

# Advanced Scenarios for MEP Recruiters

---

Bruce Lack  
Michigan State University

Jose Reyes-Lua  
Center for Schools and  
Community

# Agenda

- Introduction
- Eligibility factors (quick review)
- Resources
- Scenarios
- “What if...” questions

# Introduction

- Raise your hand if....
- Line up around the room by state
- Name your state
- Sit down get to know your table (2 mins)

# Eligibility Factors

Only 5 factors

- Age
- School completion
- Move
- Purpose of the Move
- Qualifying Work

# Eligibility Factor 1

---

## Age

- ❑ MEP defines a child as a person ages **0 through 21** years of age [birth to the last day they are 21 years].
- ❑ Students may not be enrolled on or after their 22<sup>nd</sup> birthday.

# Eligibility Factor 2

---

- **School Completion**
  - ❑ Students are no longer eligible for MEP services once they graduate from high school or obtain a G.E.D.
  - ❑ Children who are entitled to a free public education may qualify.

# Eligibility Factor 3

---

## **The Move**

1. Type of move: *with, to join or preceding; or as the worker.*
2. The move must be across school district boundaries.
3. They must have a change in residence.
4. The move was due to economic necessity.
5. The qualifying move must have occurred within the last 3 years.

# Eligibility Factor 4

---

## **P**urpose of the Move

- They moved and obtained qualifying work
- If a worker moved, among any other reasons, in search of ANY work and obtained qualifying work soon after the move
- The worker moved for qualifying work specifically but did not obtain it.
  - The worker has a prior history of moves to obtain qualify work
  - There is other credible evidence that the worker actively sought qualifying work soon after the move

# Eligibility Factor 5

---

## Qualifying Work

- The employment must be **seasonal** or **temporary**.
- The work is in **agriculture** or **fishing**.

# Resources

---

From [results.ed.gov](https://results.ed.gov):

1. Legislation
2. NRG's
3. Q & A's
4. Curriculum

# Scenarios

---

1. Each table is assigned a scenario
2. Fill out 5 factors outline for your table
3. Once you finish your scenario, go on to the next scenario

Note: The states have some room for interpretation, we are using a very tight adherence to the legislation, CFR's, and NRG's.

## Scenario 1

A worker and their family's eligibility expired last year while living in housing at a local grower (picking apples). One year after their eligibility expired they call you to tell you they have moved to another school district. You go out and interview the family and find out the following: The worker and two elementary aged children moved to some temporary housing in a neighboring school district that was secured by their employer. The housing inspector had closed their previous housing due to violations, and they couldn't afford to get their own apartment. The worker continues to work for the same company but they are now working in another part of the operation closer to their new home, doing similar but different qualifying work (sorting apples). New permanent housing will be constructed in the coming year and they intend to move there when it's ready. Their children continue to attend the same school as before, but now they have to get their own transportation back and forth. Can you do a COE for them?

## SCENARIO 1 ANSWER

- Age: “**elementary**”
- School Completion: **eligible for free public education**
- The Move
  - Move 1, Type of Move: **with**
  - Move 2, Crossing District Boundaries: **Yes**
  - Move 3, Change in Residence: **Yes**
  - Move 4, Economic Necessity: **Yes**
  - Move 5, Occurred in the Last 36 Months: **Yes**
- Purpose of the Move: **relocated due to housing closure**
- Qualifying Work: **Yes – Sorting Apples**

**NOT Eligible. Purpose of the move not met.**

## SCENARIO 2

A family of five went to Mexico when work was unavailable, mom, dad, their school-age daughter, their 20-year-old son (GED graduate), and the son's pre-K daughter. The son's significant other and mother of the little girl, who lives with them and is a local, went to stay with family in another town while everyone else was in Mexico.

The family left December 20, 2015 to Mexico. While there, the father and adult son worked on an avocado farm. When asked what if full-time work had been available here in PA, they said they would not have left for Mexico at all. The family all returned together March 3, 2016. The school-age girl was withdrawn from school for the time they were in Mexico, and re-enrolled March 7, 2016. The men started working in "la poda" pruning apple trees March 4, 2016.

## SCENARIO 2 ANSWER

- Age: “Pre-K and school aged”
- School Completion: eligible for free public education (20 year old does not qualify)
- The Move
  - Move 1, Type of Move: with
  - Move 2, Crossing District Boundaries: Yes (Mexico to PA)
  - Move 3, Change in Residence: Yes
  - Move 4, Economic Necessity: Yes
  - Move 5, Occurred in the Last 36 Months: Yes
- Purpose of the Move: Qualifying work specifically and obtained it
- Qualifying Work: Yes

Eligible.

**Note:** School age daughter and pre-k daughter qualify. Two COEs must be completed.

### Scenario 3

You interview Mario, 18 years old, who moved with his father to Michigan to work at a local farm. Because Mario's dad has a history working construction, they were hired specifically to construct a pole barn for farm equipment storage. The job will take about 2 months to complete. They live in the grower's migrant camp with the other workers from the farm. Once they finish the construction, they intend to move to a job the current employer lined up at a neighboring farm where they will work the harvest. Mario is excited about the migrant education program and hopes to earn his GED?

