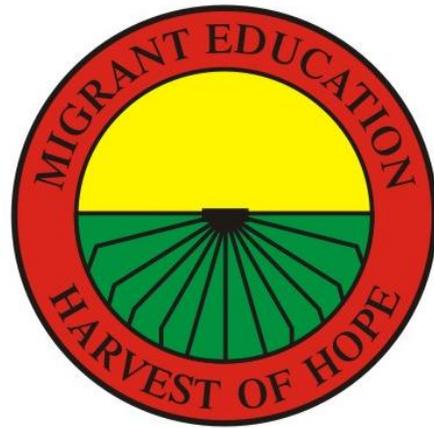
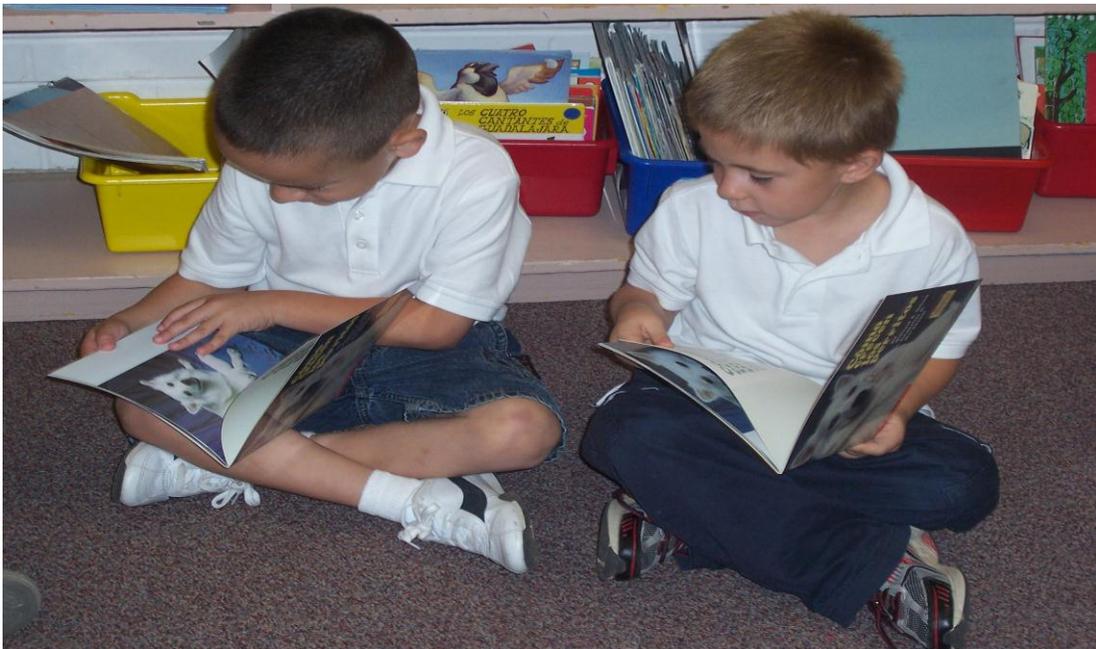


Nevada Migrant Education

Identification & Recruitment Manual 2011-2012



For Migrant Recruiters



Recruiters' Manual

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Purpose of the Migrant Education Identification and Recruitment Manual

The purpose of the **Migrant Education Identification and Recruitment Manual** is to provide migrant coordinators, recruiters, and staff information needed to ensure that child(ren) of migrant families are identified in order to meet the requirements of ESEA.

The information in the manual is not meant to be complete. As the program grows and develops, appropriate changes will be made with respect to procedures and materials. It is meant to function as a workable manual which will guide the recruiters in their daily tasks. As such, it will also function as a training manual. The migrant staff will be required to have first-hand knowledge of all materials in the manual.

There are three areas that need to be emphasized:

1. The children who are most in need of program services are often those who are the most difficult to find;
2. Many migrant children would not fully benefit from school, and in some cases, would not attend school at all if the states failed to identify and recruit them into the Migrant Education Program (MEP). This is particularly true of the most mobile migrant children who may be more difficult to identify than those who have settled within a community; and
3. Children cannot receive MEP services without a Certificate of Eligibility (COE).

Purpose of the Migrant Education Program

The general purpose of the Migrant Education Program (MEP) is to ensure that migrant children benefit from the same free public education provided to other children. To achieve this purpose, the MEP helps states address the special educational needs of migrant children to enable migrant children to succeed academically. More specifically, the purposes of the MEP are to:

- support high-quality and comprehensive educational programs for migrant children in order to reduce the educational disruption and other problems that result from repeated moves;
- ensure that migrant children who move among the states are not penalized in any manner by disparities among the states in curriculum, graduation requirements, and state academic content and student academic achievement standards;
- ensure that migrant children are provided with appropriate educational services (including supportive services) that address their special needs in a coordinated and efficient manner;
- ensure that migrant children receive full and appropriate opportunities to meet the same challenging state academic content and student academic achievement standards that all children are expected to meet;
- design programs to help migrant children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit their ability to do well in school, and to prepare them to make a successful transition to postsecondary education or employment; and
- ensure that migrant children benefit from state and local systemic reforms.

(Section 1301 of ESEA)

Required Elements for the Migrant Education Program

Agricultural Work:

Agricultural work means the production or initial processing of crops, dairy products, poultry, or livestock, as well as the cultivation or harvesting of trees. It consists of work performed for wages or personal subsistence.

Certificate of Eligibility (COE):

A COE is a form most states use to document MEP eligibility decisions. A state must document eligibility determinations to comply with Section 1304 (a)(6) of ESEA.

