

# Pennsylvania Migrant Education Program Toolkit

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*March 2018 (Revised)*



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF EDUCATION**

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## **SECTION 1 – BACKGROUND HISTORY**

Established in 1966 as part of the Elementary and Secondary Education Act (ESEA), the Migrant Education Program became the vehicle for providing educational services to the children of the nation’s migratory farm workers. For the first time in history, Congress and the nation recognized that these children had special educational needs as a result of their mobile lifestyles, the short spans of instruction they received in the classroom, the discontinuity of instruction between states, and their lack of “belonging” to any one particular school. In order to lessen the impact of these unique variables, the Migrant Education Program was tasked with the responsibility of ensuring that migrant students:

1. Receive appropriate educational and support services that address their special needs in a coordinated and efficient manner.
2. Receive services that help reduce the educational disruptions and other problems that result from repeated moves.
3. Overcome the challenges of mobility, cultural and language barriers, social isolation, and other factors associated with a migratory life, in order to succeed in school, and to successfully transition to postsecondary education or employment.
4. Are not penalized by disparities among the states in curriculum, graduation requirements, and state academic content and student academic achievement standards.
5. Receive full and appropriate opportunities to meet state content and student performance standards that all children are expected to meet.
6. Benefit from state and local systemic reform.

The Migrant Education Program in Pennsylvania was established in 1957, prior to the federal law in 1964, when the Pennsylvania farmers asked the PA Legislature to enact a law to provide childcare for the children of migrant workers.

## **SECTION 2 - INTRODUCTION**

Every Student Succeeds Act (ESSA) was signed into law in December 2015 and full implementation commenced on July 1, 2017. It reauthorized the Elementary and Secondary Education Act (ESEA), which was first enacted in 1965. The Migrant Education Program (MEP) is authorized by Part C of Title I of ESEA. The Migrant Education Program provides formula grants to state educational agencies to establish or improve education programs for migrant children. These grants assist states in improving educational opportunities for migrant children to help them succeed in the regular school program, meet the

challenging state academic content, and student achievement standards that all children are expected to meet and graduate from high school.

The Pennsylvania Department of Education (PDE) MEP provides supplemental educational and support services to migratory children. The Pennsylvania Migrant Education Program (PA-MEP) assists local school districts with improving and coordinating the educational continuity for the children of migratory farm workers who have had their schooling interrupted. The PA-MEP works in close collaboration with school districts, intermediate units and community agencies to help migratory children meet the same high standards expected of all children, by coordinating and supporting services that sustain and accelerate their progress in school.

## **SECTION 3 - DEMOGRAPHICS**

The culture of the migrant population often includes frequent moves and changes in status. Additionally, students gain and lose eligibility throughout the program year. Demographic analysis is provided for all migrant students in Pennsylvania having data (a unique and unduplicated count) and also by category and project area. Demographics are reported by the individual's earliest enrollment record for the school year or the summer record if the student was not enrolled until summer 2017.

A total of 5,387 eligible children and youth were identified as migrant for 2016-17, which is 229 more than the prior year (2015-16). School-age students were the largest group at 71.62 percent based on their first 2016-17 enrollment record. There were 18.19 percent in the preschool category and 10.19 percent in the out of school youth category.

Most of Pennsylvania's migrant students identified themselves (using federal race options) as Hispanic (72.51 percent of 5,387 students). The next highest percentage was Asian with 16.13 percent and Black, Haitian or African American at 9.21 percent. There were 2.0 percent White students, .13 percent American Indian/Alaskan and .02 percent Multirace.

## **SECTION 4 – DEFINITIONS**

### **1. MIGRATORY CHILD**

A 'migratory child' means a child or youth who made a qualifying move in the preceding 36 months as a migratory agricultural worker or a migratory fisher; or with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

## **2. MIGRATORY AGRICULTURAL WORKER**

The term 'migratory agricultural worker' means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture, which may be dairy work or the initial processing of raw agricultural products. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal agricultural employment.

## **3. MIGRATORY FISHER**

The term 'migratory fisher' means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in such new employment soon after the move, the individual may be considered a migratory fisher if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal fishing employment.

## **4. IMMIGRANT**

An immigrant is an individual who has migrated to another country to make that country their permanent residence.

## **5. REFUGEE**

A refugee is an individual who has been displaced from their country. A refugee flees from their country of origin to escape extreme danger or persecution.

## **6. MIGRANT**

A migrant is an individual who moves from place to place regularly in order to find work in harvesting crops or to work in another agriculturally related field.

## **SECTION 5 - OVERVIEW**

### **1. MIGRANT EDUCATION PROGRAM SERVICES INCLUDE THE FOLLOWING:**

- a. Afterschool tutorial and enrichment programs
- b. In-home programs
- c. Saturday programs
- d. Preschool programs
- e. Summer programs (see below for more about summer programs)
- f. Lessons and workshops for out-of-school youth (OSY)
- g. Science Technology Engineering Math (STEM) programs
- h. Student leadership programs for middle and high school students
- i. Student support services
- j. Health and social support services
- k. Parental involvement

- l. Advocacy
- m. Language arts
- n. Increasing graduation and promotion rates
- o. Preparation for postsecondary education
- p. Participation in the national free lunch program
- q. Assistance with credit accrual
- r. Referral to the College Assistance Migrant Program (CAMP)

## **2. PURPOSE AND SCOPE**

The Pennsylvania MEP is a program of the PDE that assists schools in helping migrant learners meet State expectations for achievement.

The PA-MEP assists local school districts in improving the educational outcomes for the children of Pennsylvania’s migrant farm workers. The PA-MEP provides supplemental programs designed to increase learning opportunities to help migrant children overcome the challenges of poverty, high mobility, and cultural and linguistic barriers in order to meet the same high standards expected of all children in the state.

The PA-MEP is state administered and locally operated in nine project areas managed by four regions throughout the state. Each project area has a project manager to oversee operations and reporting responsibilities (all of these managers oversee more than one project area). Each project manager supervises a staff of individuals responsible for program implementation, including student support specialists, data specialists and recruiters. The project managers report to the PA-MEP State Director at the PDE. Currently (2016-17 final numbers), PA-MEP serves 5,387 migrant-eligible children and their families from 57 countries of origin. The population served speaks more than 25 different languages. The ten most common languages are: Spanish, Nepali, Swahili, English, Arabic, Karen, Burmese, French, Khmer and Mam. PA-MEP is state-administered and locally-operated in the nine projects area regions throughout the state. The program has a presence in 477 Pennsylvania school buildings, providing enrichment programs, advocacy, social support services and a family-centered educational approach.

The Office of Migrant Education (OME) has identified the need for special initiatives in three programmatic areas of the Migrant Education Program to help attain the goal of assisting migrant children in achieving challenging academic standards and graduate from high school. One of these areas is the program function of targeting. In general, targeting includes the:

- a. Proper and timely identification and recruitment of eligible students—especially those who are the most mobile;
- b. Selection of students for services based on priority for service and need; and
- c. Provision of services at a sufficient level of quality and intensity to give a reasonable promise of meeting the needs of the children being served.

## **3. GOAL**

The goal of PA-MEP is to ensure that all migrant students achieve challenging academic standards and graduate with a high school diploma or complete a High School Equivalency (HSE) that prepares them for responsible citizenship, further learning and productive employment.



## 4. ELIGIBILITY

According to Title I, Part C Education of Migratory Children sections 1115(c)(1)(A) (incorporated into the MEP by sections 1304(c)(2), 1115(b), and 1309(3) of the ESEA, and 34 C.F.R. § 200.103(a)), a child is a "migratory child" if:

- a. The child is not older than 21 years of age;
- b. The child is entitled to a free public education (through grade 12) under State law or is not yet at a grade level at which the LEA provides a free public education; and
- c. The child made a qualifying move in the preceding 36 months as a migratory agricultural worker or a migratory fisher, or did so with, or to join a parent, guardian or spouse who is a migratory agricultural worker or a migratory fisher, and the child moved due to economic necessity from one residence to another residence, and from one school district to another.
- d. International moves: If one of the purposes of the move was to seek or obtain qualifying work in agriculture and a worker moves from another country to the U.S., they may qualify for enrollment in PA-MEP provided that all other eligibility criteria are met.

## 5. IDENTIFICATION AND RECRUITMENT (ID&R)

The first component, identifying and recruiting eligible migrant children is a cornerstone of the PA-MEP, and its importance cannot be overemphasized. Identification means determining the presence and location of migratory children within a state. Recruitment means describing the benefits of the PA-MEP to the child and his or her family and obtaining the necessary information to document the child's eligibility and enroll the child in the program. Identification and recruitment of migrant children are critical because:

- a. The children who are most in need of program services are often those who are the most difficult to find;
- b. Many migrant children would not fully benefit from school, and in some cases, would not attend school at all, if the state educational agencies failed to identify and recruit them into the PA-MEP. This is particularly true of the most mobile migrant children who may be more difficult to identify than those who have settled within a community;and
- c. Children cannot receive PA-MEP services without a record of eligibility.

Identification and recruitment are critical activities because each state education agency's MEP funding is based, in part, on its annual count of eligible migratory children. As each state education agency is responsible for the identification and recruitment of all eligible migrant children in the state, it is important for state education agencies to develop and implement policies and procedures that efficiently and effectively meet their responsibility to correctly identify and recruit all eligible migrant children residing in their state.

## 6. PRIORITY FOR SERVICE

Federal law requires that the MEP must provide services first to migrant students who

have been identified as Priority for Service (PFS). Section 1304(d) of the most recent reauthorization of the ESEA revised the definition of PFS to specifically include students who have dropped out, and to include students who moved at any point during the prior year.

In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who:

- a. Are failing, or most at risk of failing, to meet challenging State academic standards or;
- b. Have dropped out of school.

Because of their even higher mobility and risk for academic failure, PFS students must be targeted for remediation and acceleration efforts, as well as other supports to enable them to access and participate in educational opportunities. Establishing state criteria for identifying PFS students enables local programs to use that same criteria to distinguish these students and address their special needs accordingly.

In Pennsylvania, a system of indicators is used to calculate PFS, and migrant students are reassessed during each enrollment period. It is not uncommon for a student to be identified as PFS at some point during their period of eligibility, while at other times they may not be.

**Preschool:** School Readiness has been identified by the PA-MEP CNA as one of the top priorities in Pennsylvania. As such, if a preschool child meets any of the following criteria, he or she is considered PFS:

- a. The student is at least three years old, not currently enrolled in an approved academically rigorous preschool program (or had not been enrolled in such program for at least three of the previous 12 months) and is not fluent in English (or the Home Language is not English);
- b. The student is at least three years old and has a documented or suspected developmental delay;
- c. The student is expected to start Kindergarten in the upcoming school year and is not meeting generally accepted School Readiness targets.

**K-12:** For migrant eligible students in K-12, it is first determined whether or not a student has made a qualifying move in the past year by reviewing their most recent Qualifying Arrival Date.

In addition to meeting the qualifying move criteria, to be considered PFS, a K-12 student must meet at least one of the following that indicates failing or at risk of failing to meet state standards in Reading or Mathematics, or has dropped out:

- a. The child is recorded as being below proficient or advanced on the statewide PSSA test, or some other rigorous standard exam approved by PDE. Other non-standard determination of not being math or reading proficient, such as non-standard tests, grades, or teacher observation will not in itself qualify the student for PFS status;
- b. A grade 8-12 student is indicated as not being on track for graduation based on the determination of a transcript, counselor, Migrant Student Records Exchange (MSIX), or state PIMS database; and
- c. A student is not proficient in English or is not in the age appropriate grade, or is flagged as being special education.

**OSY:** Out of School Youth (OSY) Graduating from high school or obtaining a GED is also an identified priority for the PA-MEP. OSY are considered PFS if they are any of the following:

- a. Not fluent in English and are enrolled in, interested in, or attending an Adult Basic Education/GED program;
- b. Not fluent in English and enrolled in or show interest in attending ESL courses
- c. Demonstrate an interest in returning to school; and
- d. Has dropped out of a U.S. school.

The Student Support Manual Appendix for Data Collection published by the PA-MEP includes detailed instructions for calculating and recording PFS status within PA-MEP's data system MIS 2000, which uploads to the federal data system MSIX (See Section 6 for more information on these systems).

## **7. PARENT ADVISORY COUNCIL**

Since ESSA's inception, the intent of the law has been to raise achievement for low-income and otherwise disadvantage children. Parent and family engagement and consultation have always been a key piece of the law, focused on the low-income parents of "Title I-participating" children. We know that gaps in educational opportunity and achievement will only be remedied when those closest to the affected students-parents, families, and communities-are driving force in the decision-making. Therefore, it is important for parents and schools to develop ongoing dialogues to improve student achievement.

### **a. PURPOSE:**

PAC advises the LEAs and their regional PA-MEP coordinators of concerns of migrant parents that relate to the academic success and/or performance of migrant children in their region. PAC meetings are designed to achieve two objectives: (1) to develop leadership among migrant parents; and (2) to educate parents about topics they express interest in and/or educate parents on topics and concerns that may impact the academic success of their children. In addition, the LEA and/or its PA-MEP must consult with the PAC about: (1) the comprehensive needs assessment of needs of migratory children served; and (2) the design of the comprehensive service delivery plan.

