

Lesson 2:

Resources available to recruiters





PURPOSE:

There are many resources available to recruiters that can help them learn about what it means to be a recruiter, eligibility for the Migrant Education Program, and how recruiters can locate students while working in the field. This lesson aims to explain what those resources are and how recruiters may use them.





Results.ed.gov is the official website of the Federal Office of Migrant Education (OME).



https://results.ed.gov/



All important legislation and regulations related to the Migrant Education Program can be found on Results.ed.gov

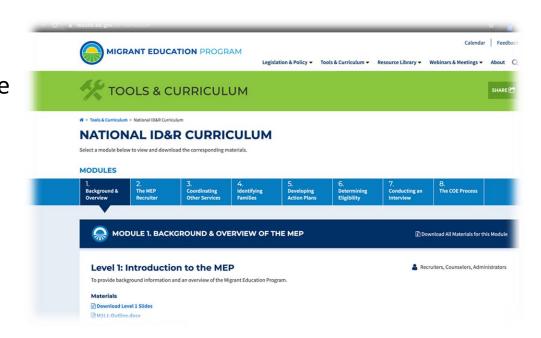




https://results.ed.gov/



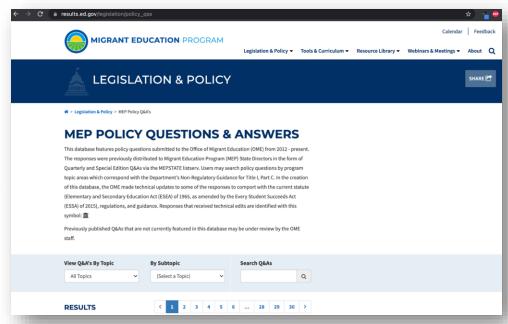
Results.ed.gov also contains the free National ID&R manual and ID&R training curriculum developed by OME to help ensure recruiters are effective in their ID&R efforts.



https://results.ed.gov/idr-curriculum



Results.ed.gov features a regularly updated Policy Questions and Answers page that serves as additional information to help recruiters clarify any issues they may have in identifying potential students.



https://results.ed.gov/legislation/policy_qas

TIP FROM A RECRUITER!



Use ALL of your resources to recruit. I use service agencies, such as our local Health Department (South Heartland District Health Department), WIC, Catholic Social Services, United Way, etc. to help me with my recruitment efforts.

Recruiter from Nebraska





The Non-Regulatory Guidance, or NRG, is the recruiting rule book. The NRG is produced by the Federal Office of Migrant Education and features all the regulations that govern MEP.

GUIDANCE

Education of Migratory Children under Title I, Part C of the Elementary and Secondary Education Act of 1965



SELECTED CHAPTERS REVISED March 2017

U.S. Department of Education Office of Elementary and Secondary Education



Chapters 2 and 3 are the most important chapters in the NRG for recruiters because they cover eligibility rules and what it means to identify and recruit new students.

GUIDANCE

Education of Migratory Children under Title I, Part C of the Elementary and Secondary Education Act of 1965



SELECTED CHAPTERS REVISED March 2017

U.S. Department of Education
Office of Elementary and Secondary Education

The NRG may appear intimidating, but it is very simple to use.

Each chapter in the NRG is divided into topics and each topic has a series of questions to help you understand the finer points of each topic.





Chapter II: Child Eligibility [Non-Regulatory Guidance — March 2017]

C18. Must the individual's recent history of moves for qualifying work have been moves from one school district to another?

No. The statute uses the phrase "recent history of moves," but does not state that these moves must be "qualifying moves," i.e., moves from one school district to another (except in special circumstances, See D1 of this chapter, below. Therefore, an individual's recent history of moves for qualifying work does not have to be from one school district to another. However, any such historic move must meet the definition of a "move" under 34 C.F.R. § 200.81(j), which requires a change from one residence to another residence that occurs due to economic necessity.

D. "Qualifying Move"

D1. What is a "qualifying move"?

