



Title I, Part C Guidance

Education of Migratory Children and Youth

Introduction

The Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA) of 2015, reauthorized the Migratory Education Program (MEP) under Title I, Part C (Title IC). This program provides a formula grant to the Iowa Department of Education (Department; i.e., state educational agency [SEA]) to support comprehensive educational programs for migratory students and subgrants to assist local operating agencies (LOAs) in improving opportunities for migratory children to succeed in the regular school program, meet Iowa's academic standards, and graduate from high school.

Purposes

The Title IC program seeks to—

1. Assist states in supporting high-quality and comprehensive educational programs and services during the school year and, as applicable, during summer or intersession periods, that address the unique educational needs of migratory children.
2. 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 challenging State academic standards.
3. Ensure that migratory children receive full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet.
4. 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 succeed in school.
5. Help migratory children benefit from State and local systemic reforms (ESEA § 1301).

Definitions (ESEA § 1309)

Local operating agency

The term "local operating agency" means—

- A local educational agency (LEA) to which the SEA makes a Title IC subgrant;
- A public or private agency with which the SEA or the U.S. secretary of education makes an arrangement to carry out a Title IC project; or
- A SEA, if the SEA operates the State's migrant education program or projects directly (ESEA § 1309(1)).

Migratory agricultural worker

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)).

Migratory child

The term "migratory child" means a child or youth who made a qualifying move in the preceding 36 months—

- As a migratory agricultural worker or a migratory fisher; or
- With, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher (ESEA § 1309(3)).

Qualifying move

The term "qualifying move" means a move due to economic necessity from—

- One residence to another residence; and
- One LEA to another LEA, except in the case of a school LEA of more than 15,000 square miles, wherein a qualifying move is a distance of 20 miles or more to a temporary residence (ESEA § 1309(5)).

Out-of-School-Youth (OSY)

For the purposes of the MEP, the Department considers the term "out-of-school youth" to mean age 16 through age 21 who:

- Are entitled to a free public education in the state;
- Meet the migratory child definition; and
- Are not currently enrolled in a kindergarten through grade 12 (K-12) institution.

Table 1. Examples and non-examples of OSY.

Examples	Non-Examples
OSY could include the following: <ul style="list-style-type: none">• Students who have dropped out of school• Youth who are working on a high school equivalency diploma (HSED) outside of a K-12 institution• Youth who are "here-to-work" only	OSY would not include the following: <ul style="list-style-type: none">• Children in preschool• Children and youth with temporary absences (e.g., summer or intersession, suspension, illness).

Priority for Service

Federal law requires that the MEP provide services first to migratory students who have been identified as priority for service (PFS). In providing services with Title IC funds, each LEA must give priority to migratory children who—

- Have made a qualifying move within the previous one-year period; and
- Are failing, or most at risk of failing, to meet challenging State academic standards or
- Have dropped out of school (ESEA § 1301(d)).

Eligibility for Services

Determining Eligibility

As the recipient of the federal Title IC subgrant, the Department identifies migratory students and determines eligibility to receive MEP services by conducting interviews with potentially eligible migratory families by trained MEP identification specialists. MEP staff complete and send the national certificate of eligibility (COE) to migratory liaisons when migratory children are eligible to receive services. The Department also awards subgrants to LOAs with sufficient migratory enrollment to serve eligible migratory children.

A child is eligible to receive Title IC services in Iowa if they—

1. Are an “eligible child,” which means a child—
 - Not older than age 21 who is entitled to a free public education through grade 12; and
 - Who is not yet at a grade level at which the LEA provides a free public education (ESEA § 1115(c)(1)(A));
2. Are a “migratory child” as defined in section 1309(3);
3. Have an authorized national COE on file.

Eligibility Requirements

A child is eligible for MEP services when they meet all the following:

- The child is younger than 22 and has not yet graduated from high school or does not yet hold a high school equivalency certificate;
- The child is a migratory agricultural worker or has a parent, spouse, or guardian who is a migratory agricultural worker;
- The child has moved within the preceding 36 months to obtain (or seek) or to accompany (or join) a parent, spouse, or guardian to obtain (or seek), temporary or seasonal employment in qualifying agricultural work;
- Such employment is a principal means of livelihood;
- The child has moved from one LEA to another; and
- The child has an authorized national COE on file.

Subgrant Requirements and Recommended Actions

To receive a Title IC subgrant, the LOA must complete a list of requirements in the [Consolidated Application for ESEA Title Programs](#), which is located in the Consolidated Accountability and Support Application’s (CASA). Among these requirements, the LOA must submit a program application by October 15 of each year and reimbursement claims each quarter. For a full list of the subgrant requirements and recommended actions, please see the following table.