### **b. STRUCTURE:**

The local PACs throughout the state also hold their elections every two years as well, but the amount of officers may vary by region. It depends on the size of the regions served and the amount of parents per project area. Local PAC meetings are held on a monthly and/or quarterly basis. The number of meetings may vary by area or county. In some cases, meetings are conducted in conjunction with local community organizations to give non-migrant parents the opportunity to attend and become familiar with the program. All eligible parents are notified about the meetings in a language they can understand and can be elected to any available positions during the term for elections. Members that participate from PAC meetings or related events consist of appointed or elected parents of migrant children and assigned PA-MEP staff that are knowledgeable of the student's needs and work towards strengthening parental involvement.

Each local PA-MEP project area together with the local PACs, are responsible for nominating two local PAC representatives and/or guest parents from their area to attend the State Parent Advisory Council Conference that is hosted annually. The workshop sessions and/or activities held at the Statewide Parent Advisory Meeting are planned and coordinated by the Statewide Parental Involvement Coordinator and the State Parent Advisory Council.

Meetings with the members of the State Parent Advisory Council occur at least four times per year. Depending on the concerns and issues that may arise, meetings may occur more frequently (via conference call, webinar, face-to-face, etc.).

**c. SERVICES:**

PAC seeks to provide parents with a variety of educational resources that are available to them in their communities to help them cope with special needs. In addition to sharpening parents' leadership skills, the PAC teaches parents how to become actively involved in their child's education, know their rights and learn how to become an advocate for their child.

**d. FUNDING:**

Each LEA and/or its local PA-MEP must allocate one percent of their assigned federal funds towards parental involvement activities that follow the state guidelines.

## **8. CONSORTIUM GRANTS:**

The Consortium Incentive Grant program provides financial incentives to State Educational Agencies (SEAs) to participate in consortia that improve the interstate or intrastate coordination of migrant education programs by addressing key needs of migratory children who have their education interrupted.

Each SEA may enter into a consortium with one or more other SEA or entity and apply for special funding based on their proposal to implement one or more services for migrant children whose education has been interrupted. These proposed activities must:

- a. Conform to one of the absolute priorities the Department established and identified as defined in the Notice Inviting Applications (NIA) and be based on scientifically-based research strategies. Grants to consortia of SEAs are awarded competitively. Awarded amounts are additional funds the SEA may use under the MEP for any operational activities.

Requirements of the Grant: Proposed grant applications must:

- a. Address one or more of the absolute priorities to be considered;
- b. Be designed to improve the delivery of services to migratory children whose education is interrupted; and
- c. Be designed to improve interstate and intrastate coordination of migrant education programs.

The absolute priorities are:

- a. Services designed to improve the proper and timely identification and recruitment of eligible migratory children whose education is interrupted.
- b. Services designed (based on a review of scientifically-based research) to improve the school readiness of pre-school aged migratory children whose education is interrupted.
- c. Services designed (based on a review of scientifically-based research) to improve the reading proficiency of migratory children whose education is interrupted.
- d. Services designed (based on a review of scientifically-based research) to improve the mathematics proficiency of migratory children, whose education is interrupted.
- e. Services designed (based on a review of scientifically-based research) to decrease the dropout rate of migratory students whose education is interrupted and improve their high school completion rate.
- f. Services designed (based on a review of scientifically-based research) to strengthen the involvement of migratory parents in the education of migratory students whose education is interrupted.
- g. Services designed (based on a review of scientifically-based research) to expand access to innovative educational technologies intended to increase the academic achievement of migratory students whose education is interrupted.
- h. Services designed (based on a review of scientifically-based research) to improve the educational attainment of out-of-school migratory youth whose education is interrupted.

There are currently four consortia:

- a. Graduation and Outcomes for Success for Out-of-School Youth (GOSOSY)
- b. Pre-School Initiative (PI)
- c. Migrant Reading Achievement: Comprehensive Online Reading Education (MiraCORE)
- d. Identification and Recruitment Rapid Response Consortium (IRRC)

The PA-MEP participates in GOSOSY and is the lead state for PI.

The GOSOSY consortium will address a key national objective to provide services established on scientifically-based research to improve the educational attainment of out-of-school migratory youth (OSY) whose education is interrupted. With an organizing framework that focuses on systems to serve migrant youth and the migrant staff that support them, GOSOSY will use innovative technology across all aspects of the project design; a GOSOSY website with hyperlinks and audio files containing lessons and resources; and packaged materials, strategies, and services that result in state capacity building and portability across states, districts, and borders. GOSOSY's goals are:

- a. Participating OSY will increase their content achievement and other outcomes as outcomes as specified in their needs-driven learning plan;
- b. Staff participating in professional development and learning will increase their skills and ability to deliver targeted instruction and services to OSY; and

state processes, procedures, and materials to better serve OSY will be developed, vetted, and adopted by consortium states.

**Member States:** Kansas (*Lead State*), Alabama, Florida, Georgia, Illinois, Iowa, Kentucky, Massachusetts, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, and Vermont

The PI consortium will provide services established on scientifically-based research to improve the school readiness of pre-school migratory children and to strengthen the involvement of migratory parents in the education of migratory students whose education has been interrupted. PI will focus on ways in which the MEP can support not only increased participation in structured pre-schools, but also promote promising approaches to training migrant educators and parents in strategies that demonstrate improved school readiness. PI's primary goals are:

- a. Expand the capacity of state and local MEPs to serve migrant pre-school children;
- b. Ensure that more services are provided to migrant 3-5-year-old children and that these children will demonstrate substantial and measurable educational gains; and
- c. Disseminate evidence-based and promising practices developed by PI to the national MEP community and other stakeholders.

**Member States:** Pennsylvania (*Lead State*), Colorado, Florida, Georgia, Idaho, Maine, Missouri, Oregon, and Washington.

Participation in these consortia has helped the PA-MEP immensely both with access to products developed and in aligning our data collection efforts. The PA-MEP appreciates the opportunity to network and learn from other states.

## 9. COMPREHENSIVE NEEDS ASSESSMENT (CNA)

PA-MEP provides supplemental programs to increase learning opportunities for migrant children who face the challenges of poverty, high mobility and cultural and linguistic barriers. Under Title I Part C of the Every Student Succeeds Act, state education agencies are required to deliver and evaluate the quality of services to migratory children based on a statewide Comprehensive Needs Assessment (CNA).

The primary purpose of the comprehensive needs assessment is to guide the overall design of the MEP on a statewide basis. It is not sufficient to simply document the need for the program (e.g., 50 percent of migrant students are not proficient in reading, or 30 percent of migrant students do not graduate from high school). Rather, SEAs and local operating agencies must identify the special educational needs of migrant children and determine the specific services that will help migrant children achieve the State's measurable outcomes and performance targets. Because there are never sufficient resources to meet all the needs of migrant children, the comprehensive needs assessment helps SEAs and local operating agencies prioritize those needs.

The CNA enables the program to take a critical look at meeting the unique educational needs of its migrant student population through data analysis and action planning. When the CNA is completed and the Service Delivery Plan is developed, the CNA will:

- a. Set priorities based on identified migrant student and family needs;
- b. Make informed, data driven decisions about program improvements; and
- c. Develop an action plan for implementing solutions, monitoring progress and evaluating effectiveness to serve as the framework for the service delivery plan.

The Service Delivery Plan (SDP) summarizes the findings from the CNA review and provides a framework for implementing strategies to address the needs of Pennsylvania's migrant children from the present through the next three to five years. The SDP also outlines strategies for monitoring implementation and measuring student and family outcomes. Service delivery planning is intended to start from the priorities identified in the CNA to provide the framework for the PA MEP. Building on existing programs while making modifications, expansions, and deletions will help to meet the evolving needs of eligible migrant students and families in Pennsylvania.

The PA MEP completed this process through consultation with a broad set of stakeholders including migrant parents, coordinators, and advocates; university researchers, community organizations, and Intermediate Unit staff; and district and state administrators. The resulting MEP plan and structure will achieve a new focus on statewide services, attention to the intensity of services, and expansion of the MEP's attention to high school graduation. Next steps in the process of continuous improvement are expected to include:

- a. Adjustments to this plan that reflect the final Pennsylvania ESSA plan, including the assessments and targets it includes;
- b. Revisions to the project area application and reporting processes to reflect the MPOs and services outlined in this 2018 SDP;
- c. Ongoing technical assistance and training in the specific elements of this SDP;
- d. Communication about revised procedures for determining and reporting PFS status;
- e. Implementation beginning in Fiscal Year 2018; and
- f. Statewide evaluation using the new state performance targets, MPOs, and implementation indicators beginning in the 2018-2019 program year.

As the new plan is implemented, the PA MEP will review implementation progress in Spring 2018, review the plan with the migrant PACs and projects throughout the program year, and adjust implementation, monitoring, and technical assistance as warranted. Below are two tables that shows what the SDP hopes to accomplish.

**Highest Priority Needs:**

<b>Current Status</b>	<b>Desired Status</b>
<p><b>Reading:</b> Migrant students score below their non-migrant peers in reading achievement, particularly for ELL. In 2015, 17.2 percent of migrant students in grades 3-8 and 11 were proficient in English Language Arts or Literature.</p>	<p><b>Reading:</b> By 2021, 39.3 percent of migrant students in grade 3-8 and 11 should demonstrate proficiency in English Language Arts and Literature, a 3.7 percentage point annual increase over the 2015 baseline.</p>
<p><b>Mathematics:</b> Migrant students entering 9th grade have not mastered basic math. In 2015 10.4 percent of migrant students in grades 3-8 and 11 were proficient in Mathematics or Algebra I.</p>	<p><b>Mathematics:</b> By 2021, 26.7 percent of migrant students in grade 3-8 and 11 should demonstrate proficiency in Mathematics or Algebra I, a 2.7 percentage point annual increase over the 2015 baseline.</p>
<p><b>Graduation:</b> Migrant students are dropping out before reaching grade 12 and are not motivated to complete high school and pursue postsecondary education. In 2016, the migrant student four-year cohort graduation rate was 62.4 percent</p>	<p><b>Graduation:</b> The statewide four-year cohort graduation rate target for all subgroups is 85 percent by 2021.</p>
<p><b>Graduation:</b> Migrant students are often not motivated to complete high school and pursue postsecondary education; 87 percent of migrant 12 grade students graduated in 2015-16.</p>	<p><b>Graduation:</b> The percentage of 12th grade migrant students who graduate will be 92 percent by 2021.</p>



**Performance Targets and Measurable Program Outcomes:**

<b>Reading</b>	Close 50 percent of the gap between migrant students and All Students by increasing the percent proficient in English Language Arts to 39.3 percent by 2021, increasing the percent proficient by 3.7 percentage points annually.	(1a) Beginning in Spring 2018, 50 percent of PFS students in grades 3-8 receiving supplemental academic instruction in reading will make PSSA Reading gains of one proficiency level or more over the prior year PSSA results.  (1b) Beginning in Spring 2018, 60 percent of non-PFS students in grades 3-8 who are below proficient in reading and receive supplemental academic instruction in reading will make PSSA Reading gains of one proficiency level or more over the prior year PSSA results.
<b>Mathematics</b>	Close 50 percent of the gap between migrant students and All Students by increasing the percent proficient in Mathematics or Algebra I to 26.7 percent by 2021, increasing the percent proficient by 2.7 percentage points annually.	(2) Beginning in Spring 2018, 50 percent of PFS students in grades 3-8 receiving supplemental academic instruction in mathematics will make PSSA Mathematics gains of one proficiency level or more over the prior year PSSA results.
<b>Graduation</b>	By 2021, increase the percentage of 12 <sup>th</sup> grade migrant students who graduate by five percentage points from the 2015-16 baseline of 87percent.	(3) By the end of 2020-21, 80 percent of migrant students who complete the Diploma Project or other supplemental college readiness activities, will graduate after four years of high school.

**10. STANDARDS ALIGNED SYSTEM (SAS)**

The Standards Aligned System (SAS), developed by the PDE, is a comprehensive, researched-based resource to improve student achievement. SAS identifies six elements that impact student achievement: Standards, Assessments, Curriculum Framework, Instruction, Materials & Resources, and Safe and Supportive Schools. Schools and educators across Pennsylvania are supported in their efforts to implement SAS by the development of a state-of-the-art portal.

Pennsylvania standards describe what students should know and be able to do. The standards increase in complexity and sophistication as students progress through school. Using this tool, you can locate specific standards, anchors, and eligible content based on subject area and grade level

or course. Select the subject area and grade level, or select the course to view the related standards.

The course-level standards are offered as a voluntary resource for Pennsylvania's schools. The SAS website is [www.pdesas.org](http://www.pdesas.org).

## 11. Online Training Modules for Student Support Staff

The PA-MEP has created five pre-recorded, online modules to train and guide staff, who may have little to no teaching experience, on teaching techniques and strategies. The modules are:

- a. Educate the Educator: Effective Lesson Planning (8:42 minutes)
- b. Educator 2.0: I Do, We Do, You Do (5:02 minutes)
- c. Educator 2.0 Graphic Organizers (6:25 minutes)
- d. Educator 2.0 Effective Questioning (4:28 minutes)
- e. ESL Fundamentals: Principles of Language Development (7:08 minutes)

The modules are available at: <http://live.cciu.org/categories/list/9>

## 12. EVALUATION of the PA-MEP

Evaluation Design: The purpose of the evaluation of the Migrant Education Program in Pennsylvania is to examine program effectiveness and build capacity within project areas to examine results and make programming decisions based on data.

