



# Eligibility Scenarios

IRRC Training Webinar

**DISCLAIMER:** These slides have been put together to help review eligibility rules for discussion purposes only. Please consult with the ID&R supervisor from your own state if you have questions and to inquire of any state eligibility policies.



IRRC Competency Skills Assessment

Access the [Assessment Guidelines](#). The assessment is available member and non member states. [Contact us](#) if you would like access.


 Mini Quiz

34 67.6% 

[Details](#)

In September of 2018, Luis and his 3 school-aged children moved from Colorado to Washington so that Luis could work picking apples. Luis began to work one week after their move. On January 22nd, 2019, Luis and his family moved back to Colorado so he could work in his brother's restaurant as a waiter. A MEP recruiter interviews Luis on July 15th, 2019 and determines that his children are eligible for MEP services. What is the QAD for these children?

 Mini Quiz

33 45.5% 



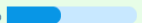
[Details](#)

Three and a half years ago Mr. Gómez and his three children moved from Portland, Maine to Elba, New York so Mr. Gómez could work in a restaurant cleaning tables. Three weeks after the move he began to work picking apples. Mr. Gomez and his children moved again to Atlanta, Georgia in a restaurant cleaning tables. Is Mr. Gomez now considered an actively sought worker?

 COE

12 41.7% 

How far back may a recruiter look in considering "recent history of moves"?

Answer	Selected *
A) the past 6 months	0 0% 
B) the past 24 months	6 50% 
C) the past 36 months	5 41.7% 

 Mini Quiz

33 57.6% 

[Details](#)

1 8.3% 

"Actively sought" means the worker was hoping to get work in agriculture or fishing.



New Mini Quizzes

We have 6 new Mini Quizzes and training modules on ID&R available for recruiters. [Access these here](#)

# Eligibility Flow Chart

## Is there a Qualifying Migratory Worker?

Did the Migratory Worker make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another



Did the Individual Engage in Qualifying Work Soon after the move?



The individual is a **Migratory Qualifying Worker**

Actively Sought qualifying work soon after the move and has two recent history moves



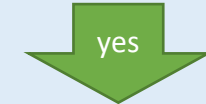
If the answer to any of these questions is NO they are not eligible.

## Is there a Migratory Child?

Is there a child younger than 22 years old?



Is the child eligible for free and public education?



Did the Child make a qualifying move in the last 36 months?

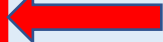
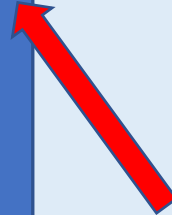
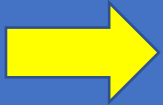
- Due to Economic Necessity
- From one Residence to another
- From one school district to another



Did the child move as the Migratory worker, or with or, to join the Migratory Worker.



The child is a **Migratory Child**



# Scenario 1

- A recruiter finds Jose Rodriguez at a local store on March 23<sup>rd</sup>, 2020 and talks with him. Jose Rodriguez moved to Las Cruces, New Mexico to work in construction on July 26, 2019. He lived in Dallas before moving to NM. He brought his wife and two children with him. She found work harvesting chile right after the move. She worked in the chile fields for two weeks before she got sick and couldn't work anymore due to a pregnancy. Jose got a job in construction and still is working at that same job. Jose and his wife have three children. One joined them on December 21, 2019. This child is 14, the other two children are 6 and 2.
- Who is eligible for MEP and what would be their QAD?

## MIGRATORY WORKER

- ✓ Made a *qualifying move* within the preceding 36 months.
- ✓ Engaged in new qualifying work soon after move.

OR

Did not engage in qualifying work soon after move however:

- Actively sought qualifying work soon after move; **AND**
- Has recent history of moves (two or more) in which,
  - a. the move was from one residence to another residence; **AND**
  - b. the move was due to economic necessity; **AND**
  - c. resulted in qualifying agricultural or fishing employment.

## MIGRATORY CHILD

- ✓ The child is younger than age 22.
- ✓ The child is eligible for a free public education under State law.
- ✓ Made a *qualifying move* on own **OR** with a *migratory worker* within the preceding 36 months.

## QUALIFYING MOVE

- ✓ Change of Residence and Move is due to economic necessity.
- ✓ Move is from one school district to another school district.

