

# **Practice Scenarios Guidance for Migrant Education Program (MEP) Eligibility Under the Every Student Succeeds Act (ESSA)**

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# Activity Eligibility Under ESSA

- The following scenarios for Wisconsin were created from the Office of Migrant Education (OME) webinar on eligibility under ESSA.
- Read the scenario then discuss at your table, using the four eligibility questions handout, to determine if the child(ren) are eligible for services.

# Four Eligibility Questions

1. Are the children under age 22 and still entitled to a free public education (through grade 12) in the State?
2. Did the children move in the preceding 36 months, on their own OR with, (or to join), a parent/guardian or spouse?
3. Was the children's move with the parent/guardian or spouse a "qualifying move" (i.e., due to economic necessity, from one residence to another, and from one school district to another)?
4. Is the parent/guardian or spouse with whom the children moved a "migratory agricultural worker" or "migratory fisher"?

# Scenario 1

On June 1, 2017, Jessica moves with her two children, ages 6 and 8 from Waukegan, IL to Green Bay, WI to live with relatives after losing her job in a hotel. Jessica is hoping to find similar work to her last job in Waukegan, but finds she can earn more money in a job at a meat packing facility. She plans to stay for only a few months to save money, and begins work cutting meat at a meat packing plant on July 15, 2017. Are Jessica's children eligible for the MEP?

# Are Jessica's children eligible for the MEP?

## YES

1. Are the children under age 22 and still entitled to a free public education (through grade 12) in the State? **YES**
2. Did the children move in the preceding 36 months, on their own OR with, (or to join), a parent/guardian or spouse? **YES** – with a parent/guardian
3. Was the children's move with the parent/guardian or spouse a "qualifying move" (i.e., due to economic necessity, from one residence to another, and from one school district to another)? **YES**
4. Is the parent/guardian or spouse with whom the children moved a "migratory agricultural worker" or "migratory fisher"? **YES**, The children's mother is a migratory agricultural worker because she made a qualifying move in the preceding 36 months, soon after which she engaged in new qualifying work.

# Scenario 2

Joaquin, a 17-year old out-of-school youth (OSY), had not moved since he was about 10 years old. Because he could not find employment in his hometown of Eagle Pass, TX, he moved to Beaver Dam, WI on July 1, 2017. Within a week of moving to Beaver Dam, he applied for seasonal employment at a vegetable cannery, but did not get the job. Is Joaquin eligible for the MEP?

# Is Joaquin eligible for the MEP?

## NO

1. Is the child under age 22 and still entitled to a free public education (through grade 12) in the State? **YES** (scenario assumes he is still entitled to free public education in Wisconsin).
2. Did the child move in the preceding 36 months, on his own, OR with, (or to join), a parent/guardian or spouse? **YES** - on his own
3. Was the child's move on his own, a "qualifying move" (i.e., due to economic necessity, from one residence to another, and from one school district to another)? **YES**
4. Did he make a qualifying move as a "migratory agricultural worker" or "migratory fisher"? **NO**, He did not engage in new qualifying work soon after the move. Although he actively sought new qualifying work after the move, he does not have a recent history of moves for qualifying work.

# Scenario 3

**Paul, age 13, lived with his parents in Sheboygan, WI. Unable to find work in Sheboygan, Paul's father moved on his own to Door County on July 11, 2016, and engaged in seasonal employment sorting cherries (within one week of his move). Paul's father returned to Sheboygan on August 25, 2016. Shortly thereafter, Paul's mother was able to find work in a restaurant in Madison, WI. So, Paul and his parents moved from Sheboygan to Madison on September 6, 2016. The WI MEP identifies Paul on July 1, 2017. Is Paul eligible for the MEP?**



# Is Paul eligible for the MEP?

## YES

1. Is the child under age 22 and still entitled to a free public education (through grade 12) in the State? **YES**
2. Did the child move in the preceding 36 months, on his own OR with, (or to join), a parent/guardian or spouse? **YES** – with parent/guardian
3. Was the child’s move with the parent/guardian or spouse a “qualifying move” (i.e., due to economic necessity, from one residence to another, and from one school district to another)? **YES**
4. Is the parent/guardian or spouse with whom the child moved a “migratory agricultural worker” or “migratory fisher”? **YES**, the child’s father is a migratory agricultural worker because he made a qualifying move in the preceding 36 months, soon after which he engaged in new qualifying work.

# Scenario 4

**Diana, age 15, and her parents lived in Weslaco, TX. Diana and her parents moved to Plainfield, WI on June 20, 2016. For as long as Diana can remember, the family has moved to Plainfield each summer where her father worked a temporary job canning vegetables in nearby Reedsburg, WI. When they moved in June 2016, Diana's father, Joe, went to the cannery where he had worked for the previous two summers and found that the cannery had closed. Is Diana eligible for the MEP?**

# Is Diana eligible for the MEP?

## YES

1. Is the child under age 22 and still entitled to a free public education (through grade 12) in the State? **YES**
2. Did the child move in the preceding 36 months, on her own OR with, (or to join), a parent/guardian or spouse? **YES** – with parent/guardian
3. Was the child’s move with the parent/guardian or spouse a qualifying move” (i.e., due to economic necessity, from one residence to another, and from one school district to another)? **YES**
4. Is the parent/guardian or spouse with whom the child moved a “migratory agricultural worker” or “migratory fisher”? **YES**, The child’s father is a migratory agricultural worker because he made a qualifying move in the preceding 36 months, after which he actively sought new employment in qualifying work, AND he has a recent history of moves for qualifying work.