

NEVADA DEPARTMENT OF EDUCATION
GUIDANCE DOCUMENT FOR
Migrant Education Program (MEP)



For the 2019-2020 School Year

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Overview of Migrant Education Program (MEP)

The MEP is a State-administered program authorized by Part C of Title I of the Elementary and Secondary Education Act (ESEA) of 1965. It is a federal formula grant funded to the State Education Agency (SEA). A migratory child is defined as the child who has a parent, spouse or guardian working as a migratory *agricultural* worker or a migratory fisher, is not older than 21 years old, entitled to a free public education or below the age of compulsory school attendance, moved within 36 months in *seek, obtain, accompany, or join* the migratory agricultural worker, migratory fisher, or other move(s) identified as a qualified move.

Purpose:

As members of the overall student population, migrant students are affected by a number of sections of the Title I, Part A regulations (e.g., such as supplemental services or parental involvement, etc.). The general purpose of the MEP is to ensure that migrant students fully benefit from the same free public education provided to other children.

The more specific purposes of the MEP are to:

- Support high-quality and comprehensive educational programs for migrant students in order to reduce the educational disruption and other problems that resulted from repeated moves;
- Ensure that migrant students 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 students are provided with appropriate educational services that address their special needs in a coordinated and efficient manner;
- Ensure that migrant students 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 students 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 students benefit from state and local systemic reforms.

Goals:

State Education Goals:

1. All students are proficient in reading by the end of 3rd grade.
2. All students enter high school with the skills necessary to succeed.
3. All students graduate college, career, and community ready.
4. All students served by effective educators.
5. Efficient and effective use of public funds in service to students.
6. All students learn in an environment that is physically, emotionally, and intellectually safe.

According to the State education goals above, the following specific measurable outcomes of the MEP will prepare Nevada migrant students to meet all of state education goals #1-3. State education goals #4-6 will be met through other program requirements such as Program Service Delivery Plan detailing purpose and services to migrant students and families to ensure migrant students served by effective students or Program Spending Plan Details section in ePAGE to ensure effective use of migrant funds in service to migrant students.

The Office of Migrant Education (OME) requires “the plan must include the measurable outcomes that the MEP will produce statewide through specific educational or educationally-related services. (See section 1306(a)(1)(D) of the statute.) Measurable outcomes allow the MEP to determine whether and to what degree the program has met the special educational needs of migrant children that were identified through the comprehensive needs assessment. The measurable outcomes should also help achieve the State’s performance targets.” The following measurable program outcomes were developed based on the results and analysis of the comprehensive needs assessment:

Measurable Outcome #1 English Language Acquisition: One hundred percent of all migrant students identified as limited English proficient will have an IAP (Individual Academic Plan) in place (e.g. the Success Plan on the Migrant Literacy NET). All IAPs will be implemented and evaluated at least annually.

Measurable Outcome #2 EL Writing Achievement: Sixty percent of EL students will demonstrate an a .50 rubric point increase from baseline in proficiency in specific writing skills as identified in Nevada State Content Standards based on teacher ratings and/or other assessments of student performance and/or available state assessment scores.

Measurable Outcome #3 Reading Comprehension: Sixty percent of priority for service students targeted for reading instruction will demonstrate a .50 rubric point increase from baseline in proficiency in specific reading comprehension skills based on teacher ratings and/or other assessments of student performance in relation to state content standards in reading in order to facilitate reading achievement and progress towards high school graduation.

Measurable Outcome #4 Writing: Sixty percent of priority for service students targeted for writing instruction will demonstrate a .50 rubric point increase from baseline in proficiency in specific writing skills based on teacher ratings and/or other assessments of student performance in relation to state content standards in writing.

Measurable Outcome #5 Language Arts Achievement: One hundred percent of all migrant students identified as priority for service will have an IAP (Individual Academic Plan) in place (e.g. the Success Plan on the Migrant Literacy NET) which targets reading and writing needs. All IAPs will be implemented and evaluated at least annually.

Measurable Outcome #6 Math Reasoning and Logic: Fifty percent of priority for service students targeted for math instruction will demonstrate a .50 rubric point increase from baseline in proficiency in problem solving based on teacher ratings and/or other assessments of student performance in relation to state content standards in math in order to facilitate math achievement and progress towards high school graduation.