Under section 1309(5) of the ESEA, a qualifying move is:

- 1. made due to economic necessity; and
- 2. from one residence to another residence; and
- 3. from one school district to another school district.*

*In a State that is comprised of a single school district, a move qualifies if it is from one administrative area to another within the district. In addition, in a school district of more than 15,000 square miles, a move qualifies if it is over a distance of 20 miles or more to a temporary residence.

Change of Residence and Economic Necessity

D2. What is a "residence"?

There is no statutory or regulatory definition of a residence for purposes of the MEP. However, the Department views a "residence" as a place where one lives and not just visits. In certain circumstances, boats, vehicles, tents, trailers, etc., may serve as a residence.

Consistent with the COE instructions, the Department recommends that recruiters provide a comment on the COE if there appears to be any other reason that an independent reviewer would question whether the child or worker's move was from one residence to another residence.

O3. What does it mean to move "due to economic necessity"?

The Department considers this to mean that the child and the worker (if the child is not the worker) move because they could not afford to stay in the current location. The MEP is premised on the Federal government's understanding that migratory children have unique needs in view of their mobility, and generally are in low-income families. However, the statutory requirement that a qualifying move be made due to economic necessity clarifies that, under ESEA, economic necessity is integral to a move that makes a child a "migratory" child.

When you are unsure if a student is eligible or have a question about eligibility, search for the related topic in the NRG.

Read carefully through each question in the related topic and apply the given rules.



Chapter II: Child Eligibility [Non-Regulatory Guidance — March 2017]



C18. Must the individual's recent history of moves for qualifying work have been moves from one school district to another?

No. The statute uses the phrase "recent history of moves," but does not state that these moves must be "qualifying moves," i.e., moves from one school district to another (except in special circumstances, See D1 of this chapter, below. Therefore, an individual's recent history of moves for qualifying work does not have to be from one school district to another. However, any such historic move must meet the definition of a "move" under 34 C.F.R. § 200.81(j), which requires a change from one residence to another residence that occurs due to economic necessity.

D. "Qualifying Move"

D1. What is a "qualifying move"?

Under section 1309(5) of the ESEA, a qualifying move is:

- 1. made due to economic necessity; and
- 2. from one residence to another residence; and
- 3. from one school district to another school district.*

*In a State that is comprised of a single school district, a move qualifies if it is from one administrative area to another within the district. In addition, in a school district of more than 15,000 square miles, a move qualifies if it is over a distance of 20 miles or more to a temporary residence.

Change of Residence and Economic Necessity

D2. What is a "residence"?

There is no statutory or regulatory definition of a residence for purposes of the MEP. However, the Department views a "residence" as a place where one lives and not just visits. In certain circumstances, boats, vehicles, tents, trailers, etc., may serve as a residence.

Consistent with the COE instructions, the Department recommends that recruiters provide a comment on the COE if there appears to be any other reason that an independent reviewer would question whether the child or worker's move was from one residence to another residence.

D3. What does it mean to move "due to economic necessity"?

The Department considers this to mean that the child and the worker (if the child is not the worker) move because they could not afford to stay in the current location. The MEP is premised on the Federal government's understanding that migratory children have unique needs in view of their mobility, and generally are in low-income families. However, the statutory requirement that a qualifying move be made due to economic necessity clarifies that, under ESEA, economic necessity is integral to a move that makes a child a "migratory" child.



For example:

You are out recruiting and encounter a migrant worker who works cleaning conveyor belts in a lettuce packing house. You are not sure if the activity counts as a qualifying activity for the purposes of eligibility.

What do you do?





You are trying to determine if cleaning conveyor belts at a lettuce packinghouse counts as a qualifying activity.

Look for the topic of **Agricultural or Fishing Work** on page 24 the NRG.

F. Agricultural Work or Fishing Work

Agricultural Work

F1. What is the definition of "agricultural work" for purposes of the MEP?

