

# Identification & Recruitment Manual

## South Carolina Migrant Education Program

Revised October 2014



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## I. INTRODUCTION

Children of migrant workers are affected by repeated moves, disruption in schooling, poverty, health needs, social isolation, and language barriers. Due to these barriers, migrant children run a greater risk of failing to meet the challenging state content and performance standards which all students are expected to meet. Low academic achievement and frustration with school cause many migrant children and youth to drop out prior to completing high school. In order to reduce the impact of these educational barriers, in 1966 the United States Congress authorized federal funding to establish the Migrant Education Program (MEP) under the authority of Title I of the Elementary and Secondary Education Act (ESEA). The U.S. Department of Education (ED), through the direction of the Office of Migrant Education (OME), currently administers the Migrant Education Program (MEP) and is responsible for meeting the special needs of migratory children and youth.

The ESEA of 1965, Title I, Part C, as amended, states the purpose of the MEP is to:

- Support high-quality and comprehensive supplemental educational programs for migratory children to help reduce the educational disruptions and other problems that result from repeated moves;
- 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 state academic content and student academic achievement standards;
- Ensure that migratory children are provided with appropriate educational services (including supportive services) that address their special needs in a coordinated and efficient manner;

- Ensure that migratory 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 and collaborate with programs which 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 do well in school, and to prepare such children to make a successful transition to postsecondary education or employment; *and*
- Ensure that migratory children benefit from state and local systemic reforms.

To achieve this purpose, 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, both 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.

### **A. How did the Migrant Education Program Begin?**

In 1964, the Federal Office of Education funded an interstate task force to ascertain the educational needs of migrant children. The task force, originally composed of representatives from Arizona, California, Florida, Oregon and Washington, reported that “special programs” were essential in order to improve the prospects for success of these disadvantaged students. They added that any efforts should take into consideration the interstate nature of migrant children’s constant mobility (Prewitt-Diaz, Trotter, & Rivera,

1989). In 1965, Congress created the Elementary and Secondary Education Act (ESEA), and Title I of the Act authorized a national program for disadvantaged children. In 1966, Title I of the ESEA was amended to create the Migrant Education Program, in an effort to address the discontinuity of education caused by a migratory lifestyle. The No Child Left Behind Act of 2001 (NCLB) reauthorizes the ESEA of 1965.

### **B. Why Migrant Families?**

The legislation targets migrant families because a migratory lifestyle of moving within and across school and state district boundaries has a distinct impact on children's opportunities to be successful in school. Children of migrant families often have poor school attendance, poor nutrition, inadequate housing, language barriers and health problems, all of which cause school interruptions and put them at risk of failing or dropping out of school.

### **C. What is the purpose of this Manual?**

This manual was designed as a reference and training tool to assist SC MEP staff in the process of identifying and recruiting migrant families. It includes eligibility criteria and also practical components such as how to complete a COE, how to conduct successful eligibility interviews, and how to develop an ID&R Plan. Other legal issues, crucial to better recruit and serve migrant families, are also included.

The information included in the manual reflects the SC MEP policies in reference to identification and recruitment. Keeping an updated manual on ID&R is a challenge due to periodic changes mandated by the state or the federal government. The presentation of the manual in a binder divided by chapters facilitates the process of updating it as needed.

When new information is released, it should be added to the manual and any obsolete information would be removed.

## **II. PURPOSE OF ID&R**

### **A. 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 Certificate of Eligibility (COE). Upon successful identification of a migrant family or youth, and after local quality control measures have been completed, eligible children may be enrolled in the MEP.

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

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

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

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Non-Regulatory Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2010.

(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 South Carolina Department of Education from ED is in great part determined by the number of recruited eligible migrant children and youth, ages 3 through 21, within the State of South Carolina. States are responsible for maintaining documentation of proper eligibility determinations for each migrant child funded.

The Migrant Education Program funds allocations and requirements are unique from those of other Federal Programs due to the fact that the SEA is entirely responsible for ensuring that all Migrant Children are identified and served, rather than individual school districts, counties or administrative areas. Therefore, the SEA oversees the allocation of funds and may allocate its funds to Local Educational Agencies (LEAs), Non-Profit Organizations or other agencies in accordance with SC DOE regulations to best fulfill this responsibility.

### **B. How is a Migratory Child's Eligibility Documented?**

On April 23, 2009, ED, Office of Migrant Education issued a national COE form that all states are required to use. Florida must document eligibility determinations in order to comply with statute 76.731 of the Education Department General Administrative Regulations (EDGAR), which indicates that "State and a subgrantee shall keep records to show its compliance with program requirements." Additionally, the Code of Regulations states:

§200.89(c) Responsibilities of SEAs to document the eligibility of migratory children. (1) An SEA and its operating agencies must use the Certificate of Eligibility (COE) form established by the Secretary to document the State's determination of the eligibility of migratory children. (2) In addition to the form required under paragraph (a) of this section, the SEA and its operating agencies must maintain any additional documentation the SEA



requires to confirm that each child found eligible for this program meets all of the eligibility definitions in §200.81.(34 CFR Part 200.89)

To comply with federal regulations, the SC MEP recognizes the Certificate of Eligibility (COE) (Form ESE 047), as the only acceptable document for use in the state to establish eligibility for MEP services. States and subgrantees may amend the COE in order to best comply with state guidelines and regulations. For example, a COE from the state of New York contains a different format and data elements than that of South Carolina; however, the *required* minimal data elements are the same. A sample of the COE is in Appendix A. The Instructions for Completing the COE are found in section V of this manual or Appendix B.

### III. THE ID&R PROCESS

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

#### **Be Prepared**

- Understand the purpose of the MEP and its benefits to migrant children and youth.
- Know the definition of migratory children and youth.
- Develop an understanding of MEP eligibility factors.
- Understand the instructions for completing a COE.

- Determine recruitment logistics – when, where, and how to concentrate ID&R efforts.
- Get to know the area: why migrant families move here where families reside; and where families obtain qualifying work.
- Understand the cultures, languages, and lifestyles of migrant families.

**Find the Migrant Family, Child/Youth**

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

**Approach the Families and/or Youth**

- Be sensitive to all socio-economic living conditions.
- Be sensitive to possible legal worries.
- Demonstrate a helpful, non-threatening, non-authoritative demeanor in order to create trust with families.
- Wear proper attire! Dress casually and comfortably. Wear walking shoes, and clothes that would help you and the family feel at ease.

**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.

**What information does it take to start a COE?**

1. Age – birth up to 22 years old
2. No high school diploma or GED obtained
3. Moved within the past 36 months
4. Moved across school district lines
5. Work or have worked in agriculture or fishing

**Determine Preliminary Eligibility**

- Determine preliminary eligibility of the child/youth using:
  - o Interview responses – Does the information provided make sense? Is it credible?
  - o 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.?

o Corroborating evidence/documentation – Can the family name other places where they obtained qualifying employment? Can the family indicate where they have applied for qualifying work?

- The recruiter and the supporting ID&R staff--through the proper guidance from the LEA/LOA and the local Quality Control Plan--that determines eligibility, not the family, child, or youth.
- Refer families who do not qualify to other collaborating agencies for needed services.

### **Complete the COE**

- Properly – Correct information is entered in the appropriate fields.
- Accurately – Names, dates, and locations are correct as verified by the family or youth. Use MSIX to verify spellings, birth dates, previous enrollment info!
- Neatly – Text needs to be legible in order to keep mistakes to a minimum. Blue ink is mandatory!
- Timely – Verifying information shall be completed within one week.
- COEs are to be turned in to SCMEP State Data Specialist on a regular basis for prompt entry into the MIS2000 database. Each night, MIS2000 automatically uploads new entries into the national database, MSIX (Migrant Student Information Exchange). Access to MSIX is granted by the SCMEP State Coordinate, Dr. Jennifer Almeda, or the SCMEP State Date Specialist, Jayme Grant.

### **Follow Quality Control Measures**

- Validate information on all questionable COEs.