Measurable Outcome #7 Communicate Mathematically: Fifty percent priority for service students targeted for math instruction will demonstrate a .50 rubric point increase from baseline proficiency in communicating mathematically based on teacher ratings and/or other assessments of student performance in relation to state content standards in math in order to facilitate math achievement and progress towards high school graduation.

Eligibility: Districts/Schools/Students

Any school district in Nevada that has migratory children is eligible to receive Nevada MEP funds. Districts are required to submit a Certificate of Eligibility (COE, see appendix A) as the official record of the State’s determination for each individual child. A child must have a State-approved COE before MEP services may be provided. The term “migratory child” is defined in Section 1309(2) of NCLB and Section 200.81(d) of the Code of Federal Regulations. Determining whether a child meets this definition depends on a recruiter’s assessment of information presented by a parent or other family member, guardian, or other individual responsible for the child. According to Sections 1115(b)(1)(A) and Sections 1304(c)(2) and 1309(2) of NCLB and Sections 200.81(e) and 200.103(a) of the Code of Federal Regulations, a child is eligible for the MEP if all of the following conditions are met:

1. The child is not older than 21 years of age; *and*
2. The child is entitled to a free public education (through grade 12) under state law or is below the age of compulsory school attendance; *and*
3. The child is a migratory agricultural worker or a migratory fisher, or the child has a parent, spouse, or guardian who is a migratory agricultural worker or a migratory fisher; *and*
4. The child moved within the preceding 36 months in order to seek or obtain qualifying work, or to accompany or join the migratory agricultural worker or migratory fisher identified in paragraph 3 above, in order to seek or obtain qualifying work; *and*
 - a. Has moved 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 to engage in or to accompany or join a parent, spouse, or guardian who engages in a fishing activity.

Factors for Determining Eligibility

1. *Age:* The child is younger than 22 years of age.
2. *School completion:* The child has not graduated from high school and has not earned a GED certificate.
3. *Moved across school district boundaries:* The child moved across school district lines.
4. *Date of move:* The child moved within the past 36 months.
5. *Purpose of move:* The purpose of the worker’s move was to seek or obtain qualifying work.
 - Agricultural/Fishing: The work meets the definition of agricultural or fishing work.
 - Temporary/Seasonal: The employment is temporary or seasonal.