"Agricultural work" is:

- the production or initial processing of raw agricultural products, such as crops, poultry, or livestock; dairy work; as well as the cultivation or harvesting of trees, that is—
- 2. performed for wages or personal subsistence.

See section 1309(2) of the ESEA and 34 C.F.R. § 200.81(a).

F2. What does "production" mean?

The Department considers agricultural production to mean work on farms, ranches, dairies, orchards, nurseries, and greenhouses engaged in the growing and harvesting of crops, plants, or vines and the keeping, grazing, or feeding of livestock or livestock products for sale. The term also includes, among other things, the production of bulbs, flower seeds, vegetable seeds, and specialty operations such as sod farms, mushroom cellars, and cranberry bogs.



Based on question F1 we know agricultural work is work in the production or initial processing of raw agricultural products.

Read question F2 and ask yourself if cleaning conveyor belts falls under "production".

F. Agricultural Work or Fishing Work

Agricultural Work

F1. What is the definition of "agricultural work" for purposes of the MEP?

"Agricultural work" is:

- the production or initial processing of raw agricultural products, such as crops, poultry, or livestock; dairy work; as well as the cultivation or harvesting of trees, that is—
- 2. performed for wages or personal subsistence.

See section 1309(2) of the ESEA and 34 C.F.R. § 200.81(a).

F2. What does "production" mean?

The Department considers agricultural production to mean work on farms, ranches, dairies, orchards, nurseries, and greenhouses engaged in the growing and harvesting of crops, plants, or vines and the keeping, grazing, or feeding of livestock or livestock products for sale. The term also includes, among other things, the production of bulbs, flower seeds, vegetable seeds, and specialty operations such as sod farms, mushroom cellars, and cranberry bogs.

Since we know cleaning conveyor belts does not count as a "production" we have to look and see if it can qualify under "initial processing."

There are several questions related to what does "initial processing" mean. Read questions F22-F25 in the NRG.

F22. What are examples of "initial processing" work in the crop industry?

For the purposes of the MEP, examples of "initial processing" work in the crop industry include, but are not limited to: cleaning, weighing; cutting; grading; peeling; sorting; freezing, and enclosing the raw product in a container.

F23. What are examples of "initial processing" work in the fishing industry?

For the purposes of the MEP, examples of "initial processing" work in the fishing industry include, but are not limited to: scaling; cutting; freezing; dressing; and enclosing the raw product in a container.

F24. When does "initial processing" end?

The Department considers a product no longer to be in the stage of "initial processing" once the transformation of the raw product into something more refined begins. The Department believes that work up to, but not including, the start of the transformation process is agricultural or fishing work for purposes of the MEP. However, work such as placing raw chicken breasts into the oven for cooking, adding starter cultures to milk to make cheese, or applying necessary

27

Chapter II: Child Eligibility [Non-Regulatory Guidance — March 2017]

ingredients to a raw pork belly to begin the curing process is the beginning of the transformation process and therefore is not agricultural or fishing work for purposes of the MEP.

F25. What work is <u>not</u> considered production or initial processing?

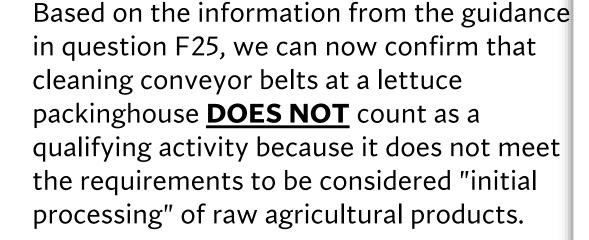
Work such as cooking; baking; curing; fermenting; dehydrating; breading; marinating; and mixing of ingredients involves transforming a raw product into a more refined product. Therefore, the Department does not consider this work to be production or initial processing. In addition, the Department does not consider the following work to be production or processing: placing labels on boxes of refined products; selling an agricultural or fishing product; landscaping; managing a farm or processing plant; providing accounting, bookkeeping, or clerical services; providing babysitting or childcare services for farmworkers; or working at a bakery or restaurant. With regard to work such as repairing or maintaining equipment used for production or processing, or cleaning or sterilizing farm machinery or processing equipment, the Department does not consider individuals whose profession is to do this work, or who were hired solely to perform this work, to be performing agricultural work.