- Acquire more documentation to determine eligibility, if needed.
- Review of all COE's for errors and omissions by at least one additional qualified peer recruiter, recruitment coordinator, migrant program coordinator or supervisor, or trained reviewer to verify that the written documentation is sufficient and that, based on the recorded data, the child is eligible for MEP services.
- Obtain additional guidance on any questionable eligibility decision from the ID&R Office or the state migrant education program.
- Implement recertifications or reinterviews to identify if any new qualifying moves have been made.
- Conduct annual re-interviews of currently enrolled migrant families/youth, following the approved SC ID&R Re-Interview Protocol. Properly and promptly remove enrolled families/youth that have been found ineligible. Ensure that changes are made if necessary in order to modify or reestablish eligibility.
  - Statewide re-interviews are mandatory every three years; however, it is a good practice to conduct them annually.

#### **A. Who is Eligible for SCMEP?**

There are a number of basic eligibility criteria that must be met by children and youth in order to be determined MEP eligible. South Carolina must follow these criteria to properly determine a migrant child's eligibility for the MEP. The five key factors to properly determining a migrant child or youth's eligibility for the SC MEP are:

1. **Age** - The child is younger than 22 years of age. A child/youth is no longer eligible once he/she reaches the age of 22 years old.

(34 CFR Part 200.103(a))

2. **School Completion** - The child has not graduated from high school and has not earned a GED. A child is no longer eligible the moment he/she obtains a high school degree or a GED.

(34 CFR Part 200.103(a))

3. **Time of move** - The child moved within the past 36 months. The move by the children “with” or “to join” the migratory worker must have occurred within the past 36 months.

(34 CFR Part 200.81(e)(2))

4. **Move** - The child moved across school district lines and the worker moved due to economic necessity. In South Carolina, the child/youth must have moved across school district lines in order to obtain (or seek) work for him/herself, or to accompany his/her parents, guardian or spouse, or to join such parent, guardian or spouse. It is still possible to qualify for SC MEP if a child/youth/family moves to seek qualifying work, but does not obtain this work. Such situations will be explained in the “Certificate of Eligibility” section of this manual.

(34 CFR Part 200.81(e)(2)(i, ii, iii)(g))

5. **Purpose** - One of the purposes of the worker/youth’s move was to seek or obtain qualifying work. The worker and his/her family/youth moved “in order to” find qualifying work.

(34 CFR Part 200.81(c)(d)(f))

a) **Agricultural/Fishing** - The work meets the definition of agriculture or fishing work.

(34 CFR Part 200.81(d)(f))

b) **Temporary/Seasonal** - The work meets the definition of temporary or seasonal.

(34 CFR Part 200.81(j)(k))

Having a clear understanding of these factors will assist recruiters or any other staff involved in recruitment-related activities to make a proper eligibility determination. As a rule in Florida, a child and worker must complete “to join” moves within a 12 month timeframe when considering all the eligibility determination factors.

In some cases, however, there are special circumstances that require additional interpretation of the statute and Regulations in order to determine the population of eligible migrant students. These circumstances are discussed below.

## **B. PK Students, OSY, Workers & Guardians**

- **Preschool Children**

*Preschool children* are identified migrant children from birth to five years old. These migrant children are eligible for preschool programs, and shall be actively recruited by the local school districts. The services available for this population vary among districts, but local programs shall take the necessary steps to identify this hard to reach population as research shows children who receive early educational services are more prepared for school. All migrant eligible children, from birth to 21 years old, shall be documented appropriately in Section II (Child Data), Item 1 of the COE.

When recruiting pre-school children, recruiters shall make certain that the preschool child did make the qualifying move with or to-join the qualifying worker. Children born after the qualifying move, however, are not eligible for the MEP program and shall be documented in Section II, Item 16 (Child/Family Data Comments) of the COE. These children may be eligible on future qualifying moves, 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 (OSY)**

According to guidance and regulations from OME:

For the purposes of the MEP, the Department considers the term “out-of-school youth” to mean youth up through age 21 who are entitled to a free public education in the State and who meet the definition of “migratory child,” but who are not currently enrolled in a K-12 school. This could include students who have dropped out of school, youth who are working on a general education development credential (GED) outside of a K-12 school, and youth who are “here-to-work” only. It would not include children in preschool. Out-of-school youth who meet the definition of a “migratory child” as well as all other MEP eligibility criteria are eligible for the MEP.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Non-Regulatory Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2010.

(Chapter II, A5). 15

OSY refer to identified school-aged migrant youth, who currently are not enrolled in elementary or secondary schools, and have not graduated from high school nor obtained a GED. Sometimes OSY are also referred to as emancipated youth. According to the Guidance, the Department considers:

Emancipated youth to be children under the age of majority (in accordance with State law) who are no longer under the control of a parent or guardian and are solely responsible for their own welfare. In order to be eligible for the MEP these youth may not be older than 21 years of age. Emancipated youths are eligible for the MEP so long as they meet the definition of a “migratory child” and all other MEP eligibility criteria. Out-of-school youth may or may not be “emancipated youth.”



U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, Non-Regulatory Guidance for the Title I, Part C Education of Migratory Children, Washington, D.C., 2010. (Chapter II, A6-7).

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

- OSY have unique needs resulting from their migrant lifestyle. They face all the obstacles to education encountered by other migrant students, and more.
- With the current focus by *No Child Left Behind* on high-stakes accountability, these youth may often be the first to be pushed out and the first to be forgotten.
- OSY need advocates, people who can both motivate them and help them access needed services.
- Young people not in school have little or no access to federal or state resources.
- Without increased educational attainment or improved English language skills, OSY will remain poor and isolated from the larger society and economy.
- Demographic patterns in the MEP are shifting away from the migration of families toward the migration of single males and females.
- OSY is the fastest growing MEP population:
- Youth not currently enrolled who do not have their diploma or GED

Strategies, Opportunities and Services for Out-of-School Youths, “Why Target OSY”

<http://www.osymigrant.org/about.html>

- **OSY Profile**

The Strategies, Opportunities and Services for Out-of-School Youth is a Consortium Incentive Grant (CIG) funded by the Office of Migrant Education from 2012-2014. The CIG,

which is funded in 2-year cycles, has been in existence since 2008. The purpose of the consortium is to build capacity in states with a growing OSY population. South Carolina is part of this consortium, and contributed by gathering information on OSYs identified in South Carolina. This information gathering is done by completing an OSY Profile questionnaire that was created by the collaborating consortium states. Although the SC Recruiter's first priority shall be to complete a COE on each eligible OSY, recruiters are required to complete an OSY Profile for each OSY after the COE is completed. The OSY Profile form can be found on the back of the state COE (example in *Appendix A*).

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 SC MEP stating they are younger than they actually are. Other times, they lie about their age as they attempt to obtain employment in agriculture or fishing and not attend school stating they are older than they actually are. It is important for the recruiter to verify the youth's age not just once during the interview but two or three times throughout the interview to confirm that the interviewee is providing his/her true age. Documentation to help support his/her claim is be the best source for verification. Such documentation may be a pay stub with a birth date, report card, immunization card, employee ID card with birth date, or work application. Other types of acceptable forms of verification are found on page 2 (Instructions) of the COE.

### **SCMEP ID&R Policies Regarding Out-of-School Youth**

- Each OSY must be identified and recruited for the SC MEP.
- Recruiters must appropriately document OSYs on the COE. When the OSY is the qualifying worker, his/her name shall be included in:
  - o Parent/Guardian (Section I, Item 1),
  - o Eligible Child (Section II, Item 1), and

o Qualifying Worker (Section III, Item 2b).

- Obtain the names of the youth's biological parents whenever possible. Such information may serve as an identifier for qualifying moves. Whenever the biological parent(s) name can be obtained, recruiters shall document this information as the Legal Parent/Guardian (Section I, Item 2) of the COE.
- 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?

### **3. Spouses and Guardians as Qualifying Workers**

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

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

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. [Additionally,] 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, *Non-Regulatory Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2010.

(Chapter II, B2-4).

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

### **C. Migrant v.s. Refugee**

According to the Department of Homeland Security, a refugee is any person who is outside his or her country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution. Persecution or the fear thereof must be based on the individual's race, religion, nationality, membership in a particular social group, or political opinion. People with no nationality must generally be outside their country of last habitual residence to qualify as a refugee. Refugees are subject to ceilings by geographic area set annually by the President in consultation with Congress and are eligible to adjust to lawful permanent resident status after one year of continuous presence in the U.S.