Findings of the 2016-17 evaluation (most recent available):

- a. Through the data that was available, several key findings emerged to guide project recommendations and next steps for evaluation. A brief summary of findings and recommendations is provided here. Due to the many nuances of the PA-MEP, the nature and culture of the migrant population and the program's data collection, readers should refer to the full report for additional detail.
- b. Year to year, PA-MEP consistently serves nearly all eligible students who are at least three years old and present a reasonable amount of time.
- c. Evidence consistently indicates that Priority for Service students are served first.
- d. Seventy nine percent of four-year-olds assessed using the Kindergarten Readiness Checklist (170) demonstrated readiness for kindergarten at their last assessment.
- e. Of students taking the state academic assessments (PSSA, PASA, Keystone Exam):
  - 10 percent scored at proficient levels in Math/Algebra I (of 1,605 students assessed)
  - 18 percent scored at proficient levels in Reading/Literature (of 1,336 students assessed)
  - 20 percent scored at proficient levels in Science/Biology (of 615 students assessed)

While it is important for students to demonstrate academic gains on assessments, it is also important, especially in the PA-MEP, for students to stay in school and graduate. Due to the nature of the migrant population and the probability of interrupted school years, moving to find work and possibly brief residency in any given area, migrant students in general have a higher risk of dropping out or not graduating.

In 2016-17:

- a. The migrant dropout rate was 3.22 percent.
- b. The greatest number of dropouts was in grade 11 with a 5.3 percent rate.

- c. The migrant graduation rate was 89 percent.
- d. Of all students in grades 7-12 with a known status, 92 percent were either promoted or graduated.
- e. Seventy-nine percent of graduates indicated that they planned to attend a two year or four-year college.
- f. Six out-of-school youth earned their GED credential during 2016-17. Additionally, 18 out-of-school youth were identified as pursuing their GED.

### **Next Steps for Evaluation**

In the process of analyzing PA-MEP data and examining program outcomes, evaluators discovered areas of possible program refinement and brought these areas to the attention of PDE program administrators. PDE evaluators and program implementers are working collaboratively to examine program findings, consider evaluator recommendations, strategize for solutions and implement program refinements in order to improve migrant student outcomes. Specific evaluator recommendations can be found in the Reflections, Implications, and Recommendations Section of the PA-MEP Evaluation Report at the PA-MEP office or online: <http://www.education.pa.gov/K-12/Migrant%20Education/Pages/default.aspx>.

## **SECTION 6 - RECORDS TRANSFER AND GUIDANCE**

### **1. PA-MEP RECORDS TRANSFER GUIDANCE**

#### **General Information/Background**

Pennsylvania is a commonwealth with 499 school districts, where local control is the predominant factor in all decision making. As such, PA-MEP must support and abide by the individual school district's record transfer policy many of which will only accept records directly from the former educating school. In addition, Pennsylvania law requires that school districts transfer student records. While the PA-MEP will do everything reasonably possible to ensure the proper education of migrant students, including assistance with records transfer as required in Section 1304 of ESSA and corresponding regulations, program staff must be very careful that their efforts are not supplanting the responsibilities of the school districts.

#### **a. Electronic Records Transfer**

The PA-MEP uses MIS2000 as its records system. This system consists of four regional sites that upload daily to a central state database. In turn, key information is uploaded nightly to the federal MSIX system that can be accessed by other states (see below).

When a child moves into an area, the data specialist searches the local system to see if the child is registered in the system. The data specialist can also search the state system if he or she believes the child has been served previously in another part of Pennsylvania, and if so, they can download the information on the child directly into their system. In addition, he or she will contact the data specialist at the last site where the child was shown to be served to verify it is the same child and exchange information as appropriate.

#### **b. MIS2000**

MIS2000 is the primary data system used to track information on migrant students in Pennsylvania. Each of the regional migrant offices houses a computer where regional data is maintained. The data is overseen by a Data Specialist and a backup in each region.

The data is uploaded daily to a central state database. In addition, field staff are able to directly enter the Certificate of Eligibility (COE) and student data from tablet computers.

Data specialists enter and/or review various information as it is received:

- Certificate of Eligibility (certification the child/family is migrant)
- Demographic (name, birth, race, family, address information)
- Enrollment (which schools and/or programs students)
- Needs assessment (individual student/family educational or supportive needs/concerns)
- Service delivery, supplemental program, action codes (detailed records of the services students and families as it is received. The data is uploaded daily to a central state server that serves as the authoritative statewide source of migrant information)
- Assessment (PSSA, ACCESS, Keystones and any other standard assessments)
- Courses (courses being taken credits granted, current grades)

Migrant data maintenance is a partnership between school districts and PA-MEP. MIS2000 has incorporated the use of the PAsecureID to improve communication on these students. PA-MEP can provide districts with important information related to the student and the PA-MEP needs information from districts in order to properly serve these children and also meet federal reporting requirements.

“Migrant Eligibility” is also term specific. For example, if a student loses migrant eligibility at some point during the first semester of a school year, they are not considered “Migrant” during the second semester; except for free lunch purposes (Pennsylvania Student Eligibility System or PA-SES – Free Lunch below). PA-MEP is the only entity that can make a determination that a child is migrant under strict federal guidelines.

Below are three common mistakes made by districts:

- A child is Latino, so he or she must be migrant;
- A child is NOT Latino, so he or she can't be migrant; and
- A child was migrant last year or last semester, so he or she is still migrant.

School districts are not permitted to make this determination on their own and must contact the regional education office to determine student qualification as migrant.

## **2. MIGRANT STUDENT INFORMATION EXCHANGE (MSIX)**

MSIX is a web-based database system where authorized users can search and access information on students on a nationwide basis. The purpose of MSIX is to ensure the timely enrollment of migrant students in school, provide for accurate placement in the proper grade and/or courses, and assist with accurate credit accrual towards graduation.

Pennsylvania participates in the federal MSIX program by supplying all minimum required data elements to the system. PA-MEP also participates in the program by training all staff in how to use the system and providing education and assistance to districts with migrant students who want to use the system within timelines and under provisions established by federal regulations. Data specialists check MSIX to see if it contains any information on students who are identified in Pennsylvania.

The system contains a mechanism to search for students based on various criteria and, once located, the user will have the ability to view historical information on the students' immunizations, assessments and courses. The most important feature of MSIX is that it shows a trail of where the student has attended school and/or been served by migrant programs, and provides contact information for obtaining additional or confirmation information.

The data from PA-MEP will be uploaded daily, directly and automatically from MIS2000. Regional MEP staffs have been granted access to the system. District staffs are also encouraged to become authorized users of MSIX.

MSIX is accessed by going to [msix.ed.gov](http://msix.ed.gov). General information about MSIX is available to non-users, but to obtain a user login to search for students a user must complete an application and be authorized. This process is started by contacting the regional PA-MEP office which can provide the form and must provide authorization before a user login can be assigned.

### **Support**

School Districts having any questions about PA-MEP data should contact their local project area for assistance. Otherwise, any questions in reference to MIS2000 or MSIX may be directed to the CSIU Migrant Technology Support Team via email at [MEPtechsupport@csiu.org](mailto:MEPtechsupport@csiu.org) or by calling 570-523-1155 ext. 2105, 2366 or 2320.

## **SECTION 7 – PA STUDENT ELIGIBILITY SYSTEM**

### **1. PENNSYLVANIA STUDENT ELIGIBILITY SYSTEM (PA-SES)**

Students who are identified as being “migrant” for at least one day during the fiscal year (July 1 – June 30) by the PA-MEP are categorically eligible free meal eligibility in the School Nutrition Programs (SNP). Below is information on how to obtain information for students who qualify under these programs.

PDE’s Division of Food and Nutrition (DFN) and the PA-MEP have worked together to ensure that migrant students are automatically and regularly uploaded into the Pennsylvania Student Eligibility System (PA-SES). Districts are to use this system to check on migrant student eligibility for the SNP.

Whether completing a paper household application for free and reduced price meals or in PA-SES, families can self-declare themselves as migrant households. However, please remember, for students to receive free meal eligibility as a migrant student, the student’s name must appear on the migrant list provided to you by PA-MEP office through PA-SES. Due to the nature of the migrant population, the migrant list will change, especially during the months of August through October. The PA-MEP provides an updated list for PA-SES each week. PA-SES does not have the ability to approve a student as migrant based on what a family declares on the household application. Only PA-MEP has that authority. Therefore, only those students on the migrant list may be eligible for free school meals.

If a district has a self-declared migrant student or a student the district believes should be on the migrant list whose name does not appear on the list or through the migrant inquiry function in PA-SES, please contact PA-MEP. A notification can be sent to the migrant office using the “Migrant Student Not Found-send to MEP” function, or the district may call the local migrant office. As students are approved, the PA-MEP is updated with the current changes at the top of the “Get My Migrant List.” Please check this list on a regular basis. It may also be helpful to “search by

county”. If there are any questions as to eligibility, please contact the local PA-MEP Office (see telephone numbers listed in MEP Contact Information below) as the migrant program is the final authority as to whether a student is classified as migrant or not.

The migrant list provided in PA-SES is to determine categorical eligibility for the SNP. Although other programs in your school district may have a need for a migrant list for their area, their criteria for the students that should appear on another list may be different than SNP criteria; therefore, they should obtain their own list through the local PA-MEP Office.

If you have additional questions about PA-SES, please contact the Division of Food & Nutrition at [RA-NSLP@pa.gov](mailto:RA-NSLP@pa.gov).

## **SECTION 8 – DOLLAR A DAY PROGRAM**

### **2. DOLLAR A DAY**

LEAs in Pennsylvania that educate migrant children are entitled to receive compensation towards student costs under Pennsylvania statute. Reimbursement for migratory children is determined by Section 2502.2 of the Pennsylvania School Code which provides that:

- Every school district regardless of classification shall be paid by the commonwealth for the school term 1958-59 and for every school term thereafter in addition to every other reimbursement by the commonwealth, the sum of one-dollar (\$1) per day not exceeding forty (40) days during any school term for each migratory child attending any of its public schools. “Migratory child” is defined as any child domiciled temporarily in any school district for seasonal agricultural employment but not acquiring residence therein, and any child accompanying his parents or guardians who is so domiciled. 24 P.S. §25-2502.2
- Annually, PA-MEP will provide all LEAs with a list of students who were enrolled in their LEA for at least one day in the previous year and met the definition of “migratory child”. Due to funding limitations, the PA-MEP will determine annually how recent the move must be in order for a child to be eligible. It is the responsibility of the LEA Chief Officer to certify that the students attended and how many days, up to the maximum of 40, and return the form to the regional PA-MEP office. LEAs that do not submit this request for reimbursement are subject to state audit exceptions for failure to claim all entitled reimbursement.

## **SECTION 9 – SUPPLEMENT VERSUS SUPPLANT**

### **3. SUPPLEMENT VERSUS SUPPLANT**

PA-MEP is a supplemental program and, as such, coordination must occur between school districts and community programs before providing MEP-funded services. The term “Supplement, Not Supplant” refers to “the requirement that PA-MEP funds may be used only to supplement the level of funds that would, in the absence of PA-MEP funds, be available from non-Federal sources for the education of children participating in PA-MEP projects” (NRG Sec. X-A1). The Supplement, Not Supplant rule may also apply to Pre-K and out-of-school-youth, if there are non-federally funded programs available to these children and youth (NRG Sec. X-A2). In Pennsylvania, tutoring during the school

day is allowable as long as it is done during a student's non-instructional time such as study halls in middle and high school or scheduled seat-work at elementary schools. Students may not be pulled out of content area instruction to provide in-school tutoring. For example, students may not be pulled out of math or social studies to be tutored by PA-MEP staff.

*According to ESSA "each local educational agency plan shall provide assurances that the local educational agency will coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and Native Hawaiian children, and homeless children and youths, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program." (See section 1112(c)(4).)*

## **SECTION 10 – BUSINESS PARTNERSHIPS AND PA-MEP**

### **1. BUSINESS PARTNERSHIPS AND THE MIGRANT EDUCATION PROGRAM**

The involvement between the PA-MEP and schools, businesses, and community organizations are established by mutual agreements to establish certain goals and to construct a plan of action for achievement of those goals. These partnerships provide businesses with a new understanding of PA-MEP. For PA-MEP students, partnerships provide opportunities for career exploration and the skill sets required of the private sector industry.

### **2. A PARTNERSHIP WITH PA-MEP CAN HELP LOCAL BUSINESSES**

The Migrant Education Program can:

- a. Help arrange English classes for an employee. Helping employees learn English increases communication, creating a safer and more productive environment. Employees are better able to understand safety issues, directives and/or instruction related to their job, and communicate better with co-workers and supervisors.
- b. Provide support to workers and their families. This program can help reduce stress, increase productivity; and create stronger ties to the community. Employees are encouraged to remain employed for longer periods of time, which saves time and minimizes lost productivity instead of training new employees.
- c. Make referrals to local agencies for those services it does not provide directly, (for example: GED classes). Migrant program staff have established relationships with many community agencies that can help employees. Employees do not have to look for agencies in the community to meet their needs. Providing a safe place for employees' children to go after school and during the summer months, allows employees to focus on their tasks, knowing their children are care for in a safe environment.



