MIGRANT EDUCATION PROGRAM

Eligibility

Students age 3 to 21 years shall be eligible for the County Office of Education's migrant education program if they, their parents/guardians, or their spouses are migratory agricultural workers or fishers who, in the preceding 36 months, moved into the County Office of Education due to economic necessity and engaged in new temporary or seasonal employment or personal subsistence in agriculture or fishing. If such employment was not secured soon after the move, students may be considered migrant students if they, their parents/guardians, or their spouses actively sought such new employment and have a recent history of moves for temporary or seasonal agricultural or fishing employment. (20 USC 6399; 34 CFR 200.81)

A student who ceases to be a migrant student during a school term shall be eligible for services until the end of the term. If comparable services are not available through other programs, a student who is no longer migratory may continue to receive services for one additional school year. Students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation. (20 USC 6394)

Student Records

The Yolo County Superintendent of Schools or designee shall obtain records documenting the eligibility of students enrolled in the County Office of Education's migrant education program from the Migrant Education Regional Center. However, the County Office of Education shall not collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining eligibility for migrant education services.

(cf. 5125 - Student Records)
(cf. 5145.13 - Response to Immigration Enforcement)

The County Superintendent or designee shall acquire education and health records from migrant students' previous school County Office of Educations, as appropriate.

When a migrant student transfers to another County Office of Education, the student's records shall be provided to the receiving County Office of Education upon request at no cost in order to assist that County Office of Education in meeting the needs of the student. (20 USC 6398)

Program Components

The County Office of Education shall coordinate with the Migrant Education Regional center to

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provide a migrant education program that includes all of the following components: (Education Code 54443.1)

1.   A general needs assessment summarizing the needs of the population to be served

2.   A comprehensive program to meet the educational, health, and related needs of participating students which supplements the County Office of Education program and includes, but is not limited to:

a.   Instructional services, including academic, remedial and compensatory, bilingual-crosscultural, and career technical instruction

(cf. 6174 - Education for English Learners)
(cf. 6177 - Summer Learning Programs)
(cf. 6178 - Career Technical Education)

b.   Counseling and career education services

(cf. 6164.2 - Guidance/Counseling Services)

c.   Preschool services in accordance with Education Code 54443

(cf. 5148.3 - Preschool/Early Childhood Education)

d.   Other educational services that are not otherwise available in sufficient quantity or quality to eligible migrant students

e.   The acquisition of instructional materials and equipment necessary to adequately provide the appropriate services

f.   Other related services to meet the special needs of eligible migrant students to enable them to participate effectively in instructional services

g.   The coordination and teaming of existing resources serving migrant students, such as bilingual-crosscultural education, health screening, and compensatory education

(cf. 5141.6 - School Health Services)
(cf. 5147 - Dropout Prevention)
(cf. 6171 - Title I Programs)

3.   Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment, including assessments concurrently provided pursuant to

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compensatory education, bilingual-crosscultural education, school improvement programs, and other programs serving the student

4.   A brief individual learning plan listing the services to be provided to each student, which shall be given to the parent/guardian in writing or at a parent/guardian conference, annually and when the student moves to a new County Office of Education

5.   Staffing and staff development plans and practices to meet the needs of students and implement the program

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

6.   Parent/guardian and community involvement as specified in Education Code 54444.2, including, but not necessarily limited to, the establishment of a parent/guardian advisory council to actively involve parents/guardians in planning, operating, and evaluating the County Office of Education's migrant education program

(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

The migrant education program shall provide for the same opportunities for parent/guardian involvement that are provided to parents/guardians for federal Title I programs.   (20 USC 6394)

7.   Evaluations which include annual student progress and overall program effectiveness and quality control reports

Contingent upon funding, the County Office of Education shall provide home-based and/or school-based family literacy services to migrant families to enhance literacy levels, parenting skills, and English language skills of parents/guardians.

Applicability of Graduation Requirements

To obtain a high school diploma, migrant students shall complete all courses required by Education Code 51225.3 and shall generally fulfill any additional graduation requirements prescribed by the County Board.

(cf. 6146.1 - High School Graduation Requirements)

However, when a migrant student who has completed the second year of high school transfers into the County Office of Education or transfers between high schools within the County Office

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of Education, the student shall be exempted from all County Office of Education-adopted coursework and other County Office of Education-established graduation requirements, unless the County Office of Education makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the transfer, the County Superintendent or designee shall notify the student and the student's parent/guardian of the availability of the exemption and whether the student qualifies for it. If the County Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a migrant student.   (Education Code 51225.1)

(cf. 5145.6 - Parental Notifications)

To determine whether a migrant student is in the third or fourth year of high school, the County Office of Education shall use either the number of credits the student has earned as of the date of the transfer or the length of school enrollment, whichever qualifies the student for the exemption. (Education Code 51225.1)

The County Superintendent or designee shall notify any migrant student who is granted an exemption and the student's parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The County Office of Education shall not require or request a migrant student to transfer schools in order to qualify for an exemption, and no request for a transfer solely to qualify for an exemption shall be made by a migrant student or parent/guardian.   (Education Code 51225.1)

If a migrant student is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a migrant student if the student is still enrolled in school or transfers to another school or County Office of Education. (Education Code 51225.1)

Upon making a finding that a migrant student is reasonably able to complete County Office of Education graduation requirements within a fifth year of high school, the County Superintendent or designee shall: (Education Code 51225.1)

1.   Inform the student and parent/guardian of the student's option to remain in school for a fifth year to complete the County Office of Education's graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution

2.   Provide information to the student about transfer opportunities available through the

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California Community Colleges

3.   Upon agreement with the student or parent/guardian, permit the student to stay in school for a fifth year to complete the County Office of Education's graduation requirements

Notification and Complaints

Information regarding the educational rights of migrant students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622.   (Education Code 51225.1, 51225.2)

Any complaint that the County Office of Education has not complied with requirements regarding the education of migrant students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the County Office of Education's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Policy Adopted: December 17, 2019   **YOLO COUNTY OFFICE OF EDUCATION**
                                                                                           Woodland, CA