For the purposes of the MEP, a refugee is only eligible for the program if one of the individual's purposes of the move, in addition to seeking asylum, was to obtain qualifying work that is temporary or seasonal, in agriculture or fishing.

*Q.* May a worker's move to the United States from another country qualify for the MEP?

*A.* Yes. A worker's move from another country to the U.S. may qualify if one of the purposes for the move was to seek or obtain qualifying work. Assuming all other eligibility criteria are met, the children of these workers would qualify because one of the purposes of the move to the U.S. was to obtain qualifying work. The workers are not disqualified if they have other reasons for moving to the U.S., even permanent relocation, so long as one of the purposes of the move is to obtain qualifying work and the other conditions are met.

U.S. Department of Education, Office of Elementary and Secondary Education, Office of Migrant Education, *Non-Regulatory Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2010.

(Chapter II, D31).

#### **D. Migrant v.s. Immigrant**

According to U.S. law, an immigrant is a foreign-born individual who has been admitted to reside permanently in the U.S. as a Lawful Permanent Resident (LPR). These moves to the U.S. may have been for economic, social, or religious reasons. Upon arriving they may work in many different occupations that may or may not be agricultural or fishing. According to MEP eligibility factors, one of the purposes of the worker's move must be to obtain or seek qualifying work to be eligible for the SC MEP. For example, if an immigrant's purpose for moving to the U.S. was solely to escape political oppression, he or she is not eligible for the MEP. However, if an immigrant's purpose for moving to the U.S. was to seek or obtain qualifying work, that was either seasonal or temporary, he or she may be eligible for the MEP, as long as all other eligibility criteria are met.

Determining eligibility for immigrant and refugee populations takes extra diligence on the part of the MEP Recruiter. In the U.S. refugees, work in different occupations that *may or may not* be agricultural or fishing. According to the eligibility factors, one of the *purposes* of the worker's move must be to seek or obtain qualifying work in agriculture or fishing in order to be eligible for the SC MEP. However, if a family makes a non-qualifying move to the U.S. from another country, the family may be considered eligible based on a subsequent qualifying move to a U.S. school district.

## **IV. THE RECRUITER**

### **A. Recruitment Duties and 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, *Non-Regulatory Guidance for the Title I, Part C Education of Migratory Children*, Washington, D.C., 2010.  
(Chapter III, A8).

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

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

- Actively locate all potentially eligible migrant children and youth in schools, on farms, and the community.
- Conduct initial eligibility interviews with families/youth in person, in their primary language.
- Have a flexible work schedule to accommodate migrant worker hours and harvesting seasons.
- Gather and analyze information given by prospective migrant families/youth.
- Establish proper eligibility determinations based on the guidelines outlined in this manual, guidance and other statutes governing the MEP.
- Record detailed eligibility information adequately and accurately on the COE.
- Follow proper procedures and protocol regarding the review of COEs.
- Maintain detailed work logs regarding all ID&R activities.
- Practice quality control measures required by SC MEP.
- Attend state or local annual and on-going recruitment trainings.

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

- Serve as a home-school or community liaison.

- Translation/Transportation services.
- Provide student support services.
- Help refer migrant parents to community agencies for needed services.
- Serving Out-of-School Youth using SOSOSY consortium materials and other resources in order to ensure adequate services

## **B. Characteristics of a Successful Recruiter**

Experienced ID&R Coordinators say that, as a general rule, it takes about three years for a recruiter to fully learn the job. This is due to the fact that a state/county's resources, agricultural backgrounds, growers, migration routes, crew-leaders and crews all require time and dedication to be properly identified, establish a working rapport with the people who are knowledgeable about these areas or other agencies who serve the same population, and develop an intricate network of resources available to maximize recruiting efforts. The specific skills required to be a great recruiter are developed over time using specific strategies and techniques. If the recruiter does not initially possess these skills, the supervisor can help the recruiter cultivate them.

When ID&R coordinators and MEP administrators are asked about "a great recruiter" or "their best recruiter," certain characteristics emerge. A great recruiter is able to:

- Make correct eligibility decisions.
- Document child eligibility accurately and clearly.
- Manage time wisely.
- Work independently.



- Remain flexible and adapt to a constantly changing environment.
- Relate well to others and gain their trust.
- Create positive relationships with agricultural employers.
- Use effective interviewing (i.e., questioning) skills.
- Maintain appropriate relationship boundaries.
- Follow confidentiality laws.
- Demonstrate personal integrity.
- Speak local migrant families' native language and exhibit cultural sensitivity.
- Always able to "Expand the Box" - Be more bureaucratic than the bureaucrats!

Few recruiters come to the job with all of the skills that make a great recruiter. Effort, enthusiasm, and a willingness to learn are necessary. Although it may take a number of years to be considered great, it is within the grasp of every recruiter to achieve excellence.

Characteristics of Successful Recruiters (*Adapted from North Carolina's ID&R Manual*):

**Responsible**

**Efficient**

**Caring**

**Reliable**

**Uninhibited**

**Intelligent**

**Talented**

**Eager**

## **Resourceful**

**A successful recruiter should also develop or strengthen these characteristics in themselves by being:**

- Prepared Friendly Organized Patient
- Empathetic Confident Diplomatic Professional
- Polite Respectful Trustworthy Realistic
- Assertive Flexible Independent Self-starter
- Able to deal with people at all levels
- Sensitive to cultural differences
- An advocate of education
- Able to control emotional involvement
- An appropriate dresser
- Willing to talk to strangers

**An effective communicator who:**

- Is honest
- Has good listening skills
- Asks questions appropriately
- Gives and receives feedback
- Is open and direct
- Is an effective writer and speaker
- Is able to conduct surveys

**Informed/knowledgeable about:**

- Migrant programs and their regulations
- Migrants and mobility
- Local agriculture and fishing activities
- Legal services
- Employment opportunities in the community
- Language and customs of migrant populations

- Community agencies and services available
- LEA's geographical area

### C. Administrative Responsibilities for State Recruiters

SC MEP recruiters, particularly State Recruiters, must adhere to certain administrative policies and procedures established by the SEA for our Special Populations department under the Office of Federal and State Accountability. This applies particularly for travel, work completed logs and other office-related tasks. For example:

- State Recruiter travel authorization requests must be submitted *at least* two weeks in advance
- Travel authorizations must contain an estimate of the number of miles a recruiter plans to travel. Mileage beyond the original estimate may not be reimbursed.
- State Recruiters are required to submit bi-weekly "work completed" on the 2<sup>nd</sup> and 16<sup>th</sup> of each month. Work completed documents describe daily activities, locations, times and a log of hours worked each week
  - State Recruiters may not work over 40 hours per week. A work week for State Recruiters is set on a Sunday to Saturday schedule
  - Work Completed files are to be submitted to State Coordinator Dr. Jennifer Almeda ([jmalmeda@ed.sc.gov](mailto:jmalmeda@ed.sc.gov)) and Gail Knight ([gknight@ed.sc.gov](mailto:gknight@ed.sc.gov)). Logs can be hand written; however, the same turn-in deadlines apply
- State Recruiters may not be reimbursed for travel to the South Carolina Department of Education
- Travel reimbursement forms need to be turned in monthly
- For further travel regulations, consult the SC Department of Education's "State Travel Regulations Desk Reference".
- Calendars must be up to date, with activities scheduled as soon as known, and travel plans posted at least three weeks in advance of current date

- All SCMEP team members must have full access to calendars including : the special populations administrative assistant; SCMEP state coordinator; the special populations team leader; and the director of Federal and State Accountability
- At the beginning of every school year, the state data specialist will compile the list of the migrant students eligible for the categorical free lunch. This list is sent by the state coordinator to the Title I, Mc-Kinney Vento, Food Service, and Title III ESOL coordinators at each LEA.
- It is the responsibility of each recruiter to follow up with each LEA in their region regarding the categorical eligibility list. Specifically, the recruiter must contact the four above officials of each LEA to follow up with the student list. The recruiter must maintain on the O: drive, a list with details regarding the presence or absence of each student. If the student is present the recruiter must follow up with the LEA to ensure that the student is marked as migrant in PowerSchool, and is receiving free lunch.
- COEs are to be sent to the state data specialist within one week of their obtainment
- All recruiters must respond promptly to email (at the latest within three days).
- If a recruiter is going to be out for over three days, then an automatic response email must be posted with contact information for an alternative person.
- For program sustainability, mapping of camps, clinics, schools, and residences must be posted on the secure medium used by the program, along with notes and observations of the recruitment.
- Organization is imperative for effective and efficient work; this includes maintaining paperwork, travel, calendar, notes, contacts, etc. in an easily accessible systematized manner.
- Recruiters and the state data specialist report to the MEP state coordinator. The MEP coordinator reports to the special population team leader who in turn reports

to the director of Federal and state accountability, who then reports to the deputy director, who reports to the state superintendent.