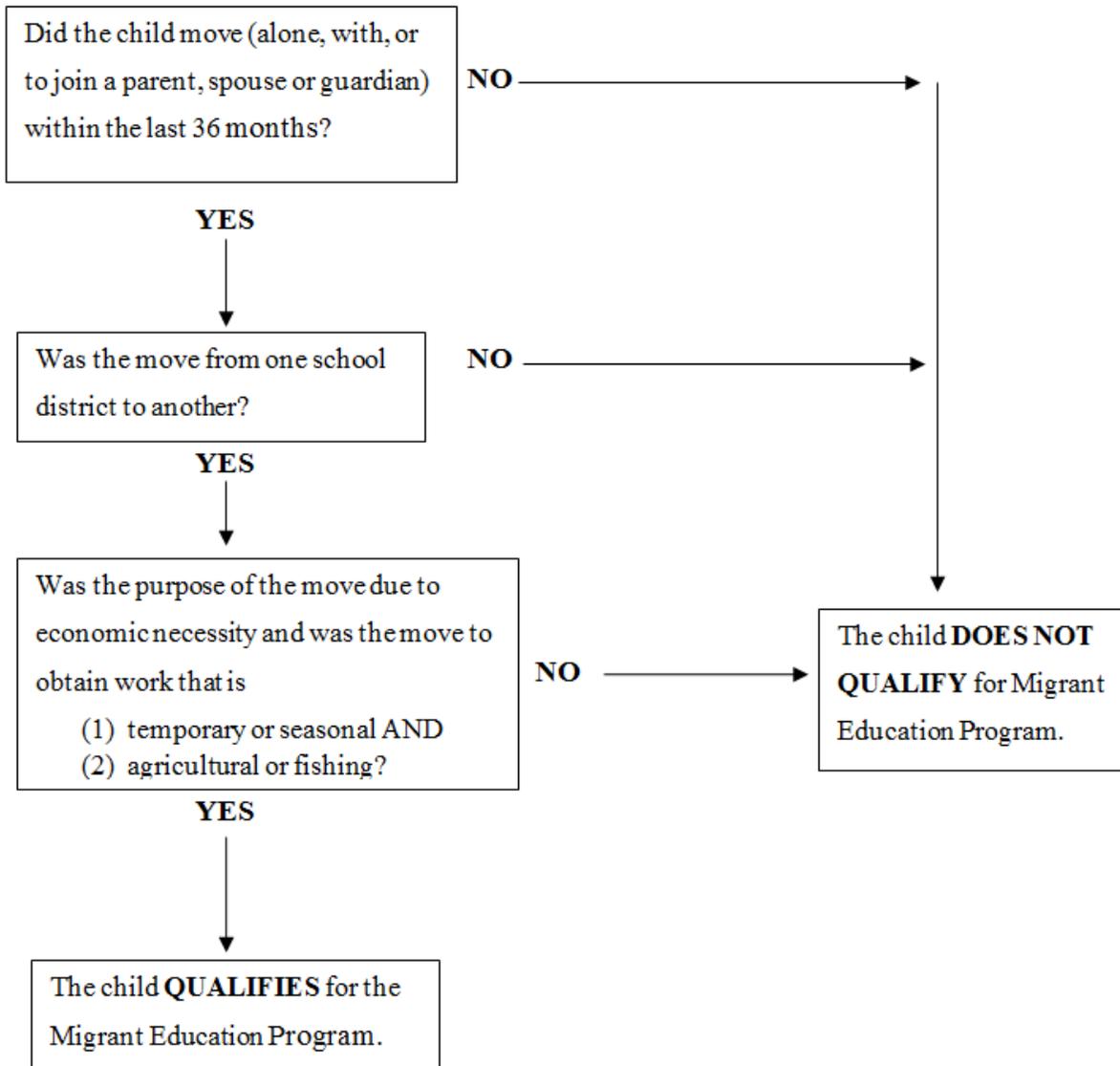
Seasonal (34 CFR 200.81(k)) – employment that occurs only during a certain period of the year due to the cycles of nature and that, by its nature, may not be continuous or carried on throughout the year.

- You find the family currently working in seasonal work
- In your conversations with the family, you find that they intended to work in seasonal work
 - If the worker has been employed in the past 36 months in one of these types of activities or tells you that they intend(ed) to work in one of these activities, then they qualify for MEP services.

Temporary (34 CFR 200.81(k)) – employment [i.e., activity] that 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 SEA has determined on some other reasonable basis that the employment is temporary.

- Again, students can be determined eligible by:
 - Worker’s statement
 - Employer’s statement
 - State Office decision
- In other words, if the employer says that these workers usually don’t stay working in these activities longer than 12 months, or that he/she doesn’t plan to have them be employed in this activity for longer than 12 months, then the students qualify for Migrant Education services.
- More commonly, if the employee responds in a similar manner as explained above, then their students qualify for Migrant Education services.

Eligibility for Migrant Education Program for Children Ages 3-21 (Flowchart)



Program Funding Awarded for SY 2019-20:

For the 2019-20 School Year, Nevada received the preliminary migrant funding amount of \$171,309 from the U.S Department of Education.

ESSA's Evidence-based Requirements:

The Elementary and Secondary Education Act (ESEA) has consistently directed educators to implement interventions grounded in research. Under No Child Left Behind (NCLB), districts and schools were called to use “scientifically-based research” as the foundation for education programs and interventions. However, under the Every Student Succeeds Act (ESSA), this has been replaced by “evidence-based interventions.” This shift was designed to help increase the impact of educational investments by ensuring that interventions being implemented have proven to be effective in leading to desired student achievement and outcomes. Evidence-based interventions are practices or programs that have evidence to show that they are effective at producing results and improving outcomes when implemented. Generally, they have been created through formal studies and research. Under ESSA, there are four tiers/ levels of evidence:

Tier 1 – Strong Evidence: supported by one or more well-designed and well-implemented randomized control experimental studies

Tier 2 – Moderate Evidence: supported by one or more well-designed and well-implemented quasi-experimental studies.

Tier 3 – Promising Evidence: supported by one or more well-designed and well-implemented correlational studies (with statistical controls for selection bias).

Tier 4 – Demonstrates a Rationale: practices that have a well-defined logic model or theory of action, are supported by research, and have some effort underway by an SEA, LEA, or outside research organization to determine their effectiveness.

