



# TITLE I PART C

## Education of Migratory Children



### Eligibility for School Meals

The new federal guidance, *Eligibility Manual for School Meals – Determining and Verifying Eligibility*, was issued July 18, 2017. The guidance in its entirety can be viewed/printed at <https://www.fns.usda.gov/cn/eligibility-manual-school-meals>.

#### **Migrant Education Program (MEP)** (pp. 38-39)

Children identified by the State, regional, or local MEP director or coordinator or the local educational liaison as meeting the definition of migrant are categorically eligible for free school meals. The definition of migrant is included in Section 1309 of the Elementary and Secondary Education Act of 1965, 20 U.S.C. 6399.

The MEP provides services to children who have moved across school district lines, within the last three years, in order to accompany or join a parent or guardian who seeks or obtains temporary or seasonal work in agriculture or fishing. Minors who move with a spouse or by themselves to perform this work may also qualify.

The LEA must attempt to obtain MEP enrollment status early in the school year, prior to a household completing an application. Once documentation is obtained, the LEA must notify the household as soon as possible of the child's eligibility for free meal benefits. A child in the MEP is eligible for free meals for the duration of the current school year, regardless of a change in circumstances, and up to 30 operating days into the next school year, due to the year-long eligibility requirement [7 CFR 245.6(c)(1)].

LEAs must establish procedures with the MEP coordinator or homeless liaison to document and certify migrant children for free meal benefits as promptly as possible, especially when a new migrant child is identified. LEAs and MEP officials are responsible for identifying a migrant child and maintaining supporting documentation.

Acceptable documentation [7 CFR 245.2] for MEP participation includes:

- A list of names of participating children;
- The effective dates and the signature of a MEP official; or
- A letter from an MEP official or local educational liaison provided by the household to the school confirming the child currently participates in MEP.

#### **Transferring Between LEAs** (p.49)

When a student transfers to a new LEA, the new LEA is permitted to accept the eligibility determination from the student's former LEA [7 CFR 245.6(a)(4)]. LEAs and schools are strongly encouraged to accept the former LEA's eligibility determination to ease the new student's transition and ensure there is no break in the student's meal access. The new LEA should retain

written documentation of the eligibility determination made by the former LEA. An email from the former LEA stating the eligibility status is sufficient.

Migrant: An Other Source Categorical Eligibility designation for a child who is enrolled in the Migrant Education Program as determined by the State or local Migrant Education Program coordinator or as documented by an appropriate local educational agency official, such as the homeless liaison. [7 CFR 245.2]