- Requests and issues must first be reported to the immediate supervisor.
- Recruiters may be required to assist with other needs of the MEP, this could include but not be limited to: creation of an Identification and Recruitment Manual; organization of all MEP materials into a central area; assistance with program evaluation; program training and professional development; etc.
- There will be meetings as a team at least monthly at the Department of Education for program coordination.
- Recruiters are expected to answer calls, voicemails, and texts within 3 days.
- Service tracking forms are to be sent to the state data specialist within two weeks of their completion.
- Tracking forms must be completed for all services for all eligible students.

#### **D. SC MEP Recruiter Code of Ethics**

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

##### **Standards of Professional Conduct**

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

1. Seek to enhance the recruitment profession by upholding high standards in all aspects of their professional responsibilities to the SC MEP
2. Commit to represent themselves and the SC MEP 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.
3. 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.
4. Accept that, as an employee of the SC MEP, 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 SC MEP and avoid even the appearance of a conflict of interest.
5. Ensure that they continuously update their professional knowledge in relation to identification and recruitment by committing to monthly professional development sessions.
6. Respect confidentiality at all times in relation to families, children, and/or youth (Family Education Rights and Privacy Act - FERPA).
7. 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 South Carolina.
8. Use the Certificate of Eligibility (COE) at all times to document the eligibility of a child and/or youth in the SC MEP.

9. Refrain from inappropriately using any SC MEP document (i.e., documenting false information on COE or sharing family/youth's information beyond FERPA guidelines).
10. 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.

## V. CERTIFICATE OF ELIGIBILITY

### A. Overview

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) and South Carolina's Department of Education (SCDOE). The COE serves as the official record of the state's eligibility determination for each individual child.

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).

## **B. 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. Multiple COEs for a single family must be properly labeled with The family last name and page number written/typed at the top of the COE. For example: If the children's last names are "Rojas – Guerrero", the recruiter would label each COE as "Rojas – Guerrero 1", "Rojas – Guerrero 2" and so forth as necessary. If the children have different last names on the same COE, please label multiple COE pages with last name of Guardian and the page number in the same fashion.

### **C. 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 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.”

#### **D. 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.

- *Last name.* Record the legal last name of each eligible child in the family. If the child legally has a hyphenated last name (e.g., Ramírez-García), record both names with the hyphen in between. If the child legally has multiple last names but they are not hyphenated, record both names with a space between them (e.g., Ramírez García).
- *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."

- *Suffix*. Where applicable, record the child's generation in the family (e.g., Jr., Sr., III, 3rd). Otherwise, write a dash (-) or "N/A."
- *Mother's Maiden Name*. Record the mother's maiden name.
- *Race*. Record the child's race for all students. Record the child's ethnicity for Hispanic students. Choose from the following: "AM" American Indian or Alaska Native, "AS" Asian, "BL" Black or African American, "HI" Hispanic, "WH" White, "PI" Native Hawaiian or other Pacific Islander.
- *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.
- *Age*. Record the child's age.
- *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."

- *Multiple Birth Flag.* Record "Y" for "yes" if the child is a twin, triplet, etc. Record "N" for "no" if the child does not have a twin, triplet, etc.
- *Birth Place.* Enter the name of the city, municipality, village, or town where the child was born. Try to obtain the correct spelling of the name. Enter the name of the state where the child was born. If it is known, it is acceptable to enter the two-character

abbreviation for the state. Enter the name of the country there the child was born. If it is known, it is acceptable to enter the three-character abbreviation for the country.

- *Current School Name.* Enter the specific County MEP Facility found in the database.
- *Enrollment Date.* Enter the month, day, and year when he or she was enrolled in the specific County MEP Facility found in the database (interview date).
- *Grade.* Enter the child's current grade-level. If the student is recruited during the summer, enter the grade-level he or she would be going to. If the child/worker does not and will not attend school, enter "OS" (Out-of-School Youth).
- *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 (prior history), the residency date will be later than the QAD. If the child(ren) moved prior to the worker's move (precede the worker), the residency date would be before the QAD. If the "Residency Date" is the same as the QAD, write a dash (-) or "N/A."

### **E. Qualifying Move & Work**

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.

**1. 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.

The 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.

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.

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

**\*As a recruiter in South Carolina, these option will not apply to our current SEA structure.** School districts are broken up within individual counties. For example: *Bamberg 1 & Bamberg 2; Barnwell 19 & Barnwell 45.*

**2. 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 within 12 months 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. If youth moved “on own as a worker”, simply underline the word “child”.

*i. (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.

3. *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.

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

**4. 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 within 30 days 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" and/or box "ii"]*

- 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),*

- 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.

- You can also mark this box if the worker's prior history involved a move where he/she obtained qualifying work within 36 months of his/her current Residency Date.

*ii. \_ 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 within 30 days 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.

**5. The qualifying work\*, \_\_\_\_\_ (describe agricultural or fishing work), (Continued below)**

- *Describe the agricultural or fishing work obtained or sought that is closest to the Qualifying Arrival Date (QAD).* 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.):**

*a. \_ 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.]

*b. (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.

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

*a. \_ 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.

*c. \_ 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.

d. \_ 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.

## F. Comments

**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 (unless the worker had previously obtained qualifying work within 36 months of the Residency Date), AND
  - o the worker has a prior history of moves to obtain qualifying work;

- o 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;
- o 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 baling 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.

### **G. Parent/Guardian/Spouse/Worker Signature**

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. If the interviewee is the youth, then the relationship should read “self”.

*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.

## **H. Eligibility Data Certification**

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.

The signature of the interviewer must be accompanied with his or her name legibly printed to the side. Understand what your signature on this document means and the ethics behind

it. For example, if an OSY tells you that he or she is twenty-three years old and you sign off that he or she is twenty-one, our entire program could suffer in the future due to ineligible COEs. As a recruiter, you will encounter situations in which a families and youth may demonstrate great need and desire to participate in SCMEP. However, we must hold ourselves accountable to State and Federal guidelines so we are not monetarily penalized in the future. As a reminder: even though a family may not qualify for SCMEP services, there is no law or guidance stating that you cannot refer them to another program that is able to assist and meet the family or youth's needs. A good recruiter always has something for every farmworker, be it enrollment and services in the SCMEP or referrals to other agencies and resources.

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.

## **I. FERPA**

On the SCMEP COE, below the interviewee's signature, there is a "yes" or "no" checkbox following the text "Use of educational information has been explained to me". The explanation of FERPA, the interviewee's rights and privacy and the interviewee's family right to privacy are mandatory components to the completion of the COE. Such a disclosure explained by the recruiter to the interviewee is crucial to building trust and a working rapport with migrant families and youth.

FERPA (1974) is a federal law that establishes the rights of parents to examine and question the content of their child's education records and restricts the transfer of personally identifiable information from those records without written parental consent. The act applies to any LEA/ LOA that receives federal funds. FERPA gives certain rights to

parents regarding their child's educational records. Programs must inform parents of their rights under FERPA and may share education records only in specific circumstances.

Legal Text:

FERPA 74 SEC. 438 (b) (1) (A) - (D):

"(b) (1) No funds shall be made available under any applicable program to any State or local educational agency, any institution of higher education, any community college, any school, agency offering a preschool program, or any other educational institution which has a policy of permitting the release of personal identifiable records or files (or personal information contained therein) of students without the written consent of their parents to any individual, agency, or organization, other than the following:

"(A) Other school officials, including teachers within the educational institution or local educational agency who have legitimate educational interests;

"(B) Officials of other schools or school systems in which the student intends to enroll, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;

"(C) Authorized representatives of (i) the Comptroller General of the United States, (ii) the Secretary, (iii) an administrative head of an education agency (as defined in section 409 of this Act), or (iv) State educational authorities, under the conditions set forth in paragraph (3) of this subsection; and

"(D) In connection with a student's application for, or receipt of, financial aid".