## QUALIFYING WORK

- ✓ Work is Temporary or Seasonal.
- ✓ Work is in the Agricultural or Fishing industries.

# Are they eligible?

- Is there a migratory worker?
- Did that worker engage soon after the move?
- Are there eligible Migratory Children?
- Is there a qualifying move?
- Was the work qualifying work?

# Who is eligible and what would be their QAD?



- What we know:
- Moved to Las Cruces July 26<sup>th</sup>
- Jose works in construction
- Wife got work soon after the move in chile harvesting- worked for 2 weeks
- 3 children 2,6,14
- 1 child came later within 12 months of the move

Let's vote!



# Scenario 1

- A recruiter finds Jose Rodriguez at a local store on March 23<sup>rd</sup>, 2020 and talks with him. Jose Rodriguez moved to Las Cruces, New Mexico to work in construction on July 26, 2019. He lived in Dallas before moving to NM. He brought his wife and two children with him. She found work harvesting chile right after the move. She worked in the chile fields for two weeks before she got sick and couldn't work anymore due to a pregnancy. Jose got a job in construction and still is working at that same job. Jose and his wife have three children. One joined them on December 21, 2019. This child is 14, the other two children are 6 and 2.
- Who is eligible for MEP and what would be their QAD?



# Eligibility Flow Chart



## Is there a Qualifying Migratory Worker?

Did the Migratory Worker make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another



**Yes Jose's wife moved 7-26-19 from Texas to NM.**

Did the Individual Engage in Qualifying Work Soon after the move?



**She worked in the job for two weeks**

The individual is a **Migratory Qualifying Worker**

Actively Sought qualifying work soon after the move and has two recent history moves



The individual is a **Migratory Qualifying Worker**

If the answer to any of these questions is NO they are not eligible.

## Is there a Migratory Child?

Is there a child younger than 22 years old?



**Yes 3 of them**

Is the child eligible for free and public education?



**2 of them one is only 2.**

Did the Child make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another



**They all did. One child joined later. Two different QADs- 7-26-19 for first two 12-21-19 for third**

Did the child move as the Migratory worker, or with or, to join the Migratory Worker.



**With and to join**

The child is a **Migratory Child**

# Scenario 2

- A farmer mentions he has a worker that comes back every year for work at a dairy. This worker usually goes back home to Mexico every year around the holidays. This year he brought his son to also work at the dairy with him. His son is 19 years old. His son says he has finished school according to the farmer.
- What questions does the recruiter need to ask to determine if this workers son could possibly be eligible? (please type your comments in the chat box)

## MIGRATORY WORKER

- ✓ Made a *qualifying move* within the preceding 36 months.
- ✓ Engaged in new qualifying work soon after move.

OR

Did not engage in qualifying work soon after move however:

- Actively sought qualifying work soon after move; **AND**
- Has recent history of moves (two or more) in which,
  - a. the move was from one residence to another residence; **AND**
  - b. the move was due to economic necessity; **AND**
  - c. resulted in qualifying agricultural or fishing employment.

## MIGRATORY CHILD

- ✓ The child is younger than age 22.
- ✓ The child is eligible for a free public education under State law.
- ✓ Made a *qualifying move* on own **OR** with a *migratory worker* within the preceding 36 months.

## QUALIFYING MOVE

- ✓ Change of Residence and Move is due to economic necessity.
- ✓ Move is from one school district to another school district.

## QUALIFYING WORK

- ✓ Work is Temporary or Seasonal.
- ✓ Work is in the Agricultural or Fishing industries.

# Is this youth eligible for the MEP program?

- Is there an eligible migratory worker?
- Did they engage in work soon after the move?
- Is there a migratory child?
- Is there a qualifying move?
- Is the work qualifying?
- Is the job a temporary job?

# Is this youth eligible for the MEP program?

- We know the new worker came less than a year ago.
- He is 19
- Work is in a dairy



What factors could make him eligible or not?

(type your comments in the chat box)

# Extra Details

- Dad always goes home to see his family for a vacation each year. This is of his own choosing since the work is available year round.
- Son is coming to work just for 11 months and return again back home with his dad. January to November 2020.
- Son is just missing one semester to finish school in Mexico for preparatoria (high school in MX). He just wanted to come this one time to earn some money. He is not planning on coming back next year.



