Title I, Part C Migrant Education Program
Equitable Services to Non-Public Schools

Program Purpose

The purpose of the Title I, Part C Migrant Education Program (MEP) is to provide high-quality, comprehensive supplemental educational programs and services during the school year and, as applicable, during the summer or intersession periods, that address the unique educational needs of eligible migratory children who have not attained either a high school diploma or High School Equivalency Diploma (GED). All local educational agencies (LEAs) that accept Title I, Part C funds and have identified migratory children with unmet needs are expected to implement supplemental instructional and/or support services, during the regular school year and summer months, using the funds awarded to the LEA.

The MEP shall:

- Provide high-quality, comprehensive 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 unique 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 programs to help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to do well in school;
- Ensure that all migrant students graduate with a high school diploma (or complete a General Education Diploma) that prepares them for responsible citizenship, further learning, and productive employment; and
- Ensure that migratory children benefit from state and local systemic reforms. (ESEA Title I, Part C § 1301)

Definition of a Migratory Child

According to Title I, Part C §§ 1115(b)(1)(A) and 1309(2), a child is eligible for the services provided by the Migrant Education Program (MEP) if the following conditions are met:

1. The child is between 3 and 21 years of age; and
2. The child is entitled to a free public education (through grade 12) under state law or is below the age of compulsory school attendance; and
3. The child is a migratory agricultural worker[i] or a migratory fisher[ii], or the child has a parent, spouse, or guardian who is a migratory agricultural worker or a migratory fisher; and
4. The child or child's parent(s) moved within the preceding 36 months in order to seek or obtain qualifying work, or to accompany or join the migratory agricultural worker or migratory fisher

identified in condition 3, above, in order to seek or obtain qualifying work; and
5. With regard to the move identified in condition 4, above, the child has moved from one LEA to another.

Occupational Survey

All LEAs and schools in Tennessee use the Occupational Survey (OS) form as the first step in the Identification and recruitment (ID&R) process. The form is issued to each student annually during new student registration or back-to-school registration. As explained in the Occupational Survey Protocol, the survey is completed by a parent or guardian, is returned to the school district, and submitted to the state MEP contractor through tn.msedd.com. Copies of the OS, including a Spanish version, can be found on the Tennessee Migrant Education Program website.

Equitable Services to Non-Public Schools

Overview

ESEA Title VIII, Part F § 8501 requires that private, nonprofit elementary and secondary school students, teachers, and other educational personnel are eligible to participate in certain federally-funded programs, including Title I, Part C. After timely and meaningful consultation with appropriate non-public school officials, LEAs must:

- Provide appropriate instructional services which may include evaluation services to determine progress, counseling, tutoring, special education services, or other benefits (such as dual or concurrent enrollment, technology devices, etc.) that address the student needs; and
- Ensure that teachers and families of these children participate on an equitable basis in services and parent and family engagement activities.

Non-Public School Participation

LEAs should follow standard ESEA equitable processes associated with the annual Intent to Participate form, the Non-Public School Survey, and the equitable services section of the Consolidated Funding Application (CFA) to indicate and plan for non-public school participation in Title I, Part C.

Step one: Each fall, send all eligible non-public schools an Intent to Participate form. The form includes a space for non-public schools to indicate that they would like to participate in Title I, Part C.

Step two: If the non-public school indicates on the intent to participate form that they would like to participate in Title I, Part C, the LEA should contact non-public school officials to discuss the program and eligibility requirements. This discussion should include an explanation of the OS which is used as a preliminary screener in the identification of migrant students.

Step three: If the non-public school indicates that they believe they have eligible migratory students, the OS must be administered to all students of the non-public school.

Step four: As outlined in the Occupational Survey Protocol, after families complete the OS, forms should be forwarded to the LEA for submission and documentation. See further instructions for the OS at the link above.

Step five: Once the LEA submits an OS to the state MEP contractor, the ID&R team conducts an interview with the family to determine student eligibility. Occupational Surveys are expected to be reviewed and resolved within one calendar month of the date they are sent to the state MEP contractor. To determine the eligibility of a migrant student, the reviewed OS must result in one of the following:

- **Does Not Qualify (DNQ):** The recruiter determined that the family does not qualify for the MEP through an eligibility interview on the phone or in person.
- **Certificate of Eligibility (COE):** The recruiter completed a COE on the family listed in the parent OS.
- **Moved Out of State:** The recruiter determined that the family moved out of state.
- **Cold:** The recruiter has conducted four attempts using at least two different methods to contact the family. If the lead is considered "cold," additional contact attempts are temporarily halted so that OSs not yet investigated can be pursued.

Step Six: The state MEP contractor will issue a Certificate of Eligibility (COE) to certify eligible migrant students, and share the COE with the LEA. If a COE is issued for a non-public school student, the LEA must then consult with non-public school officials to determine the appropriate services and work with the non-public school to complete and submit the required individual needs assessment (INA).

***NOTE**: Migratory students are eligible for migratory services for the 36 months that follow the qualifying arrival date (QAD) (although services typically continue through the completion of a term or semester).*

Resources

For more information about the Title I, Part C Migrant Education Program, student eligibility, identification, and the allowable use of funds see the MEP Program Guide and Title I, Part C Guidance from the U.S. Department of Education.

For equitable services questions, contact Michelle.Harless@tn.gov or Brinn.Obermiller@tn.gov. For general MEP questions, contact Hannah.Gribble@tn.gov. For questions on MEP student eligibility or ID&R contact info@tn-mep.net or call (615) 238-9998.

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[i] The term "migratory agricultural worker" means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture, which may be dairy work or the initial processing of raw agricultural products. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal agricultural employment. (ESEA § 1309(2))

[ii] The term "migratory fisher" means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in such new employment soon after the move, the individual may be considered a migratory fisher if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal fishing employment. (ESEA § 1309(4))