## **VI. RECRUITMENT TOOLS AND STRATEGIES**

### **A. Rapport with Community Agencies, Growers & Agricultural Businesses**

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

The recruiter shall:

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

#### **Partnerships with Agricultural Businesses and Organizations**

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

In order to partner with agricultural businesses and organizations, recruiters and LEAs/LOAs shall:

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



- Identify and contact all growers, farmers, and processors that work with migrant families.
- Maintain a list of such growers and processors and revisit them often.
- Develop professional rapport with agricultural businesses informing them of MEP benefits for their workers and their businesses as well.
- Conduct surveys with local growers, farmers, and processors to determine the existing migrant population residing in the district.
- Conduct annual meetings with agricultural businesses & organizations.
  - A successful practice has been to start a “taskforce” that meets every so often to discuss current affairs and services available from agencies that service the migrant farmworker population. Networking is key!

#### Other Tips:

- Start with and focus on one grower at a time.
- Meet growers face to face. Present the SCMEP “Letter to the Grower” to help break the ice and explain the program. This letter is an official document from the SEA demonstrates the origins and legitimacy of the program,
- Recruit before, after work, and/or during lunch breaks. The recruiter shall not pull workers away from work. Appropriate on-site interviewing provides an opportunity for the owner to see recruiters in action.
- Thank the grower, in writing, for providing permission to speak with workers.
- Ask the grower to recommend other growers.
- Ask if the recruiter can use his/her name when contacting other growers.

In order to expand and strengthen state efforts to identify and recruit migratory children and families, the SEA and participating operating agencies must coordinate with other appropriate state and local governmental and private agencies. This assists MEP staff in

determining eligibility of existing agriculture/food processing migrant activities within the school district(s).

### **B. Rapport with Schools Districts, Title III, McKinney Vinto Homeless Liasons**

According to the guidance (*ESEA § 1304(b)(3); Guidance, Chapter VI*), the recruiter is an advocate for the migrant student at the LEA/LOA level. This entails introducing oneself to the appropriate LEA/LOA officials (such as Title I, Mc-Kinney Vento, Title III/ESOL, Food service, coordinators, bilingual coordinators, family services, social workers, etc.). Maintaining rapport with these LEA/LOA officials not only ensures that identified migrant students are receiving adequate supplemental services, but also that ID&R increases with more “eyes on the ground”. For example, SC MEP recruiters, particularly State Recruiters, are responsible for identifying migrant students and OSY throughout “regions” which consist of several counties. Therefore, the recruiter may not always be present at the moment a migrant child arrives to a school district or county. By creating awareness of the MEP and a brief overview of what to be on the “look-out” for in our school districts, the recruiter establishes a referral system through which LEA/LOAs communicate the arrivals of potential migrant students.

Title I & Title III officials often work with migrant students since they are faced with similar social issues and living conditions; therefore, these officials often have insight into their communities that can assist the recruiter with ID&R. Although not all migrant students and OSY are classified as LEP or McKinney-Vinto Homeless, a great majority are. Simple leads from Title III coordinators and staff, as well as McKinney-Vinto liasons help to increase ID&R in our state. Think of such a process as a “Funnel”. For example, LEA/LOA staff who are in smaller communities on a daily basis notice a large number of trucks and vans with Florida license plates at several local motels. The LEA/LOA staff tell you that they only saw

older males; however, they did not get a good look to see if families were present. We can call this information “general”- it is a broad description that needs further investigation. Let us imagine that the recruiter visits the motel, interviews the workers and families and successfully recruits two OSY and one family. Thus, the entire process functioned a lot like a “funnel” in the sense that very broad “lead” (entering the funnel) was given to a recruiter. Following the interview process (the narrowing of the funnel), the recruiter effectively identified which people qualified for MEP by weeding out those who did not (the exit of the funnel). This analogy also applies to school administrators who refer a large group of students to a recruiter for interview to see if they qualify for the MEP.

## **VII. SOUTH CAROLINA ID&R PLAN**

### **A. South Carolina ID&R Evaluation Report**

## **VIII. TECHNICAL ASSISTANCE AND ON-SITE TRAINING**

Each year, the SC MEP State Coordinator and an accompanying member of the SC MEP or Department of Education’s Office of Federal and State Accountability will conduct a physical site operation. During the site visit, the SEA will to evaluate current procedures and provide feedback regarding “red flags” that could lead to potential findings in a future Site Monitor visit. In order for LOAs/LEAs to properly adhere to SC MEP procedures, the SEA must:

- Provide technical assistance and on-site training for LOA personnel, if requested, in techniques and strategies for the ID&R of migratory children.

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

### **A. LEA Site Monitoring**

It is important to note that during the SCMEP 2014 “End of the Season” meeting, LEAs agreed that SEA would conduct a yearly “observation”, which would not consist of findings, penalties and require no notices of corrective action. However, every other year, the LEA site visit shall consist of the issuance of findings which the LEA will need to be follow up by adhering to the proper corrective actions and technical assistance. Thus, every other year, LEAs are to undergo official Site Monitoring which may result in findings and therefore monetary penalties if deemed necessary. The Site Monitoring should be utilized by LEAs/LOAs as a tool to better compliance procedures with the SEA and ultimately, OME. Although it may seem like a daunting procedure, the Site Monitoring helps SC MEP to avoid federal findings during OME audits which could result in significant monetary penalties.

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

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

### **1. Evaluation Letters**

After a Site Monitor visit is conducted by the SEA, a letter of evaluation will be sent to each LEA/LOA which summarizes the necessary steps in order to complete the required corrective action. The evaluation letter also contains the proper technical assistance provided by the SEA which shall be used as a guide for such corrective action. Letters of evaluation shall contain deadlines for completing corrective action procedures.

## **2. LEA ID&R Plans**

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

The plan shall include:

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

During an LEA/LOA site monitor visit, the SEA will request a copy of the most recent ID&R plan in order to provide feedback and/or technical assistance.

### **B. Quality Control Procedures**

#### **1. Annual South Carolina Re-interviews**

Section 200.89(d) of the federal regulations states an SEA must have a process to validate that eligibility determinations were properly made.

Re-interviewing is the process of checking the eligibility determinations recorded on SC MEP's Certificates of Eligibility (COEs). It involves independently interviewing families and checking each criterion that makes children eligible for the MEP. States can use prospective re-interviewing for quality control before submission of annual child counts. Like quality control processes in a factory, prospective re-interviewing is a process that allows problems to be identified early and to know when steps are needed to correct them. Together these types of re-interviewing can form a key part of a state's monitoring framework.

SC MEP can use its existing recruitment staff as re-interviewers two out of every three years. Typically, SC MEP utilizes Student Action Farmworker (SAF) interns, State Recruiters (who did not complete the original COE), and the State Coordinator to conduct these re-interviews.

It is important to have MEP staff introduce the re-interviewer to the parent. This can be done through a reminder note or advance phone call. The interviewer can also reassure families by explaining that the purpose of the re-interview is to check on interviewers or to determine whether the state's ID&R training works as desired. Interviewers should be honest with families and clearly inform them that they might lose services because of their answers and let them know that there is an appeals process. This process is more likely to be understood by families as quality control measures become institutionalized. A good way that SC MEP can be proactive about re-interviewing is to let families know upon recruitment that they might be asked to participate in a second interview.

## **2. Tri-annual Re-interviews with North Carolina MEP**

Every third year, the SEA must hire one or more independent interviewers to conduct the re-interviews (i.e., someone who was not associated with the original eligibility determination; an interviewer who is not employed by the MEP at either the SEA or LOA level). SC MEP has utilized recruiters and MEP personnel from North Carolina to carry out our Tri-annual re-interviews. Recruiters are required to notify OSY and migrant families ahead of time of the re-interviews and transport NC MEP personnel to the respective re-interview locations. At no point may the original recruiter or any SC MEP staff intervene during the re-interview. Following the completion of the re-interview, the recruiter shall provide the NC MEP re-interviewer the original COE so that eligibility may be verified and any comments or changes may be documented.