## SECTION 11 – EDUCATIONAL AND INSTRUCTIONAL SERVICES

### 1. EDUCATIONAL AND INSTRUCTIONAL SERVICES

PA-MEP offers the following supplemental educational services:

- a. **STUDENT SUPPORT SERVICES for students in K-12** - PA-MEP student support specialists are highly trained advocates on behalf of migrant students and provide educational support and assistance. Student support specialists serve as the main link between student and their families and the schools and community agencies.
- b. **PRESCHOOL PROGRAMS** - Preschool student support specialists work with families of preschool children ages three to five to place migrant children in early childhood programs like Head Start, Even Start, Early Intervention and Pre-K Counts, as well as other high-quality day-care or nursery school facilities. If a preschool child is not able to attend a campus-based program, PA-MEP in-home visitors provide school readiness learning programs to the child and parents. Each migrant student ages 3-5 are assessed using the Migrant School Readiness Checklist. Students receive an initial, school year and summer assessment to indicate their level of preparedness for kindergarten. Parents are part of this assessment. They are encouraged to participate in in-home activities with their children, as their child's first teacher.
- c. **OUT-OF-SCHOOL YOUTH SERVICES** - Out-of-school youth students, between the ages of 17 and 21 inclusive, who are not attending and have not graduated from high school, are offered help finding ESL, Adult Basic Education, and GED classes that are located within their communities. They are provided with support and information to re-connect them with supplemental educational services. Mobile Computer Labs have been established to provide computer training in various mushroom camps on a rotating basis. The out-of-school youth population is one of the most challenging migrant groups. Many come from Mexico or Central America with the intention of working and may not have the time and/or interest in furthering their education. These youths are known as “here-to-work.” There are some other out-of-school youth that have dropped out of school in the United States they are known as “dropouts.” Though the needs of these youths differ, the main objective is to reconnect them to school or to GED or HiSET (High School Equivalency Test) courses. This option is always offered to these youth, along with job training, ESL and adult education classes. An effective way of working with these youth is to provide distance education lessons (mostly in ESL) through technology. The advantage of this delivery method is that the youth can listen to the lesson while working or during their free time. It is also important to compile a list of available services in the community and provide them to the youth in their own language and English. PA-MEP staff build a good rapport with the youth, so they can call the migrant office if they have any issues needing referrals to other agencies.

They need information on survival skills such as healthy lifestyle choices, substance abuse, STD/AIDS, getting a checking account, etc. One way to reach out to these youth is to teach on issues that are important to them and providing them in places where they congregate, like camps or churches. It must be noted that delivery of services would be different for youth that live in labor camps versus those who live in the city. For those living in labor camps, it may be easier to provide short lessons on site. For those living in the city, it may be necessary to find places where they congregate, like churches, to host

meetings or to provide services one-on-one. It is important that student support specialists that work with this population have flexible schedules because these youth may only be available certain days or after typical work hours. Staff needs to also be mindful of safety when visiting the areas where youth work or reside. If possible, go in pairs and/or advise others as to your whereabouts. The student support specialist should use common sense if they think a situation is potentially dangerous.

- d. **MIGRANT EDUCATION SUMMER PROGRAMS:** PA-MEP summer programs were awarded the National Summer Learning Association's Excellence in Summer Learning Award in 2011. Summer programs for migrant students (Preschool through 11th grade) not served by school district programs are provided with campus-based programs that emphasize academic enrichment and remediation. Classes are offered in ELD, reading, writing, math, science, art and music. These programs are essential in preventing the "summer backslide", wherein English Learners (ELs) and children from low income household lose up to three months growth in reading and math during the summer months. Assistance in transitioning into kindergarten, middle school and high school are available. The program also offers credit accrual, so students graduate on time. Curriculum-aligned field trips enhance the students' experience in the summer programs. PA-MEP summer programs operate four days per week for four to five weeks each summer. Some areas have one-week-long mini-campus programs.

Summer programming via the PA-MEP offers intensive instruction which focuses on both English language acquisition and enhanced learning in the content areas of: mathematics, language arts, science, history, geography, social studies and Science Technology Education and Mathematics (STEM). Language arts includes the domains of speaking, listening, writing and reading which support all of the content learning throughout the student's academic career. Generally, the summer programs operate for a minimum of four weeks in duration and provide for at least 110 hours of instruction. All classrooms are staffed with a highly qualified teacher and assistant, many of whom are fully bilingual and/or bicultural. Former migrant students and parents are strongly encouraged to apply for positions as diversity and the "authenticity" of teacher experience is highly valued by the PA-MEP.

All curricula are centered on thematic units and are aligned with school district materials, all of which incorporate the Pennsylvania State Academic Standards. The content changes every year so eligible PA-MEP students can attend for three years and not repeat content. In addition to a rigorous curriculum, students are afforded opportunities for experiential learning via field trips, school-wide presenters, community partners and cultural experiences. Examples of community partners include the local Boy and Girl Scout clubs, 4-H, Ag-Extension Programs, Big Brothers/Big Sisters, libraries, YMCA/YWCA, and colleges and universities. Every program has a parent night or day and a culminating activity.

A significant number of PA-MEP summer programs also partner directly with school districts, specifically with other supplemental initiatives such as 21st Century Community Learning grants; Refugee School Impact grant; Title I and Title III and also English Language Development (ELD) programming. Support services such as transportation, parental outreach, health care referrals, social service referrals, student assistance and bilingual communications are critical to offering a holistic and balanced approach to educating the children.

Perhaps the most significant offering of PA-MEP is the combined total of the above ingredients to provide a caring and culturally responsive learning climate in which the children of migrant farm workers can thrive to learn and learn to thrive.

The MEP summer programs are observed each summer by the PDE staff. Using a Summer Site Visit Checklist, the programs are evaluated to make sure that they are following MEP guidance on holding a quality summer learning program. Promoting a summer program that is creative and expands on what youth learned in the school year, making it fun to learn and keeping students interested is what works best!

**IN-HOME SUPPORT:** In-Home services are provided to students who cannot attend summer programs or are not able to participate in other district/agency/preschool programs during the regular year. In-home support includes ESL, math and reading academic support, and parent involvement activities. During the regular term, Student Support staff is expected to follow-up with students in urban areas biweekly and monthly in the rural areas, especially for PFS students. In the summer, at least 2 visits are provided to consider the student served.

- e. **AFTERSCHOOL/EXTENDED-DAY/SATURDAY TUTORIALS:** The PA-MEP provides after-school and Saturday programs for migrant students in school districts that do not offer their own extended-day supplemental programs. PA-MEP students are offered homework help, ESL/Reading/Math tutoring and graduation project assistance, among other topics. The PA-MEP staff members collaborate with community agencies and educational institutions, where possible coordination is done with other grant programs, such as 21<sup>st</sup> Century or Refugee Impact Grant/.
- f. **STUDENT LEADERSHIP:** Middle and high school migrant students are invited to participate in several student leadership programs. These programs include a Middle School Leadership Institute and a Secondary Student Leadership Institute. Opportunities such as these, serve to build the students' sense of self-worth and self-efficacy and to promote the exploration of productive postsecondary options. Examples of leadership institutes held are:
  - **CAMP CONNECT:** this program is a weeklong residential summer program designed for high school migrant students. Through the duration of the camp they learn how to build the right connections for success by using a STEM/STEAM approach in learning. The three major components of this camp is – Self-development, leadership skills and the use of STEM/STEAM models in the academic instruction. This camp allows the students to share common challenges such as language, culture and value systems, learn how STEM/STEAM curricula impact their current academic performance, and enable them to consider STEM related careers and/or post-secondary options related to this field. Camp Connect is a life affirming experience that changes the way students think about themselves, their education, and connection with those around them. Using the Science, Technology, Engineering, and Mathematics (STEM model) students will be introduced to the STEM/STEAM curricula with the end result enabling them to connect their week-long of learning to their former academic experiences, their communities, and how STEM/STEAM can spike their interest towards technical and rigorous careers that they never thought of. Students participate from a series of workshops, interact with motivational speakers, participate from service learning and hands on activities related to a

**STEM/STEAM** final project. These interactive, cross curricular workshops will educate students on how to become self-regulated independent successful learners and develop an interest in STEM Careers. Upon the conclusion of the camp, students will take away a plan for immediate action for positive change and the knowledge on how to conduct research, find the tools and resources within their school communities to continue to develop these skills which are vital for their future academic and professional success.

- **BRAIN STEM** is a weeklong residential summer program designed for middle school migrant students. BRAIN STEM: Brilliance, Resilience and Achievement IN STEM is designed to provide students with experiences to develop an ability to persevere through challenges and realize academic opportunities in STEM. BRAIN STEM fosters team oriented collaboration to work on academically enriching, motivating, and engaging tasks. Throughout the duration of the camp, students are engaged in rich inquiry tasks, problem-based learning, STEM projects, keynotes, and team building exercises. Upon the conclusion of the camp students will collaborate as a team to complete a multi-faceted STEM project, navigate through a myriad of innate STEM related problems, gain pertinent background scientific content knowledge and analytical skills for future related STEM classes, tasks, and competitions, identify obstacles and challenges in their lives and formulate a written plan to accomplish future identified goals community/global STEM initiative. The five-day program includes motivational keynote presentations, and a mix of interactive workshops, self-reflective programming that will include reading and writing assignments, project and problem-based learning and STEM projects.
- g. **DIPLOMA PROJECT:** The Diploma Project Toolkit is a handbook created to assure success for migrant students in earning a high school diploma and making a smooth transition to postsecondary education. The Diploma Project Toolkit is designed for use by the Pennsylvania Migrant Education Program (PA-MEP) staff in conversation with migrant students and their families with input from the school guidance counselor and others. It includes practical guidelines for setting academic and career goals, planning a course of study based on the high school credits and courses required by the local school and district, preparing for standardized exams, and finding a suitable postsecondary program.

Started as a result of CNA findings, the Diploma Project brought together a diverse task force of educators including migrant parents, students, school counselors, PDE staff, and key PA-MEP grantees. Currently, the Toolkit is being revised based on the 2017 Service Delivery Plan expert group recommendations and the parent survey results. The results indicated a gap between parents desire to have children complete high school and go to postsecondary institutions and knowledge of how to go about that. The Diploma Project Taskforce hopes to complete their work spring 2018. The Toolkit will be available in the PDE Migrant website.

### **The Diploma Project revision will include the following:**

- Unit 1 (Goal Setting) contains a needs assessment for out-of-school youth and suggested that the mentoring material be moved to Unit 2.
  - Unit 2 (High School Credits and Courses) has been simplified and more targeted information added including keywords and mentorship info
  - Unit 3 (Assessment) had a focus on high stakes proficiency tests (Keystones) and the timing of college entrance exams. Now the focus will be on tests and test preparation.
  - Unit 4 was English Language Proficiency. This unit was not being used widely in the field. This version replaces this unit with a unit geared specifically to parents.
  - A stand-alone parent unit has been created because providing 5 separate units for parents has been challenging. Furthermore, annual survey results have indicated that while parents were interested in high school graduation and postsecondary plans of their child, results show that they knew a little or were not sure of the requirements. These results mirrored the results of the 2012-2013 Comprehensive Needs Assessment and Service Delivery Plan.
  - Unit 5 (postsecondary) – Simplifying and targeting information on planning and paying for postsecondary education
- h. **COLLEGE ASSISTANCE MIGRANT PROGRAM (CAMP)** – The College Assistance Migrant Program (CAMP) assists and supports students who are migratory or seasonal farmworkers, or children of such workers, enrolled in their first year of undergraduate studies at an institute of higher education. This federally funded program serves approximately 2,000 participants annually throughout the U.S. CAMP was established at Millersville University in 2016 and is committed to helping participating students, who have experienced distinct and complex challenges within the education system, achieve academic success to insure future career opportunities. They are affiliated with the Migrant Education Program and serves a diverse profile of ethnicities within the state of Pennsylvania. CAMP offers eligibility to qualified students to the following scholarship and services:
- Free tutoring
  - Placement testing and academic advising
  - Personal counseling
  - Orientation and study skills/workshops
  - Career orientation and job search skills development
  - Monthly stipend throughout the academic year
  - Mentoring programs
  - Supplemental aid to reduce debt and meet financial need
  - Computer/Tablet allowance
  - Other services as needed

## **SECTION 12 – SUPPLEMENTAL SERVICES**

### **1. MEP SUPPLEMENTAL SERVICES:**

- a. **HEALTH SERVICES:** PA-MEP provides health referrals and information to students and families through several health care partnerships including Keystone Migrant Health and

county-wide health agencies. The program also organizes health fairs, where volunteers do immunizations and health screenings. The PA-MEP can also assist families with referrals to free or low-cost doctors and dentists.

- b. **WELLNESS PROJECT:** The purpose of the Pennsylvania Migrant Education Program (PA-MEP) Wellness Project is to increase the percentage of migrant parents and out-of-school youth (OSY) who report that they know where to obtain primary care and decrease percentage of migrant parents and OSY who report that language and cultural barriers impede their access to health care.

The PA-MEP Wellness Project committee members agreed that to accomplish these strategies the committee needs to educate the following individuals about their health care options and the influence of language/cultural issues: migrant families, migrant staff, school staff, community, and growers. An annual survey is conducted to gauge the extent to which newly-settled migrant families and youth have access to healthcare and the barriers they face in utilizing such services.

