

Title I, Part C Guidelines

Education of Migratory Children

Introduction

The Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), established the Migratory Education Program (MEP) under Title I, Part C in 2015. This program provides formula grants to states to support comprehensive educational programs for migratory children. Title I, Part C helps migratory children meet the same challenging state academic standards all children are expected to meet both by improving opportunities for migratory children to receive supplemental services and by reducing barriers incurred through migratory lifestyles. The Iowa Department of Education (Department) is charged with first finding and determining eligibility of migratory children and then also providing them with supplemental MEP services.

Purposes (ESEA § 1301)

The purposes of this federal program follow:

1. To 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. To 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. To 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. 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 succeed in school.
5. To help migratory children benefit from State and local systemic reforms.

Definitions (ESEA § 1309)

Qualifying Move

The term “qualifying move” means:

- A move due to economic necessity—
 - From one residence to another residence; and
 - From one school district to another school district.

Migratory Agricultural Worker (MAW)

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
 - Initial processing of raw agricultural products.

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.

Priority for Service (PFS)

In providing services with Title I, Part C funds, each recipient of funds shall give priority for service to:

- Migratory children who have made a qualifying move within the previous 1-year period; and—
 - Are failing, or most at risk of failing, to meet challenging State academic standards; or
 - Have dropped out of school.

Federal law requires the MEP to provide services first to migratory children identified as PFS.

Out-of-School Youth (OSY)

For the purposes of Iowa’s MEP, the term “out-of-school youth” means:

- Migratory youth through age 21 who—
 - Are not currently enrolled in a K-12 institution; and
 - Do not yet hold a high school diploma or its equivalence.

Examples and Non-Examples of OSY

Examples of OSY	Non-Examples of OSY
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; and● Youth who are “here-to-work” only.	OSY would not include the following: <ul style="list-style-type: none">● Graduates;● Children in preschool; or● Children and youth with temporary absences (e.g., summer or intersession, suspension, illness).

Local Operating Agency (LOA)

The term “local operating agency” means:

- A local educational agency (LEA) to which the Department allocates a Title I, Part C subgrant in order to provide supplemental services to eligible migratory children both during the regular school year and during the summer;
- A public or private agency with which the Department or the U.S. secretary of education makes an arrangement to carry out a Title I, Part C project; or
- The Department, if the Department operates the State’s MEP or Title I, Part C projects directly.

Eligibility Determination Processes

Migratory Liaisons

Every LEA designates a migratory liaison under Title I, Part A who incorporates the [MEP Parent Form](#) into registration processes and refers forms of potentially eligible migratory families to mep@iowa.gov. Migratory liaisons are in frequent communication with [Iowa’s MEP staff](#) to connect families who may be new to the district with supplemental resources and services, as well as to maintain required MEP documents and data.

MEP Staff

Upon receiving the referred MEP Parent Forms, Iowa’s MEP staff:

- Conduct interviews with potentially eligible migratory families—
 - To determine eligibility based on statutory requirements of Title I, Part C;
 - To initiate the national certificate of eligibility (COE) for children who qualify;
- Securely email to the designated migratory liaison associated with each child’s district of residence—
 - The authorized COE that has been approved by the Department to be filed in each child’s cumulative folder and the districtwide file of eligible migratory children;
 - The MEP Lunch Letter explaining next steps to coordinate with district nutrition staff so that 100% of eligible migratory children receive free lunch categorically in Iowa; and
 - The MEP Withdrawal Form with directions to notify Iowa’s MEP staff when migratory children withdraw from the district so that discontinuity of education can be minimized.
- Verify residency of all eligible migratory children present in the state at least one day on or after September 1, annually; and
- Coordinate and provide supplemental services aligned with Iowa’s Service Delivery Plan.

Eligibility for MEP Services

A child is eligible to receive MEP services in Iowa when he or she:

- Is an “eligible child” (ESEA § 1115(c)(1)(A)) who—
 - Is not older than age 21 and is entitled to a free public education through grade 12; or
 - Is not yet at a grade level at which the LEA provides a free public education.
- Is a “migratory child” (ESEA § 1309);
- Has an authorized COE on file at the current school district of residence; and
- Has remaining eligibility within the 36-month timeframe of eligibility to receive MEP services.

Statutory Requirements

Requirements of All LEAs in Iowa

ESEA Citation	Action(s)
State ESSA Plan § 1304 § 1309	Designate a migratory liaison under Title I, Part A who ensure districtwide implementation of: <ul style="list-style-type: none"> ● Assisting in identifying migratory students in the state by referring the MEP Parent Forms of potentially eligible migratory children to mep@iowa.gov; ● Filing documentation of eligibility (COEs) in each child’s cumulative folder as well as a districtwide file of eligible migratory children; ● Coordinating with nutrition staff so that eligible migratory children receive free lunch; ● Sending notification within 10 days of when eligible migratory children withdraw; and ● Verifying residency of eligible migratory children at least once per reporting period.
§ 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.
§ 1112(c)(4)	Coordinate and integrate Title I, Part A 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.