### **C. Annual SCMEP Statewide Training**

Currently, SC MEP holds an annual “Spring” training for all participating LEA/LOAs and their staff. This is a mandatory training which covers ID&R policies, procedures and updates. The training is generally split into a two-day session in order to cover all aspects of the SC MEP to ensure adequate professional development.

Along with an annual State-wide training, State Recruiters are also encouraged to attend out-of-state conferences and forums. Title I, C law Section 1304(c)(6)(b) mandates the provision of professional development MEP staff including recruiters. Furthermore, Section 1308(a) specifies the need for collaboration including at the inter-state level. Professional development and inter-state collaboration are both imperative and crucial tools necessary for successful operation of the Migrant Education Program.



In the past, State Recruiters and SC MEP staff have attended Florida and North Carolina training sessions, as well as SOSOSY events in order to be up to date with the most current and effective practices. Recruiters are also encouraged to attend such conferences in order to build a network of inter-state contacts and resources. Such interstate coordination is encouraged by OME and plays a vital role in the operation of SC MEP.

## **IX. APENDICES**

### **A. SCMEP Certificate of Eligibility**

## Appendx A: Front Side

## Side One

School District: \_\_\_\_\_

SOUTH CAROLINA MIGRANT EDUCATION PROGRAM  
NATIONAL CERTIFICATE OF ELIGIBILITYFOR OFFICIAL USE  
PRINT AS A TWO-SIDED DOCUMENT

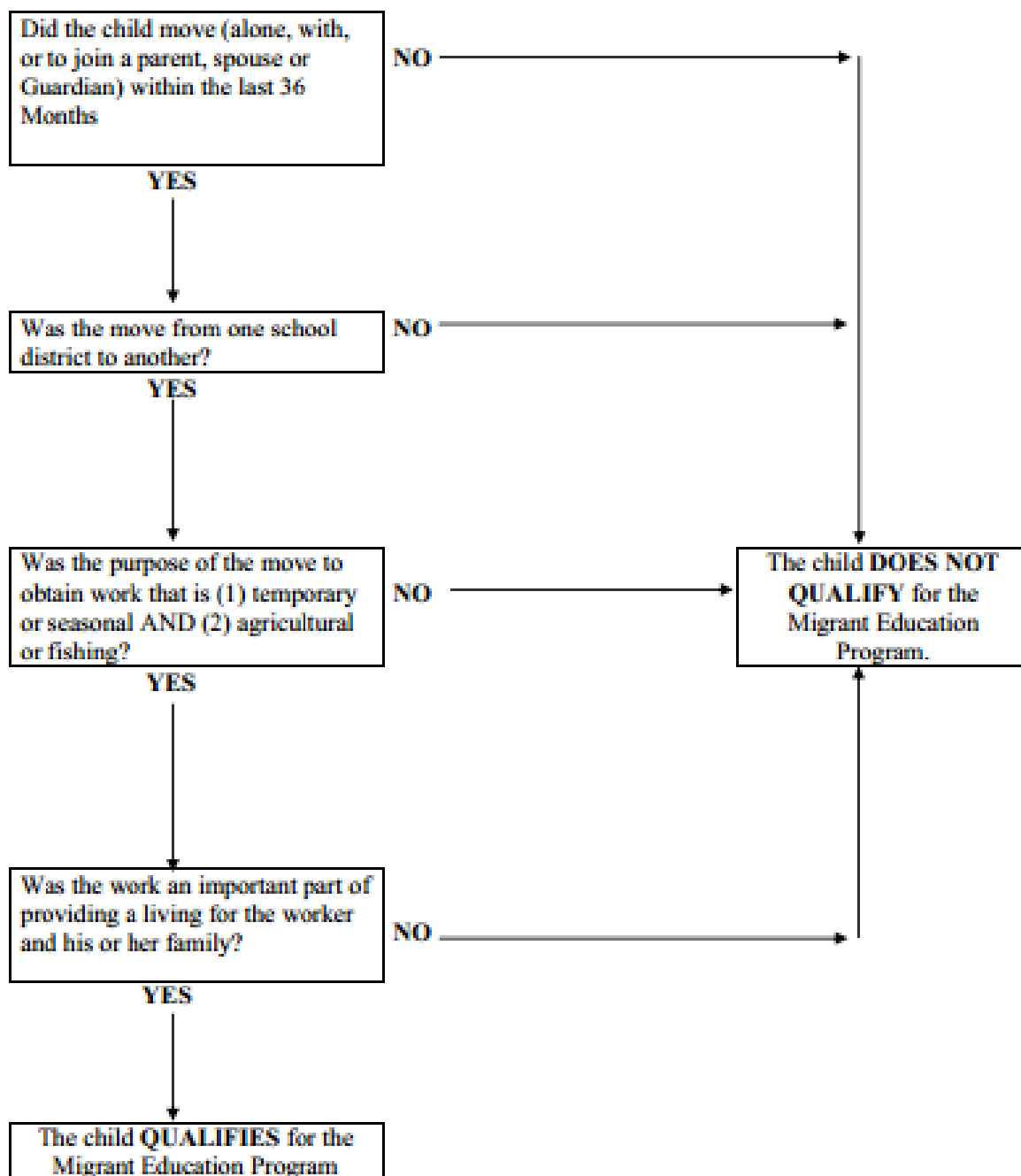
I. FAMILY DATA		MIS2000 COE I.D. #		First Name		Last Name		Female Parent/Guardian:		First Name		Last Name		Telephone	
Male Parent/Guardian:		Last Name		First Name		Middle Name		City		State		Zip			
Current Address:															
II. CHILD DATA															
Last Name 1		Last Name 2		Suffix		First Name		Middle Name		Sex		Birth Date		Residency Date	
child # 1															
Birth City	Birth State	Birth Country	Hispanic or Latino Yes/No	Race(s)	Primary Language	OSY - Years of Education	Qualifying Moves Previous 12 Months	LEP	IEP	School Name Regular Year	Grade	Type	Enrollment Date		
Last Name 1		Last Name 2		Suffix		First Name		Middle Name		Sex		Birth Date		Residency Date	
child # 2															
Birth City	Birth State	Birth Country	Hispanic or Latino Yes/No	Race(s)	Primary Language	OSY - Years of Education	Qualifying Moves Previous 12 Months	LEP	IEP	School Name Regular Year	Grade	Type	Enrollment Date		
Last Name 1		Last Name 2		Suffix		First Name		Middle Name		Sex		Birth Date		Residency Date	
child # 3															
Birth City	Birth State	Birth Country	Hispanic or Latino Yes/No	Race(s)	Primary Language	OSY - Years of Education	Qualifying Moves Previous 12 Months	LEP	IEP	School Name Regular Year	Grade	Type	Enrollment Date		
III. QUALIFYING MOVE & WORK															
1. The child(ren) listed above moved from a residence in _____ School District _____ City _____ State _____ Country _____ to a residence in _____ School District _____ City _____ State _____ Country _____															
2. The child(ren) moved (complete both a. and b.):															
a. <input type="checkbox"/> on own as worker, OR <input type="checkbox"/> with the worker, OR <input type="checkbox"/> to join or precede the worker.															
b. The worker, _____, is the child or the child's <input type="checkbox"/> parent <input type="checkbox"/> spouse <input type="checkbox"/> guardian.															
i. (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)															
3. The Qualifying Arrival Date was _____ MM/DD/YY.															
4. The worker moved due to economic necessity in order to obtain:															
a. <input type="checkbox"/> qualifying work, and obtained qualifying work, OR															
b. <input type="checkbox"/> any work, and obtained qualifying work soon after the move, OR															
c. <input type="checkbox"/> qualifying work specifically, but did not obtain the work. If the worker did not obtain the qualifying work:															
i. <input type="checkbox"/> The worker has a prior history of moves to obtain qualifying work (provide comment), OR															
ii. <input type="checkbox"/> There is other credible evidence that the worker actively sought qualifying work soon after the move (provide comment).															
5. The qualifying work, * _____, was <input type="checkbox"/> seasonal <input type="checkbox"/> agricultural <input type="checkbox"/> fishing <input type="checkbox"/> temporary (Check all that apply).															
6. (Complete if "temporary" is checked in #5a) The work was determined to be temporary employment based on:															
a. <input type="checkbox"/> worker's statement (provide comment), b. <input type="checkbox"/> employer's statement (provide comment), c. <input type="checkbox"/> State documentation for _____ Employer															