Pay special attention to question F25. The question states that cleaning or sterilizing farm machinery does not count as "initial processing" of agricultural products.

F25. What work is <u>not</u> considered production or initial processing?

Work such as cooking; baking; curing; fermenting; dehydrating; breading; marinating; and mixing of ingredients involves transforming a raw product into a more refined product. Therefore, the Department does not consider this work to be production or initial processing. In addition, the Department does not consider the following work to be production or processing: placing labels on boxes of refined products; selling an agricultural or fishing product; landscaping; managing a farm or processing plant; providing accounting, bookkeeping, or clerical services; providing babysitting or childcare services for farmworkers; or working at a bakery or restaurant. With regard to work such as repairing or maintaining equipment used for production or processing, or cleaning or sterilizing farm machinery or processing equipment, the Department does not consider individuals whose *profession* is to do this work, or who were hired solely to perform this work, to be performing agricultural work.





Chapter II: Child Eligibility [Non-Regulatory Guidance — March 2017]

C18. Must the individual's recent history of moves for qualifying work have been moves from one school district to another?

No. The statute uses the phrase "recent history of moves," but does not state that these moves must be "qualifying moves," i.e., moves from one school district to another (except in special circumstances, See DI of this chapter, below. Therefore, an individual's recent history of moves for qualifying work does not have to be from one school district to another. However, any such historic move must meet the definition of a "move" under 34 C.F.R. § 200.81(j), which requires a change from one residence to another residence that occurs due to economic necessity.

D. "Qualifying Move"

D1. What is a "qualifying move"?

Under section 1309(5) of the ESEA, a qualifying move is:

- 1. made due to economic necessity; and
- 2. from one residence to another residence; and
- 3. from one school district to another school district.*

*In a State that is comprised of a single school district, a move qualifies if it is from one administrative area to another within the district. In addition, in a school district of more than 15,000 square miles, a move qualifies if it is over a distance of 20 miles or more to a temporary residence.

Change of Residence and Economic Necessity

D2. What is a "residence"?

There is no statutory or regulatory definition of a residence for purposes of the MEP. However, the Department views a "residence" as a place where one lives and not just visits. In certain circumstances, boats, vehicles, tents, trailers, etc., may serve as a residence.

Consistent with the COE instructions, the Department recommends that recruiters provide a comment on the COE if there appears to be any other reason that an independent reviewer would question whether the child or worker's move was from one residence to another residence.

D3. What does it mean to move "due to economic necessity"?

The Department considers this to mean that the child and the worker (if the child is not the worker) move because they could not afford to stay in the current location. The MEP is premised on the Federal government's understanding that migratory children have unique needs in view of their mobility, and generally are in low-income families. However, the statutory requirement that a qualifying move be made due to economic necessity clarifies that, under ESEA, economic necessity is interfal to a move that makes a child a "migratory" child.



TIP FROM A RECRUITER!

Our team is doing an all staff reading club using the NRG. At the end of the reading session, as a group, we reflect on what we read. It's very helpful to learn about each other's responsibilities in the MEP

- Recruiter from Nebraska





It is important to remember that many times workers on farms may perform multiple jobs/tasks.

If you encounter a worker at an agribusiness who performs a task that does not qualify, always check to see what other jobs/tasks they performed within 60 days of moving. They may be eligible for MEP from a different qualifying activity.

Chapter II: Child Eligibility [Non-Regulatory Guidance — March 2017]

C18. Must the individual's recent history of moves for qualifying work have been moves from one school district to another?

