, then will draw a dash (-) for the relationship to child(ren) and date in Section V

MEP Eligibility Criteria Not Met

If the family/youth is determined to be ineligible, it is still important to provide them with all available non-MEP-funded resources in the area.

After the Interview

- Thank the interviewee for their cooperation.
- Remind the individual that the MEP is here to share information with them about the resources that are available during the Coronavirus pandemic and inquire if there is anything that the MEP can help with.
- Inform the individual of any services that the MEP will provide during the pandemic.
- If a COE was completed, secure the COE with all related information and follow the normal COE submission procedures.

Example COE Sections

Comments Section – Phone Interview

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

Due to the pandemic, the interviewee [insert Full Name and relationship to the child(ren)] verified by phone interview the eligibility information on [insert date XX/XX/XX].

Comments Section – In-Person Interview

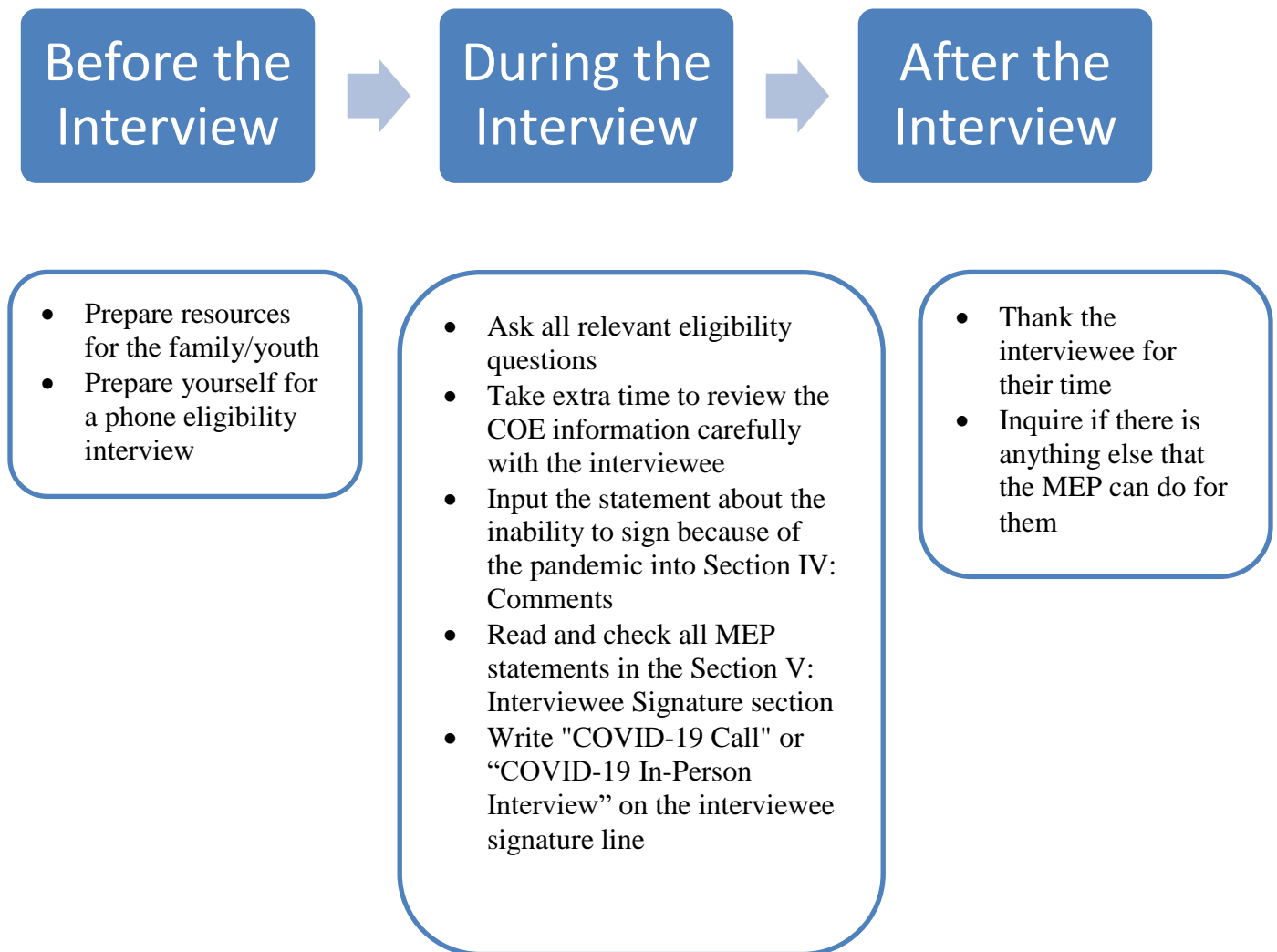
SECTION IV: COMMENTS (Must include 2bi, 4a, 4b, 5*, 6a, and 6b of the Sec III: Qualifying Moves & Work Section, if applicable.)