Let's vote!



# Scenario 2

- A farmer mentions he has a worker that comes back every year for work at a dairy. This worker usually goes back home to Mexico every year around the holidays. This year he brought his son to also work at the dairy with him. His son is 19 years old. His son says he has finished school according to the farmer.
- What questions does the recruiter need to ask to determine if this workers son could possibly be eligible? (please type your comments in the chat box)

# Eligibility Flow Chart



## Is there a Qualifying Migratory Worker?

Did the Migratory Worker make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another



Son came January 2020

Did the Individual Engage in Qualifying Work Soon after the move?



Yes- He did start work right away

Actively Sought qualifying work soon after the move and has two recent history moves



The individual is a **Migratory Qualifying Worker**

## Is there a Migratory Child?

Is there a child younger than 22 years old?



The son is 19

Is the child eligible for free and public education?



Yes he hasn't finished school in Mexico.

Did the Child make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another

Yes-



Did the child move as the Migratory worker, or with or to join the migratory worker.



The child is a **Migratory Child**

If the answer to any of these questions is NO they are not eligible.



# Scenario 3



- On 6/8/19 a recruiter is visiting homes in Morristown, TN and meets a young man by the name of Jackson who just arrived from Mexico. Jackson moved from Nayarit, Mexico to Morristown, TN on 6/2/19. This is Jackson's first time being in the United States. Jackson wants to get a job planting tobacco but has not had any luck. While living in Mexico Jackson left school at the age of 8 to work on a tobacco plantation and hoped he could use his experience to land a job in the United States. Is Jackson eligible for the MEP?

## MIGRATORY WORKER

- ✓ Made a *qualifying move* within the preceding 36 months.
- ✓ Engaged in new qualifying work soon after move.

OR

Did not engage in qualifying work soon after move however:

- Actively sought qualifying work soon after move; **AND**
- Has recent history of moves (two or more) in which,
  - a. the move was from one residence to another residence; **AND**
  - b. the move was due to economic necessity; **AND**
  - c. resulted in qualifying agricultural or fishing employment.

## MIGRATORY CHILD

- ✓ The child is younger than age 22.
- ✓ The child is eligible for a free public education under State law.
- ✓ Made a *qualifying move* on own **OR** with a *migratory worker* within the preceding 36 months.

## QUALIFYING MOVE

- ✓ Change of Residence and Move is due to economic necessity.
- ✓ Move is from one school district to another school district.

## QUALIFYING WORK

- ✓ Work is Temporary or Seasonal.
- ✓ Work is in the Agricultural or Fishing industries.

# Is this youth eligible for the MEP program?

- Is there an eligible migratory worker?
- Did he engage in work soon after the move?
- Is there a migratory child?
- Is there a qualifying move?
- Is the work qualifying?

# Is this person eligible for the MEP program?



- What we know:
- Young man just arrived from Mexico.
- Wants job in tobacco but has not yet gotten the job.
- Has experience working in tobacco in the past.

Let's vote!



# Scenario 3



- On 6/8/19 a recruiter is visiting homes in Morristown, TN and meets a young man by the name of Jackson who just arrived from Mexico. Jackson moved from Nayarit, Mexico to Morristown, TN on 6/2/19. This is Jackson's first time being in the United States. Jackson wants to get a job planting tobacco but has not had any luck. While living in Mexico Jackson left school at the age of 8 to work on a tobacco plantation and hoped he could use his experience to land a job in the United States. Is Jackson eligible for the MEP?

# Eligibility Flow Chart

## Is there a Qualifying Migratory Worker?

Did the Migratory Worker make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another

yes

Came recently from Mexico

Did the Individual Engage in Qualifying Work Soon after the move?

Yes  
4a

No, he did not get the job.

The individual is a **Migratory Qualifying Worker**

Actively Sought qualifying work soon after the move and has two recent history moves

Yes  
4b

He does not have a history of two recent history move.

If the answer to any of these questions is NO they are not eligible.

## Is there a Migratory Child?

Is there a child younger than 22 years old?

yes

We just know he is a young man.

Is the child eligible for free and public education?

yes

We do not know this detail.