Change in Residence:

For purposes of qualifying for the MEP, a change in residence means moving to a different school district. This may involve:

- a change of residence from the migrant worker's home base to a temporary residence where the worker seeks or obtains qualifying work; or
- a change in residence from one temporary residence to another residence where the worker seeks or obtains qualifying work, or
- a change in residence from a temporary residence back to the migrant worker's home base so long as the move back to the home base is not a permanent relocation and the purpose of the move is to seek or obtain qualifying work in the home base.

Emancipated Youth:

An emancipated youth is a child under the age of majority (for a given state) who is no longer under the control of a parent or guardian and is solely responsible for his or her own welfare.

Fishing Work:

Fishing work is the catching or initial processing of fish or shellfish or the raising or harvesting of fish or shellfish at fish farms. It consists of work performed for wages or personal subsistence.

Identification and Recruitment:

Identification means determining the location and presence of migrant children.

Recruitment means making contact with migrant families, explaining the MEP, and securing the necessary information.

Required Elements for the Migrant Education Program—continued

In Order to Obtain:

When used to describe why a worker moved, “in order to obtain” means that one of the purposes of the move is to seek or obtain qualifying work.

1. If a worker states that a purpose of the move was to seek any type of employment, (i.e., the worker moved with no specific intent to find work in a particular job), the worker is deemed to have moved with a purpose of obtaining qualifying work if the worker obtains qualifying work soon after the move.
2. Notwithstanding the introductory text of this definition, a worker who did not obtain qualifying work soon after a move may be considered to have moved in order to obtain qualifying work only if the worker states that at least one purpose of the move was specifically to seek qualifying work, and –
 - i. The worker is found to have a prior history of moves to obtain qualifying work, or
 - ii. There is other credible evidence that the worker actively sought qualifying work soon after the move but for reasons beyond the worker’s control the work was not available.

Intent:

According to Section 1309(2) of ESEA, a move only qualifies if it is made “in order to obtain (or seek) temporary or seasonal employment in agricultural or fishing work.” The only way to determine whether this was the reason for the move is to determine the worker’s intent.

International Move:

A move from Mexico to a school district in the United States is considered the same as a move from one school district to another within the United States. The reason for this is that there is a historical pattern of migration from Mexico to the U.S. to perform temporary or seasonal work in agriculture.

Migratory Agricultural Worker:

A person who, in the preceding 36 months, has moved from one school district to another in order to obtain temporary employment or seasonal employment in agricultural work, including dairy work.

Migratory Fisher:

A person, who, in the preceding 36 months, has moved from one school district to another in order to obtain temporary employment or seasonal employment in fishing work.

Required Elements for the Migrant Education Program—continued

Move:

Move or moved means a change from one residency to another residency that occurs due to economic necessity.

Principal Means of Livelihood:

This definition has been eliminated from the regulations.

Qualifying Move:

A move qualifies if:

1. It is a move across school district boundaries; *and*
2. It involves a change of residence; *and*
3. The purpose of the worker's move is to obtain qualifying work in agriculture or fishing; *and*
4. The purpose of the worker's move was not to relocate on a permanent basis; *and*
5. It occurred within the preceding 36 months; *and*
6. It was due to economic necessity.

Qualifying Work:

Qualifying work is temporary employment or seasonal employment in agricultural work or fishing work.

Seasonal Employment:

Seasonal 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.

Temporary Employment:

Temporary employment lasts for a limited period of time, usually a few months, but no longer than 12 months. It typically includes employment where the employer states that the worker was hired for a limited time frame; the worker states that the worker does not intend to remain in that employment indefinitely; or the state has determined on some other reasonable basis that the employment is temporary.

Required Elements for the Migrant Education Program—continued

To Join:

In situations where the child and parent do not move together, the “to join” date is the date that the child and worker complete the move to be together. If the child’s move precedes the worker’s move, the qualifying arrival date is the date that the worker arrived. The reason for this is that a move does not qualify until the worker arrives in the school district and begins to seek qualifying work. Therefore, it is only at this point that the child meets the definition of “migratory child.” On the other hand, if the child’s move followed the worker’s move, the qualifying arrival date is the date the child arrived. The reason for this is that the child does not establish eligibility as a migrant child until he or she physically arrives at the receiving school district.

Eligibility

A Migratory Child is:

“A child—(1) who is a **migratory agricultural worker** or a **migratory fisher**; or (2) who, in the preceding 36 months, in order to accompany or join a parent, spouse, or guardian who is a **migratory agricultural worker** or a **migratory** fisher – (i) has **moved** from one school district to another* . . .” [emphasis added.]

A Migratory Agricultural Worker is:

“a person who in the preceding 36 months, has **moved**, as defined in paragraph (g), from one school district to another, . . .* **to work in temporary employment** or **seasonal employment** in **agricultural work**, including dairy work.” [emphasis added.]

Factors for Determining Eligibility

To qualify for the MEP:

- Seasonal
- Temporary

Age:

The child is younger than 22 years of age.

School Completion:

The child has not graduated from high school and has not earned a GED certificate.

Questions and Answers About Eligibility

- 1. Is an attrition rate study the only vehicle the SEA (State Education Agency/Nevada Department of Education) may use to determine and document the temporary nature of work that appears to be constant and available year-round?**

No. An attrition rate study is one way an SEA might determine and document that of those agricultural and fishing workers whose children were previously determined to be eligible. Attrition Rate is the process of going back after a year and determining how many of the workers are still working in the same activity. OME has set the attrition rate at 90% turnover in this new Guidance.

