

Idaho Migrant Education Program Continuation of Services (COS) Guidance

Updated: 8/31/18

The “continuation of services” provision found in Section 1304(e) of the statute provides that (1) a child who ceases to be a migratory child during a school term shall be eligible for services until the end of such term; (2) a child who is no longer a migratory child may continue to receive services for one additional school year, but only if comparable services are not available through other programs; and (3) secondary school students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation.

- *Continuation of Services (COS) does not apply to those over the age of 21 or are no longer eligible for a free public education through Grade 12.*
- *COS is a permissive authority, not a requirement. Under 1304(e)(2) and (3), only students who received services at any time during their 36-month eligibility period may continue to receive services (not necessarily the same service).*

Category 1

1304(e)(1): a child who ceases to be a migratory child during a school term shall be eligible for services *until the end of such term*

- ✓ **“Term” refers to Fall, Spring, Summer**

Example: If eligibility ends November 15, 2016, migratory child is eligible for services until the end of the Fall term (December 31)

- ✓ Instructional and support services can continue to be provided.

Must be reported in services and enrollment status with an end date in MSIS.

Category 2

1304(e)(2): a child who is no longer a migratory child may continue to receive services for *one additional school year*, but only if **comparable services are not available** through other programs

- ✓ **“School year” refers to the sum of three additional consecutive terms**

Example: Eligibility ends March 1, 2014 and student is receiving MEP funded transportation to afterschool tutoring. Transportation is not provided through any other programs. Migratory child qualifies for COS under this provision for Summer 2014, Fall 2015, and Spring 2016.

- ✓ **“Comparable services”** directly benefit migrant students; are consistent with State CNA and SDP; based on scientifically based research or are deemed effective practices; enables MEP to meet MPOs
- ✓ Instructional and support services can continue to be provided.

Must be reported annually in services and enrollment status with an end date in MSIS each year COS is being provided.

Category 3

1304(e)(3): secondary school students who were eligible for services in secondary school may continue to be served **through credit accrual programs until graduation**

- ✓ Migratory child **must be enrolled in a secondary school when MEP eligibility ended** to qualify for COS under this provision.

- ✓ Intended for high school students who are not on track for graduation, or at risk of not staying on track.

Examples: tutoring for credit bearing course work, distance learning, independent study for credit accrual (PASS), MEP funded summer school services related to credit accrual

- ✓ Out of School Youth (OSY) generally do not qualify unless they were recovered into a program in which they are working on a high school or GED.

- ✓ Only instructional services related to credit accrual can continue to be provided. **Does not include support services.**

Must be reported in services and enrollment status with an end date in MSIS each year COS is being provided.



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Common Myths About COS

Keep the following in mind when determining COS status. None of them are true.

1. If I care about migrant students, I will assign COS to them when their eligibility expires.

Not true. Making sure your migrant students are getting the services they need as they transition out of the migrant program IS caring. Many other programs may be able to provide needed help, such as Title 1-A, McKinney Vento, EL, and grade level interventions. Since you are already collaborating with these programs, make sure they know that you are handing off responsibility for supporting these students. Caring isn't about encouraging students to be dependent on us forever.

2. My secondary students especially need COS so that I can continue to advocate for them.

Sadly, not true. Secondary COS (Category 3) is ONLY for credit accrual. You can provide services to provide credit opportunities, but advocacy is a support service and is not allowable under Category 3. Making sure that students and parents know how to advocate for themselves before their eligibility expires is one of the greatest services you can provide to migrant students.

3. It improves our migrant count (and our funding) to give COS status to students.

Actually, just the opposite is true. No funding is provided to you (or to Idaho) for COS students. When you assign COS status, you are obligating the district to provide migrant services for which you will receive no migrant funding. **Our district looks better if we have more COS.**

Not true. Being thoughtful and choosing only those students who truly need it is the legal requirement that allows for COS. You should expect to have a few, but not too many. Careful consideration is the key.

4. Once the determination to give COS status is made, I don't need to do anything else.

The opposite is true. If you give COS status to a student you must mark it in two places in MSIS. You **must** provide services and mark those in MSIS. If you give Category 3 status, you must re-visit the decision each year until the student graduates. If the student does not need COS status, no further action is needed.

How to Determine COS

In MSIS→District Reports→District Worksheets, run the Continuation of Services Worksheet for the current year. Run this at the beginning of the year and use it each month. It will list all of the students whose eligibility will expire in the selected year in date order.

1. Collect evidence of the student's current level of success and engagement in school. Your district may determine the criteria you wish to use. Possible criteria include grades, attendance, discipline issues, test scores, and credit accrual. Ask yourself: Is this student struggling? If yes, continue.
2. Consider if the migrant program is currently providing services that only the migrant program can or will provide (e.g. summer school, tutoring, etc.). Ask yourself: Is the migrant program the only one that can provide needed services? If yes, continue.
3. Consider which category of COS is appropriate. (See reverse.)
4. Assign COS status and mark in MSIS.
5. Provide services! Mark them in MSIS. If you are not going to provide services, don't assign COS status.



Empowering migrant students and their families to succeed in Idaho.
Capacitar a estudiantes migrantes y sus familias para tener éxito en Idaho.