No. The statute uses the phrase "recent history of moves," but does not state that these moves must be "qualifying moves," *i.e.*, moves from one school district to another (except in special circumstances, See D1 of this chapter, below. Therefore, an individual's recent history of moves for qualifying work does not have to be from one school district to another. However, any such historic move must meet the definition of a "move" under 34 C.F.R. § 200.81(j), which requires a change from one residence to another residence that occurs due to economic necessive.

D. "Qualifying Move"

D1. What is a "qualifying move"?

Under section 1309(5) of the ESEA, a qualifying move is:

- made due to economic necessity; and
- 2. from one residence to another residence; and
- 3. from one school district to another school district.*

*In a State that is comprised of a single school district, a move qualifies if it is from one administrative area to another within the district. In addition, in a school district of more than 15,000 square miles, a move qualifies if it is over a distance of 20 miles or more to a temporary residence.

Change of Residence and Economic Necessity

D2. What is a "residence"?

There is no statutory or regulatory definition of a residence for purposes of the MEP. However, the Department views a "residence" as a place where one lives and not just visits. In certain circumstances, boats, vehicles, tents, trailers, etc., may serve as a residence.

Consistent with the COE instructions, the Department recommends that recruiters provide a comment on the COE if there appears to be any other reason that an independent reviewer would question whether the child or worker's move was from one residence to another residence.

D3. What does it mean to move "due to economic necessity"?

The Department considers this to mean that the child and the worker (if the child is not the worker) move because they could not afford to stay in the current location. The MEP is premised on the Federal government's understanding that migratory children have unique needs in view of their mobility, and generally are in low-income families. However, the statutory requirement that a qualifying move be made due to economic necessity clarifies that, under ESEA, economic necessity is integral to a move that makes a child a "migratory" child.

NATIONAL COE INSTRUCTIONS

Vidre Identification & Recruitment Consortium

All states are required to use the Certificate of Eligibility to document why students are eligible for the Migrant Education Program.

The National COE instructions explains the purpose of the COE and how to properly fill out the COE. OMB Control No.: 1810-0662 Exp. 6/30/2023

Education of Migratory Children under Title I, Part C of the Elementary and Secondary Education Act of 1965



NATIONAL CERTIFICATE OF ELIGIBILITY (COE) INSTRUCTIONS





The National COE instructions includes:

- Federal requirements for completing electronic and paper COEs
- Instructions on when COEs are needed
- What is documented in each section of the COE.
- Explanations on when and why comments are needed

OMB Control No.: 1810-0662 Exp. 6/30/2023

Education of Migratory Children under Title I, Part C of the Elementary and Secondary Education Act of 1965



NATIONAL CERTIFICATE OF ELIGIBILITY (COE) INSTRUCTIONS



Videntification & Recruitment

OMB Control No.: 1810-0662 Exp. 6/30/2023

Education of Migratory Children under Title I, Part C of the Elementary and Secondary Education Act of 1965



NATIONAL CERTIFICATE OF ELIGIBILITY (COE) INSTRUCTIONS

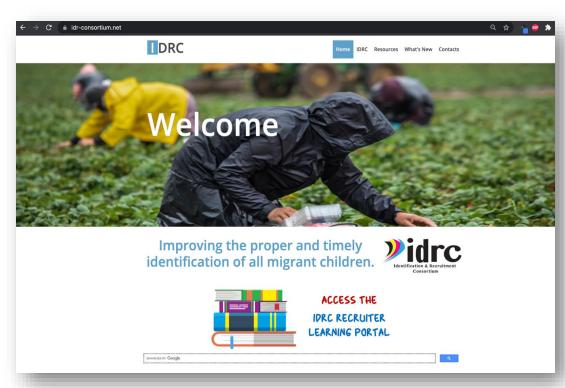
Like the Non-Regulatory Guidance, Recruiters should read the National COE Instructions regularly to ensure they are familiar with all aspects of the COE.