\* If applicable, check:  
☐ personal substance (provide comment)

## Appendix A: Reverse

**Side Two (FOR OFFICIAL USE—PRINT AS A TWO-SIDED DOCUMENT)**

<b>IV. COMMENTS</b> (Must include 2b1, 4c, 5, 6a and 6b of the Qualifying Move & Work Section if applicable)																																	
<b>V. PARENT/GUARDIAN/SPOUSE/WORKER SIGNATURE</b> 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 _____ Educational use of information has been explained to me (FERPA). <input type="checkbox"/> YES <input type="checkbox"/> NO Page attached with additional children. <input type="checkbox"/> YES <input type="checkbox"/> NO	Relationship to the child _____ Date (MM/DD/YY) _____																																
<b>VI. LANGUAGE PROFICIENCY SURVEY</b> (Survey questions must be asked in English)**																																	
** Survey is based on the SC Department of Education English Language Learning Handbook's Identification of Language-Minority students.																																	
1. What is your 1st language spoken? _____ 2. What language do you speak most often? _____ 3. What language do you speak most often at home? _____ LEP: _____ Yes/No																																	
<b>VII. OSY STUDENT PROFILE</b>																																	
<b>Health needs:</b> <input type="checkbox"/> Medical <input type="checkbox"/> Vision <input type="checkbox"/> Dental <input type="checkbox"/> Urgent Other: _____	<b>Advocacy Needs:</b> <input type="checkbox"/> Legal <input type="checkbox"/> Childcare <input type="checkbox"/> Translation/Interpretation Other: _____																																
<b>Youth lives:</b> <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"/> Alone	<b>Reason for leaving school:</b> <input type="checkbox"/> Lacking credits <input type="checkbox"/> Other: <input type="checkbox"/> Needed to work <input type="checkbox"/> Missed State test																																
<b>Expressed interests in:</b> <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: _____	<b>Availability: (Check)</b> <table border="1"> <thead> <tr> <th></th> <th>Su</th> <th>M</th> <th>T</th> <th>W</th> <th>Th</th> <th>F</th> <th>Sa</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>		Su	M	T	W	Th	F	Sa	Morning								Afternoon								Evening							
	Su	M	T	W	Th	F	Sa																										
Morning																																	
Afternoon																																	
Evening																																	
<b>Has access to transportation:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>English oral language proficiency:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Home language:</b> <input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other: _____	<b>Youth is a candidate for:</b> <input type="checkbox"/> HS diploma <input type="checkbox"/> Pre GED/GED <input type="checkbox"/> HEP <input type="checkbox"/> Adult Basic Education <input type="checkbox"/> Other: <input type="checkbox"/> Health education <input type="checkbox"/> Job training <input type="checkbox"/> Career exploration <input type="checkbox"/> ESL <input type="checkbox"/> Life skills <input type="checkbox"/> PASS <input type="checkbox"/> MP3 player <input type="checkbox"/> CAMP																																
<b>At interview, youth received:</b> <input type="checkbox"/> Educational materials <input type="checkbox"/> Other: <input type="checkbox"/> Support services <input type="checkbox"/> OSY welcome bag <input type="checkbox"/> Referral(s): _____																																	
<b>VIII. ELIGIBILITY DATA CERTIFICATION</b> 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 _____ Signature of Designated SEA Reviewer _____	Date (MM/DD/YY) _____ Date (MM/DD/YY) _____																																

**B. Eligibility Flow Chart****ELIGIBILITY FOR MIGRANT EDUCATION PROGRAM  
FOR CHILDREN AGES 3 THROUGH 21**

## C. Qualifying Activity Examples

**QUALIFYING ACTIVITY EXAMPLES**

Including but not limited to:

<b>TYPE OF CROP</b>	<b>ACTIVITY</b>	<b>TYPE OF CROP</b>	<b>ACTIVITY</b>
Alfalfa Grass	Harvesting hay	General Work (continued)	Milking Moving crops Spraying Sorting crops Stacking crops Storing crops Stringing crops Weeding
Apples	Harvesting Planting Packing	Grain	Harvesting Irrigating Planting
Broccoli Cabbage Greens	Harvesting Irrigating Planting Weeding	Grass	Seeding
Carrots	Harvesting Irrigating Planting Weeding	Hay	Baling Cutting Irrigating Seeding Stacking
Cattle	Branding Calving Feeding Marking Milking Rounding up	Horseradish	Harvesting Irrigating Planting
Cattle Sheep Horses	Branding/marking Calving/lambing Feeding/watering Shearing Vaccinating	Irrigating	Flooding fields Sprinklers
Christmas Trees	Cutting Stacking Shipping	Nursery	Loading shrubs Pruning Repotting Thinning Trimming
Cucumbers Squash Melons Peanuts Soybeans	Harvesting Irrigation Planting Seeding Soil Preparation	Onions	Planting Weeding Irrigating Harvesting Sorting
General Work	Checking Crops Crop belt sorting Fence mending Field cleaning Haying Irrigation work	Cotton Tobacco	Planting Weeding Irrigating Harvesting Sorting

TYPE OF CROP	ACTIVITY	TYPE OF CROP	ACTIVITY
Peaches	Irrigation Packing Picking Pruning Soil preparation Sorting Spraying Thinning	Timber	Cat driver Choker setter Cleaning brush Cut slash Cutting Falling Firewood cutting Flail operator Grading Harvesting Hauling Knot bumping Log hauling (to mill) Marking Planting Pole cutting Skidder operator Thinning Transporting logs Yarding
Potatoes	Harvesting Irrigating Packing sheds Planting Seed cutting Sewing potato sacks Sorting Starch processing Weeding	Tomatoes Peppers	Crop preparation Harvesting Soil preparation
Strawberries	Harvesting Hoeing Irrigating Picking Planting Soil preparation Spraying Thinning Training Weeding	Sugar Beets	Harvesting Hauling Irrigating Planting

**D. Case Reviews**  
**(Adopted from Florida MEP ID&R Manual)**

**Case Reviews: How to Complete COEs (for OSY)**

<b>Couples with no children</b>	<b>How to complete the COE</b>
<b>1. Young couple, no children. Both are under 22 years old; both moved to obtain/seek qualifying work.</b>	<p>Two separate COEs*:</p> <ul style="list-style-type: none"> <li>• Since both made a qualifying move, complete a separate COE with pertinent family data for each OSY.</li> <li>• Write the worker's name as current parent (section I, #1), as child (section II, #1), and as "the worker" (section III, #2b). Mark each worker as an "on own" move (section III, #2a). Write legal parents' information, if available.</li> </ul>
<b>2. Young couple, no children. Both are under 22 years old; both moved, but only one youth (worker) moved to seek/obtain qualifying work.</b>	<p>Two separate COEs*:</p> <ul style="list-style-type: none"> <li>• Worker COE – write the worker's name as current parent (section I, #1), as child (section II, #1), and as "the worker" (section III, #2b). Mark as an "on own" move (section III, #2a). Write legal parents' information, if available.</li> <li>• Spouse COE – write worker's name as current parent (section I, #1), and worker (section III, #2b). Mark as a "with the worker" move (section III, #2a). Check "spouse" box (section III, #2b). Write legal parents' information, if available.</li> </ul>
<b>3. Young couple, no children. Worker is older than 22; spouse is younger than 22.</b>	<p>One COE:</p> <ul style="list-style-type: none"> <li>• Spouse COE – write worker's name as current parent (section I, #1), and worker (section III, #2b). Mark as a "with the worker" move (section III, #2a). Check "spouse" box (section III, #2b). Write legal parents' information, if available.</li> <li>• Worker – not eligible (over 22 years old); no COE.</li> </ul>
<b>4. Young couple, no children. Worker is younger than 22; spouse is older.</b>	<p>One COE:</p> <ul style="list-style-type: none"> <li>• Worker COE – write the worker's name as current parent (section I, #1), as child (section II, #1), and as "the worker" (section III, #2b). Mark as an "on own" move (section III, #2a). Write legal parents' information, if available.</li> <li>• Spouse – not eligible (over 22 years old); no COE.</li> </ul>
<b>Couples with children</b>	<b>How to complete the COE</b>
<b>5. Young couple, one or more children. Both are under 22 years old; both moved to obtain/seek qualifying work.</b>	<p>Three separate COEs*:</p> <ul style="list-style-type: none"> <li>• Since both made a qualifying move, complete a separate COE with pertinent family data for each OSY.</li> <li>• Write the worker's name as current parent (section I, #1), as child (section II, #1), and as "the worker" (section III, #2b). Mark each worker as an "on own" move (section III, #2a). Write legal parents' information, if available.</li> <li>• Complete a third COE for the child(ren). Write names of both parents as the worker and check the "parent" box (section III, #2b).</li> </ul>