Due to the pandemic, the interviewee [insert Full Name and relationship to the child(ren)] verified by in-person interview the eligibility information on [insert date XX/XX/XX].

Signature Section – Phone or In-Person

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.		
<u>COVID-19 Call [or In-Person Interview]</u>	-	-
Signature	Relationship to the child(ren)	Date
<i>Check all that apply</i>		
1. I give my permission for my child(ren) to participate in the Title I Migrant Program.		Yes/No <input checked="" type="checkbox"/> <input type="checkbox"/>
2. I give my permission for my child(ren) to be given emergency medical referral services.		<input checked="" type="checkbox"/> <input type="checkbox"/>

COVID-19 COE Completion Protocol Flowchart



APPENDIX H: COE Checklist

Florida Migrant Education Program – Certificate of Eligibility (COE) Checklist	
Basic Review Steps:	
<input type="checkbox"/> A COE shall be completed after each qualifying move. <input type="checkbox"/> The completed form shall be submitted to the district migrant program coordinator or designee for certification of eligibility within five (5) working days. <input type="checkbox"/> The COE shall be printed and completed legibly in blue ink. <input type="checkbox"/> All sections shall be completed. Where appropriate, "same," "N/A," or a dash (-) is to be used to acknowledge that an inquiry has been made for each item.	
<input type="checkbox"/> District/Agency is entered	<input type="checkbox"/> District COE number is entered (when applicable)
Section I: Family Data	
<input type="checkbox"/> Written as last name(s), first name(s)	<input type="checkbox"/> Address and phone number are documented
Section II: Child Data	
<input type="checkbox"/> #2 Dash (-) written if there is no Last Name 2	<input type="checkbox"/> #10 Two-digit Birth Verification Code is used
<input type="checkbox"/> #4 Middle name is written (not initial)	<input type="checkbox"/> #13 Grade 30 Only for out-of-school youth (OSY)
<input type="checkbox"/> #7 & #8 Birthdate and Age match	<input type="checkbox"/> #14 Residency Date (date child arrived) is completed
<input type="checkbox"/> #9 Multiple Births (MB) is answered (required)	
<input type="checkbox"/> #15 Comments regarding health conditions, non-eligible children in the household, additional phone numbers and emails are entered (when applicable)	
Section III: Qualifying Moves & Work	
<input type="checkbox"/> #1 Child moved across school district line (from/to)	
<input type="checkbox"/> #2a Only one is checked	<input type="checkbox"/> #2b Worker is the child/parent/guardian/spouse
	<input type="checkbox"/> #2b.i is completed if "to join/precede" is checked
<input type="checkbox"/> #3 The QAD is within last 36 months	
<input type="checkbox"/> #4 Worker moved across school district line (from/to)	<input type="checkbox"/> #4a OR #4b Only one is checked
<input type="checkbox"/> #5 Qualifying work includes an action verb (-ing tense) and a noun (crop, livestock, or seafood)	
<input type="checkbox"/> #5a Only one is checked	<input type="checkbox"/> #5b Only one is checked
<input type="checkbox"/> #6a or #6b is completed if temporary employment is checked in #5	
<input type="checkbox"/> #7 Recertification is dated and initialed (when applicable)	
Section IV: Comments	
<input type="checkbox"/> Comments regarding eligibility are entered (when applicable)	
<input type="checkbox"/> #2b.i "to join/precede"	<input type="checkbox"/> Stopover or drop-off move explanation
<input type="checkbox"/> #4a More than 60 days to engage in QW	<input type="checkbox"/> Short duration move
<input type="checkbox"/> #4b Did not engage in new QW	<input type="checkbox"/> MQW is not listed in Section I or Section II
<input type="checkbox"/> #5* Personal subsistence	<input type="checkbox"/> Unusual employment
<input type="checkbox"/> #6a Worker statement	<input type="checkbox"/> Other
<input type="checkbox"/> #6b Employer statement	
Section V: Interviewee Signature	
<input type="checkbox"/> Interviewee signature or mark is obtained	<input type="checkbox"/> Relationship to the child is documented
<input type="checkbox"/> #1 and 2 Permission information is explained and appropriate boxes are checked	
Section VI: Eligibility/Data Certification	
<input type="checkbox"/> Recruiter signature, SEA Reviewer signature, and dates are completed correctly	
FMEP ID&R Office	2021/2022 School Year
	Revised 07/01/2021