Vidre Identification & Recruitment Consortium

The Identification and Recruitment Consortium (IDRC) has a website full of free resources available to recruiters. You can visit the IDRC website at:

https://www.idr-consortium.net/

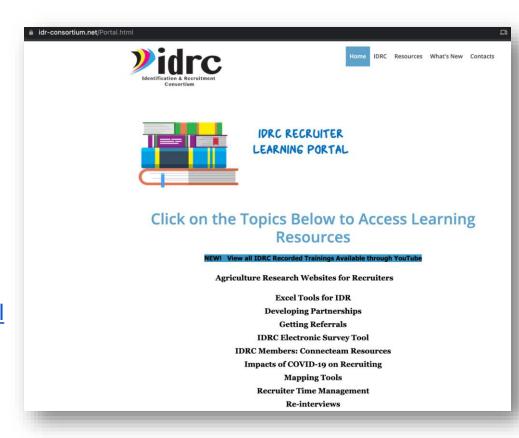




The IDRC website includes a training portal where you can view all previous webinars, practice scenarios, and learning materials produced by the consortium.

https://www.idr-consortium.net/Portal.html





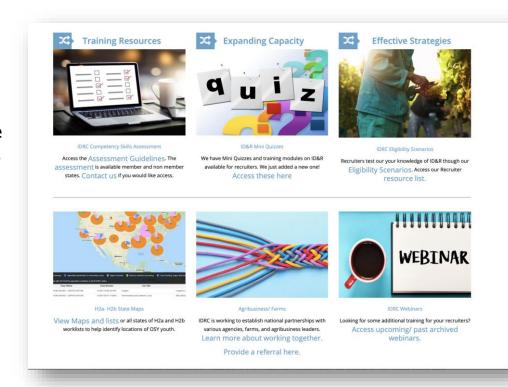




The IDRC website also includes:

- Recruiter assessments and miniquizzes to gauge recruiter knowledge
- Maps of H2A, H2B, and H2A housing locations for every state.
- Latest agricultural news
- Practice Scenarios

https://www.idr-consortium.net/



TIP FROM A RECRUITER!

I use the IDRC website to stay up to date with the newest information. My favorite part of it all are the scenarios as they provide great practice.

Recruiter from Nebraska



Home IDRC Resources What's New Contacts

Issues Facing US Agriculture-

AG TRENDS FOCUS PAGE

The Department of Agriculture is aiming to improve urban food production by providing \$2 million to local governments who host pilot projects focusing on composting and reducing food waste.

/iew Complete Article Here



The Guardian: Third of global food production at risk from climate crisis View Complete Article Here - Food-growing

View Complete Article Here - Food-growing areas will see drastic changes to rainfall and temperatures if global heating continues at current rate.

BBC: How humanity has changed the food it eats

View Complete Article Here - Processed food isn't just a modern invention, created in factories from artificial ingredients. It is as old as humanity itself and may have helped create our species.

The following web resources and articles have been gathered to explain current changes, challenges or new technologies that can impact the US Agriculture Industry. These types of changes affect farmers and workers in many different states.

Associated Press: Pandemic-hit oyster farmers turn to conservation to survive

View Full Article Here -



The program, known as Supporting Oyster Aquaculture and Restoration or SOAR, is spending \$2 million from an anonymous donor to buy more than 5 million oysters in New England, the Mid-Atlantic and Washington state to restore shelfish reefs at 20 locations.

https://www.idr-consortium.net/

WORKBOOK - ACTIVITY!

Resource Scavenger Hunt

Go to the Activity in the Recruiting 101 Lesson 2 page of the workbook.

Use the list in the workbook to find either the url or page number for the item listed. Use the time to explore the different resources available to recruiters and to look for new resources you can use in the future!

NEXT STEPS

To continue learning, explore review the Federal Migrant Education Program website: https://results.ed.gov/idr-manual Take the Recruiter Resources mini-quiz to test your knowledge: https://www.classmarker.com/onlinetest/start/?quiz=e6v60e14ceb57bc5

Then continue on to Recruiting

101 Lesson 7: Returning From the
Field

