

MIGRATORY CHILDREN

ESSA ELIGIBILITY FACTORS

AGE

- The child is younger than age 22. ESEA § 1115(c)(1)(A); 34 CFR § 200.103(a); NRG Ch. 2 A1.

SCHOOL COMPLETION

- The child is entitled to free public education through grade 12 under State law, or is not yet at a grade level at which the local educational agency (LEA) provides a free public education.
ESEA § 1115(c)(1)(A); 34 CFR § 200.103(a); NRG Ch. 2 A1.

MIGRATORY WORKER AND QUALIFYING WORK

- The worker made a qualifying move (from one district to another, from one residence to another, and due to economic necessity) in preceding 36, AND
- The worker
- _____ engaged in new qualifying work soon after that move (within 60 days); OR
 - _____ did not engage in new qualifying work soon after that move, but the worker
 - actively sought new qualifying work AND
 - has a recent history of moves for temporary or seasonal agricultural employment or fishing employment.
- The new qualifying work is seasonal or temporary, AND
- The new qualifying work is agricultural or fishing.
ESEA § 1309(2), (4) and (5). 34 CFR § 200.81 (a), (c), (j), (m) – (p). NRG Ch. 2 C1 and 2.

QUALIFYING MOVE FOR THE CHILD

- The move was from one school district to another, AND
- The move was a change from one residence to another residence, AND
- The move was due to economic necessity
ESEA § 1309(5). NRG Ch. 2 A1 and D1.

QUALIFYING ARRIVAL DATE (QAD) NRG Ch. 2 E1 – E4.

- The child's qualifying arrival date results from a qualifying move (*defined above*) that
- _____ occurred in the preceding 36 months, AND
 - _____ was on his or her own as a migratory agricultural worker or a migratory fisher OR was with, or to join/precede a parent/guardian or spouse who is a migratory agricultural worker or migratory fisher.