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Technical Assistance Paper Priority for Services for Migratory Students

Summary:

Local Educational Agencies/Consortia (receiving Title I, Part C funds) must target funds to provide services to those migratory students who are failing, or at risk of failing to meet the State's challenging content and academic achievement standards **and** whose education has been interrupted during the regular school year. [*Public Law 107-110, No Child Left Behind Act of 2001, Section 1304(d)*]

This document is designed to provide guidance and clarification to Local Educational Agencies/Consortia on the requirements for identifying and providing services to migratory students who meet the federal mandate and state criteria for *Priority for Services*.

Contact: Carolyn A. Mathews
Carolyn.Mathews@fldoe.org
850-245-0693

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CHERI PIERSON YECKE, PH.D.
CHANCELLOR, K-12 PUBLIC SCHOOLS

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Background

A-1. What is the definition of a “migratory child?”

According to sections 1115(b)(1)(A) and 1309(2) of No Child Left Behind and section 200.81(d) of federal regulations, a child is eligible for the Migrant Education Program (MEP) if:

- The child is younger than 22 and has not graduated from high school or does not hold a high school equivalency certificate (this means that the child is entitled to a free public education or is of an age below compulsory school attendance); *and*
- The child is a migrant agricultural worker or a migrant fisher *or* has a parent, spouse, or guardian who is a migrant agricultural worker or a migrant fisher; *and*
- The child has moved within the preceding 36 months in order 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 or fishing work; *and*
- Such employment is a principal means of livelihood; *and*
- The child:
 - has moved from one school district to another; *or*
 - in a State that is comprised of a single school district, has moved from one administrative area to another within such district; *or*
 - resides in a school district of more than 15,000 square miles and migrates a distance of 20 miles or more to a temporary residence to engage in a fishing activity (this provision currently applies only to Alaska).

A-2. Who has priority for services in the Migrant Education Program?

In providing services with Migrant Education Program funds, Local Educational Agencies (LEAs)/Consortia must give priority for services to migratory students: (1) who are failing, or most at risk of failing, to meet the State’s challenging academic content standards and student academic achievement standards, ***and*** (2) whose education has been interrupted during the regular school year. Priority for Services means that these students must be served ***first*** before any other eligible migratory children can be served.

Identifying Priority for Services Students

B-1. How must Local Educational Agencies (LEAs)/Consortia determine which students meet the *Priority for Services* criteria?

The State has determined that the following indicators **shall** be used to identify the students who should receive *Priority for Services*:

A migratory child who:

- scored at Level 1 or Level 2 on the Florida Comprehensive Achievement Test (FCAT); **or**
- is an English Language Learner (*Students coded: LY, LN or LP on the data element English Language Learners, Pre-K-12*); **or**
- has an age/grade discrepancy; **or**
- was retained; **or**
- is at risk of failing to meet state graduation requirements in one of the following areas:
 - an unweighted GPA of 2.0 or below, **or**
 - insufficient credits for promotion or graduation

AND

- whose education has been interrupted during the regular school year.

B-2. Should LEAs/Consortia prioritize students with multiple indicators?

Yes, when LEAs/Consortia have identified a significant number of *Priority for Services* students, these LEAs/Consortia have the flexibility to further prioritize *Priority for Services* students by ranking the indicators either by number or weight to ensure services to the neediest of the *Priority for Services* students **first**. Students who scored at Level 1 or 2 on the FCAT take precedence and are not included in further prioritizing.

For example, a district may either choose to provide services to remaining *Priority for Services* students with 3 or more indicators **first** or choose to assign a weight to each indicator and serve those *Priority for Services* students that score at least half or more of the total possible points **first**. This plan of action does not negate services to all *Priority for Services* students prior to funds being expended on other migratory children.

Such a service delivery model should be detailed in the *Priority for Services Action Plan*. (See C-1)

B-3. What constitutes an “educational interruption?”

An “educational interruption” occurs when a child, in the preceding 12 months, has changed schools or missed a "significant" amount of school time (e.g., ten days or more) during the regular school year (defined as August through June) due to the child’s or family's migrant lifestyle. This determination is made on a “rolling” basis, that is, **at the time an eligible migratory child is identified and enrolls in school, the preceding 12 month enrollment history should be reviewed for significant absences.**

B-4. How must LEAs/Consortia document an “educational interruption?”

An “educational interruption” **must** be documented as resulting from the child’s or family’s migratory lifestyle upon review of all the following data sources by appropriate staff:

- attendance records that reflect changing schools, late enrollment, significant absences during the regular school year;
- appropriate Qualifying Arrival Date (QAD);
- other supporting documentation such as medical records, issues with housing and transportation, truancy records or any situation resulting from the migratory lifestyle; and
- interview of child or parent/guardian.