- c. **NUTRITIONAL SERVICES:** PA-MEP participates in the Summer Food Service Program which offers nutritious meals and snacks to students attending campus-based summer programs. The program ensures that it does not discriminate in programs, activities, or employment based on race, color, national origin, sex, age, disability, sex orientation, religion, ancestry, or other legally protected classification. As stated before, migrant students are categorically eligible for free lunch.
- d. **PARENT INVOLVEMENT:** PA-MEP has a long history of including parents in the planning, implementation and evaluation of its services. Local parent committees are elected and migrant parents serve on local and state PA- MEP parent advisory boards. PA-MEP Staff members give parents guidance on the expectations of school districts and what in turn they can expect from their local schools. They also work with the parents to help them understand their responsibilities in their children's education. The primary goal is for migrant parents to understand their responsibilities in their children's education. The primary goal is for migrant parents to understand the Pennsylvania school system so they can become active participants in the educational lives of their children.
- e. **IN-KIND DONATIONS:** The LEAs have contacts within their communities to attend to student and families' needs, such as food, clothing, school supplies, etc.
- f. **ADVOCACY:** The LEAs empower their students and families to become their own advocates and ensuring that their voices are heard in protecting their/their children's rights.
- g. **NON-ACADEMIC STUDENT SUPPORT:** Services for students that support them in a continuum from services to all students as part of their normal development, to diagnostic services targeted to students experiencing some problems, and consultation and coordination services/interventions for students experiencing chronic problems. This could include health, nutrition and social services.
- h. **REFERRALS:** Educational or educationally-related services provided from non-MEP programs or organizations that otherwise would not have been obtained by migrant children but are obtained for migrant children through the efforts of MEP funded personnel. Other non-MEP local, state, and/or federal funds support the delivery of the referred services.

- i. **COUNSELING:** Services to help a student to better identify and enhance his or her educational, personal, or occupational potential; relate his or her abilities, emotions, and aptitudes to educational and career opportunities; utilize his or her abilities in formulating realistic plans; and achieve satisfying personal and social development. These activities take place between one or more counselors and one or more students as counselees, between students and students, and between counselors and other staff members. The services can also help the child address life problems or personal crisis that result from the culture of migrancy.
- j. **FAMILY SUPPORT:** Services provided to support the basic family needs, whether physical or emotional. Example would be providing transportation services or assisting family with finding furniture or other necessary sustenance assistance.
- k. **CAREER/COLLEGE PREPARATION:** Includes all activities related to preparedness to pursue post-secondary education including college visits, SAT prep, filling out college applications and essays, assistance with financial aid (FAFSA and scholarships) and senior projects. This now also includes any other types of services related to preparing the student/youth for Career Readiness, not only College Preparedness.

## **SECTION 13 – BASIC EDUCATION CIRCULARS**

### **Foreign Students' Eligibility**

#### **22 Pa. Code §11.11(d)**

**DATE OF ISSUE:** Sept. 24, 2007

**DATE OF REVIEW:** Aug. 23, 2010

This BEC provides guidance regarding a student's immigration status and enrollment in Pennsylvania public schools and federal law requirements for F1 Visa students. It replaces the Foreign Student BEC and reflects current requirements of 22 Pa. Code §11.11 (d) and the Supreme Court's decision in *Plyler v. Doe*, 457 U.S. 202(1982). This BEC exists to ensure that public schools do not wrongfully prohibit enrollment of students because of a child's immigration status.

#### **IMMIGRATION STATUS**

22 Pa. Code § 11.11(d), prohibits school districts from making inquiries related to a student's immigration status for enrollment purposes. 22 Pa. Code § 11.11(d) specifically states:

- "A child's right to be admitted to school may not be conditioned on the child's immigration status."
- "A school may not inquire regarding the immigration status of a student as part of the admissions process."

Pursuant to the regulation, school districts may not ask any questions related to a student's immigration status or lawful presence in the United States in order to determine admission of a student in the public schools of this commonwealth.

#### **PYLER vs DOE**

The U.S. Supreme Court in *Plyer v. Doe*, 457 U.S. 202 (1982), addressed the issue of the enrollment of undocumented children in public schools. In *Plyer*, the Supreme Court held that it is unconstitutional to deny free public education to children who are not legally admitted into or otherwise legally present in the United States.

Pursuant to the *Plyer* decision, a child who may be undocumented or otherwise unlawfully present in the U.S., shall be admitted into Pennsylvania public schools as long as they meet the state law enrollment requirements that apply to all children in Pennsylvania as set forth in the Enrollment of Student's BEC found at the BEC homepage.

#### **FOREIGN STUDENTS HOLDING F1 VISAS**

Foreign visiting or exchange students holding valid F1 Visas who are enrolled in participating Pennsylvania public schools must comply with federal law regarding tuition payment as required in 22 Pa. Code § 11.11(d) which states that state regulation "does not relieve a student who has obtained an F-1 Visa from the obligation to pay tuition under federal law."



Pursuant to Federal law subsection 8 U.S.C.A § 1184(m)(1), foreign students may no longer obtain §status as non-immigrants under section 1101(a)(15)(F)(i), (iii) of the Immigration and Naturalization Act for the purpose of studying at public elementary schools or in publicly funded adult education programs. Subsection 1184(m) (1) of the amended act does still permit a foreign student to obtain an F-1 Visa for the purpose of studying in a public secondary school but requires the student to demonstrate that he or she has paid the school district the full, unsubsidized per capita cost of the education that he or she will receive as long as the aggregate period of such status at such a school does not exceed 12 months. Therefore, students who participate in the F-1 Visa program are required to pay tuition to the sponsoring district pursuant to federal law.

In order to be issued an F-1 Visa, students must be part of the Student and Exchange Visitor Program (SEVP) and enroll in a participating SEVP school. Students with F-1 Visas are part of the Student and Exchange Visitor Information System (SEVIS). The SEVIS system tracks and monitors schools and programs, students and exchange visitors throughout their participation in the U.S. education system. Districts interested in participating in SEVP can contact U.S. Citizen and Immigration Services or visit the website [www.ice.gov/sevis/](http://www.ice.gov/sevis/) to find out more information about SEVP and its requirements.

## **REFERENCES:**

### **BUREAU OFFICE CONTACT**

Bureau of School Support  
Division of Student Services  
Pennsylvania Department of Education  
333 Market Street  
Harrisburg, PA 17126-0333  
Telephone: 717-783-6466

### **Federal Regulations**

8 C.F.R. 214(b) (7)

### **Federal Statutes**

8 U.S.C.A. §1101(a) (15) (F) (i), (J)  
8 U.S.C.A. §1184(m) Title III of U.S.C.A. Supp.

### **Other**

Plyer v. Doe, 457 U.S. 202 (1982)

### **Pennsylvania Code**

22 PA Code § 11.11

### **Purdon's Statutes**

24 P.S. §13-1302

## **Enrollment of Students** **24 P.S. §13-1301 – §13-1306**

**DATE OF ISSUE: January 22, 2009 (revised – formerly BEC 24 P.S. §13-1301 and BEC 24 P.S. §13-1302, issued July 1, 2002)**

**PURPOSE:** This BEC provides guidance regarding public school enrollment procedures for resident and non-resident children. It replaces the following BECs: Enrollment of Students, 24 P.S. 13- 1301 and Education of Children Residing with an Adult Other than the Natural Parent, 24 P.S. 13-1302 and reflects current requirements of the Pennsylvania Public School Code and 22 Pa. Code, Chapter 11. These public school enrollment procedures, consistent with law, exist to ensure that public schools promptly enroll students who are residents or who are eligible non-residents.

**ENTITLEMENT TO EDUCATION:** Every child of school age, who is a resident of a Pennsylvania school district is entitled to a public-school education. This entitlement and the requirements to secure enrollment discussed throughout this BEC apply equally to resident students residing with their parent(s); to non-resident students living with a district resident who is supporting the child gratis and seeking enrollment under 24 P.S. §13-1302; to nonresident students living in a facility or institution; and to nonresident students living in a foster home. Provided that the required enrollment documentation described herein is provided, the school district or charter school must enroll non-resident children and permit them to attend school. A child should be permitted to attend school on the next school day after the day on which the child is presented for enrollment, and in all cases within five (5) business days of the school district's receipt of the required documentation (22 Pa. Code §11.11(b)).

**REQUIRED ENROLLMENT DOCUMENTATION:** Except when a child is homeless, whenever a child of school age is presented for enrollment by a parent(s), school district resident, or any other person having charge or care of the child, the school district or charter school shall require that the following information be documented before enrolling the child and allowing the child to attend school:

1. Proof of the child's age. Any one of the following constitutes acceptable documentation: birth certificate; notarized copy of birth certificate; baptismal certificate; copy of the record of baptism – notarized or duly certified and showing the date of birth; notarized statement from the parents or another relative indicating the date of birth; a valid passport; a prior school record indicating the date of birth.
2. Immunizations required by law. Acceptable documentation includes: either the child's immunization record, a written statement from the former school district or from a medical office that the required immunizations have been administered, or that a required series is in progress, or verbal assurances from the former school district or a medical office that the required immunizations have been completed, with records to follow.
3. Proof of the child's residency. Acceptable documentation includes: a deed, a lease, current utility bill, current credit card bill, property tax bill, vehicle registration, driver's license, DOT identification card. A district may require that more than one form of residency confirmation be provided. However, school districts and charter schools should be flexible in verifying residency, and should consider what information is reasonable in light of the family's situation. See the paragraph on Homeless Students for guidance in that situation.
4. The parent registration statement must be sworn statement (See Attachment A (Word)) attesting to whether the student has been or is suspended or expelled for offenses. These offenses may involve drugs, alcohol, weapons, infliction of injury or violence on

school property must be provided for a student to be admitted to any school entity (24 P.S. § 13-1304-A). A school district may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement. However, if a student is currently expelled for a weapons offense, the school district can provide the student with alternative education services during the period of expulsion (24 P.S. § 13-1317.2(e.1)). If the disciplinary record or sworn statement indicates the student has been expelled from a school district in which he was previously enrolled, for reasons other than a weapons offense, it is recommended the school district review the student's prior performance and school record to determine the services and supports to be provided upon enrollment in the district.

5. The home language survey. All students seeking first time enrollment in a school shall be given a home language survey in accordance with requirements of the U.S. Department of Education's Office for Civil Rights. Enrollment of the student may not be delayed in order to administer the Home Language Survey. A copy of the Home Language Survey is provided at this website.

**DOCUMENTS WHICH MAY BE REQUESTED BUT NOT AS A CONDITION OF ENROLLMENT:**

Items which may be requested that school districts and charter schools often seek to obtain information from families in addition to the mandatory items discussed above. Although they may ask for any of this information, they may not require it as a condition of enrolling or admitting a child and they may not delay a child's enrollment or attendance until these documents are provided. Among the documents that a school district or charter school may request are: picture identification, health or physical examination records, academic records, attendance records, Individualized Education Program, and other special education records. In addition, a school district may not require that a physical examination be conducted as a condition of enrollment. Registration Form Some school districts have registration forms which they ask families to complete when enrolling a child. These registration forms for student enrollment may include the following: name, address, telephone number, name of parent(s) or guardian(s) or resident adult(s) with whom the student is living, emergency contact information, former school information, and other locally required information. Whether to use such a form is within the discretion of each school district or charter school but failure to complete the form cannot be made a condition of the student's enrollment.

**DOCUMENTATION REQUIRED FROM OTHER SOURCES:** A school district or charter school also is entitled by law to receive information on an enrolling student from the previous school, whether public, charter, nonpublic or private, which the student attended. However, the provision of this information rests with the educational entity and not the family, and so, the receiving school district may not require this information as a precondition to enrollment and may not delay a student's admission for lack of this information.

**STUDENT EDUCATION RECORDS UPON ENROLLMENT:** The school district or charter school is to contact the student's former school for a copy of the student's education records. The former school district or charter school, if within this commonwealth, is required to respond by forwarding the records within 10 business days of the date upon which a student's records are requested by another commonwealth school district or charter school. School districts shall enroll students within five business days, regardless of receipt of records from the previous districts (22 Pa. Code § 11.11(b)).

**DISCIPLINARY RECORDS:** Whenever a pupil transfers to another Pennsylvania school entity or nonpublic school, a certified copy of the student's disciplinary record shall be transmitted to the school entity or nonpublic school to which the pupil has transferred. The school entity or nonpublic

school to which the student has transferred should request the record. The sending school entity or nonpublic school shall have 10 days from receipt of the request to supply a certified copy of the student's disciplinary record. Failure to receive the student's discipline record cannot be used to deny or delay the student's enrollment, or school attendance. A school district may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement. However, if a student currently is expelled for a weapons offense, the school district can provide the student with alternative education services during the period of expulsion (24 P.S. § 13-1317.2(e.1)). If the disciplinary record or sworn statement indicates the student has been expelled from a school district in which he previously was enrolled, for reasons other than a weapons offense, it is recommended the school district review the student's prior performance and school record to determine the services and supports to be provided upon enrollment in the district.

**PROHIBITED REQUESTS:** Items which may not be requested for both enrollment and also for residency determinations, a school district or charter school may not request or require any of the following: a social security number; the reason for a child's placement if not living with natural parents; a child's or parent's visa; agency records; or, except in the limited circumstances described in the next section, a court order or records relating to a dependency proceeding. A child's right to be admitted to school may not be conditioned on the child's immigration status. A school may not inquire regarding the immigration status of a student as part of the admissions process. *Plyer v. DOE*, a U.S. Supreme Court decision, held that it is unconstitutional to deny free public education to children who are not legally admitted into the United States.