ESEA Citation	Action(s)	Applicability
8501(c)(1)	Engage in meaningful consultation with the appropriate nonpublic school administrators within the LEA and complete the nonpublic consultation agreement for the upcoming school year by March 15. For additional information on the equitable services procedure and process, see the Equitable Services for Nonpublic School Students section of the ESSA Guidance and Allocations page .	LEAs with an accredited nonpublic school within their boundaries
1112(c)(1)	Ensure that migratory children and formerly migratory children who are eligible to receive Title I, Part A (Title IA) services are selected to receive such services on the same basis as other children who are selected to receive Title IA services.	LEAs
1112(c)(4)	Coordinate and integrate Title IA services with other educational services at the LEA or individual school level, such as services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and Native Hawaiian children, and homeless children and youths, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program.	LEAs
1304(c)(4)	Ensure there has been, and will be, adequate provision for addressing the unmet education needs of preschool migratory children and migratory children who have dropped out of school in planning and carrying out Title IC programs and projects.	LOAs

ESEA Citation	Action(s)	Applicability
1306(a)	Submit the program application in the Consolidated Application, including completing Title IC program questions, assurances, and a budget. See the Title IC Application Content document for more details.	LOAs
1304(c)(1)	Use Title IC funds only for programs and projects, including the acquisition of equipment, in accordance with section 1306 (Comprehensive Needs Assessment and Service-Delivery Plan; Authorized Activities); and to coordinate such programs and projects with similar programs and projects within Iowa and in other states, as well as with other Federal programs that can benefit migratory children and their families.	LOAs
1304(c)(2)	Carry out programs and projects in a manner consistent with the objectives of: <ul style="list-style-type: none"> ● Section 1114 (Schoolwide Programs); ● Subsections (b) and (d) of section 1115 (Targeted Assistance School Programs and Integration of Professional Development, respectively); ● Subsections (b) and (c) of section 1118 (Federal Funds to Supplement, Not Supplant, Non-Federal Funds and Comparability of Services, respectively); and ● Part F (General Provisions). 	LOAs
8501(c)(1)	Reach out to each nonpublic school again to arrange for a time and place for consultation to revisit the identified nonpublic student needs to clarify what services the LEA (or a third-party contractor) can provide based on the prioritized needs and amount available to provide those services. Before completing the Allocations and Transfers screen, the LEA must complete and submit the reopened nonpublic consultation agreement for the head administrator’s review (ESEA § 8501). The head administrator must confirm the accuracy of the agreement by October 1.	LEAs with an accredited nonpublic school within their boundaries
1304(d)	Provide services with Title IC funds, giving priority to migratory children who have made a qualifying move within the previous one-year period and who— <ul style="list-style-type: none"> ● Are failing, or most at risk of failing, to meet the challenging State academic standards; or ● Have dropped out of school. 	LOAs
8501(c)(1)	Continue to engage in meaningful consultation with the appropriate nonpublic school administrators throughout implementation and assessment of the activities to ensure effective implementation and service delivery. For additional information, see the Equitable Services for Nonpublic School Students section of the ESSA Guidance and Allocations page .	LEAs
1304(c)(3)	Continue consultation with migratory children’s parents, including PACs, during the planning and operation of Title IC programs and projects not less than one school year in duration and ensure that all such programs and projects are carried out in a manner that provides for the same parental involvement as is required for programs and projects under section 1116 (Parent and Family Engagement) unless extraordinary circumstances make such provision impractical; and in a format and language understandable to the parents. In carrying out the parent and family engagement requirements, provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of	LOAs

Iowa Department of Education guidance should be viewed as advisory unless it is specifically authorized by state statute, according to Iowa Code section 256.9A. This does not apply to administrative rules, declaratory orders, or materials required by federal law or courts.

ESEA Citation	Action(s)	Applicability
	migratory children), including providing information and school reports required under section 1111 in a format and, to the extent practicable, in a language such parents understand.	
1304(c)(6)-(7)	<p>Provide outreach activities for migratory children and their families to inform them of other education, health, nutrition, and social services to help connect them to such services.</p> <p>Provide Title IC programs and projects, to the extent feasible, for:</p> <ul style="list-style-type: none"> ● Advocacy and other outreach activities for migratory children and their families, including helping them gain access to other education, health, nutrition, and social services; ● Professional development programs (including mentoring) for teachers and other program personnel; ● Family literacy programs; ● Educational and related programs; and ● Programs to facilitate the transition of secondary school students to postsecondary education or employment. 	LOAs
1304(c)(4)	Ensure there has been, and will be, adequate provision for addressing the unmet education needs of preschool migratory children and migratory children who have dropped out of school in carrying out Title IC programs and projects.	LOAs
	Complete and submit the first quarter reimbursement claim for Title IC in the CASA system between November 1 and November 30.	LOAs
	Complete and submit the second quarter reimbursement claim for Title IC in the CASA system between January 1 and January 31.	LOAs
	Complete and submit the third quarter reimbursement claim for Title IC in the CASA system between April 1 and April 30.	LOAs
	Complete and submit the fourth quarter reimbursement claim for Title IC in the CASA system between June 1 and July 15.	LOAs
1304(c)(5)	Evaluate the effectiveness of Title IC programs and projects, where feasible, using the same approaches and standards that will be used to assess the performance of students, schools, and LEAs under Title IA.	LOAs
1304(c)(8)	Assist the Department in determining the number of migratory children under section 1303(a)(1) (State Allocations).	LOAs