Additional Requirements of Title I, Part C Subgrantees (LOAs)

ESEA Citation	Action(s)
§ 1306(a)	<p>Submit the program application in the Consolidated Application for ESEA Title Programs system (CASA) for Title I, Part C:</p> <ul style="list-style-type: none"> ● Program Assurances; ● Program Questions; and ● Program Budget. <p>Complete and submit the year-to-date (YTD) reimbursement claims in CASA quarterly for Title I, Part C—Education of Migratory Children:</p> <ul style="list-style-type: none"> ● 1st Quarter claims between November 1 and November 30; ● 2nd Quarter claims between January 1 and January 31; ● 3rd Quarter claims between April 1 and April 30; and ● 4th Quarter claims between June 1 and July 15. <p><i>Additional information can be found on the Department's ESSA Guidance and Allocations page under Title I, Part C—Education of Migratory Children.</i></p>
§ 8501(c)(1)	<p>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.</p> <p>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, LEAs 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.</p> <p>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.</p> <p><i>Additional information can be found on the Department's ESSA Guidance and Allocations page under Equitable Services for Nonpublic School Students.</i></p>
§ 1304(c)(1) § 1304(d)	<p>Use Title I, Part C funds to coordinate or provide programs and projects aligned with Iowa's Comprehensive Needs Assessment and Service Delivery Plan; 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.</p> <p>Give priority for service (PFS) first to migratory children who have made a qualifying move within the previous one-year period, and who—</p> <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.
§ 1304(c)(2)	<p>Carry out Title I, Part C programs and projects in a manner consistent with the objectives of:</p> <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).

§ 1304(c)(3)	<p>Continue consultation with migratory children’s parents, including parent advisory councils (PACs), during the planning and operation of Title I, Part C programs and projects not less than one school year in duration.</p> <p>Ensure that all Title I, Part C 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.</p> <p>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 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.</p>
§ 1304(c)(4)	<p>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 I, Part C programs and projects.</p>
§ 1304(c)(5)	<p>Evaluate the effectiveness of Title I, Part C 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 I, Part A.</p>
§ 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 I, Part C 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.
§ 1304(c)(8)	<p>Assist the Department in determining the number of migratory children under section 1303(a)(1) (State Allocations).</p>

Continuous Cycle of Improvement

Section 1306 specifies that the Department must deliver and evaluate MEP-funded services to migratory children based on a state plan reflecting the results of a statewide, comprehensive needs assessment.

Iowa follows the Continuous Improvement Cycle as recommended by USED’s Office of Migrant Education (see figure to the right) and developed the following statewide documents from the USED’s toolkits for each:

- [Iowa’s Comprehensive Needs Assessment](#) (CNA)
- [Iowa’s Service Delivery Plan](#) (SDP)

Allowable Activities

Allowable uses of Title I, Part C funds must directly align with the service goal areas outlined in Iowa's SDP.

Iowa's SDP Service Goal Areas

Goal Area 1: School Readiness

Strategy	Allowable Activities
1.1a	Coordinate/provide parents of migratory children before school age with information and strategies on child development.
1.1b	Coordinate/provide parents of migratory children before school age with access to local preschool resources.
1.2	Coordinate with local preschool/childcare programs to ensure migratory children before school age receive instructional services .
1.3	Coordinate/provide instructional and support services to migratory children before school age to support school readiness / transition to kindergarten .

Goal Area 2: English Language Arts and Mathematics

Strategy	Allowable Activities
2.1	Coordinate/provide needs-based supplemental instruction in ELA and math to migratory students in grades K-12 during the regular school year .
2.2	Coordinate/provide needs-based supplemental instruction in ELA and math to migratory students in grades K-12 during the summer .

Goal Area 3: High School Graduation and Services to OSY

Strategy	Allowable Activities
3.1	Coordinate/partner/provide supportive systems for migratory high school students to obtain credits for prompt high school graduation .
3.2	Coordinate/partner/provide migratory high school students and OSY with culturally relevant information, services, and access to college/career readiness and postsecondary education .
3.3	Coordinate/partner/provide instructional and support services to migratory OSY .
3.4	Coordinate/partner/provide migratory high school students and OSY with needs-based culturally relevant summer services .