**STUDENT CLASSIFICATIONS FOR EDUCATION ENTITLEMENT:** Resident Students and Court Orders or Custody Agreements- 24 P.S. §13-1301, 13-1302. Every school age child is entitled to attend the public schools of the child's district of residence, which is the school district where the child's parent(s) or legal guardian resides. When parents reside in different school districts due to separation, divorce, or other reason, the child may attend school in the district of the parent with whom the child lives for a majority of the time, unless a court order or court-approved custody agreement specifies otherwise. If the parents have joint custody and the child's time is evenly divided between the parents, the parents may choose which of the two school districts the child will attend for the school year. If the parent enrolling the child is relying on a court order or custody agreement as the basis for enrolling the child, then the school district or charter school may require that the parent provide a copy of the order or agreement. As stated below, a school district may also require a resident to provide a custody or dependency order when the resident is seeking to enroll the child under 24 P.S. § 1302(a)(1) which requires "appropriate legal documentation to show dependency or guardianship." A school district or charter school may not, however, require a custody order or agreement as a condition of enrollment in any circumstances other than the two circumstances specified above.

**STUDENTS LIVING WITH A RESIDENT ADULT OTHER THAN A PARENT:** 24 P.S. § 13-1302  
When a child is living with a district resident, who is supporting the child without personal compensation, (*gratis*) the child may attend the public schools of that resident's school district, if resident makes application and supplies the required enrollment information noted in the section entitled Required Enrollment Documentation. In addition, before accepting the child as a student, the district shall require the resident to file only one of the following:

1. A sworn and notarized statement from the resident of the school district consistent with the requirements of 24 P.S. §13-1302(a)(2), indicating that the signer is a resident of the school district, is supporting the child without receiving personal compensation, that the child is living with the resident continuously and not just for the school year, and that the resident will accept all responsibilities relating to the child's schooling (see Attachment B (Word) for a model statement).

2. Appropriate legal documentation to show dependency or guardianship, which may include a custody order. The school district may, pursuant to the attached guidelines (see Attachment C (Word)), require other information to be submitted by the resident to substantiate the sworn statement. The natural parent(s) or former guardian(s) of the student may not be required to provide information. Once the requested information is provided, the school district must enroll the child and permit him or her to begin to attend school without delay, but in no case more than five days. A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive or adoptive support, maintenance on public or private health insurance, support from the military or military personnel or other payments for or on account of the child such as child support, shall not be deemed to be personal compensation or gain. Foster Students - 24 P.S. §13-1305 Nonresident children placed in foster care must be educated in accordance with 24 P.S. §13-1305(a), which provides that a nonresident child in paid foster care is "entitled to all free school privileges accorded to resident children of the district. . . in the same manner as though such child were in fact a resident child of the district." The provision that permitted school districts to refuse to accommodate foster students has been held to be unconstitutional. In addition, nonresident exceptional school-aged persons should be afforded the same rights to an appropriate program of special education as are resident exceptional school-aged persons per 24 P.S. §13-1371 et seq. and 22 Pa. Code Chapter 14 and 22 Pa. Code Chapter 16. A school district may request verification that the child is residing with a foster parent or is in a pre-adoptive or adoptive home in the form of a letter from the appropriate agency, but the district cannot require a court order or agency records. Children placed into foster care often move from one foster home to another and such moves may involve school changes as well. In order to minimize the impact of change upon these children, school districts are strongly encouraged to develop policies or agreements to enable a student who is in foster care to remain in the educational program in the same school or school district even if that student is moved to a residence in another school attendance area within the district or in another school district.

**STUDENTS LIVING IN INSTITUTIONS:** 24 PS §13-1306 School districts in which children's institutions, including detention homes, drug and alcohol treatment centers and other similar facilities are located (referred to as host school districts) are required to provide an education and, when appropriate, special education to nonresident students of the host district who are placed into the institution. This includes the right to attend the school district's public schools if appropriate for the child. Enrollment of these students follows the same requirements as resident students of the school district. See BEC 24 P.S. §13-1306 Nonresident Students in Institutions.

**EMANCIPATED MINORS:** An emancipated minor is a student under the age of 21 who has established a domicile apart from the continued control and support of parents or guardians or who is living with a spouse. The school district in which this student is living is his or her resident school district and the student may enroll without any additional assistance from an adult.

**HOMELESS STUDENTS EDUCATIONAL AGENCIES:** Shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth. Homeless students may reside in shelters, hotels, motels, cars, tents, or be temporarily doubled-up with a resident family because of lack of housing. In the case of homeless students, traditional concepts of "residence" and "domicile" do not apply. Homeless children and youth lack a fixed, regular, and adequate nighttime residence. Included within the definition of homeless children and

youth are those who are "awaiting foster care placement" and "unaccompanied homeless youth." Unaccompanied homeless youth may enroll without documents and without the help of an adult. Unaccompanied homeless youth includes any child who is "not in the physical custody of a parent or guardian." Falling within this definition are students who have run away from home, been thrown out of their home, or been abandoned or separated from their parents or guardians. Youth awaiting foster care placement include those who are placed in emergency, interim or respite foster care; kinship care; evaluation or diagnostic centers or placements for the sole purpose of evaluation. When necessary, local school officials should consult with their county children and youth agencies to determine if a child meets the definition of "awaiting foster care placement", including, on a case-by-case basis, whether a child who does not clearly fall into one of these categories is nevertheless a child "awaiting foster care placement." Homeless youth are entitled to immediate enrollments and their families are not required to prove residency regarding school enrollment. These students should be enrolled without delay, in the district where they are presently residing, or continue their education in the district of prior attendance. See the McKinney-Vento Act, 42 U.S.C. §11431 et seq. and the BEC 42 U.S.C. §11431 et seq. Education for Homeless Youth for more details.

**PRE-ADOPTIVE AND ADOPTIVE STUDENTS:** The Federal Adoption Assistance Program, among other things, provides for adoption assistance payments to encourage the placement of certain hard-to-place children with adoptive parents, 42 U.S.C. §673. Pennsylvania has adopted companion legislation, known as the Adoption Opportunities Act. See 62 P.S. §771 et seq. Children living with pre-adoptive parents who are receiving adoption assistance subsidies, pre-adoptive foster payments, or other payments such as Supplemental Security Income (SSI) or Transitional Assistance for Needy Families (TANF), are entitled to attend school in the school district in which the pre-adoptive parents reside. Notwithstanding receipt of any of the above payments, children living in pre-adoptive situations are considered residents of the school district in which their pre-adoptive parents reside under 24 P.S. §13-1302. Children living with adoptive parents are entitled to all free school privileges accorded to resident school children of the district under 24 P.S. §13-1302.

**RE-ENROLLMENT OF STUDENTS RETURNING FROM DELINQUENCY PLACEMENTS:** When a student returns to a school district from a delinquency placement, the school district cannot automatically place a child in an alternative education program for disruptive youth merely because the child had been adjudicated delinquent. Like any other student being transferred to an alternative school, students returning from delinquency placement are entitled to an informal hearing prior to being placed in an alternative education program. The purpose of the hearing is to determine whether the student currently is fit to return to the regular classroom or meets the definition of a disruptive student. Factors a school should consider include: whether the incident causing the adjudication occurred at school or at a school-sponsored event, the child's behavior in placement, and the recommendations of teachers and other adults (such as juvenile probation officers) who have worked with the youth.

**SCHOOL-AGE CHILDREN OF MILITARY PERSONNEL:** When Pennsylvania residents who are military personnel are deployed and their school age children are living with relatives or family friends in a school district for that period, the students are entitled to attend school in the school district in which they are residing. These students should be enrolled using the Section 1302 statement/affidavit process, except that the resident is to be presumed to be supporting the child without personal compensation or gain (gratis).

**OTHER ISSUES RELATED TO ENROLLMENT:** The address Confidentiality Program (ACP) Includes some families may enroll a student using an ACP card which lists a post office box as their address. This is their legal address and school districts shall not require additional information about their residence. School records from the student's former school will be forwarded through the ACP. If there are questions about the family's eligibility for enrollment, contact the ACP at 1-800-563-6399. School Age Children are considered school age from the time they are admitted to the public school educational program until graduation from high school or the age of 21. The local school board has the right and responsibility to establish the age at which a child can begin the kindergarten program. Once the age requirement is established, districts cannot refuse admission to a child who meets the age requirement. See BEC 24 P.S. §05-503 Admission to Kindergarten and Beginners. During the time a child is of school age, the child or student is entitled to attend the public schools of the resident school district or a charter school, or to attend other school districts as an eligible nonresident. Students who turn 21 during the school term are entitled to finish that school term. If a student is under age 21 and has a Graduation Equivalency Diploma (GED), the student can enroll in school and work towards a diploma. For subsidy purposes, students who reach age 21 after the school term begins are eligible to be counted for the entire school term. The Department will accept requests to allow students to be counted in membership for subsidy purposes for an extended school program beyond age 21 if the request includes a hearing officer decision or court order.

**CHILDREN AND FAMILIES WITH LIMITED ENGLISH PROFICIENCY:** Children and families with limited English proficiency must be provided translation and interpretation services to the extent needed to help the family understand the enrollment process and enroll the student in school promptly per the Civil Rights Act of 1964, Title VI, 42 U.S.C. § 2000d et seq. and the Equal Education Opportunity Act, 20 U.S.C. § 1703.

**TWINS AND MULTIPLE SIBLINGS:** 24 P.S. § 1310.1 Twins or higher order multiple siblings are to be enrolled in the same manner as all other students. The School Code provides for parental discretion in the classroom placement of twins or higher order multiples. A parent or guardian of twins or higher order multiples who attend the same grade level at the same school may request that the children be placed in the same classroom or separate classrooms. The parent or guardian must make the request no later than ten days after the beginning of the school year or ten days after the first day of the student's attendance, if the students are enrolled after the school year commences. The school district may recommend classroom placement to the parents and provide professional education advice to the parents to assist them in making the best decisions for their children's education. The school district shall provide the classroom placement requested, unless, after consultation with the school district superintendent or designee, the principal determines that alternative placement is necessary. The law affords the parents the opportunity to appeal that denial. A school district is not required to place twins or higher order multiples in separate classrooms if the request would require the school district to add an additional class to the grade level of the siblings.

**SUBMITTING ENROLLMENT COMPLAINTS TO THE STATE DEPARTMENT OF EDUCATION:** When a dispute arises regarding enrollment of a student, the person attempting to enroll the child, or the school district may bring the dispute to the attention of the Department's School Services Office. A complaint may be filed by mail, email, or by phone with written follow up. After receipt of a complaint, a Department representative will contact the school district, family or other involved parties to determine the facts, whether the child is entitled to enrollment in the district and to try to resolve the problem. These contacts, whenever possible, will occur within five (5) days of receipt of the complaint. If the complaint is not amicably resolved, a written determination will be made and sent to the school district and the individual who filed the complaint. If the school district does not

enroll the student within five (5) school days after receiving the written determination, the Department will issue a letter to the school district requesting its position on the situation. The school district will have five (5) school days to respond to the request. If the school district refuses to enroll the student or does not respond, the matter will be forwarded to the Department's Office of Chief Counsel (OCC). The OCC and the Deputy Secretary for Elementary/Secondary Education will determine if the school district's response is valid to deny enrollment. If not, the Deputy Secretary will determine what additional measures may be necessary to assure enrollment.

**WRITTEN POLICIES:** Each school district and charter school must adopt a written policy on student admission; which policy shall be a public record (22 Pa Code § 11.41). The Department recommends that school district and charter school admission policies and procedures be posted on the entity's website.

**FREQUENTLY ASKED ENROLLMENT QUESTIONS AND ANSWERS:** Frequently asked enrollment questions and answers are provided on this website at Enrollment Q&A.

**REFERENCES:** Purdon's Statutes 24 P.S § 13-1301 24 P.S. § 13-1302 24 P.S § 13-1302(a)(1) 24 P.S. § 13-1302(a)(2) 24 P.S. § 13-1305 24 P.S. § 13-1306 24 P.S. § 13-1310.1 24 P.S. § 13-1317.2(e.1) 24 P.S. § 13-1371 et seq. 24 P.S. § 13-1304-A 62 P.S. § 771 et seq. 23 Pa. C.S.A. § 6701 State Board of Education Regulations 22 Pa. Code § 4.26 22 Pa. Code § 11.11 22 Pa. Code, Chapter 11 22 Pa. Code, Chapter 14 22 Pa. Code, Chapter 16 Federal Statutes 20 U.S.C. § 1703 42 U.S.C. § 673 42 U.S.C. § 2000d et seq. 42 U.S.C. § 11431 et seq. Other Plyler v. DOE, 457 U.S. 202 (1982)

#### **BUREAU OFFICE CONTACT**

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## **Educating English Learners (ELs)**

**22 Pa. Code §4.26 DATE OF ISSUE:** July 1, 2001 **DATE OF REVIEW:** July 1, 2017

### **PURPOSE**

The purpose of this circular is to provide local education agencies (LEAs) with the requirements and interpretations of the legal mandates governing the education of students who are English learners (ELs). The information included should be used in designing, staffing, and evaluating effective programs for ELs. These mandates and interpretations are based on the Pennsylvania Regulations, Chapters [4](#) and [11](#); and on federal law, including [Title VI of the Civil Rights Act](#), the [Equal Educational Opportunity Act](#) (EEOA), the [Elementary and Secondary Education Act](#) (ESEA) as amended by the [Every Student Succeeds Act](#) (ESSA), and regulations and case law under those statutes. Citations to these sources are found at the end of this circular.