- 2. May an SEA base a child's eligibility on a qualifying move that occurred in another State within the past 36 months?**

Yes. The recruiter must record the date on which the qualifying move occurred and other information that establishes the child's eligibility for the MEP. SEAs are also encouraged to call the State in which the qualifying move occurred to verify that the move qualified. The child is eligible for the MEP for the remainder of the 36-month period.

- 3. May a recruiter rely on an eligibility determination made by another State?**

No. Although recruiters are encouraged to share information with other States and may use this information to determine whether a child is eligible for the MEP, they must decide independently that the child is eligible for the MEP in their State.

Migrant Recruiter Duties

1. Interview selected people to explain the recruiter function, open communication channels, and obtain cooperation. People to be interviewed could include any of the following in the area to be served: school attendance officers, principals of all public schools, farm labor office managers, key growers, County Health Department personnel, leaders of local Migrant Ministry and Catholic programs serving migrant people, school bus supervisors and drivers, and other appropriate people.
2. Obtain information by means of interviews and community contacts about all community services open to migrants. Know the location, hours of operation, phone numbers, names of key persons, and the fee schedule for all services. Record this information for reference.
3. Map the areas served by the school district with all known migrant housing marked.
4. Tour migrant housing regularly. Identify migrant families, families crossing school district lines overnight or longer in order to engage in farm labor or food processing labor. Interview families in order to let them know what services are available to them. Inform them about local ordinances, fees for services where required, and obtain from them information needed by the school district and other service agencies or organizations. Explain the school program for migrant children to each family. Provide aid as needed for shoes, clothing, school supplies, etc. Arrange for school bus stops as needed. Do everything possible to get children into school.
5. Visit classes of migrant children as often as possible and discuss learning problems with teachers, then communicate appropriate information to parents. Check on vision and hearing screening, medical and dental checkups, etc., and arrange for needed visits to clinics, dentists, and the like.
6. Maintain proper records and information as it relates to the job tasks and activities.
7. Coordination, cooperation, communication with schools, farms, families, and agencies are imperative to successful recruiting.

Certificate of Eligibility Questions and Answers

(Refer to Appendix B: Certificate of Eligibility)

1. Can the Qualifying Move & Work section be modified in terms of how it is formatted?

SEAs can only make certain formatting modifications to the Qualifying Move & Work section. For example, they can change the font size and type based on State requirements or State preference. However, SEAs cannot rearrange the placement or order of the elements within the section, and they cannot add elements to the section. For example, States cannot reorganize numbers 2 and 3 to be on the same line.

2. Can SEAs change the numbering of the Qualifying Move & Work section?

No. The numbering of the Qualifying Move & Work section was approved as it exists on Attachment 1 of the COE Instructions, Summary of Requirements.

3. Can an SEA renumber the “Sections” of the COE?

Yes. The COE only has names of sections, not numbers for these sections. Attachment 2 of the COE Instructions, National COE Template, is only a template for States to consider. States do not have to use the template; they simply have to follow the instructions and include the requirements summarized on Attachment 1 of the COE instructions.

4. Where can the SEA include its State required/requested information; should the SEA include that when they modify the COE?

SEAs can include their required/requested information anywhere on the COE *with the exception of* inside any of the “required data sections.” The template included as part of Attachment 2 of the COE Instructions is not the template that States necessarily must follow. It is simply one option for States to consider. SEAs are free to modify the COE, where applicable.

Certificate of Eligibility Questions and Answers—continued

5. Why does the National COE require “mailing address” given the difficulties of collecting this information in cases where families may live; for example, at a migrant camp with no mailing address?

The National COE requires States to collect “current address.” Page 3 of the COE Instructions indicate that recruiters should record the following for “current address”:
Record the physical address, including the complete name of the street or road where the child(ren) currently resides. In cases where a formal physical address is not available, include as much other identifying information as possible (e.g., trailer number, rural route, migrant camp, landmark). If the physical address is different from the mailing address, provide the mailing address in the Comments section of the COE.

The description for “current address” allows for situations in which the family’s physical address is different from the family’s mailing address. While we recognize that not every family will have a mailing address, it is necessary to require a family’s physical address as a means of locating the family. Without an address for a family, the MEP would not be able to locate that family and provide services.

6. Why doesn’t the National COE include space for a child’s grade?

Collecting a child’s grade is not necessary for determining eligibility. The “required data elements” and “required data sections” portions of the National COE only include information pertinent to eligibility. States can collect “grade” as part of the “State required/requested information.” This information can be collected anywhere on the COE with the exception of the “Qualifying Work & Move” or signature sections. There are some exceptions for modification to the Parent/Guardian/Spouse Worker Signature section. States should refer to this section of the COE instructions for more information about these exceptions.

7. Will the National COE be translated into Spanish?

Yes. The COE is currently being translated into Spanish and will be distributed to States upon completion.

Nevada Re-enrollment Procedures

Nevada re-enrollment policy is to complete a new COE yearly on every family in each school district.

Appendix A:

**The National
Certificate of
Eligibility Guidelines**

The National Certificate of Eligibility

Purpose

The State Education Agency (SEA) is required to document every migrant child's eligibility for the Migrant Education Program on the national Certificate of Eligibility (COE) created by the U.S. Department of Education (ED). The COE serves as the official record of the State's eligibility determination for each individual child.

Overview

The U.S. Department of Education (ED) has created a standard national COE that all states are required to use. The national COE is comprised of three parts:

- (1) **required data elements**, which States can organize according to State preference and need;
- (2) **required data sections**, which States can place according to State preference and need, but that must be maintained in whole and unaltered; and
- (3) **State required/requested information**, where space is available, that States can use to collect other data.