APPENDIX I: Sample COE Recertification

SECTION III: QUALIFYING MOVES & WORK

7. PP 2021-22 Recertification Date MM/DD/YY Interviewer Initials _____ SEA Reviewer Initials _____
 PP 2022-23 Recertification Date MM/DD/YY Interviewer Initials _____ SEA Reviewer Initials _____
 PP 2023-24 Recertification Date MM/DD/YY Interviewer Initials _____ SEA Reviewer Initials _____
 PP 2024-25 Recertification Date MM/DD/YY Interviewer Initials _____ SEA Reviewer Initials _____

REMINDER – The Performance Period is from September 1 to August 31 of each project year.

- For Recertification ONLY – Check each appropriate Performance Period (PP)
 - Residency Verification – Confirms the family/youth still resides in the district.
- Enter the date the COE was recertified.
- Enter the interviewer’s initials and the SEA Reviewer’s initials.

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.

Lupi Ginn _____ 08/25/21
 Signature of Interviewer Date
Margot Di Salvo _____ 08/28/21
 Signature of Designated SEA Reviewer Date

SECTION III: QUALIFYING MOVES & WORK

7. PP 2021-22 Recertification Date 09/14/21 Interviewer Initials LG SEA Reviewer Initials MD
 PP 2022-23 Recertification Date 10/10/22 Interviewer Initials LG SEA Reviewer Initials MD
 PP 2023-24 Recertification Date 09/29/23 Interviewer Initials LG SEA Reviewer Initials MD
 PP 2024-25 Recertification Date MM/DD/YY Interviewer Initials _____ SEA Reviewer Initials _____

In this example, the QAD is 08/18/21; the end of eligibility is 08/17/24; therefore, the 2023-24 Performance Period will be the last period this COE can be recertified.

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.

Lupi Ginn _____ 09/25/21
 Signature of Interviewer Date
Margot Di Salvo _____ 09/28/21
 Signature of Designated SEA Reviewer Date

SECTION III: QUALIFYING MOVES & WORK

7. PP 2021-22 Recertification Date MM/DD/YY Interviewer Initials _____ SEA Reviewer Initials _____
 PP 2022-23 Recertification Date 09/10/22 Interviewer Initials LG SEA Reviewer Initials MD
 PP 2023-24 Recertification Date 10/18/23 Interviewer Initials LG SEA Reviewer Initials MD
 PP 2024-25 Recertification Date 09/05/24 Interviewer Initials LG SEA Reviewer Initials MD

In this example, the QAD is 09/18/21; the end of eligibility is 09/17/24; therefore, the 2024-25 Performance Period will be the last period this COE can be recertified.

APPENDIX J: Re-interview Protocol
Revised 7/13/2021

Purpose

The purpose of the re-interview process is to verify that a proper and timely eligibility determination of a student and/or out-of-school youth (OSY) was made based on Florida Migrant Education Program (FMEP) regulations and guidance.