Interventions applied under Title I, Section 1003 (School Improvement) are required to have strong, moderate, or promising evidence (Tiers 1–3) to support them. All other programs under Titles I–IV can rely on Tiers 1–4 ,which applies to Title I-C, Migrant Education Program.

Organization:

The Migrant Education Program operates in the Office of Student and School Supports in the Student Achievement Division of Nevada Department of Education. Kulwadee (Kul) Axtell is the state MEP Director and Claudia Means (cmeans@hcsdnv.com) is the state Migrant Data Coordinator. Mrs. Means is employed by Humboldt County School District and currently assisting the state MEP regarding the COE and migrant data related issues.

Complaint and Appeal Procedures:

The Nevada Department of Education will provide separate guidance on complaint and appeal procedures that are to be made available to the public.

Program Requirements:

The MEP's statutory requirements are: Sections 1301, 1302, 1303, 1304, 1305, 1306(a) of Title I, Part C; Section 9302 of Title IX; Section 421(b) of GEPA and its regulatory requirements are 34 CFR 76.700 – 76.783 and 80.3

Program Plan:

As mentioned previously, the MEP is a state-administered program. The OME requires all states to complete a comprehensive needs assessment in migrant education and use the results of that needs assessment to guide service delivery in the state. States are also required to use a continuous improvement model and evaluate the impact of the service delivery plan on student needs. According to the guidance from the OME, states and local programs must identify the unique needs of migrant children and determine the specific services that will help migrant children achieve the state's measurable outcomes and performance targets adopted for all children (e. g., in reading, math, high school graduation, reducing school dropout rates, school readiness etc.,) and other targets/goals resulted from the comprehensive needs assessment. The service delivery plan is the basis for the use of all MEP funds.

All participating LEAs apply for the migrant funds through the ePAGE grant management system. In the Spending Plan Details section in ePAGE, the district migrant programs are required to provide a brief description of the following in their proposed Migrant Education Program:

- Purpose and services to students/families—service delivery plan;
- How you determine child eligibility and qualifying work;
- The quality control system for the COE and eligibility accuracy;
- Steps taken to verify migrant students meet academic standards;
- Integration of MEP services with services provided by other programs; and
- How you handle priority of services or determine waiting list status.

Mandated Activities and/or Services – What?

The MEP funds are purposefully to be used to support the special educational needs of migrant children. However, as members of the overall student population, migrant children are typically eligible for a number of programs (e.g., Title I, Title III, etc.). Therefore, migrant children must receive the same educational services provided by the same funding sources as other students. The MEP funds must be used when there is no other funding source can support such unique needs or learning activities. In other words, the MEP funds can be used in a situation that without the support of the MEP funds, the identified special educational needs or learning activities would not be constructed (e.g., Migrant Summer School Program, software license through digital reading content, or educational technology supplies to accommodate digital reading etc.,). It is important to note that the MEP funds must be used as a last resource.

Other Allowable Activities and/or Services – What?

In general, MEP funds are to be used to **supplement and support** educational services to migrant children so that they will meet the State's challenging academic content standards. When determining if expenditures are appropriate, ask the following questions:

- How does this expenditure directly and specifically support academic achievement of migrant students?
- How does this expenditure directly support staff professional development to meet the specific academic achievement needs of migrant students?
- How does this expenditure increase the participation of migrant parents in school activities or assist parents to support student achievement?

- Are these expenditures not covered by the Local Education Agency's (LEA's) operating funds for the general student population?

Some examples of allowable activities for which an SEA or LEA may use MEP funds:

- Instructional services (e.g., activities for preschool-age children and instruction in elementary and secondary schools such as tutoring before and after school);
- Support services (e.g., acting as an advocate of migrant children, providing access to health and social service providers; providing migrant families with necessary supplies);
- Professional development (e.g., training programs for school personnel to enhance their ability to understand and appropriately respond to the needs of migrant children);
- PAC and other parental involvement activities;
- Identification and recruitment;
- Coordination activities with other agencies, both within the state and with other States nationwide, including the transfer of student records;
- Comprehensive needs assessment activities; and
- Evaluation of the MEP.