NOTE: States must maintain any additional documentation the SEA requires to confirm that each child found eligible for the program meets all of the eligibility definitions. State responsibilities for documenting the eligibility of migratory children are found in 34 CFR 200.89(c).

Attached are two documents. The first summarizes the required data elements and required data sections in a one-page format. The second is a template that demonstrates how the required data elements and required data sections might be arranged on the COE. Note that this template does not necessarily include elements that are required to be collected for other OME or ED data collections. States can either use the template as-is, or they can modify it, within the parameters explained in (1), (2) and (3) above, to collect this or any other State required/requested information.

General instructions

A COE must be completed every time a child makes a new qualifying move.

All attempts should be made to complete all data elements and sections of the COE. In cases where a response may not be required or does not apply, flexibility has been built into the instructions. In these cases, the recruiter must write a dash (-) or "N/A" in the appropriate blank. All other information must be provided.

With the exception of the “Qualifying Move and Work Section,” if the instructions ask for additional information in the Comments section and the State has required this information as a State data element, the recruiter does not need to provide the information again in the Comments section. For example, the instructions prompt the recruiter to record the first and last names of the child’s legal parents in the Comments section if different from the current parents. However, if the State includes data elements for legal parent information, the recruiter would not have to repeat this information in the Comments section.

If the recruiter completes a COE for a family, the recruiter must fill out a separate COE for any child who has a different qualifying arrival date (QAD) or for any child who has different eligibility criteria than the rest of the children in the family, such as an out of school youth (OSY) who may have moved on his or her own. In general, the QAD is the date that both the child and worker completed the move for the worker to find qualifying work. There are special cases that are described in the instructions for the section titled “Qualifying Move and Work Section.”

The recruiter must not include 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];
or
- (3) did not make the qualifying move described on the COE.

If more than one COE is necessary, the recruiter must complete all sections on each form.

Completing the Required Data Elements of the COE (part 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.

Male Parent/Guardian [Last Name(s), First Name]. Record the name of the male (if any) currently responsible for the child(ren). Record this individual’s legal last name (or names) and legal first name. If the male parent has two last names or a hyphenated last name, record the male parent’s last name(s) as it legally exists. The term “parent” on this form and in other sections of these instructions 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 the child has more than one male parent or if the child’s legal parent is different from the current parent, provide the name of the child’s legal male parent in the Comments section. If there is no parent information disclosed, write a dash (-) or “N/A.” If the “child” is the worker and a male, write the child’s name for this data element.

Female Parent/Guardian [Last Name(s), First Name]. Record the name of the female (if any) currently responsible for the child(ren). Record this individual's legal last name (or names) and legal first name. If the female parent has two last names or a hyphenated last name, record the female parent's last name(s) as it legally exists. The term "parent" on this form and in other sections of these instructions 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 the child has more than one female parent or if the child's legal parent is different from the current parent, provide the name of the child's legal female parent in the Comments section. If there is no parent information disclosed, write a dash (-) or "N/A." If the "child" is the worker and a female, write the child's name for this data element.

Current Address. Record the physical address, including the complete name of the street or road where the child(ren) currently resides. In cases where a formal physical address is not available, include as much other identifying information as possible (e.g., trailer number, rural route, migrant camp, landmark). If the physical address is different from the mailing address, provide the mailing address in the Comments section of the COE.

City. Record the name of the city or town where the child(ren) currently resides.

State. Record the postal abbreviation used by the U.S. Postal Service for the State where the child(ren) currently resides.

Zip. Record the five or nine-digit zip code where the child(ren) currently resides. The U.S. Postal Service has an online zip code directory service at <http://zip4.usps.com/zip4/welcome.jsp>.

Telephone. Record the telephone number, including area code, of the family. If no telephone number is available, write a dash (-) or "N/A."

Child Data. Child/school data includes the name, sex, birth date, etc. of each child. A recruiter should include all children with the same family and eligibility data on the same COE. Any child who has different (1) current family [see "Family Data" above for additional definition] or (2) eligibility data—including a different QAD—must be documented on a separate COE.

Residency Date. If the "Residency Date" is different from the QAD, record the date (MM/DD/YY) that the child(ren) entered the present school district. Use the two-digit number that refers to the month and day, and the last two digits of the year. For example, May 20, 2008, would be written as 05/20/08. If the child(ren) qualified for the MEP on a move prior to the move to the present school district, the residency date will be later than the QAD. If the child(ren) moved prior to the worker's move, the residency date would precede the QAD. If the "Residency Date" is the same as the QAD, write a dash (-) or "N/A."

Last name 1. Record the legal last name of each eligible child in the family. If the child has a multiple or hyphenated last name (e.g., Ramírez-García), record the first part of the name (i.e., Ramírez).

Last name 2. If the child has a multiple or hyphenated last name (e.g., Ramírez-García), record the second part of the name (i.e., García). If the child does not have a multiple or hyphenated name, write a dash (-) or “N/A.”

Suffix. Where applicable, record the child’s generation in the family (e.g., Jr., Sr., III, 3rd). Otherwise, write a dash (-) or “N/A.”

First name. Record the legal first name of each eligible child in the family. This is the name given to the child at birth, baptism, or during another naming ceremony, or through a legal name change. Do not record nicknames or shortened names (e.g., Ale or Alex for Alejandra).