Code of Federal Regulations Title 34 – Subtitle B – Chapter II – Part 200.89

§ 200.89 (d) Responsibilities of an SEA [State Education Agency] to establish and implement a system of quality controls for the proper identification and recruitment of eligible migratory children on a statewide basis.

§ 200.89 (2) Prospective re-interviewing. As part of the system of quality controls identified in §200.89(d), an SEA that receives MEP funds must, on an annual basis, validate current-year child eligibility determinations through the re-interview of a randomly selected sample of children previously identified as migratory.

In Florida, Local Operating Agencies (LOAs) annually must carry out the task of re-interviewing a randomly selected sample of children in an ongoing manner for the FMEP to comply with federal regulations.

Rolling Re-Interview Process

LOAs should conduct re-interviews on a “rolling” basis during each Performance Period (September 1 to August 31). This means that re-interviews may be planned and conducted more than once during this period.

The Office of Migrant Education (OME) MEP Policy Questions & Answers

Q 41. When should prospective re-interviewing commence for the year and how long should it continue?

Prospective re-interviews may be carried out at any point during the year, but the State educational agency (SEA) is required to report the results of its re-interviewing as part of its Consolidated State Performance Report (CSPR) submission. The Office of Migrant Education (OME) recommends starting the process early enough to report the results with the State’s child count information for that year. To reduce non-response and improve data quality, it is advisable to begin the re-interviewing process early in the program year, and continue collecting data throughout the year (on a rolling basis).

To reduce non-response and improve data quality, LOAs should plan rolling re-interviews as shortly after the original eligibility interview as possible. This increases the likelihood that the child chosen in the sample is still residing in the district and will be easier to locate. This also ensures that any inaccuracies with the original eligibility determination and/or Certificate of Eligibility (COE) documentation identified during the re-interview can be resolved promptly.

THE UNIVERSE AND ROLLING RE-INTERVIEW SCHEDULE

The parameters for a rolling re-interview should only include the universe of children whose eligibility was determined during the current Performance Period (i.e., the date the new COE is signed by the Designated SEA Reviewer).

Example: For the 2021-2022 Performance Period, the newly completed COE for each child must be signed by the Reviewer between September 1, 2021, and August 31, 2022.

Children whose COEs were approved before this timeframe may not be included in the “universe”.

- This list should be generated using the individual student ID. In other words, the universe is gathered at the individual student level, not the COE level.
- The universe should include children who are ages 3-21 during this period.

The following is a sample rolling re-interview schedule.

- Phase I: Select a random sample of students (ages 3-21) that had a new COE approved 09/01/21 to 11/04/21 – Date range to conduct re-interviews is November 11-15, 2021.
- Phase II: Select a random sample of students (ages 3-21) that had a new COE approved 11/05/21 to 01/06/22 – Date range to conduct re-interviews is January 13-17, 2022.
- Phase III: Select a random sample of students (ages 3-21) that had a new COE approved 01/07/22 to 04/06/22 – Date range to conduct re-interviews is April 13-17, 2022.

Random Sample Size

A Random Sample is selected from the “universe” of children that fit the parameters for the current Performance Period. Below is the total number of rolling re-interviews an LOA should plan to conduct during the Performance Period. Remember, the LOA may conduct the re-interviews in phases.

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

Contact the ID&R Office if assistance is needed in determining the district’s Sample Size.

Selection and Training of Re-Interviewers

The re-interviewer should have knowledge and skill in:

- Understanding of the purpose of the MEP;
- Understanding of Florida’s interpretation of MEP eligibility requirements;
- Ability to conduct interviews through the use of open-ended questions;
- Understanding of the systematic sequence that determines eligibility in Florida; and
- Knowledge of the qualifying activities in the specific geographical area where re-interviews are conducted.

PREPARING FOR THE RE-INTERVIEW

- The LOA should contact the ID&R Office via email (fl-idr-office@escmail.org) to inform the office that the district will be conducting a re-interview; provide the rolling re-interview schedule.