B-5. Why are graduation/promotion requirements included in the *Priority for Services* criteria?

These indicators are included to target migratory students with an educational interruption, who have passed the FCAT, have the appropriate age/grade placement, are not English Language Learners and have not been retained, **but** remain at risk of failing to meet State graduation/promotion requirements as a result of low grade point averages and/or insufficient required credits. Such students should be served **first** to ensure that their academic progression is monitored and services are provided as needed to make certain that these students are promoted or graduate.

Local Educational Agencies/Consortia Requirements

C-1. How must LEAs/Consortia receiving Title I, Part C funds ensure compliance with the *Priority for Services* component?

LEAs and Consortia must:

- develop, implement, maintain and revise as needed a ***Priority for Services Action Plan*** that describes how the LEA/Consortium will use Migrant Education Program (MEP) funds and other resources to address the unique needs of *Priority for Services* migratory students **first**, before expending funds on other migratory children and to document the services that these students receive. This plan should also include a component to evaluate the impact of services provided on student achievement;
- target the areas of need for migratory children identified through local and state needs assessment processes when designing a ***Priority for Services Action Plan***;
- coordinate with local, state, and federal programs when developing a ***Priority for Services Action Plan*** in order to satisfy the ***supplement, not supplant*** requirement and to optimize the use of MEP funds. LEAs/Consortia must determine the students’ needs and identify all available services that can address the needs. They should then coordinate with programs and agencies that provide services that

meet the identified needs and ensure that migratory children have access to appropriate programs and services. MEP funds are then used to supplement, not supplant programs and services available through other federal, state or local entities;

- utilize the State-designated indicators to identify students who must receive priority for services; and
- document the services provided to *Priority for Services* students by continuously capturing and recording data onsite (to monitor student progress) and reporting the data using existing data elements. (See D-1)

C-2. Why is the State requiring a *Priority for Services Action Plan*?

The State must ensure that sub-grantees comply with No Child Left Behind, Section 1304 (d). This component is included in the sub-grantee Request for Application (RFA). The development, implementation and maintenance of a *Priority for Services Action Plan* will document compliance and assist LEAs/Consortia in identifying, assessing and providing appropriate services to the neediest migratory students **first**, before expending funds on other migratory children. [A sample plan is provided in Appendix A]

C-3. Must LEAs/Consortia submit a copy of the *Priority for Services Action Plan* and supporting documentation to the State?

Yes, LEAs/Consortia must upload their plans when applying for Title I, Part C funds. The supporting documentation, which verifies that the plan is being implemented as described in the project application, must be maintained at the local level and may be requested by the State under special circumstances and during program monitoring and audits.

Documenting/Reporting Services and Student Data

D-1. What methods are recommended or suggested for continuously capturing and recording the data onsite?

LEAs/Consortia, in collaboration with their data departments, should develop a document (i.e., electronic or manual spreadsheet/log) to record pertinent student data and services. **The document should be used to continuously track and monitor the academic progress of students served**, as well as to verify program compliance for monitoring and audit purposes.

[A model log is provided in Appendix B]

The document should include:

- a list of students who meet the *Priority for Services* criteria that includes student identifying information such as name, student number, date of birth, grade and Qualifying Arrival Date (QAD);

- identification of each student's *Priority for Services* indicator(s);
- enrollment data [Educational Interruptions];
- attendance data [Educational Interruptions]; and
- service(s) provided to address the need(s) identified by the indicator(s).

D-2. May LEAs/Consortia differentiate services to *Priority for Services* students based on the design and implementation of their Migrant Education Program?

Yes, LEAs/Consortia may develop *Priority for Services Action Plans* that differentiate services being provided to eligible students identified for *Priority for Services* based on:

- the availability of MEP funds;
- the number of eligible students enrolled at a particular site, or throughout a particular region;
- whether MEP personnel are based at one school, serve children at multiple schools, or serve children in the home;
- the availability of resources at schools; **and/or**
- the unique programmatic needs as identified by single and multi-district MEPs.

Examples of services that can be provided are:

- monitoring attendance with the development and implementation of appropriate interventions to increase attendance;
- providing supportive services;
- delivering individualized and/or small group instruction/tutoring based on students' needs;
- conducting formal and informal student academic assessments and developing individual academic intervention plans based on identified needs;
- ensuring access to literacy resources for the student and the family;
- ensuring access to other available federal, state and local resources; or
- ensuring access to any service that will address the unique needs of a migratory child.

D-3. How should LEAs/Consortia identify and report services provided to *Priority for Services* students?