Fiscal

Allocations:

Table 1: Migrant Education Program allocations by district since the school year 2016-17

Title I-C, Migrant Education Program Allocations

District	FY16-17 # Migrants SY15-16	FY16-17 Funding	FY17-18 # Migrants SY16-17	FY17-18 Funding	FY18-19 # Migrants SY17-18	FY18-19 Funding	FY19-20 # Migrants SY18-19	FY19-20 Funding
Churchill	12	18,000	<10	5,000	<10	10,000	5	10,000
Clark							2	5,000
Elko	<10	-	<10	5,000	<10	10,000	3	5,000
Esmeralda	<10	8,000	<10	2,000	<10	5,000	6	10,000
Humboldt	39	50,000	22	45,000	14	35,000	13	35,000
Lander	<10	-	<10	-		0	0	-
Lyon	18	10,000	17	20,000	11	15,000	7	10,000
Nye	37	60,000	37	60,000	31	40,000	33	40,000
Pershing	<10	7,000	<10	8,000	11	15,000	11	15,000
Total	116	153,000	89	150,000	67	130,000	80	130,000

Title I-C, Migrant Summer School

District	FY16-17 # Migrants SY15-16	FY16-17 Funding	FY17-18 # Migrants SY16-17	FY17-18 Funding	FY18-19 # Migrants SY17-18	FY18-19 Funding	FY19-20 # Migrants SY18-19	FY19-20 Funding
Humboldt						10,000		10,000
Total	116	153,000	89	150,000	67	140,000	80	140,000

Note: # of Migratory children in the district as of June 6, 2019. Humboldt's allocation includes the state Migrant Data Coordinator's salary and the statewide Migrant Education Program Workshop.

The 2019-20 migrant education funding allocations are based on migratory children count and the carryover from the previous.

The MEP allocations are available to eligible districts in ePAGE on or before July 1st. The procedures of submitting/revising the application, requesting the funds, and submitting the final financial report are required to be completed through ePAGE (the same as other federal programs). The Final Financial Report is required to submit to NDE through ePAGE by a designate date in the fall.

Use of Funds – When? How long?

The funding period is from 15 months from July 1st of the current year through September 30th of the following year. Final reimbursements of any expenditure within the funding period are required to be submitted to the NDE fiscal office through ePAGE in accordance with the established timeline. Any funds that are not spent in the current school year can be carried over to the following school year up to 15% of the original allocation. The expectation is that LEAs will not have excess funds beyond 15% for carry-over at the end of the current fiscal year.

Application Process:

For the regular school year migrant funds, there is no competitive grant application process. The MEP funding is an adjusted formula grant funded directly to the LEAs. However, to access the funds, the LEAs are required to submit their application through ePAGE. In addition to completing supplemental schedule summary and spending plan sections of the application in ePAGE, the LEAs are required to complete and submit the Spending Plan Details including the following items:

- Program Needs Assessment;
- Core areas migrant students are served (Reading/language arts, Math, and Science);
- Grade grouping served (Preschool, Kindergarten, Elementary, Secondary);
- Type of program (summer, fall, and spring);
- Timeline for the fiscal year (start and end dates);
- A brief description of the intended migrant education program that includes:
 - Purpose and services to students/families--service delivery plan;
 - How you determine child eligibility and qualifying work;
 - The quality control system for Certificate of Eligibility (COE) and eligibility accuracy;
 - Steps taken to verify migrant students meet academic standards;
 - Integration of MEP services with services provided by other programs; and
 - How you handle priority of services or determine waiting list status.

Unique Fiscal Requirements:

The state will allow a maximum of 15% carry-over of the original allocation for a fiscal year. However, an LEA with unexpected funds in excess of 15% may submit a program plan and request to state migrant program coordinator for funds up to the amount of the excess. If approved, funds will be distributed as “additional funds” in “allocations” section in ePAGE. These funds must be expended by December 31 for the new fiscal year and must not displace expenditure from the new allocation.

Assessment, Data Collection, and Reporting:

Assessment:

Similar to other students in the state, to be in compliance with state and federal requirements regarding assessments, migratory children are required to take state assessments and any other assessments applicable to them. For example, the migratory children who are also English learners must take the annual English Language Proficiency Assessment (currently WIDA-ACCESS 2.0). There is no state assessment solely applied to migrant students.