- If needed or requested, the ID&R Office will assist the local MEP with the planning for the re-interview including the selection of the random sample.
- The LOA will determine the Target Number of re-interviews (e.g., the LOA wants to conduct 25 re-interviews). Refer to Random Sample Size.
 - Select the Main Sample (MS) the size of the target number (e.g., 25). The LOA is expecting to attempt a re-interview with everyone in the MS.
 - Select a sufficient Alternate Sample (AS) size (e.g., 15) to reach the target number if not every student in the MS is contacted. The LOA will draw from the alternates as needed. It is possible that not all alternates will be needed to reach the target number.
- The LOA should prepare the Re-interview Forms.
- Assign each student in the MS a Re-interview Number beginning with M. For example M1234, M1235, M1236, etc.
- Assign each student in the AS a Re-interview Number beginning with A. For example A1237, A1238, A1239, etc.
- The assigned unique Re-interview No., student's Full Name, Target Qualifying Arrival Date (QAD), and Established Worker Date (EWD) should be prepopulated where indicated on the form.
- The re-interviewer and LOA will review the list of children/OSY selected for the re-interview and determine if the families/youth are still residing in the district.

Conducting the Re-Interview

- The person who originally completed the COE cannot participate in the re-interview process.
- Unless there are extenuating circumstances, the interviewee should be the same person that was interviewed when the COE was completed.
- No one from the re-interview team or LOA should contact the child's family or OSY before the scheduled re-interview.
- To put the family at ease, please say something close to the following:
 - *"The purpose of our visit is to ask a few questions that will be used to improve the Migrant Education Program in Florida and is a check of our system, not of individual families. May we visit with you?"*
 - *"El propósito de nuestra visita es para hacerles unas preguntas cuyas respuestas utilizaremos para el mejoramiento del programa de educación migrante en Florida. Las preguntas son para revisar nuestro sistema; no es con el propósito de revisar ciertas familias solamente. ¿Podemos hacerle estas preguntas?"*
- Follow the Re-Interview Form in the exact order that it appears. Ask open-ended questions. When necessary, ask for further explanation.
- Provide proper notations when documenting the migratory qualifying worker's moves.
 - List the "FROM" city, state (and country, if applicable), and the "TO" city, state.
 - Document the type of work such as "picking tomatoes". Do not use comments such as "moved for work" or comments that refer to legal status (e.g., visa).
 - If the EWD is captured in Move A there is no need to complete Moves B and C.

- Use the Re-interviewer Notes box to provide required explanations if needed and/or to expand on any other information related to the re-interview.
- DO NOT leave any required part of the survey blank.
- If the family/OSY declines the interview, thank them and move on to the next interview. Make the proper notation on the form.
- If the family/OSY is not home, check the appropriate box (ATTEMPT, MOVED AWAY, etc.) on the form and proceed to the next sample. Provide additional information, if available.
- Up to three (3) attempts should be made to contact every student in the Main Sample. Make attempts to contact the Alternate Sample if needed to reach the target number.
- Every effort should be made to conduct the re-interview in person. Phone re-interviews should be conducted only if in-person contact is not feasible.
 - Per the FMEP COVID protocol, all re-interviews may be conducted by phone.

ORIGINAL COE REVIEW

- Once the re-interviewer has completed the re-interview form, he/she must REVIEW THE COPY OF THE ORIGINAL COE before leaving the home (or meeting location).
- Review the COE to determine if the information provided by the family/OSY corroborates the information provided in the re-interview form.
- If the information is different or conflicting, ASK FOLLOW-UP QUESTIONS to clarify eligibility criteria.
- Note responses in the appropriate section of the form.
- Once the Re-Interview Form is completed, go over all the information with the interviewee before signing the form. The re-interviewer should sign the form in the presence of the interviewee.

After the Re-Interview

- Thank the interviewee for her/his cooperation.
- Secure the Re-Interview Form with all related information.
- Prepare for the next re-interview.