Did the Child make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another

Yes he moved to work in tobacco from Mexico

yes

Did the child move as the Migratory worker, or with or, to join the Migratory Worker.

yes

The child is a **Migratory Child**

# Scenario 4

- Debrah, her boyfriend (Joe), and her 4 school aged children live in North Charleston, SC and you met them on 5/1/19.
- Debrah does not have any history of agricultural work. Joe used to pick seasonally sweet potatoes and tobacco in Benson, NC from 2002-2018. He went to Cheriton, VA and engaged in picking tomatoes on 8/15/17, but returned three weeks later to Benson on 9/6/17 because of housing issues. On 12/17/17, Debrah and her children moved from Raleigh, NC to Benson to live with Joe. Then on 3/24/19, Debrah, Joe, and the children moved to North Charleston where Debrah provides childcare part time and Joe was eventually able to find work as a concrete worker. Do the children qualify for the MEP?

## MIGRATORY WORKER

- ✓ Made a *qualifying move* within the preceding 36 months.
- ✓ Engaged in new qualifying work soon after move.

OR

Did not engage in qualifying work soon after move however:

- Actively sought qualifying work soon after move; **AND**
- Has recent history of moves (two or more) in which,
  - a. the move was from one residence to another residence; **AND**
  - b. the move was due to economic necessity; **AND**
  - c. resulted in qualifying agricultural or fishing employment.

## MIGRATORY CHILD

- ✓ The child is younger than age 22.
- ✓ The child is eligible for a free public education under State law.
- ✓ Made a *qualifying move* on own **OR** with a *migratory worker* within the preceding 36 months.

## QUALIFYING MOVE

- ✓ Change of Residence and Move is due to economic necessity.
- ✓ Move is from one school district to another school district.

## QUALIFYING WORK

- ✓ Work is Temporary or Seasonal.
- ✓ Work is in the Agricultural or Fishing industries.

# Is family eligible for the MEP program?

- Is there an eligible migratory worker?
- Did he engage in work soon after the move?
- Is there a migratory child?
- Is there a qualifying move?
- Is the work qualifying?



# Are the children eligible for the MEP program?



- What we know:
- Debrah has no history of ag work
- She has 4 school aged children.
- Joe picked sweet potatoes and tobacco seasonally from 2002-2018
- He went to Cheriton, VA 8-15-17 and picked tomatoes came home 3 weeks later to Benson due to housing issues.
- Debrah and children moved to be with Joe in Benson on 12-12-17
- 3-24-19 they all moved to North Charleston for a job in childcare for Debra and Joe in concrete.

Let's vote!



# Scenario 4

- Debrah, her boyfriend (Joe), and her 4 school aged children live in North Charleston, SC and you met them on 5/1/19.
- Debrah does not have any history of agricultural work. Joe used to pick seasonally sweet potatoes and tobacco in Benson, NC from 2002-2018. He went to Cheriton, VA and engaged in picking tomatoes on 8/15/17, but returned three weeks later to Benson on 9/6/17 because of housing issues. On 12/17/17, Debrah and her children moved from Raleigh, NC to Benson to live with Joe. Then on 3/24/19, Debrah, Joe, and the children moved to North Charleston where Debrah provides childcare part time and Joe was eventually able to find work as a concrete worker. Do the children qualify for the MEP?

# Eligibility Flow Chart



## Is there a Qualifying Migratory Worker?

Did the Migratory Worker make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another



Yes Joe moved to work in tomatoes 8-15-17

Did the Individual Engage in Qualifying Work Soon after the move?



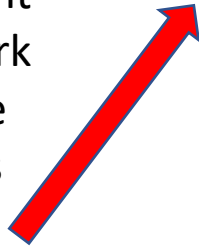
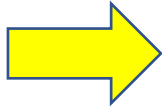
Yes he got the job and worked it for 3 weeks.

The individual is a **Migratory Qualifying Worker**

Actively Sought qualifying work soon after the move and has two recent history moves



Did the Individual Engage in Qualifying Work Soon after the move?



If the answer to any of these questions is NO they are not eligible.

## Is there a Migratory Child?

Is there a child younger than 22 years old?



4 school age kids

Is the child eligible for free and public education?



yes

Did the Child make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another

Yes two separate moved



Did the child move as the Migratory worker, or with or, to join the Migratory Worker.



