Migrant Students

Migrant Students refer to students (or their parents, spouses, or guardians) who move to find agriculture or fishery work. Several criteria, as explained below, must be fulfilled in order for a student to meet the definition. Recording accurate data for Migrant students satisfies the federal requirement for reporting such data. Also, the results of New York State Testing for Migrant students appear on the District and School Report Card.

Who is a Migrant Student?

A "migratory child" or student is defined as:

- A child not older than 21 years of age; **AND**
- The child is entitled to a free appropriate public education, or FAPE, under state law or is below the age of compulsory attendance; **AND**
- The child is a migratory agricultural worker or a migratory fisher, or the child has a parent, spouse, or guardian who is a migratory agricultural worker or a migratory fisher; **AND**
- The child has moved from one school district to another within the preceding 36 months in order to seek or obtain qualifying work, or to accompany or join the migratory agricultural worker or migratory fisher who is a parent, spouse, or guardian in order to seek or obtain qualifying work.

Notice that **ALL** of these conditions must be met in order for the student to meet the definition.

**Note:** The definition of a Migrant student is separate and distinct from that of an Immigrant student. An Immigrant student is born outside the United States. A student may be considered (1) Migrant or Immigrant; (2) both Migrant and Immigrant; or (3) neither Migrant nor Immigrant. For more information on Immigrant students, please consult the SIRS Manual [http://www.p12.nysed.gov/irs/sirs/home.html](http://www.p12.nysed.gov/irs/sirs/home.html).

How are Migrant Students Identified?

Local Education Agencies (LEAs) do not identify Migrant students. Migrant students are identified through the Statewide Identification and Recruitment (ID&R) Office by Recruiters. Recruiters complete a Certificate of Eligibility, or COE, for each student they identify. COEs must then be reviewed and approved by the ID&R Director. Upon approval, the COEs and official Letters of Eligibility are disseminated to the appropriate LEAs and local Migrant Education Tutorial and Support Services Programs, known as METS. Identified students remain eligible for three years from their movement date or up to their 22nd birthday.

In New York State, there are nine METS Programs that operate from the State University of New York Colleges and Boards of Cooperative Education Services, also known as BOCES. To learn more about each METS location, visit the following link: [http://www.p12.nysed.gov/accountability/T1/migrant/meops.html](http://www.p12.nysed.gov/accountability/T1/migrant/meops.html).

Each METS Program will send reports of all currently eligible Migrant students to its component LEAs twice a year - once in the fall and once in the spring. While these reports will be directed to school superintendents and building principals or charter school leaders, the District Data Coordinator should make sure that the reports are distributed to the person responsible for accurately identifying Migrant students and recording their eligibility and service status for state reporting. Please refer any questions to your local METS (see above link). The following is a sample of the report each LEA will receive.

**Sample List of Migrant-Eligible Students**
Data Reporting Sheet: Migrant Students

**Reporting Migrant Students in SIRS**
The Migrant students listed on the METS document must be reported in the Student Information Repository System (SIRS) according to the specific guidelines highlighted below. For more information, please refer to the SIRS Manual at [http://www.p12.nysed.gov/irs/sirs/home.html](http://www.p12.nysed.gov/irs/sirs/home.html).

**Migrant Indicator**
LEAs record Migrant student eligibility on the Student Lite template. It is a Yes/No indicator.

**Note:** If a student is eligible at any time during the school year, this indicator should remain "Yes" for the entire school year.

**Funding**
NCLB Funded Program Services include those referred to as Title I – Part C (see below). The appropriate code must be assigned to each Migrant student if s/he is being served in a program supported by Title I – Part C funds.

**Title I, Part C Education of Migratory Children – Code 0330**

- **Location:** District of Responsibility BEDS Code
- **Entry Date:** First day of school year in which student is determined to be Migrant-Eligible; or date of enrollment if not enrolled at beginning of school year.
- **Exit Date:** Not Used
- **Exit Reason:** Not Used

**Eligibility Status – Grades K-12**
Students in Grades K-12 are eligible to be served by programs and services supported with Title I Part C funds for 36 consecutive months from their qualifying date or move, when they have a Certificate of Eligibility (COE) that is signed by a parent or guardian and filed with the superintendent of schools.

If school district personnel have questions about a specific migratory child, they should contact the appropriate regional Migrant Education Tutorial and Support Services (METS) program at: [http://www.p12.nysed.gov/accountability/T1/migrant/meops.html](http://www.p12.nysed.gov/accountability/T1/migrant/meops.html).