RE-INTERVIEW REVIEW BY THE LOA

- After each phase of rolling re-interviews, the LOA Administrator will examine each completed re-interview form against the original COE to verify the child eligibility first and foremost but also to compare the re-interview form and the original COE for any possible inconsistencies.
- The LOA Administrator will examine the written responses of the re-interview and, if needed, may contact the family via a phone call or in-person to gather additional clarifying information to make an eligibility determination. A family might change their story if they do not feel comfortable with the re-interviewer; therefore, the LOA may reevaluate the information provided by the interviewee if deemed necessary.

- If the LOA finds that the child is eligible but the COE was completed incorrectly, then corrections should be made according to COE correction procedures.
NOTE: The correction may be that a new COE needs to be completed.
- It is not necessary to correct the COE if the EWD or the Target QAD or 2bi is off by 30 days or less.
- If the LOA indicates that they “need more information to make a determination,” the LOA shall contact the ID&R Office for guidance on how to proceed with the sample.
- If a student is found to have been misidentified and is determined ineligible through the re-interview, the LOA must contact the ID&R Office immediately for guidance.
- For Local MEP Administrator Use Only section - The LOA Administrator shall sign and indicate the eligibility determination on each completed re-interview form. The selections are *Eligible as documented on COE*; *Eligible with corrections on COE or new COE required*; *Need more information to make determination*; *Not Eligible*.
- Within 30 days of each phase of rolling re-interview, the LOA shall mail the following documents to the ID&R Office. Please submit copies – LOAs should maintain the originals.
 - A copy of the Re-interview Reporting Form (refer to next section)
 - Copies of the completed re-interview forms and the forms for re-interviews that were attempted but contact was not made with the sample
 - Copies of the corresponding COEs
 - NOTE - The LOA should submit a copy of the original COE and a copy of the corrected COE when *Eligible with corrections on COE required* is checked.
- All forms must be submitted no later than September 30th of each year.
- It is not necessary to include the forms and COEs for any AS that was not used in the re-interview because the target number of COEs was reached.

Re-Interview Reporting Form

The LOA shall complete a Re-interview Reporting Form at the end of each phase of rolling re-interviews. Therefore, the LOA may complete the reporting form more than once during the performance period. The steps for completing the reporting form are as follows.

- **Dates the re-interviews were conducted** – Enter the start and end date for the rolling re-interview.
- **Target Number of Re-interviews** – Enter the total number of re-interviews the LOA planned to complete.
- **Main Random Sample Size** – Must match the Target Number of Re-interviews.
- **How many from the Main Sample (MS) were re-interviewed** – Enter how many in the MS were re-interviewed and indicate how many of these were found eligible and ineligible
- **How many from the MS were not re-interviewed** – Enter how many in the MS were not re-interviewed. Of this number, indicate how many moved away, were not available (after multiple attempts), and how many declined to be re-interviewed.

- **Alternate Random Sample Size** – Enter Alternate Sample (AS) size. Should be sufficient to help reach the Target Number of Re-interviews.
- **How many of the AS were re-interviewed** – Enter how many in the AS were re-interviewed and indicate how many of these were found eligible and ineligible
- **How many from the AS were not re-interviewed** – Enter how many in the AS were not re-interviewed. Of this number, indicate how many moved away, were not available, declined to be re-interviewed, and were not needed because the Target Number of Re-interviews was reached.

REMINDERS

MS re-interviewed + MS not re-interviewed = MS size = Target Number

AS re-interviewed + AS not re-interviewed = AS size

- *Total MS re-interviewed + Total AS re-interviewed = Target Number*

RE-INTERVIEW REVIEW BY THE ID&R OFFICE

- The ID&R Office shall conduct a secondary review of every re-interview form and will make the final eligibility determination.
- The ID&R Office will contact the LOA to address any discrepancies with the re-interview forms.
- The ID&R Office will contact the LOA if the final eligibility determination does not agree with the determination made by the LOA.
- The ID&R Office shall schedule targeted ID&R training with the LOA if the final eligibility determination finds that a child was misidentified and is ineligible for the MEP.
- The ID&R Office shall tabulate the total rolling re-interview efforts for the Performance Period and report the results to the SEA.