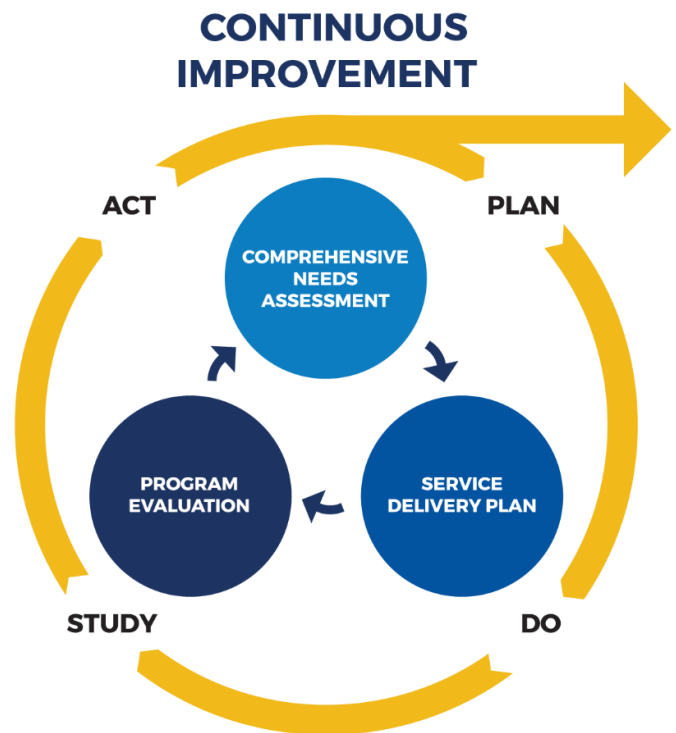
Cycle of Continuous of Improvement

The Iowa MEP follows the Cycle of Continuous Improvement (see Figure 1) as recommended by the Office of Migrant Education (OME). During 2022-2023, Iowa's Comprehensive Needs Assessment (CNA) Committee completed the process outlined in the U.S. Department of Education's (ED) [MEP CNA Toolkit](#) (2018). During 2023-2024, Iowa's Service Delivery Plan (SDP) Committee reviewed the work completed by the CNA Committee and completed the process outlined in the ED's [MEP SDP Toolkit](#) (2018).

Service Delivery Plan (SDP)

Section 1306 specifies that the Department must deliver and evaluate MEP-funded services to migratory children based on a state plan that reflects the results of a statewide CNA. To fully understand, Iowa's SDP must be viewed within a cycle of continuous improvement that contextualizes identified needs:

- State performance targets, which are adopted in reading, mathematics, and high school graduation;
- The statewide CNA, which identifies unique and high priority needs of migratory children and families across all areas of focus;
- Measurable program outcomes (MPOs), which help the MEP assess whether it is meeting identified migratory needs in targeted areas;
- Service delivery strategies, which are laid out in the SDP and outline the specific ways to achieve the performance targets and MPOs across focus areas; and
- An evaluation plan, which determines whether and to what extent the MEP is effectively achieving its goals for migratory children and families.



Service Goals

1. School Readiness

- Coordinate and/or provide parents of migratory children before school age (i.e., birth to age 5) with information and strategies on child development.
- Coordinate and/or provide parents of migratory children before school age with access to local preschool resources.
- Coordinate with local preschool and/or childcare programs to ensure migratory children before school age receive instructional services.
- Coordinate and/or provide instructional and support services to migratory children before school age to support school readiness and transition to kindergarten.

2. English Language Arts and Mathematics

- Coordinate and/or provide needs-based supplemental instruction in ELA and math to migratory students in grades K-12 *during the regular school year*.
- Coordinate and/or provide needs-based supplemental instruction in ELA and math to migratory students in grades K-12 *during the summer*.

3. High School Graduation or Services to OSY

- Coordinate, partner, and/or provide supportive systems for migratory high school students to obtain credits for prompt high school graduation.
- Coordinate, partner, and/or provide migratory high school students and OSY with culturally relevant information and/or services and access to college and/or career readiness and post-secondary education.
- Coordinate, partner, and/or provide instructional and support services to migratory OSY.
- Coordinate, partner, and/or provide migratory high school students and OSY with needs-based culturally relevant summer services.