### **OVERVIEW**

State regulation, [22 Pa. Code § 4.26](#), declares:

*“Every school district shall provide a program for each student whose dominant language is not English for facilitating the student's achievement of English proficiency and the academic standards under § 4.12 (relating to academic standards). Programs under this section shall include appropriate bilingual-bicultural or English as a second language (ESL) instruction. “*

As used here, the term "program" refers to:

1. Planned English language development instruction by a qualified ESL/Bilingual Education teacher: and
2. Adaptations/modifications in the delivery of content instruction and assessments by all teachers based on students' language proficiency levels and the Pennsylvania English Language Development Standards (PA ELDS) Framework for ELs as well as the Pennsylvania academic standards.

Key components of the program that an LEA must provide to every EL are addressed below. In addition, this BEC also sets out the PDE's interpretation of legal requirements on related issues.

### **DEFINITION OF ENGLISH LANGUAGE DEVELOPMENT (ELD)**

ELD is a required component of all language instruction educational programs (LIEPs). ELD takes place daily throughout the day for ELs and is delivered by both ESL teachers and non-ESL teachers.

#### **ELD delivered by ESL teachers**

English language development instruction, otherwise known as English as a second language, delivered by a licensed ESL teacher is its own content area. ELD in this context is driven by language, but it draws from general education content as a vehicle for instruction in order to contextualize language learning. It must be codified in a dedicated and planned curriculum specifically designed to develop the English language proficiency of ELs so that they are able to use English in social and academic settings, and access challenging academic standards. ELD instruction provides systematic, explicit, and sustained language instruction designed to prepare students for the general academic program by focusing, in meaningful and contextualized circumstances, on the academic language structures that underpin social and academic constructs. It can be taught as a stand-alone class or course but may also be embedded within other courses with the direct support of an ESL program specialist as appropriate based on the program design and needs of the students.

### **ELD delivered by non-ESL teachers**

ELD must be incorporated into all classes taught by non-ESL licensed teachers in which ELs are enrolled. These teachers are responsible for deliberately planning for and incorporating language instruction as well as supports, modifications, and accommodations needed to allow ELs to access the standards to which the course is aligned.

### **IDENTIFICATION AND PLACEMENT OF ELs (Screening, identification, and placement)**

Local education agencies (LEAs) are required to identify ELs at the time of enrollment, notify parents of the identification and programming options, and appropriately place the ELs into a language instruction educational program (LIEP). This requirement extends to pre-K students in public LEA-funded programs. This process must be completed within the first 30 days of school or within 14 days of enrollment if a student enrolls after the first day of school.

- The specific requirements for carrying out this process for pre-K through 12<sup>th</sup> grade students are outlined in the "[Screening, Identification, and Placement](#)" document.
- General enrollment procedures to which LEAs must adhere are contained in the Enrollment of Students BEC located on the Department's [Basic Education Circular website](#).
- Parent permission to identify students as ELs, including screening for English language proficiency, is **NOT** required.
- LEAs are required to notify parents in a timely manner of the process for identifying their children as ELs, the results of that process, and the recommended program placement. LEAs must also provide the parents with a detailed description of the LIEP, its intended benefits for their children, and an explanation of its effectiveness.

See the [Communication With Parents](#) section of this document for more information regarding parent notification requirements and the manner in which LEAs are required to communicate with parents.

### **Parent right to refuse specialized programming**

Parents of ELs have the right to refuse certain separate, specialized programs and services that may be part of the LIEP for their children. A parent's decision to refuse programs or services must be informed and voluntary. The LEA may NOT influence the decision in any way and may not make any program or placement decisions contingent on this decision.

Placement and programming decisions may not be made without notifying parents and allowing them to exercise their right to refuse part or all of the separate, specialized LIEP. LEAs should proceed with the recommended placement in the absence of a response from the parent after they have provided the parent with all of the information outlined above.

A detailed description of the parent refusal policy including all LEA obligations for students whose parents have refused services is contained in the "[Parent Refusal of LIEP Programs and Services](#)" guidance document.

See the [USED FAQ page](#) for the federal guidance regarding parental refusal of services.

### **THE LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM (LIEP)**

LEAs are required to thoughtfully and deliberately plan, resource, and evaluate their LIEP. The plan and evaluation results must be made available to all staff working with ELs as well as parents of ELs.

### **Program models and program design**

ELLs must have equitable access to academic content for all courses in which they are enrolled. Regardless of the program model(s) employed, the LIEP must, at a minimum:

- Be aligned to state academic content standards for the appropriate grade level of the ELs;
- Include ELD instruction delivered by properly certified teachers who hold an ESL program specialist certificate or who are working in conjunction with ESL certified teachers;
- Incorporate the use of the PA ELDS;
- Provide equitable access to content for ELs at all language proficiency levels by providing research-based bilingual or sheltered instruction with fidelity; and
- Not limit the enrollment of ELs in any course or academic program for which they would otherwise be eligible.

The foregoing minimum requirements must be incorporated into the entirety of the student's daily instructional time.

A LEA may design its LIEP in many ways, but it must ensure that the program design meets the needs of its EL population and is based on research and/or a sound educational theory recognized by at least some experts in the field as legitimate. Regardless of how the LEA chooses to organize its program, the Department requires that it be identified by one of six categories:

- Mixed Class Bilingual
- EL Bilingual
- EL-Specific Transitional Instruction
- Mixed Classes with Native Language Support
- EL Specific English Only Instruction
- Mixed Classes with English Only Support

For assistance in choosing the appropriate category for their LIEPs, LEAs may reference the [“Classifying Language Instruction Educational Programs”](#) guidance document.

### **ELD Replacement for English Language Arts**

In general, ELD instruction taught by an ESL licensed teacher should not replace ELA instruction in a student's academic program. ELD has its own curriculum that, although may incorporate elements of ELA or other content areas, is unique and aligned to the PA ELDS. ELD may replace ELA only when the instruction is aligned to the same ELA standards as the ELA course or instructional period in which a student's non-EL peers are enrolled.

ELD may not replace any other core content in a student's academic program unless it is for a limited time not to exceed one school year and the LEA has a plan for immediately mitigating any academic gaps that result (e.g. in the case of a newcomer program).

### **Appropriate resourcing of the LIEP**

LEAs are required to provide adequate resources calculated to effectively implement the LIEP chosen. A LEA is not taking appropriate action to remedy language barriers in accordance with federal and state laws and regulations if, despite the adoption of a promising or recognized LIEP, it fails to follow through with practices, resources and personnel necessary to implement the program or transform the theory into reality.

Appropriate resourcing of the program includes, but is not limited to:

- Employing an adequate number of properly licensed ESL teachers to ensure that English language development (ELD) instruction is delivered to ELs based on their needs. (see the [EDUCATORS OF ELs](#) section of this document for more information);
- Ensuring that there is a sufficient amount of time available for ESL teachers to collaborate with content teachers to ensure that content is made accessible to ELs and to monitor the progress of ELs in content classes;

- Purchasing and maintaining specialized materials to support ELs (native language literature, translations dictionaries, reference materials, etc.);
- Ensuring that the LIEP is provided with the same resources as other academic programs in the district/school (comparable technology, classroom spaces, consumables, a planned ELD curriculum, etc.); and
- Providing for adequate professional development to ensure that all staff working with ELs are properly trained according to their role to implement supports that overcome language barriers.

### **Evaluating the effectiveness of the LIEP**

The LEA is not free to persist in an LIEP which, although it may have been "appropriate" when adopted, in the sense that there were sound expectations for success and bona fide efforts to make the program work, has, in practice, proved ineffective. To this end, LEAs must employ a method to evaluate their LIEPs for effectiveness and make any changes necessary based on the evaluation.

Evaluations of LIEPs must be conducted at least annually and the results documented and reported to the state through the English Learner Reporting System ([ELRS](#)). Determinations to make changes to an LIEP based on program evaluations may be made annually, although a LEA may allow more time for a program to produce positive results before taking action as long as that time is reasonable based on the program design and expected outcomes.

Evaluations must be based on student outcomes rather than program inputs. For example, a program evaluation may **not** be based on the number of hours that teachers collaborate each week, the amount of funds spent on resources, or the implementation of a particular intervention or support. A program evaluation should include evidence of student growth toward proficiency in English and academic achievement.

### **Implementation of the English Language Development Standards**

The Pennsylvania English Language Development Standards (PA ELDS) Framework must be utilized for planning instruction and assessment by all teachers of ELs. It is highly recommended that teachers also utilize the [WIDA English Language Development Standards](#) (ELDS) and associated support documents (Can-Do Descriptors, Performance Definitions, rubrics, etc.) in conjunction with the PA ELDS framework for these purposes.

### **Grading of ELs**

LEAs should have a section included in their local grading policy that specifically addresses grading procedures for ELs.

LEAs must utilize the same grading system for ELs in content courses as they do for all students (e.g. pass/fail is inappropriate for ELs if other students receive a letter grade).

For ELD courses or instructional periods taught by a licensed ESL teacher in an all-EL setting, any grading system that meaningfully conveys information about progress and/or achievement may be used.

In addition to the information that is provided to all students, LEAs must communicate information related to English language proficiency and/or progress to parents at least annually.

### **Report Cards/Progress Reports**

LEAs may utilize the report card/progress report to communicate English language development information to parents of ELs or they may utilize a separate communication mechanism. If a LEA chooses to include English language development information on the report card, then it must ensure that the information provided is understandable and useful to engage parents in the education of their children.

### **High School Transcripts**

The English learner designation and/or English language development information must not appear on an EL's high school transcript unless it is part of a course title or code.

### **Retention of ELs**

An EL may not be retained in a grade based solely on his/her lack of English proficiency. LEAs must provide evidence that all appropriate modifications and accommodations to instruction and assessment aligned to the student's English language proficiency to allow the EL meaningful access to the general curriculum as well as to promote second language learning were implemented and documented over time prior to considering grade retention.

### **Area Vocational-Technical Schools (AVTSs)/ Career and Technical Centers (CTCs)**

ELs may not be denied access to participate in programs at AVTSs/CTCs based solely on English language proficiency.

ELs participating in vocational programs must receive ELD instruction appropriate to their level of proficiency and content-area instruction must be aligned to the student's English language proficiency level.

Comprehensive AVTS/ CTC schools are responsible for providing the LIEP and staffing for ELs as outlined in this document.

### **Annual assessment of ELs**

The annual state English language proficiency (ELP) assessment, ACCESS for ELLs<sup>®</sup>, is required by federal law. The results of the state ELP assessment are used to measure students' English language proficiency and progress in each of the four language domains (i.e., reading, writing, speaking and listening/understanding). The LEA must maintain these score results in the student's permanent record folder.

There is no provision that allows parents to opt their children out of annual ELP testing.

ELs participate in all other annual state-required assessments (e.g. PSSA, Keystone exams) according to those testing guidelines.

### **Testing Accommodations**

The testing accommodations allowable for ELs on state academic achievement assessments are published annually by PDE. Testing accommodations allowable for ELs on the ACCESS for ELLs<sup>®</sup> are published annually by the WIDA Consortium.

Visit the [PDE Assessment and Accountability webpage](#) for information on testing and testing accommodations.

Visit the [WIDA Assessment webpage](#) for information on testing and testing accommodations for the ACCESS for ELLs<sup>®</sup>.

## **RECLASSIFICATION, MONITORING, AND REDESIGNATION OF ELs**

LEAs must include in their LIEP uniform procedures in accordance with state requirements for:

- Reclassifying ELs as former ELs (FELs) when they attain proficiency;
- Actively monitoring the progress of FELs for a period of two years after reclassification and reporting students to the state in a monitor status for an additional two years, and
- Re-designating FELs as active ELs if they struggle academically because of persistent language barriers. This procedure must include steps to ensure that the nature of the challenge for the former EL is language-based and not academic.

For detailed requirements and procedures, see the "[Reclassification, Monitoring, and Redesignation of ELs](#)" guidance document.

## **EDUCATORS OF ELs Qualifications**

A teacher who provides specialized English language development instruction (also known as English as a second language) and who provides a grade for the ELD instruction either in a content class setting or a separate setting must hold a PA Instructional I or II certificate AND the ESL Program Specialist Certificate.

Any teacher who provides instruction and a grade for any non-ELD course or class must be appropriately certified in accordance with Department requirements. More information regarding certification staffing policies can be found in the [Certification and Staffing Policy Guidelines \(CSPGs\)](#) located on the Department website.

Example: a teacher who holds an instructional certificate in English Language Arts (ELA) and an ESL Program Specialist Certificate may provide either ELD/ESL or ELA instruction to, and a grade for, an EL, but may not provide instruction in, or a grade for, any other subject. That teacher may, however, provide support or instruction in the *language* of another content area (e.g. mathematics, social studies, science, etc.), but may not provide a grade for that content. Furthermore, the language instruction may not supplant that content in the student's schedule.

## **Professional Development**

All LEAs in which ELs are enrolled must offer annual professional development related to ELD/ESL for all LEA personnel as part of the Professional Development Act 48 Plan.

## **PARENT, FAMILY, AND COMMUNITY ENGAGEMENT**

### **Communication with Parents**

LEAs are required to provide all important information to parents who are not proficient in English in a language or mode of communication that they understand. If it is not practicable for the LEA to provide a written translation because the parents' language is not a common language, then the LEA may use a cover page explaining in the parents' language how they may have the document translated orally.