**Case Reviews Cont (APPENDIX D).**  
**(Adopted from Florida MEP ID&R Manual)**

Couples with children	How to complete the COE
<b>6. Young couple, one or more children. Both are under 22 years old; the whole family moved, but only one youth (worker) moved to seek/obtain qualifying work.</b>	<p>Three separate COEs*:</p> <ul style="list-style-type: none"> <li>Worker COE – write the worker’s name as current parent (section I, #1), as child (section II, #1), and as “the worker” (section III, #2b). Mark as an “on own” move (section III, #2a). Write legal parents’ information, if available.</li> <li>Spouse COE – write worker’s name as current parent (section I, #1), and worker (section III, #2b). Mark as a “with the worker” move (section III, #2a). Check “spouse” box (section III, #2b). Write legal parents’ information, if available.</li> <li>Complete a third COE for the child(ren). Write the workers name and check the “parent” box (section III, #2b).</li> </ul>
<b>7. Young couple, one or more children. Worker is older than 22; spouse is younger than 22.</b>	<p>Two separate COEs*:</p> <ul style="list-style-type: none"> <li>Spouse COE – write worker’s name as current parent (section I, #1), and worker (section III, #2b). Mark as a “with the worker” move (section III, #2a). Check “spouse” box (section III, #2b). Write legal parents’ information, if available.</li> <li>Worker – not eligible (over 22 years old); no COE.</li> <li>Complete a separate COE for the child(ren). Write the worker’s name and check the “parent” box (section III, #2b).</li> </ul>
<b>8. Young couple, one or more children. Worker is younger than 22; spouse is older.</b>	<p>Two separate COEs*:</p> <ul style="list-style-type: none"> <li>Worker COE – write the worker’s name as current parent (section I, #1), as child (section II, #1), and as “the worker” (section III, #2b). Mark as an “on own” move (section III, #2a). Write legal parent’s information, if available.</li> <li>Spouse – not eligible (over 22 years old); no COE.</li> <li>Complete a separate COE for the child(ren). Write the worker’s name and check the “parent” box (section III, #2b).</li> </ul>
Single Parent	How to complete the COE
<b>9. Worker (single parent), under 22 years old, with a child.</b>	<p>Two separate COEs*:</p> <ul style="list-style-type: none"> <li>Worker COE – write the worker’s name as current parent (section I, #1), as child (section II, #1), and as “the worker” (section III, #2b). Mark as an “on own” move (section III, #2a). Write legal parents’ information, if available.</li> <li>Child COE – write worker’s name as current parent (section I, #1) and worker (section III, #2b). Mark as a “with the worker” move (section III, #2a). Check the “parent” box (section III, #2b). Write “same” for the legal parent (section I, #2).</li> </ul>



## E. OSY Tracking Form

Strategies, Opportunities, and  
Services for OSY (SOSOSY)  
TRACKING FORM\*



Date \_\_\_\_\_ Completed by \_\_\_\_\_

Site \_\_\_\_\_ Phone \_\_\_\_\_ FAX \_\_\_\_\_

Out-of-School Youth Name	Last Grade Attended	Received Instructional Service							Received Support Service							
		Reading	Math	GED Prep	SEC/ CA	Life skills/ ML	ESL	E&C GD	REF A	Other **	MAT	NUTR/ Health	T/I	TRSP	REF S	Other **
1																
2																
3																
4																
5																
6																
7																
8																
9																
10																
11																
12																
13																
14																
15																
16																
17																
18																
<b>Total</b>																

SEC/CA = Secondary Instruction/Courses & Credit Accrual E&C GD=Education & Career Goal Development REF A or S = Referred Service: Academic or Support  
 ESL= English as a Second Language MAT= Material Resources ML=Mini Lessons NUTR=Nutrition T/I= Translation/Interpreting Services TRSP=Transportation

\*Tracking Form Note: Use as many sheets as needed to record students at your class/site \*\* Other= List/describe other services on the back side of the sheet

## F. K-12 Tracking Form

## K-12 Students TRACKING FORM\*

Date \_\_\_\_\_

Completed by \_\_\_\_\_

Site \_\_\_\_\_

Lesson: \_\_\_\_\_

K-12 Students Name	Received Instructional Service								Received Support Service					Details of Service Directions: Please give a detail explanation of the lesson and amount of time spent on specific activity.	
	Reading	Math	GED Prep	ESL/science	ESL	Preschool	REF A	Other **	MAT	NUTR/Health	T/I	TRSP	REF S		Other **
1															
2															
3															
4															
5															
6															
7															
8															
9															
10															
<b>Total</b>															

REF A or S = Referred Service: Academic or Support  
 ESL = English as a Second Language  
 MAT = Material Resources  
 ML = Mini Lessons  
 NUTR = Nutrition  
 T/I = Translation/Interpreting Services  
 TRSP = Transportation

\*Tracking Form Note: Use as many sheets as needed to record students at your class/site  
 \*\* Other= List/describe other services on the back side of the sheet

**Strategies, Opportunities, and  
Services for Preschool  
TRACKING FORM\***



Date \_\_\_\_\_ Completed by \_\_\_\_\_  
Site \_\_\_\_\_ Phone \_\_\_\_\_ FAX \_\_\_\_\_

**G. Pre-K Tracking Form**

Preschool Name	Last Grade Attended	Received Instructional Service				Received Support Service					
		Physical Development and Health	Social and Emotional Development	Approaches to Learning	Cognitive and general Knowledge	Language and literacy Knowledge	MAT	NUT R/He alth	T/I P	REF S	Other **
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
<b>Total</b>											

SEC/CA = Secondary Instruction/Courses & Credit Accrual E&C GD=Education & Career Goal Development REF A or S = Referred Service: Academic or Support  
 ESL= English as a Second Language MAT= Material Resources ML=Mini Lessons NUTR=Nutrition T/I= Translation/Interpreting Services TRSP=Transportation  
 \*Tracking Form Note: Use as many sheets as needed to record students at your class/site \*\* Other= List/describe other services on the back side of the sheet

## H. Important Laws

### **Plyler v. Doe, 457 U.S. 202 (1982)**

The U.S. Supreme Court has ruled that undocumented children and young adults have the same right to attend public primary and secondary schools as do U.S. citizens and permanent residents. Like other children, undocumented students are obliged under state law to attend school until they reach a mandated age.

As a result of the Plyler ruling, public schools may not:

- Deny admission to a student during initial enrollment or at any other time on the basis of undocumented status.
- Treat a student disparately to determine residency.
- Engage in any practices to “chill” the right of access to school.
- Require students or parents to disclose or document their immigration status.
- Make inquiries of students or parents that may expose their undocumented status.
- Require social security numbers from all students, as this may expose undocumented status.

Students without social security numbers should be assigned a number generated by the school. Adults without social security numbers who are applying for a free lunch and/or breakfast program on behalf of a student need only indicate on the application that they do not have a social security number.

**(Appendix H Cont.)****Lau v. Nichols, 414 U.S. 563 (1974)**

The U.S. Supreme Court held (1) that discrimination on the basis of language proficiency is discrimination on the basis of national origin under Title VI of the Civil Rights Act of 1964 and (2) that treating people with different needs in the same way is not equal treatment.

Title VI of the Civil Rights Act of 1964 states, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

In *Lau*, the U.S. Supreme Court stated, in part, "Basic English skills are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired these basic skills is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful."

**Castaneda v. Pickard, 648 F.2d 989 (5th Cir. 1981)**

The Court of Appeals articulated a three-part test for assessing a school system's treatment of limited English proficient students. The standard requires (1) a sound approach to the education of these students, (2) reasonable implementation of the approach, and (3) outcomes reflecting that the approach is working.