Office of Migrant Education Guidance

- U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, Technical Assistance Guide on Re-interviewing: Washington, D.C., 20202.
The technical guide is available at:
<https://results-assets.s3.amazonaws.com/tools/mep-reinterviewing-guide-dec-10.pdf>
- U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, Legislation & Policy: Washington, D.C., 20202.
The MEP Policy Questions & Answers are available at:
https://results.ed.gov/legislation/policy_qas

APPENDIX K: Recruiter Tips

- Invite school personnel to join in-home visits 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, the purpose for moving, length of time at the 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 referral.
- 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 regularly.
- Set goals based on recruitment efforts, not numbers.
- Revisit families. New qualifying moves 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 to have them assist by referring potential eligible families. Community agency contacts may include health clinics, daycare centers, adult education program providers, government agencies, farmworker unions, legal aid agencies, and churches. Business 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.

APPENDIX L: ID&R Plan Template

Contact the ID&R Office to obtain a copy in Word format, which can be modified to suit the needs of the local MEP.

**Florida Migrant Education Program
Identification and Recruitment Plan
School Year - _____**

This template is designed to assist the local MEP in developing and implementing an effective ID&R Plan.

Districts may want to share the completed plan with the ID&R Office for feedback and technical assistance.

ID&R Staffing

Record all MEP staff members involved in ID&R.

Staff Member	Title	MEP Duties	Weekly Schedule	Hours Per Week	Recruits OSY?

Targeted ID&R Goals

School-based Outreach Goals

- 1.
- 2.
- 3.

Community-based Outreach Goals

- 1.
- 2.
- 3.

Businesses-based Outreach Goals

- 1.
- 2.
- 3.

Monthly ID&R Plan

Record the ID&R-related activities that will happen during each month.

Month	School	Business	Community
Ongoing outreach			
August			
September			
October			
November			
December			
January			
February			
March			
April			
May			
June			
July			

APPENDIX M: ID&R Semiannual Reflection Template

Contact the ID&R Office to obtain a copy in Word format, which can be modified to suit the needs of the local MEP.

**Florida Migrant Education Program
Identification and Recruitment – Semiannual Reflection**

This template is designed to assist the local MEP in reflecting on its ID&R efforts including effective strategies and practices as well as challenges that may have come up since the start of the school year.

- As a best practice, the local MEP may want to complete this self-reflection tool midyear (December-January) and at the end of the regular school year (June-July).
- Districts may share the semiannual reflection with the ID&R Office for feedback and technical assistance.

ID&R Summary

Record a summary of the ID&R strategies used in the district. This summary may include practices that address school, community, and businesses outreach.

- *Midyear (December-January) - This may include any ID&R highlights and challenges that have come up since the start of the school year.*
- *End of year (June-July) - This may include any ID&R highlights and challenges that have come up since the midyear reflection.*

General Summary:

Highlights:

Challenges

School-based ID&R Activities

Record the school-based ID&R strategies used in the district. Consider the following examples.

- *School Events: Did recruitment staff attend any school events?*
- *Parent Survey: How many Parent Surveys did the district follow up with? How many resulted in completing a Certificate of Eligibility (COE)?*
- *Collaborations: Has the MEP collaborated with other federally-funded programs to identify migrant-eligible students?*

School	Activities/Collaboration	Results

Community-based ID&R Activities

Record the community-based ID&R strategies used in the district. Consider the following examples.

- *What community organizations did the district visit/collaborate with? What did that collaboration consist of?*
- *Did the district work with the local Extension Office in the area?*
- *Has the district conducted outreach with the local Workforce Commission?*

Community Organization	Activities/Collaboration	Results

Businesses-based ID&R Activities

Record the businesses-based ID&R strategies used in the district. Consider the following examples.

- *What businesses did the district visit/collaborate with? What did that collaboration consist of?*
- *Has the district followed up with H-2A Job Orders? If so, which ones? Did they result in any COEs?*
- *Has the district visited any farms/fisheries to give out promotional materials (including donated goods) and/or cold water to employers/workers?*

Business	Activities/Collaboration	Results

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