Middle name. Record the legal middle name of each eligible child in the family. This is the secondary name given to the child at birth, baptism, or during another naming ceremony, or through a legal name change. Do not record nicknames or shortened names (e.g., Ale or Alex for Alejandra). If the child does not have a middle name, write a dash (-) or “N/A.”

Sex. Record the child’s sex: “M” for male or “F” for female.

Birth Date. Record the month, day and year the child was born. Use the two-digit number that refers to the month and day, and the last two digits of the year. For example, September 20, 2003, would be written as 09/20/03.

Multiple Birth Flag (MB). Record “Y” for “yes” if the child is a twin, triplet, etc. Write a dash (-) or “N/A” for not applicable (i.e., the child is not a twin, triplet, etc.).

Birth Date Verification Code (Code). Record the last two numbers that correspond to the evidence used to confirm each child’s birth date (see the codes and corresponding evidence listed below). A birth certificate is the best evidence of the child’s birth date, if available. If a birth certificate is not available, the interviewer may use another document to confirm the child’s birth date, including any of those listed below.

- 1003 – baptismal or church certificate;
- 1004 – birth certificate;
- 1005 – entry in family Bible;
- 1006 – hospital certificate;
- 1007 – parent’s affidavit;
- 1008 – passport;
- 1009 – physician’s certificate;
- 1010 – previously verified school records;
- 1011 – State-issued ID;
- 1012 – driver’s license;
- 1013 – immigration document;
- 2382 – life insurance policy; or
- 9999 – other.

If written evidence is not available, the interviewer may rely on a parent's or emancipated youth's verbal statement. In such cases, the interviewer should record "07" – the number that corresponds to "parent's affidavit."

Completing the Required Data Sections of the COE (part II)

Qualifying Move & Work Section. In this section, record the qualifying move and qualifying work information which the State believes documents the child's eligibility for the program. Note that exceptions apply for moves within States comprised of a single school district and school districts of more than 15,000 square miles. See #1 (immediately below) for how to document these exceptions.

The child(ren) listed on this form moved from a residence in _____ (School District/City/State/Country) to a residence in _____ (School District/City/State).

from a residence in _____ (School District/City/State/Country). This location is the last place of residency before the child(ren) and the parent, spouse or guardian moved due to economic necessity in order to obtain qualifying work. Note that the child(ren) might have made subsequent non-qualifying moves.

to a residence in _____ (School District/City/State). This location is the place of residency where the child(ren) and the parent, spouse or guardian moved due to economic necessity in order to obtain qualifying work. A qualifying move can never be made to a country outside of the United States. As mentioned previously, the child(ren) might have made subsequent non-qualifying moves.

Following are several "qualifying move" scenarios. Identify which scenario applies to the specific eligibility situation and record the necessary information.

If the child(ren) moved from a residence in one school district to a residence in another school district within the same U.S. city –

from a residence in _____ (School District/City/State/Country) - Record the full legally or commonly used name of the school district where the child(ren) listed resided immediately prior to the qualifying move. Also record the name of the city from which the child(ren) listed moved.

to a residence in _____ (School District/City/State) - Record the full legally or commonly used name of the school district where the child(ren) listed resided immediately following the qualifying move. Also record the name of the city from which the child(ren) listed moved.

If the child(ren) moved from a residence in one school district to a residence in another school district within the same U.S. State (and these school districts are not within the same U.S. city) –

from a residence in _____ (School District/City/State/Country) - Record the name of the city where the child(ren) listed resided immediately prior to the qualifying move.

to a residence in _____ (School District/City/State) - Record the name of the city where the child(ren) listed resided immediately following the qualifying move.

If the child(ren) moved from a residence in one U.S. State to a residence in another U.S. State –

from a residence in _____ (School District/City/State/Country) - Record the name of the city and State where the child(ren) listed resided immediately prior to the qualifying move.

to a residence in _____ (School District/City/State) - Record the name of the city and State where the child(ren) listed resided immediately following the qualifying move.

If the child(ren) moved from a residence in a country other than the U.S. to a residence in the U.S. –

from a residence in _____ (School District/City/State/Country) - Record the name of the State (within the other country) if available and the name of the country where the child(ren) listed resided immediately prior to the qualifying move.

to a residence in _____ (School District/City/State) - Record the name of the city and State in the U.S. where the child(ren) listed resided immediately following the qualifying move.

Exception. If the child(ren) migrated a distance of 20 miles or more to a temporary residence in a school district of more than 15,000 square miles (NOTE: this exception only applies to the children of migratory fishers or children who are migratory fishers) –

from a residence in _____ (School District/City/State/Country) - Record the name of the city where the child(ren) listed resided immediately prior to the qualifying move. Also record the name of the school district within which this city is located. (NOTE: school district name is requested in order to identify this move as one that meets the 20 miles criterion).

to a residence in _____ (School District/City/State) - Record the name of the city where the child(ren) listed resided immediately following the qualifying move. Also record the name of the school district within which this city is located. (NOTE: school district name is requested in order to identify this move as one that meets the 20 miles criterion).

Exception. If the child(ren) moved from a residence in one administrative area to a residence in another administrative area within a U.S. State that is comprised of a single school district –

from a residence in _____ (School District/City/State/Country) - Record the full legally or commonly used name of the administrative area where the child(ren) listed resided immediately prior to the qualifying move. Also record the name of the city from which the child(ren) listed moved.

to a residence in _____ (School District/City/State) - Record the full legally or commonly used name of the administrative area where the child(ren) listed resided immediately following the qualifying move. Also record the name of the city from which the child(ren) listed moved.