Goal Area 4: Non-Instructional Support Services

Strategy	Allowable Activities
4.1	Coordinate/provide needs-based non-instructional support services to migratory children, youth, and families.
4.2	Coordinate/provide targeted professional development (PD) to staff who serve migratory children, youth, and families.
4.3	Coordinate/provide migratory families with strategies to help them support their children.
4.4	Coordinate/provide culturally responsive support and resources to migratory children and youth to build awareness and nurture their social-emotional well-being .

Supplement Not Supplant

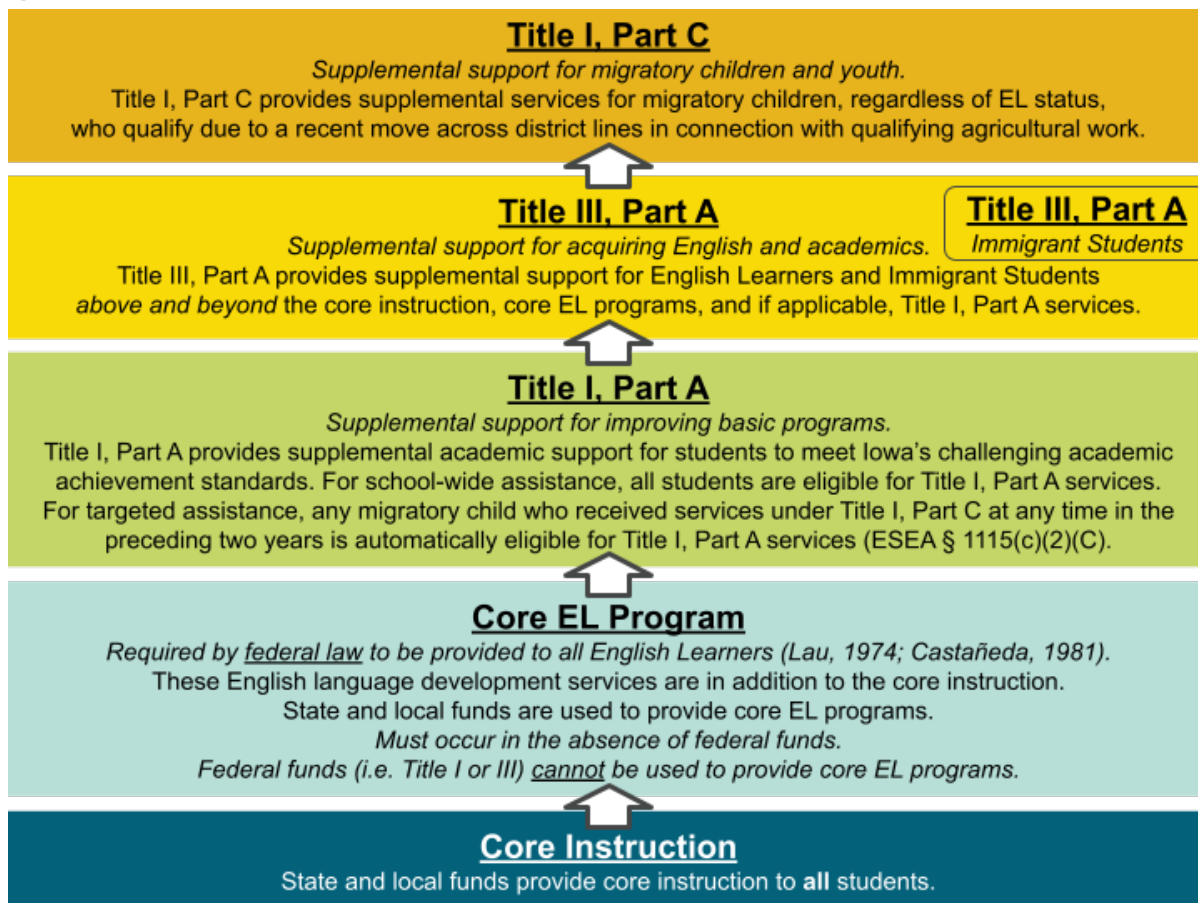
The supplement not supplant provision requires that federal funds be used to enhance the regular educational program. This means that federal funds cannot be used to supplant, or take the place of, funds that would have been spent if these federal Title funds were not available. It is not allowable to use 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, or local funds.

Use CARE Not to Supplant

If the answer to any of these questions is yes, it is supplanting and NOT an allowable use of Title III funds.

CARE	Test of Supplanting
Civil Rights	Is it already required under civil rights laws?
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



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

Contact Information and Additional Resources

For program contact information and additional resources, please refer to the following pages on the Department's website: [Consolidated Application for ESEA Title Programs](#), [ESSA Guidance and Allocations](#), and [Title I, Part C—Education of Migratory Children](#).