Two moves with

The child is a **Migratory Child**

# Scenario 5

- Teresa Olvera and her 17-year-old son, Julio, traveled from McAllen, TX to Vincennes, IN. They left McAllen on June 23, 2019 arriving in Vincennes on June 25, 2019. They both started detasseling corn on July 6, 2019. Both returned to McAllen at the end of July. On December 12, 2019, Julio returned to Vincennes, IN with his aunt Luisa so his aunt could find work. Julio enrolled in school and his aunt started working at a restaurant. Julio and his aunt were interviewed by a MEP recruiter on January 5, 2020. Is Julio eligible for the MEP? If so, what is his QAD?

## MIGRATORY WORKER

- ✓ Made a *qualifying move* within the preceding 36 months.
- ✓ Engaged in new qualifying work soon after move.

OR

Did not engage in qualifying work soon after move however:

- Actively sought qualifying work soon after move; **AND**
- Has recent history of moves (two or more) in which,
  - a. the move was from one residence to another residence; **AND**
  - b. the move was due to economic necessity; **AND**
  - c. resulted in qualifying agricultural or fishing employment.

## MIGRATORY CHILD

- ✓ The child is younger than age 22.
- ✓ The child is eligible for a free public education under State law.
- ✓ Made a *qualifying move* on own **OR** with a *migratory worker* within the preceding 36 months.

## QUALIFYING MOVE

- ✓ Change of Residence and Move is due to economic necessity.
- ✓ Move is from one school district to another school district.

## QUALIFYING WORK

- ✓ Work is Temporary or Seasonal.
- ✓ Work is in the Agricultural or Fishing industries.

# Is anyone eligible for the MEP program?

- Is there an eligible migratory worker?
- Did he engage in work soon after the move?
- Is there a migratory child?
- Is there a qualifying move?
- Is the work qualifying?

# Is the family eligible for the MEP program?



- What we know:
- Teresa and son Julio arrived in Vincennes, Indiana on 6-25-19 from Texas.
- Started work in corn detasseling
- Returned to McAllen July
- Julio goes back to IN to live with his aunt and works in restaurant in 12-12-19

Let's vote!





# Scenario 5

- Teresa Olvera and her 17-year-old son, Julio, traveled from McAllen, TX to Vincennes, IN. They left McAllen on June 23, 2019 arriving in Vincennes on June 25, 2019. They both started detasseling corn on July 6, 2019. Both returned to McAllen at the end of July. On December 12, 2019, Julio returned to Vincennes, IN with his aunt Luisa so his aunt could find work. Julio enrolled in school and his aunt started working at a restaurant. Julio and his aunt were interviewed by a MEP recruiter on January 5, 2020. Is Julio eligible for the MEP? If so, what is his QAD?

# Eligibility Flow Chart



## Is there a Qualifying Migratory Worker?

Did the Migratory Worker make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another



Yes Julio and his mother

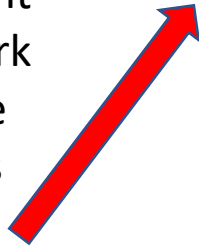
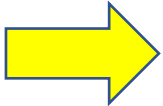
Did the Individual Engage in Qualifying Work Soon after the move?



Yes they got jobs in corn detasseling

The individual is a **Migratory Qualifying Worker**

Actively Sought qualifying work soon after the move and has two recent history moves



If the answer to any of these questions is NO they are not eligible.

## Is there a Migratory Child?

Is there a child younger than 22 years old?



Julio is

Is the child eligible for free and public education?



yes

Did the Child make a qualifying move in the last 36 months?

- Due to Economic Necessity
- From one Residence to another
- From one school district to another

Yes two separate moves



Did the child move as the Migratory worker, or with or, to join the Migratory Worker.



As the worker and with a worker.

The child is a **Migratory Child**

# Recruiting in the Pandemic



- What have you changed in your daily habits and efforts to find eligible children and youth?

(please add your comments in the chat box)

# Recruiting in the Pandemic



- Do you have any ideas or new strategies that have worked well to find and enroll eligible families/ youth that you would be willing to share?

(please add your comments in the chat box)

# Recruiting in the Pandemic



- What is your favorite way or tool you use to reach out to families, businesses, community agencies or farmers during this time?

(please add your comments in the chat box)