Provide as much of this information in these blanks as available. At a minimum (with the exception of States comprised of single school districts or school districts of more than 15,000 square miles), the State must be able to document that the child moved across school district lines and changed residences in the process. In the case of States comprised of a single school district, the State must be able to document that the child moved from one administrative area to another and changed residences in the process. In the case of school districts of more than 15,000 square miles, the State must be able to document that the child migrated a distance of 20 miles or more and changed residences in the process.

If the child and parent moved from different previous residences, record the child's prior residence in response to #1 and record the parent's residence in the Comments section. In order for the child to be eligible, both the child and the parent must have moved across school district lines and changed residences in the process.

For more information on documenting the move from one school district to another, see the chart below.

Type of move The child(ren) moved...	The child’s residence immediately prior to the qualifying move The child(ren) moved from a residence in _____ <i>(School District/City/State/Country)</i>	The child’s residence immediately following the qualifying move The child(ren) moved to a residence in _____ <i>(School District/City/State)</i>
...from one school district to another within the same U.S. city	School District, City	School District, City
...from one school district to another within the same U.S. State	City	City
...from a one U.S. State to another U.S. State	City, State	City, State
...from a country other than the U.S. to the U.S.	State, Country	City, State
...20 miles or more within a school district of more than 15,000 square miles (exception)	School District, City	School District, City
...From one administrative area to another within a U.S. State comprised of a single school district (exception)	Administrative Area, City	Administrative Area, City

The child(ren) moved (complete both a. and b.):

a. on own as a worker, OR with the worker, OR to join or precede the worker.
[Mark only one box]

Mark the box “on own as a worker” if the child himself or herself moved in order to obtain qualifying work. Only complete the worker’s name in 2b.

Mark the box “with the worker” if the child(ren) moved with a parent, spouse or guardian in order for the worker to obtain qualifying work.

Mark the box “to join or precede the worker” if the child(ren) moved either before or after the date the parent, spouse, or guardian moved in order to obtain qualifying work. If this box is marked, also complete “i” under 2b.

b. The worker, _____ (First and Last Name of Worker), (Continued below)

Record the first and last name of the individual who sought or obtained the qualifying work (i.e., parent, spouse, guardian, or child – if on own as a worker).

(Continued from above) ...is the child or the child's parent spouse guardian.
[Mark only one box]

Mark the box that indicates the child's relationship to the worker (i.e., parent, spouse or guardian). Do not select one of these boxes if "on own as a worker" is checked in 2a.

(Complete if "to join or precede" is checked in 2a.) The worker moved on _____ (MM/DD/YY). The child(ren) moved on _____ (MM/DD/YY). (provide comment)

Record the date the worker moved in order to obtain qualifying work. Also record the date the child(ren) moved in order for the parent, spouse, or guardian to obtain qualifying work. Also record the reason for the different moves in the Comments section.

The Qualifying Arrival Date was _____ (MM/DD/YY). 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, 2008, would be written as 05/20/08.

In general, the QAD is the date that both the child and worker completed the move. The child must have moved on his or her own, or with or to join a parent, guardian or spouse to enable the worker (i.e., child, parent, guardian or spouse) to obtain qualifying work. As referenced in 2a, the child and worker will not always move together, in which case the QAD would be the date the child joins the worker who has already moved, or the date when the worker joins the child who has already moved. The QAD is the date that the child's eligibility for the MEP begins. The QAD is not affected by subsequent non-qualifying moves. For more information on determining the QAD, see the chart below.

Type of Qualifying Move The child...	Qualifying Arrival Date (QAD)--Eligibility Begins The QAD is...
...moved <u>with</u> the worker.	...the date the <u>child and worker both arrive</u> in the district where the worker will look for qualifying work.
...moved <u>before</u> the worker moved.	...the date the <u>worker arrives</u> in the district to look for qualifying work.
...moved to join the worker <u>after</u> the worker moves.	...the date the <u>child arrives</u> to join the worker.

The worker moved due to economic necessity in order to obtain: [Mark only one of the following boxes: either a, b, or c.]

a. *qualifying work, and obtained qualifying work, OR*

Mark this box if the child, parent, spouse, or guardian moved due to economic necessity in order to obtain temporary or seasonal employment in agricultural or fishing work, and obtained that work.

b. *any work, and obtained qualifying work soon after the move, OR*

Mark this box if the child, parent, spouse or guardian, moved due to economic necessity in order to obtain any work, and soon after the move obtained temporary or seasonal employment in agricultural or fishing work.

c. *qualifying work specifically, but did not obtain the work. If the worker did not obtain the qualifying work: [NOTE: Also complete box "i," box "ii" or both.]*

Mark this box if the child, parent, spouse or guardian moved due to economic necessity to obtain temporary or seasonal employment in agricultural or fishing work, but did not obtain that work. If this box is marked, also mark box i, box ii, or both.

i. *The worker has a prior history of moves to obtain qualifying work (provide comment), OR*

Mark this box to indicate that the worker has a prior history of moving to obtain temporary or seasonal employment in agricultural or fishing work. Explain this history in the Comments section. For example, the recruiter could write, "qualifying worker moved from Brownsville, Texas, to Decatur, Michigan, to plant tomatoes in May of 2007." The recruiter could also check the MSIX database, or other local database, to see if it contains a history of prior moves to obtain qualifying work and attach the print-out to the COE.

There is other credible evidence that the worker actively sought qualifying work soon after the move (provide comment).