Services to migratory children are currently and will continue to be reported via the Florida Student Information Data Base System in the Federal/State Compensatory Project Evaluation Format, Survey 5. Specific data elements that apply to reporting services provided to migratory children follow:

- Instructional Services: Federal/State Project, Area and Model data element [Appendix C]
- Support Services: Federal/State Project – Support Service data element [Appendix D]
- Referred Services: Migrant Referred Services data element [Appendix E]
- Identification of Priority for Service Status: Migrant Priority for Service data element [Appendix F]

Appendix A: Sample “Priority for Services” Action Plan

PRIORITY FOR SERVICES ACTION PLAN

To comply with No Child Left Behind, Section 1304(d) requirements, _____ County Public Schools/Title I Migrant Education Program, will utilize Migrant Education Program funds and other available resources to address the unique needs of *Priority for Services* migratory students **first**, before expending funds on other migratory children.

Priority for Services migratory students are students who: (1) are failing, or are most at risk of failing, to meet the State’s challenging academic content and achievement standards **and**, (2) whose education has been interrupted during the regular school year.

An “educational interruption” occurs when a child, in the preceding 12 months, has changed schools or missed a "significant" amount of school time (e.g., ten days or more) during the regular school year (defined as August through June) due to the child’s or family's migrant lifestyle. This determination is made on a “rolling” basis, that is, **at the time an eligible migratory child is identified and enrolls in school, the preceding 12 month enrollment history will be reviewed for significant absences.**

The following **indicators shall** be used to identify students who will receive *Priority for Services*:

A migratory child who:

- scored at Level 1 or Level 2 on the FCAT; or
- is an English Language Learner (*Students coded: LY, LN or LP on the data element English Language Learners, Pre-K-12*); or
- has an age/grade discrepancy; or
- was retained at any time; or
- is at risk of failing to meet the State graduation requirements in one of the following areas:
 - an unweighted GPA of 2.0 or below, or
 - insufficient credits for promotion or graduation

AND

- whose education has been interrupted during the regular school year.

The District Information Services Department will develop and provide to all school sites with sufficient numbers of enrolled migrant students, a Migrant Data Report that will provide FCAT assessment, retention, GPA, ELL status, absenteeism, age/grade discrepancy and credit accrual data for all students enrolled in a particular school.

Priority for Services students will be flagged with an asterisk on the report.

Priority for Services migratory students enrolled at Migrant Education Program staffed sites (schools with sufficient enrollments of migratory students) will be provided with one or more of the following Migrant Support Services based on the student's individual needs, and available resources:

- Administration of formal, informal, and alternative student assessments and analysis of test data and student performances;
- Monitoring of attendance, follow-up assistance, and implementation of interventions to increase students' attendance;
- Referrals to other programs and/or community agencies (i.e., reading coach, guidance counselor, ESOL/ESE Programs, and RCMA);
- Access to individual and/or small group supplementary instruction provided by a highly qualified teacher;
- Access to computer assisted and/or on-line instruction;
- Participation in before, during, and after school tutoring;
- Participation in Extended Learning Programs and/or Extended School Year Programs;
- Access to family literacy resources, training, and follow-up assistance; and
- Access to take-home reading materials and reading incentive programs.

Migrant advocates, aides, and school social workers will document services that have been provided to *Priority for Services* migratory students on a *Priority for Services Report* that will be maintained at school sites for program audits, and copies forwarded on a semi-annual basis to the Migrant Education Program Supervisor.

On an on-going basis, school and district Migrant Education Program personnel will evaluate the educational performances of *Priority for Services* migratory students and will adapt the Delivery of Services Guidelines and Personnel Schedules based on identified needs and available resources.

The district will annually review and analyze student FCAT assessment, promotion, retention, and graduation data as part of the Title I Migrant Education Program Annual Needs Assessment and Evaluation.

Appendix B: Sample “Priority for Services Student” Log

Copy of *Sample “Priority for Services” Student Log* may be accessed at:

<http://www.firn.edu/doe/title1/doc/spssl.doc>

Appendix C: Data Element for Reporting Instructional Services

Copy of *Federal/State Project, Area and Model* data element may be accessed at:

http://www.firn.edu/doe/eias/dataweb/student_0607.htm#-F-

Appendix D: Data Element for Reporting Supportive Services

Copy of *Federal/State Project – Support Service* data element may be accessed at:

http://www.firn.edu/doe/eias/dataweb/student_0607.htm#-F-

Appendix E: Data Element for Reporting Referred Services

Copy of *Migrant Referred Services* data element may be accessed at:

http://www.firn.edu/doe/eias/dataweb/student_0607.htm#-M-

Appendix F: Data Element for Identifying “Priority for Services” Students

Copy of *Migrant Priority for Service* data element may be accessed at:

http://www.firn.edu/doe/eias/dataweb/student_0607.htm#-M-