Data Collection and Reporting:

According to Section 1308-Title I-C of the ESEA, 1965 and Section 1308(b) of the NCLB 2001, migrant data are collected as:

I. Data elements required by the annual Consolidated State Performance Report (CSPR). These data elements are:

Migrant Student Eligible and Served:

- Number of migrant students served 12 months by age/grade (<3 years, 3-5 years, K-12, Out of School Youth, and Ungraded), migrant students with priority for services (PFS), and migrant students with continued services (CS) by grade; and
- Number of migrant students served during summer or intersession by age/grade.

Migrant Services:

- Number of migrant students by age/grade; and
- Number of migrant students by each of the following services by grade:
 - Counseling services
 - High school accrual
 - Instructional services
 - Mathematics instruction
 - Reading instruction
 - Support services

Migrant School Data:

- Number of Migrant students by school; and
- MEP funds status—Are MEP funds consolidated into a schoolwide program?

MEP students Priority for Services (PFS):

- Number PFS by age/grade; and
- Number of migrant students by MEP session type:
 - Regular school year
 - Summer term/Intersession

Current migrant student data submitted through Migrant Assessment Performance System (MAPS) must be verified by districts by the first week of October in the current school year.

II. Data aligned with Migrant Student Information Exchange (MSIX) minimum data elements. The state migrant data is currently being transferred or uploaded to MSIX weekly.

On May 10, 2016, final regulations for the MEP were published in the Federal Register.

The Secretary issues regulations to implement the MSIX, a nationwide, electronic records exchange mechanism mandated under title I, part C, of the Elementary and Secondary Education Act of 1965,

as amended (ESEA). As a condition of receiving a grant of funds under the MEP, each State educational agency (SEA) must collect, maintain, and submit minimum educational and health information to MSIX within established time frames. The regulations are designed to facilitate timely school enrollment, grade and course placement, accrual of secondary course credits, and participation in the MEP for migratory children. Additionally, the regulations ultimately will help the Department to determine more accurate migratory child counts and meet other MEP reporting requirements.

The MSIX minimum data elements are:

Student Demographic:

- MSIX ID, state student ID, state student identifier type, first/middle/last name, sex, birth day, multiple birth flag, birth city/state/country, birth date verification, and male/female parent's first/last names.

Qualifying Move Information:

- Qualifying arrival date, qualifying move from city/state/country, qualifying move to city/state, and eligibility expiration date.

Enrollment:

- Immunization record flag, enrollment date/type, school or project name/telephone, MEP project type, school identification code, facility name/address/city/state/zip, grade level, LEP indicator, IEP indicator, continuation of services reason, med alert indicator, PFS flag, designated graduation school (NCES #), and withdrawal date, school district ID, district of residence, home school indicator, residency date, enrollment comment, out of state transcript indicator, residency verification date, graduation/HSE date, and algebra 1 or equivalent indicator.

Assessment:

- Title, content, type, administration date, reporting method, results, and assessment interpretation.

Course History:

- Title, subject area name, course type, academic year, course section, term type, clock hours, grade-to-date, credits granted, and final grade

Monitoring:

Section 80.40(a) of the regulations requires SEAs to "...monitor grant and subgrant supported activities to assure compliance with applicable Federal requirements and that performance goals are being achieved." Therefore, State typically reviews compliance with these requirements through its ePAGE grant management system. Through a cross-program monitoring with Title III, State also conducts a systematic review of all MEP activities on a periodic basis to determine whether local operating agencies have made progress toward meeting all approved project objectives. In addition, the OME encourages states to use an outside contractor to perform the re-interview process at least once every three years. In Nevada, the re-interview process has been conducted by an external interviewer(s) through the annual re-interview process. The main purpose is to verify whether or not the Nevada migrant recruiters have implemented and followed the federal migrant guidance.

Timeline:

- Regular MEP Application: Available on/before July 1st of the current school year
- Migrant **Summer School** Program: Notify the districts by April of the current school year.
- Migrant Directors Meetings: March and September
- CSPR data submission: November
- Statewide Migrant Education Program Workshop: September

Contacts:

If you are interested in commenting on this guidance or have any questions, please write to the following contact address or send your comments/questions using the e-mail listed below:

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Appendix A: National Certificate of Eligibility (COE) Template

National Certificate of Eligibility (COE) Template

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: <input type="checkbox"/> 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.

National COE Template