Mark this box to indicate that there is other credible evidence that demonstrates that the worker actively sought qualifying agricultural or fishing work soon after the move, but the work was not available for reasons beyond the worker's control. For example, a local farmer or grower confirmed that the worker applied for qualifying work but none was available; newspaper clippings document that work was not available because of a recent drought, flood, hail storm, or other disaster in the area. Explain this evidence in the Comments section and attach supporting documentation where available.

The qualifying work*, _____ (describe agricultural or fishing work),(Continued below)

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”). In other words, 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 harvesting crabs.

(Continued from above)...was (make a selection in both a. and b.):

seasonal OR *temporary employment, (Continued below)*

Mark the box for “seasonal employment” 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. (Section 200.81(j)).

Mark the box for “temporary employment” if the employment lasts for a limited period of time, usually a few months, but not longer than 12 months. It typically includes employment where the worker states that the worker does not intend to remain in that employment indefinitely, the employer states that the worker was hired for a limited time frame, or the SEA has determined on some other reasonable basis that the employment is temporary. (Section 200.81(k)).

[NOTE: The definition of temporary employment includes employment that is constant and available year-round only if, consistent with the requirements of Section 200.81(k) of the regulations, the SEA documents that, given the nature of the work, of those workers whose children were previously determined to be eligible based on the State’s prior determination of the temporary nature of such employment (or the children themselves if they are the workers), virtually no workers remained employed by the same employer more than 12 months.]

(Continued from above)... *agricultural OR* *fishing work.*

Mark the box for “agricultural work” 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. (Section 200.81(a)). The work may be performed either for wages or personal subsistence.

Mark the box for “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. (Section 200.81(b)). The work may be performed either for wages or personal subsistence.

(* Mark 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” (Section 200.81(h)). Also provide a comment in the Comments section.

(Only complete if “temporary” is checked in 5) *The work was determined to be temporary employment based on:*

worker’s statement (provide comment), OR

Mark this box 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 Comments section.

employer’s statement (provide comment), OR

Mark this box 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 Comments section. Attach supporting documentation if available.

State documentation for _____ (employer).

Mark this box upon verification that the State has current documentation to support that the work described in #5 is temporary employment for this particular employer. In other words, the State has verified that of those workers whose children were previously determined to be eligible based on the State’s prior determination of the temporary nature of such employment (or the children themselves if they are the workers), virtually no workers remained employed by the same employer more than 12 months, even though the work may be available on a constant and year-round basis.

Employer. Identify the employer, whether it is the name of or code for a farmer, a grower, a business, or a corporation, where the worker either sought or obtained qualifying work.

Comments Section (Must include 2bi, 4c, 5, 6a and 6b of the Qualifying Move & Work Section, if applicable). The “Comments section” of the COE allows the recruiter to provide additional information or details that clarify the reasons for the recruiter’s eligibility determination. The recruiter should 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. At a minimum, the recruiter must provide comments that clearly explain items 2bi, 4c, 5, 6a and 6b of the Qualifying Move & Work Section, if applicable. As mentioned previously, these items include the following scenarios:

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 employment is temporary based on the worker’s statement or the employer’s statement. In particular, record the information provided by the worker or employer regarding how long they expect the employment to last. The comment should be of sufficient length to adequately document how the recruiter came to the eligibility decision.

The child(ren) qualified 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.” (Section 200.81(h)).

The worker did not obtain qualifying employment as a result of the move. In this case, the recruiter must document that the worker stated that one reason for the move was to obtain qualifying work, AND

the worker has a prior history of moves to obtain qualifying work;

OR there is other credible evidence that the worker actively sought qualifying work soon after the move, but, for reasons beyond the worker’s control, the work was not available;

OR both. Examples of credible evidence include a statement by a farmer that the worker applied for qualifying work but none was available, or a newspaper clipping regarding a recent drought in the area that caused work not to be available.

OME recommends that the recruiter provide additional comments on the COE in the following circumstances and in any other circumstances in which a third party may question the eligibility determination:

The information on the COE needs additional explanation to be clearly understood by an independent outside reviewer.

The basis for the preliminary eligibility determination is not obvious. For example, the work is unusual enough that an independent reviewer is unlikely to understand that it is qualifying work. An explanation is needed to enable a reviewer to understand how the preliminary eligibility determination was made.

The work could be part of a "series of activities" that, viewed together, would constitute year-round employment (e.g., mending fences on a dairy farm and bailing hay could be two parts of year-round ranching with one employer).

The work may be viewed by an independent reviewer as either temporary or year-round employment (e.g., collecting eggs or milking cows).

A "move" is of such brief duration or of such a short distance (or both) that one could question whether any migration has occurred (e.g., intra-city or intra-town move that is across school district boundaries).

A parent or guardian uses a symbol such as an "X" or other valid mark as a signature.

The person who provided the information on the COE form is not the worker.

The qualifying move corresponds to school breaks and could be viewed by some as a return from vacation or a move for personal reasons, not a move for economic necessity whereby the worker sought or obtained qualifying work. In this case, the recruiter should explain why the move away was for economic necessity and not for personal reasons.

The mailing address is different from the child's physical residence; provide the mailing address as a comment.

The child(ren) and parent moved from different previous residences. Record the parent's previous *School District/City/State/Country* of residence.

Parent/Guardian/Spouse/Worker Signature Section. 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.

I understand the purpose of this form is to help the State determine if the child(ren)/youth listed above 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, Date

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. If the parent is unable to sign his or her name, the parent must mark an "X" in the signature section and the recruiter must print the parent's name and relationship to the child in the Comments section. If a parent refuses to sign his or her name, the recruiter must document the parent's refusal in the Comments section and print the parent's name and relationship to the child.