To provide parents with effective communication, interpreters or translators must understand and be able to express in both languages any specialized terms or concepts used in the communication. It is also important that translators or interpreters understand the ethics of interpreting and translating and the need for confidentiality.

Relying on students, siblings, or friends is not appropriate for translations that require confidentiality (e.g. parent-teacher conferences, discipline, participation in special services, etc.). Moreover, translators and interpreters should also be competent in interpreting or translating

information or documents that require the knowledge of specialized terms or concepts in both languages.

See the U.S. Department of Justice and U.S. Department of Education Office for Civil Rights fact sheet, [Information for Limited English Proficient \(LEP\) Parents and Guardians and for Schools and School Districts that Communicate with Them](#), for more information.

The following list identifies essential information that must be provided to parents:

- School registration and enrollment instructions;
- A description of the EL identification process and the reason that their child was identified as an EL;
- Their child's current English proficiency level and a description of what that means;
- A description of the LIEP as [outlined in this document](#);
- Information explaining their right to refuse enrollment of their child in the LIEP (see [Parental Right to Refuse Specialized Programming](#) section);
- A description of the criteria for reclassification and an expected timeline for achieving proficiency;
- Notices required by [special education laws and regulations](#);
- Grievance procedures and notices of non-discrimination;
- Student discipline policies and procedures;
- Report cards and progress reports;
- Notices of parent-teacher conferences;
- Information regarding gifted and talented programs;
- Results of the annual English proficiency assessment, ACCESS for ELLs®
- Requests for parent permission for student participation in school activities; and
- Other information provided to native English-speaking parents such as invitations to join school-related councils or groups or parent handbooks.

The PDE offers some resources for LEAs related to translation of information. For more information, visit the [PDE English as a Second Language webpage](#).

### **Annual notification requirements**

Parents of currently enrolled ELs must be provided with the following information within 30 days of the start of *each* school year:

- A notification of their child's continued participation in the LIEP
- A description of the LIEP including its intended benefits for their children and an explanation of its effectiveness
- A notification of their right to refuse services as outlined [in this document](#)
- A description of any Title III supplemental services being offered by the LEA (if applicable)
- A notification of their right to refuse [Title III supplemental services](#) (if applicable)

### **Required outreach activities**

LEAs are required to implement an effective means of outreach to parents of ELs to inform the parents regarding how they can be involved in the education of their children and be active participants in assisting their children to attain English proficiency and succeed academically. This includes holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of ELs.

## **ELs SUSPECTED OF OR HAVING A DISABILITY**

Some ELs may have a disability and qualify for special education services. This could be determined at the time of enrollment if a student arrives with a valid individualized education program (IEP) or at some point during the school year.

All procedures for the screening, evaluation, IEP, and the provision of services and/or instruction must be in compliance with the [Individuals with Disabilities Education Act](#) (IDEA) and [PA Chapter 14](#) Regulations.

This section only describes those aspects of policy for ELs with disabilities that are not contained in special education regulations, policies, and guidance.

See the Department's [Bureau of Special Education](#) website for access to all related regulations, policies, guidance, and FAQs.

### **Right to dual services**

LIEP and special education programming are not mutually exclusive. Special education services do not replace English language development services or vice versa. ELs must be afforded all supports, resources, and programming for which they are eligible. In other words, ELs are eligible for special education services if they meet IEP eligibility criteria and, conversely, students with a disability are eligible for English language development programming if they are identified as an ELs.

### **Identification**

There is no waiting period for making a disability determination for an EL. A child must not be determined to be a child with a disability if the determinant factor for that finding is lack of English proficiency.

### **Programming considerations**

English language development instruction or English as a second language is part of an EL's general academic program and must be included in an academic program for ELs with disabilities. This content must be delivered by a properly trained and certified [ESL teacher](#) either directly or by a special education teacher who is working in collaboration with an ESL teacher. The IEP team, which must include an ESL professional, must take into account the language needs of an EL with a disability when considering program design and placement.

### **Reclassification**

An EL who has a disability must meet the state's definition of English proficient in order to be reclassified as a former EL. This definition and the provisions for reclassification can be found in the "[Reclassification, Monitoring, and Re-designation of ELs](#)" guidance document.

## **TITLE III SUBGRANTS AND REQUIREMENTS**

Title III funding may be used by LEAs to enhance existing ESL/Bilingual programs. It may be used only to supplement, not supplant, existing programs and sources of funding.

Parents may refuse Title III services that support an LEA's ESL/Bilingual education program. Parents may also request reenrollment of their children in Title III services at any time after initially refusing.

A written parent notification for student placement in Title III programs/services is required along with written guidance pertaining to parental rights, including the right to have the child



immediately removed from or decline enrollment in such programs. More information, including specific requirements and guidance about Title III can be found at:

[The PDE Federal Programs Webpage for Title III](#)

[The U.S. Department of Education Laws and Regulations webpage](#)

### **Eligibility for a sub-grant under Title III**

Individual LEAs that enroll a sufficient number of ELs to reach the minimum sub-grant threshold of \$10,000 are eligible to apply for a sub-grant under Title III. LEAs that do not enroll a sufficient number of ELs to reach this threshold can form or join a consortium of LEAs to reach the threshold. Consortia can be composed of many LEAs with one LEA acting as the fiscal lead. Intermediate Units (IUs) can also act as fiscal leads for Title III consortia.

The [Federal Programs Office](#) at the PDE notifies all eligible entities in the Commonwealth each year of their eligibility and the process for applying to receive a grant under Title III.

### **Applying for a sub-grant**

To apply for Title III Funding, LEAs must complete the Consolidated Application on the [eGrants](#) system according to the [due dates](#) established by the Department.

### **Title III required and recommended activities**

There are three required activities for the use of Title III funds:

1. Provide a high-quality LIEP;
2. Provide professional development to teachers, administrators, and other school-based personnel who work with ELs; and
3. Provide and implement other effective activities and strategies that enhance or supplement LIEPs, which must include parent, family, and community engagement activities, and may include strategies that serve to coordinate and align related programs.

There are also a number of permissible activities for the use of Title III funds that include, but are not limited to:

- Providing community participation programs, family literacy services, and parent outreach and training to ELs and their families;
- Improving the instruction of ELs, which may include English learners with disabilities, by acquiring or developing educational technology and accessing electronic networks; Uses related to developing or implementing LIEPs in preschools that are coordinated with Other relevant programs and services; or
- Offering early college high school or dual or concurrent enrollment programs or courses designed to help ELs achieve success in postsecondary education **Immigrant sub-grants.**

Title III provides additional supplemental funding for LEAs that experience a significant increase in the number of immigrant children and youth (ICY).

The term “immigrant children and youth” means individuals who:

- (A) are aged 3 through 21;
- (B) we’re not born in any state; and
- (C) have not been attending one or more schools in any one or more States for more than 3 full academic years.

NOTE: Students from Puerto Rico are not considered “immigrants” under Title III.

Pennsylvania defines a “significant increase” as an increase of 10% and at least 20 students from the average of the past two years.

Immigrant grant funding must be held separately from other Title III funding. The two must not be comingled. An LEA must use the immigrant subgrant to provide enhanced instructional opportunities for immigrant children and youth (ESEA Section 3115(e)).

### **DATA COLLECTION AND REPORTING REQUIREMENTS**

LEAs are required to collect certain data elements related to ELs and report that data to the PDE. Each LEA employs its own student data system, but the system must be able to export the data and report it to the Department based on uniform Department requirements and timelines.

LEAs are required to complete the Pennsylvania Information Management System (PIMS) and the English Learner Reporting System (ELRS) annually. PIMS and the ELRS provide data and information on student numbers, teachers, 22 Pa. Code §4.26 compliance, and Title III.

For more information about PIMS, see the [PDE PIMS webpage](#).

For more information about the ELRS, see the information contained on the [ESL Portal](#).

### **REFERENCES:**

#### **State Regulation**

[22 Pa. Code §4.4](#)  
[22 Pa. Code § 11.11](#)  
[22 Pa. Code § 11.12](#)  
[22 Pa. Code §4.26](#)  
[22 Pa. Code §4.14](#)

#### **Federal Statutes**

[Civil Rights Act of 1964, Title VI](#)  
[Equal Educational Opportunities Act of 1974](#)  
[The Elementary and Secondary Education Act \(ESEA\)](#)  
[The Every Student Succeeds Act \(ESSA\)](#)

#### **Other**

[Castañeda v. Pickard, 648 F.2d 989 \(1981\)](#)  
[Lau v Nichols, 414 U.S. 563 \(1974\)](#)  
[Plyler v Doe, 457 U.S. 202 \(1982\)](#)  
[Certification and Staffing Policies and Guidelines \(CSPG\) No. 68](#)

### **BUREAU/OFFICE CONTACT:**

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## **SECTION 14 - REFERENCES**

### **Federal Legislation, Regulations and Guidance**

<https://www2.ed.gov/programs/mep/legislation.html>

### **Pennsylvania Department of Education English Language Learner (ELL) Program**

<http://www.education.pa.gov/EnglishLearners>

### **Pennsylvania Homeless Children Initiative**

<http://www.education.pa.gov/homeless>

**SECTION 15 – PA MIGRANT EDUCATION PROGRAM CONTACT INFORMATION**

**PENNSYLVANIA MIGRANT EDUCATION PROGRAM CONTACT INFORMATION**

<p><b>Project Areas 1 and 3</b></p>	<p><b>Eva Howski, Project Manager</b>          Chester County Intermediate Unit 24          455 Boot Road          Downingtown, PA 19335          evah@cciu.org          484-237-5051          484-237-5148 (Fax)</p>
<p><b>Satellite Offices</b></p>	<p><b>West Grove/Jennersville Migrant Education Office - Project Area 3</b>          On the Campus of the Chester County Technical College High School          284 Pennock’s Bridge Road          West Grove, PA 19390          610-345-1824          610-345-2824 (Fax)</p> <p><b>Philadelphia Migrant Education Office – Project Area 1</b>          2029 South 8<sup>th</sup> Street          Philadelphia, PA 19148          215-551-4120          215-551-4124 (fax)</p>

**PENNSYLVANIA MIGRANT EDUCATION PROGRAM CONTACT INFORMATION**

<p><b>Project Areas 2, 4 and 5</b></p>	<p><b>Damaso Albino, Project Manager</b>                  Millersville University                  Box 1002                  220 North Prince Street                  Millersville, PA 17551                  Damaso.Albino@millersville.edu                  717-871-4329                  717-871-7912 (Fax)</p>
<p><b>Satellite Offices</b></p>	<p><b>Lehigh Valley Field Office –                  Project Area 2</b>                  Migrant Education Program                  1520 Hanover Avenue                  Allentown, PA 18109                  610-820-6831                  610-820-6835 (Fax)</p> <p><b>Lancaster County Field Office –                  Project Area 4a</b>                  Millersville University                  Migrant Education Office                  Box 1002                  220 North Prince Street                  Millersville, PA 17551                  717-871-4371                  717-871-7912 (Fax)</p> <p><b>Lebanon County Field Office –                  Project Area 4b</b>                  Millersville University                  129 Van Buren St                  Lebanon PA 17046                  717-675-7922</p> <p><b>Berks County Field Office –                  Project Area 5</b>                  Reading Opportunity Center for Children                  (ROCC)                  Migrant Education Office                  800 Penn Street                  Reading, PA 19602                  610-370-8540                  610-371-4541 (Fax)</p>

## PENNSYLVANIA MIGRANT EDUCATION PROGRAM CONTACT INFORMATION

<b>Project Areas 7 and 8</b>	<b>Jerry Gill, Project Manager</b> Northwest Tri-County Intermediate Unit 5 252 Waterford Street Edinboro, PA 16412 Jerry_Gill@iu5.org 814-734-5610 814-734-5806 (Fax)
<b>Satellite Offices</b>	<b>Gettysburg Migrant Field Office</b> 705 Old Harrisburg Road – Suite 400 Gettysburg, PA 16325 717-334-0006 Ext. 2315 717-334-9608 (Fax)
	<b>Chambersburg Migrant Field Office</b> 437 Wolf Avenue Chambersburg, PA 17201 Contact Eric Mandell - 717-816-9078
	<b>York Migrant Field Office</b> 101 West College Avenue York, PA 17401 Contact Varquidia Rosario – 717-253-5376

**PENNSYLVANIA MIGRANT EDUCATION PROGRAM CONTACT INFORMATION**

<p><b>Project Areas 6 and 9</b></p>	<p><b>Mr. David Baird, Project Manager</b>          Central Susquehanna Intermediate Unit 16          Migrant Education Office          90 Lawton Lane          Milton, PA 17847-9756          dbaird@csiu.org          570-523-1155          570-524-7164 (Fax)</p>
<p><b>Satellite Offices</b></p>	<p><b>Hazleton Migrant Field Office          Migrant Education Office</b>          100 West Broad Street – Suite #117          Hazleton, PA 18201          570-501-8821          570-501-8454 (Fax)</p> <p><b>Scranton Migrant Field Office</b>          NO PHYSICAL OFFICE LOCATION –          EMPLOYEES WORK OUT OF THEIR HOMES          Contact Ashley Booth – 570-492-7737</p> <p><b>Dauphin, Cumberland and Juniata Migrant          Field Office</b>          NO PHYSICAL OFFICE LOCATION –          EMPLOYEES WORK OUT OF THEIR HOMES          Contact Maria Lupe Feeser – 570-238-0184</p>



## SECTION 16 – REGIONAL MAP AND PROJECT AREAS