### SCENARIO 3 ANSWER

- Age: “18”
- School Completion: Yes -assumed as he wants to get a GED
- The Move
  - Move 1, Type of Move: On his own as the worker
  - Move 2, Crossing District Boundaries: Yes (Mexico to PA)
  - Move 3, Change in Residence: Yes
  - Move 4, Economic Necessity: Yes
  - Move 5, Occurred in the Last 36 Months: Yes
- Purpose of the Move: No – moved for non qualifying work, move for construction
- Qualifying Work: No- this type of construction is not agricultural

NRG G25: “...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.”

## Scenario 4

You arrive at a dairy farm and interview the Mendez family for their 10 year old child. The mother tells you that her husband milks cows and they arrived 2 weeks ago. You ask how long he plans to work and she says she doesn't know because she thinks the job may be temporary. The family moved together from out of state to take the milking job. You speak to the farm owner who tells you that all the new workers are always for one month, to see if they can handle the job. The good ones can continue on as a permanent worker. The Mendez family hope to stay there until their daughter completes high school. Can you enroll the children in the MEP?

## SCENARIO 4 ANSWER

- Age: **Yes “10 year old”**
- School Completion: **Yes**
- The Move
  - Move 1, Type of Move: **Yes - with**
  - Move 2, Crossing District Boundaries: **Yes (interstate)**
  - Move 3, Change in Residence: **Yes**
  - Move 4, Economic Necessity: **Yes**
  - Move 5, Occurred in the Last 36 Months: **Yes**
- Purpose of the Move: **Yes – Milking cows is a qualifying activity when temporary**
- Qualifying Work: **No- not temporary from worker perspective, employer’s description of employment is probationary.**

**NOT Eligible**

## Scenario 5

A recruiter met with a family in Pittsburgh last week. The entire family moved from New York to Puerto Rico on 10/24/2015 looking for any work and found work in at big hotel chain. Unhappy with the job the father ended up working for Monsanto picking cotton on 10/28/2015 finishing on 8/15/2016. The recruiter was able to verify employment information with Monsanto. The family is now in Pittsburgh and was referred to the program by the school district's secretary. Since arriving no one in the family has applied for work and the family consists of 2 middle school students.

## SCENARIO 5 ANSWER

- Age: **Yes “middle school”**
- School Completion: **Yes**
- The Move
  - Move 1, Type of Move: **Yes - With**
  - Move 2, Crossing District Boundaries: **Yes (NY to Puerto Rico)**
  - Move 3, Change in Residence: **Yes**
  - Move 4, Economic Necessity: **Yes**
  - Move 5, Occurred in the Last 36 Months: **Yes**
- Purpose of the Move: **Yes – any work but obtained soon after the move**
- Qualifying Work: **Yes– picking cotton**

Eligible

## SCENARIO 6

A recruiter met with a family in Reyesville, PA. The father tells the recruiter that he has been working in agriculture for the past 10 years. He has traveled across the United States harvesting fruit and vegetables, going to Hawaii during the winter to harvest coffee. All the work he has done is done on a seasonal basis and he keeps moving from one location to the next with the seasons. This past year the worker decided he wanted to settle down and bring his family to live with him in the United States. After returning from Hawaii in early March, the worker travelled to Mexico to pick up his family and then moved with them to Reyesville, PA. The family moved to Reyesville on March 23, 2016 so the father started working at a factory packing metal chips on March 26, 2016. While speaking with the worker the recruiter learns that the worker does not like his job packing metal chips and plan is looking for work picking peaches and pears in July when the farms in the area start hiring. The worker tells the recruiter he has a 12 year old son and a 10 year old daughter that need to be enrolled in school.

## SCENARIO 6 ANSWER

- **Age:** Yes “12 and 10 year olds”
- **School Completion:** Yes- too young to have graduated
- **The Move**
  - Move 1, Type of Move: Yes - With
  - Move 2, Crossing District Boundaries: Yes – Mexico to Reyesville
  - Move 3, Change in Residence: Yes
  - Move 4, Economic Necessity: Yes
  - Move 5, Occurred in the Last 36 Months: Yes
- **Purpose of the Move:** No – any work but did not obtain qualifying work soon after
- **Qualifying Work:** No – Packing metal chips

**Not Eligible**

## **SCENARIO 7**

After receiving a referral from another OSY, a recruiter goes out to interview a recently arriving young man from California. While doing the interview the young man tells the recruiter that he and his family arrived to Reyesville, PA on September 1, 2014. The Young man tells the recruiter that he came looking for work in the apple orchards and was hired to pick apples on September 3, 2014 for the season. The young man also tells the recruiter that he has a 4 year old with him. While enrolling the 4 year old, the mother tells the recruiter that she is 21 years old and the father is 20 and they both attended school until 9<sup>th</sup> grade. Who Qualifies?

## SCENARIO 5 ANSWER

- Age: **Yes – 21, 20, 4 y/o**
- School Completion: **Yes- too young to have graduated, 9<sup>th</sup> grade for parents**
- The Move
  - Move 1, Type of Move: **Yes - With**
  - Move 2, Crossing District Boundaries: **Yes – California to Reyesville**
  - Move 3, Change in Residence: **Yes**
  - Move 4, Economic Necessity: **Yes**
  - Move 5, Occurred in the Last 36 Months: **Yes**
- Purpose of the Move: **Yes**
- Qualifying Work: **Picking Apples**

Separate COE's must be completed.

Eligible

# What if....?

---

1. Related to a scenario from this presentation
2. A case you encountered before