If a State chooses to include other statements that require a parent/guardian/spouse/worker signature, the State can include the statement above as one of several checkboxes to be completed. However, this statement must be completed in accordance with the instructions for this section.

Eligibility Certification Section. The recruiter signs and dates the COE on the day the interview is conducted.

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

At least one SEA-designated 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. The SEA-designated reviewer must sign and date the COE on the day it was reviewed.

NOTE: If an SEA wishes to add to any portion of the Eligibility Certification Section, it must submit its proposed statement to the Office of Migrant Education for approval.

Appendix B:

**National Certificate
of Eligibility**

I. FAMILY DATA

Male Parent/Guardian: First Name _____ Last Name _____
 Female Parent/Guardian: First Name _____ Last Name _____

Current Address: _____ City _____ State _____ Zip _____ Telephone _____

II. CHILD DATA

Last Name 1	Last Name 2	Suff.	First Name	Middle Name	Sex	Birth Date	MB	CD	Grade	Bldg	Flg
NSID: _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
NSID: _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
NSID: _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
NSID: _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
NSID: _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

III. QUALIFYING MOVE & WORK

1. The child(ren) listed on this form from a residence in _____ School District _____ / _____ City _____ / _____ State _____ to a residence in _____ School District _____ / _____ City _____ / _____ State _____.

2. The child(ren) moved (complete both a. and b.):
 a. on own as 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 spouse guardian.

i. (Complete if "to join or precede" is checked in 2a.) The worker moved on _____ Month/Day/Year. The child(ren) moved on _____ Month/Day/Year. (provide comment)

3. The Qualifying Arrival Date was _____ Month/Day/Year.

4. The worker moved due to economic necessity in order to obtain:
 a. qualifying work, and obtained qualifying work, OR
 b. any work, and obtained qualifying work soon after the move, OR
 c. qualifying work specifically, but did not obtain the work. If the worker did not obtain the qualifying work:
 i. The worker has a prior history of moves to obtain qualifying work (provide comment), OR
 ii. There is other credible evidence that the worker actively sought qualifying work soon after the move (provide comment).

5. The qualifying work * _____ (describe a residential or farm 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 _____ (provide comment).

IV. COMMENTS (Must include 2b1, 4c, 5, 6a and 6b of the Qualifying Move & Work Section, if applicable.)

V. PARENT/GUARDIAN/SPOUSE/WORKER SIGNATURE

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

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 L.E.A. Reviewer _____ Date _____
 Signature of Designated SEA Reviewer _____ Date _____

Appendix C:

Nevada Agriculture

Nevada Agriculture

Nevada agriculture is deceiving: most of it cannot be seen from the interstate highways. Farming and ranching provide a cornerstone to the economies of rural Nevada counties and improve the quality of life in the urban areas. Farming is concentrated in valleys with water available for irrigation, while vast rangelands and mountains provide grazing for livestock.

Range livestock production is predominate in Nevada with well over half of the farms producing cattle or sheep. The highest concentration of cattle is in the northern part of the state. Cow-calf operations are most common, and Elko County ranks second among all counties in the nation in number of beef cows. Northern Nevada is also home to the vast majority of the sheep.

Dairying is a growing industry in the state, as is the manufacture of dairy products. The dairies are concentrated relatively near the large market centers of Reno and Las Vegas. Horses are big business in Nevada, both for work and pleasure. Swine production is limited and most producers market locally. Alternative livestock enterprises, including emu and llama, are becoming more common.

Nevada's high desert climate is very well suited to the production of high quality alfalfa hay and alfalfa hay accounts for over half o the total value of crops produced in the state. Much of the alfalfa is marketed to dairies in California and a significant quantity is exported overseas.

A variety of other high value crops are gaining in importance to Nevada agriculture. Potatoes, onions, garlic, and alfalfa seed contribute greatly to the total value of production and grain production is rebounding following the end of the drought. Across Nevada lie valleys rich in agricultural resources: most unseen from the interstate highways.

Agricultural Commodities Grown in Nevada

<i>Hay Crops:</i>	<i>Silage Crops:</i>	<i>Small Grain Crops:</i>	<i>Seed Crops:</i>	<i>Other:</i>
Alfalfa	Alfalfa	Wheat	Alfalfa	Grapes
Grass	Corn	Barley	Blue Grass	Raspberries
Oats	Sorghum	Oats	Crested Wheat	Strawberries
Timothy	Sudan	Rye	Pinto Beans	
Peas		Corn		

Agricultural Commodities Grown in Nevada—continued

<i>Grass Type Crops:</i>	<i>Field Crops:</i>	<i>Vegetables:</i>	<i>Tree Crops:</i>	<i>Meat:</i>
Turf	Potatoes	Carrots	Apples	Beef
Pasture	Onions	Zucchini	Pears	Lamb
	Garlic	Summer Squash	Peaches	Pork
	Sweet Corn	Tomatoes	Cherries	Chicken
	Spearmint	Peppers	Pistachios	Ducks/Geese
	Peppermint	Cucumbers		Turkeys
	Oil Seed	Kidney Beans		Rabbits
	Pumpkins			Goats
	Cantaloupe			Dairy Breeds
	Cotton			
	Christmas Trees			
<i>Nursery:</i>	<i>Milk:</i>	<i>Eggs:</i>	<i>Wool/Hair/Pelt:</i>	
Flowers	Dairy Breeds	Chickens	Goats	
Houseplants	Goats	Geese	Sheep	
		Ducks	Rabbits	
			Leather	
			All Large Farm Animals	