4. Non-Instructional Support Services

- Coordinate and/or provide needs-based non-instructional support services to migratory children, youth, and families.
- Coordinate and/or provide targeted professional development to staff who serve migratory children, youth, and families.
- Coordinate and/or provide migratory families with strategies to help them support their children.
- Coordinate and/or provide culturally responsive support and resources to migratory children and youth to build awareness and nurture their social-emotional well-being.

Supplement, Not Supplant, Requirement

The supplement, not supplant, provision requires that the LOA use Title IC funds only to enhance the regular educational program. This means that the funds cannot be used to supplant, or take the place of, funds that would have been spent if these funds were not available. Supplementing is using Federal funds to enhance, expand, increase, or extend the programs and services offered with other Federal, State, and/or local funds. Supplanting (unallowable) is using Federal funds to fund (in total or in part) a program or service that is required to be provided or was previously funded by other Federal, State, and/or local funds.

Use CARE Not to Supplant

If the answer is yes to any of these questions, the activity is supplanting and is unallowable.

	Question
Civil Rights	Is it already required under civil rights law?
All Students	Is it provided to all students?
Regulations	Is it required under State and local regulations?
Existed Previously	Did it exist previously under a different funding stream?

Funding Distinctions

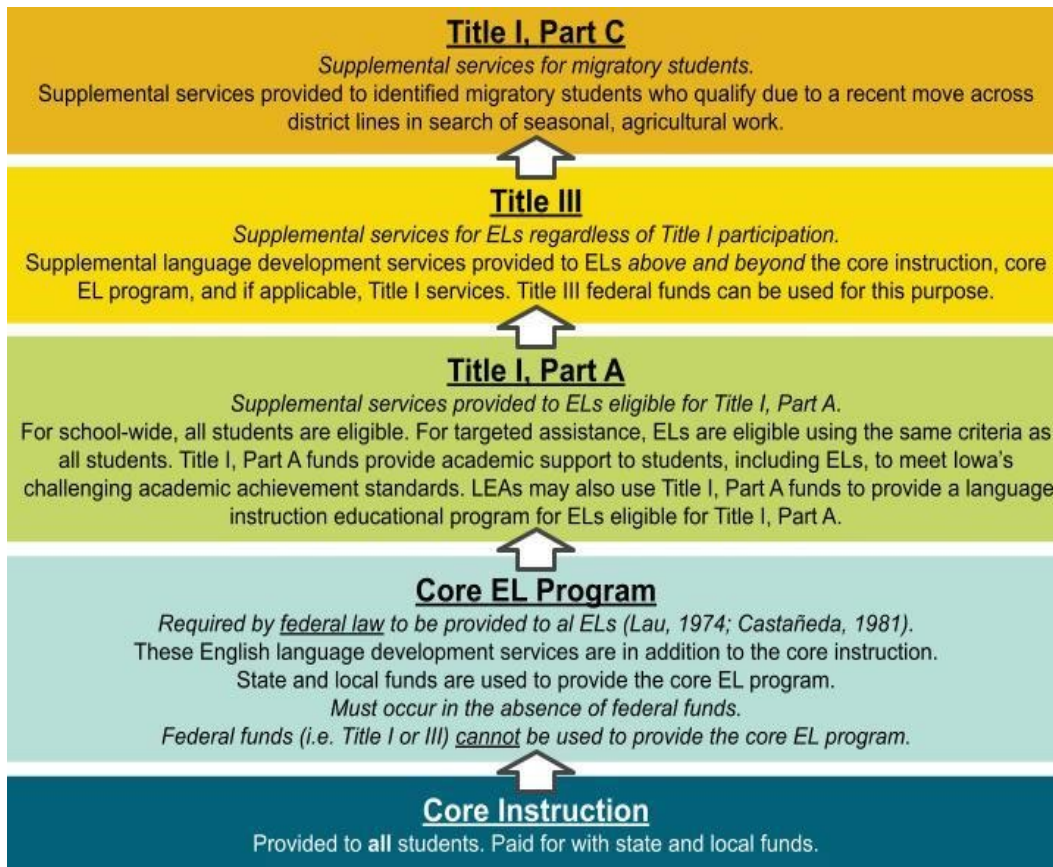


Figure 1. This graphic has been adapted from a resource produced by the Indiana Department of Education.

Questions and Additional Resources

For program contact information and resources, please see the Department's [ESSA Guidance and Allocations](#), [Consolidated Application for ESEA Title Programs](#), and [Iowa Migratory Education Program](#) pages.