

Presentation Notes

Topics to Be Covered

- Questions from the new Texas MEP Guidance
- ID&R Concerns
- ID&R Updates

The New Texas MEP Guidance

The Non-Regulatory Guidance on **Child Eligibility** issued on October 2003 by USDE has been revised as of August 2010. All other sections continue to remain in force. Texas has adapted the revisions into the Texas MEP Guidance. This guidance is designed to help LEAs and ESCs comply with statutory or regulatory requirements by providing information on how to implement and operate the MEP. It should not be viewed as the “only” or the “best” way to comply with the requirements.

A25. Must a worker who states that he or she moved in order to obtain (or seek) any employment and who obtained qualifying work “soon after the move” be considered to have moved “in order to obtain” qualifying work?

Under certain circumstances, yes. Workers may not always express a clear intent to move and obtain qualifying work. According to § 200.81(c)(1) of the regulations, in those situations where a worker’s intent is not clearly expressed, the LEA may infer that individuals who express a general intent to have moved, for example, “for work,” “to obtain work,” “to obtain any type of employment” or to “take any job,” may be deemed to have moved with a purpose of obtaining qualifying work if he or she obtained qualifying work soon after the move. See A36 of this section regarding “soon after the move.”

A27. Must a recruiter ask a worker why he or she moved if the worker is engaged in qualifying work?

Yes. The fact that a worker moved and is engaged in qualifying work does not automatically establish that the worker moved “in order to obtain” that work. Consistent with the MEP regulations, the recruiter must determine whether one of the purposes of the worker’s move was to obtain qualifying work or any employment, or conversely that the purpose was specifically to obtain non-qualifying work.

A31. How far back may a recruiter look in considering “prior history of moves to obtain qualifying work?”

A worker’s “prior history of moves to obtain qualifying work” does not have to have occurred within a certain time period before the most recent move, so long as the worker states that one of the purposes of his or her move was *specifically* to obtain qualifying work and not just any work, as explained in A29 of this section.

A36. How much time may separate the date of the worker’s move and the date the worker obtains qualifying work to permit an LEA to reasonably conclude that the worker obtained qualifying work “soon after the move?”

Because one of the purposes of the worker’s move must be to seek or obtain qualifying work, the USDE established the “soon after the move” test in the belief that the time between when the worker moves and when he or she obtains qualifying work must be small enough to reasonably presume that one of the purposes of the move was to obtain qualifying work. In these circumstances, a worker generally should obtain qualifying work within 30 days of the move. Note: “Soon after the move” is defined as within 30 days after the worker’s arrival.

ID&R Concerns

- **Section E. of the 2010-2011 COE**

Interviewers need to remember to mark the box which states “*See attached COMMENTS.*” when there are any sort of comments on the COE Supplemental Documentation Form (SDF), whether the comments are eligibility related or not.

- **Process for Making Difficult Eligibility Determinations**

The interviewer should conduct a thorough interview with parent/guardian in order to grasp the full picture of the situation;

The interviewer must clearly explain all information that he/she writes in the *Comments* section of the COE SDF and ensure that there is sufficient narrative to satisfy state and federal auditors, as well as, ensure that the ESC and/or State MEP fully understand the circumstances; and

The school district must forward the COE, the COE SDF and any other documentation to the ESC for review. The COE should not be signed by the Designated SEA Reviewer until the COE has been deemed eligible by the ESC and/or State MEP.

- **Verify Each Child’s Residency During Initial Interview**

During the initial interview the interviewer must verify with the parent/guardian that each child listed on the COE is currently residing in the school district on the day of the interview.

- **Residency Verification Process**

The reporting window for federal performance counts falls between September 1 – August 31 of each year.

Every child identified should be verified for each reporting period either through school records or a face-to-face interview. This date must document that the child was residing in the school district during the reporting period.

Residency verification must be conducted between September 1 and November 1 for all COEs picked up (parent/guardian signature date) before September 1 of the current year.

Please see **Residency Verification Chart** handout.

ID&R Updates

- **Spanish Translation of the Priority for Service (PFS) Criteria**

As per the 2010-2011 NCLB Consolidated Federal Grant Application, PS3103 Title I, Part C, a PFS Action Plan must include when the Title I Migrant Coordinator provided parents the PFS criteria. The translation of the PFS criteria is to assist LEAs in explaining the criteria to parents.

Please see **Criteria for Priority for Service** handout.

- **Migrant Student Information Exchange (MSIX) System**

This is an overview of MSIX specifically for Texas users.

Please see **MSIX** handout.

- **ESCORT Report**

This is a summary report on calls from Texas placed to the National Migrant Education Hotline.

Please see **ESCORT** handout.

Contact Information

Texas Migrant Education Program State Office

Christina Villarreal, State Director, christina.villarreal@tea.state.tx.us

Rosie Garza, Program Specialist, rosie.garza@tea.state.tx.us

Raul Cantu, Program Specialist, raul.cantu@tea.state.tx.us

Jose Guereca, Program Specialist, jose.guereca@tea.state.tx.us

Kerry Manning, Program Specialist, kerry.manning@tea.state.tx.us

Division of NCLB Program Coordination

Texas Education Agency

1701 North Congress Avenue

Austin, Texas 78701

(512) 463-9374

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