

## Instruction

### Migrant Students <sup>1</sup>

The Superintendent will develop and implement a program to address the needs of migrant children in the District in accordance with federal law.

This program will:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students through appropriate local, State, and federal educational programs,<sup>2</sup> including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and elective classes.
3. Provide migrant **children students** with full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet.<sup>3</sup>
4. Provide, to the extent feasible:<sup>4</sup>
  - a. Advocacy and outreach programs to migrant children and their families, including helping such children and families gain access to other education, health, nutrition, and social services,
  - b. Professional development programs, including mentoring, for District staff,
  - c. Family literacy programs,
  - d. The integration of information technology into educational and related programs, and
  - e. Programs to facilitate the transition of secondary school students to postsecondary education or employment.<sup>5</sup>
  - f. **Programs, activities, and procedures for the engagement of parents/guardians and family members of migrant students in an understandable format and language.**<sup>6</sup>

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<sup>1</sup> Federal law controls this policy's content. The first sentence of this policy allows a school board to consider the goals for its migrant education program and to amend the sample policy accordingly. The *Migrant Education Program* is a federally funded program authorized under Title I, Part C, of the Elementary and Secondary Education Act (ESEA). 20 U.S.C. §6391 *et seq.*; 34 C.F.R. §200.81 *et seq.* **This policy may be deleted if the district does not receive Title I funds under the ESEA.**

To qualify for the program, a migrant child must: (1) be younger than the age of 22, (2) have not earned a high school diploma or an equivalent degree, (3) have moved on his/her own as a migratory worker or with/to join/to precede a parent, spouse or guardian who is a migratory worker; and (4) have moved within the preceding 36 months due to economic necessity, from one school district to another, and from one residence to another. 20 U.S.C. §6399; see also [www.isbe.net/Pages/Migrant-Education-Program.aspx](http://www.isbe.net/Pages/Migrant-Education-Program.aspx). Although most of the requirements are directed to State agencies, local school districts that receive State money for these programs will be held to many of the same requirements by the State. For additional information, see ISBE's collection of material about the Migrant Education Program in Illinois at [www.isbe.net/Pages/Migrant-Education-Program.aspx](http://www.isbe.net/Pages/Migrant-Education-Program.aspx).

105 ILCS 5/22-105 (final citation pending), added by P.A. 104-288, requires that schools in the State, "[p]rotect the integrity of school learning environments for all children, so that no parent is discouraged from sending and no child is discouraged from attending school, including from the threat of immigration enforcement or other law enforcement activity on a school campus." Consult the board attorney for guidance on the intersection of federal and State law related to migrant students. See also sample policy 7:150, *Agency and Law Enforcement Requests*.

<sup>2</sup> 20 U.S.C. §§ 6394(b)(1)(A), 6396(a)(1)(E).

<sup>3</sup> 20 U.S.C. §§ 6391(3), 6394(b)(2), 6396(a)(1)(C).

<sup>4</sup> 20 U.S.C. §6394(c)(7).

<sup>5</sup> For an elementary school district that wants to delete subsection e, amend 4(c)-4(e) as follows:

- c. Family literacy programs, and
- d. The integration of information technology into educational and related programs, and
- e. ~~Programs to facilitate the transition of secondary school students to postsecondary education or employment.~~

Migrant Education Program for Parent/Guardian and Family Member Engagement

Parents/guardians and family members of migrant students will be involved in and regularly consulted about the development, implementation, operation, and evaluation of the migrant program.

Parents/guardians and family members of migrant students will receive instruction regarding their role in improving the academic achievement of their children.

LEGAL REF.: 20 U.S.C. §6318.  
20 U.S.C. §6391 et seq., Education of Migratory Children.  
34 C.F.R. §200.81 et seq.

CROSS REF.: 6:170 (Title I Programs), 7:150 (Agency and Law Enforcement Requests)

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<sup>6</sup> 20 U.S.C. §6394(c)(3).