

New York State Migrant Education Program Identification & Recruitment Office

# Summary of Recruiter's TRAINING MANUAL

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# **INTRODUCTION**

The New York State Identification/Recruitment Program (ID&R) was established by the Bureau of Migrant Education, State Education Department in 1974. The aim of this project is to identify and recruit migrant children

(0-22 years old) throughout the state for educational and support service programs offered by the New York State Migrant Education Department. The (MEP) is a Federally Fund Program, authorized by Title 1, Part C of the Elementary and Secondary Education Act (ESEA). It was created to help migrant students, regardless of their nationality or legal status, succeed in the regular school program, attain grade-level proficiency, and meet challenging content and student learning standards that all children are expected to master. This program is free of charge to all eligible migrant students and services may include; tutoring, home visits, educational field trips, summer programs, parent involvement activities, emergency needs, and referrals to other services as needed.

#### **Recruiter Basic-Position Description**

- ► To identify eligible migrant children, from age 0-22 years, residing within their designated areas.
- To work with school districts, migrant programs community agencies and agribusiness partners within the geographic area to set up procedures for relaying information on identified migrant children.

#### **Responsibilities:**

- To fully understand all federal guidelines as they pertain to the eligibility of children for the Migrant Education Program.
- To fully understand all forms pertaining to the job and how each form is to be correctly completed.
- To contact Chief School Administrators and local Project Directors of all Migrant Programs, in order to introduce the program, and to establish procedures of communications concerning census information. (NOTE: Consult with your local MEOP.)
- To contact public and private community agencies associated with serving rural/urban populations.
- To contact potential employers of migrant labors, (growers-farmers, nurserymen, contractor, personnel managers of food processing plants, etc.) in order to provide leads regarding locations of migrant children.
- ▶ To forward completed COE to the Identification and Recruitment Office within 24 Hours.
- ► To determine eligibility of a migrant family based on an interview with the head of household or other responsible person. Complete the Certificate of Eligibility when appropriate.



# THE INTERVIEW

The Interview starts with the conversation. Have paper and pen ready. Start gathering all the information you need since you start introducing the program.

#### Some ice breaker questions are:

- ► How are you?
- ▶ I haven't seen you before, did you move here recently?
- Where are you from?

## *Memorize the COE. If you do you will know the right questions to ask.*

#### Family and child Data- Information needed:

- Student name
- Student date of birth
- Mother/guardian name & father/guardian name
- Current home address & former address
- Phone number
- Language
- Ethnicity
- Student grade or last grade completed at school
- Last school attended
- Interviewee name & relationship with the child/student
- Worker name & relationship with the child/student

#### Questions to determine the age

- ► How old are you?
- ▶ Is anyone in the family under 22 years old?
  - □ If it is a child and the mother isn't sure of the student age, you can ask for a birth certificate or any other document with the child birthday. Or, you could check with the Day Care or School.
  - □ If it is an OSY and he doesn't remember his birthday you could ask some of the following questions;
    - When do you celebrate your birthday?
    - How old is your older brother? When does he celebrate his birthday?

#### Questions about the move

- ▶ Have you or anyone in your family moved from another school district in the past 3 years?
- When was the last date you moved? Or, when did you move into this house or camp?



- □ If the interviewee doesn't remember the date of the move, ask them if it was during a specific season. Or by the job they were doing at the time.
- □ Example: Was it snowing when you moved? Or, what kind of work were you doing when you arrived? Example: picking tomatoes, removing stones from the field, etc.
- □ To determine the date, ask the interviewee if they moved at the beginning, middle or the end of the month.
- At the time of this move; did you move on your own or did the child move with you, prior to your move or to join you?
- On this date, where did you move from? (Record the school district, city, state, country)
- Why did you move here?
  - □ If not a qualifying move, repeat questions to the previous 36 months, to establish if they had done a qualifying move.
    - Example: Student moved to Sodus, NY from Lockport, NY on 9/15/12 to work in construction. However, if the student moved from MX to Lockport, NY on 2/10/12 to trim apple trees in a Staples farm. We should use the move prior last as a qualifying move.
- Did you move to work in agriculture, such as picking fruits or vegetables, work in a dairy farm, or in a greenhouse, etc.?
  - □ Examples should depend on the location of the interview.
- On this date, where did you move from? (Record the school district, city, state, country)

#### Questions about the qualifying work

- What type of work were you and your family members looking for?
- Ask the individual to describe the work. Also ask for the employer's name.
- When did you/they obtain the work in (agricultural or fishing work)?
- How long did you think the (agricultural or fishing work) work would last?
- Did you come to replace someone else temporarily?
- How long did you plan to work there?
- How long were you hired to do the work for?
- Is this the first time you are doing this type of work?
- Is this something you would like to do for a long time, or are you already looking for another job?

## Questions to determine temporary or seasonal employment

- When did your employment start?
- When did your employment end?
- (If the worker sought, but did not obtain qualifying work)
  - □ Why didn't you get the work (agricultural or fishing work)?
  - □ What efforts did you make to obtain the job at (name of employer)?
  - □ Did you fill out an application?
  - Did you speak with the owner/employer or crew leader?
  - □ Did you ever make a different move to obtain another job? (Try to be specific)



#### **Questions to determine school completion**

- What was your last grade completed in school?
- Have you attended school in the USA? If not, where did you attend school last?
  - □ Some Countries doesn't have 12 grades, therefore student might be eligible for free public education by the State Law.
- Are you still enrolled in school?
- Do you have a High School Diploma, or GED Diploma?
- Did you pass the regional tests? Or do you have an IEP (Individual Education Plan)?

## **Tips**

- If the student's last move, wasn't a qualifying move;
  - □ Keep asking questions, up to the prior 36 months.
- If the student/worker is not sure if he/she will stay working at the temporary work site for over 12 months;
  - □ Keep asking questions, up to the prior 36 months.
  - □ Check with the State Attrition Study to determine eligibility. (If movement was before 12/31/2012)
- ▶ Hold on to COE, and come back in few weeks. Re-interview student. (Maybe the interviewee changes his mind after working at the farm for few weeks).
  - □ If interviewee is no longer at farm, submit the COE to the ID&R office, to document last move.

## **Practice**

#### Scenario #1

You visited Staples Farm today and found Maria Sanchez picking apples. You have never seen Maria before. You talked to her and she said she has 2 children.

#### Scenario #2

You visited York Dairy Farm and found Erick Smith milking cows. After you speak to him, you find out he has 1 child, Erick Jr., he is 4 years old. Worker said he is not a migrant because he is an American citizen.

#### Scenario #3

Pedro and Diana Lopez and their two children live in Sodus, NY. Pedro works at a nursery. His employer tells him there is no work in December, so the family returns to their hometown in Oaxaca, Mexico for a month. Pedro returns during the first week of January again to look for work. He is hired back at the same Nursery.



Scenario #1

Scenario #2

#### Scenario #1



#### Información necesaria de la familia y el/los niños:

- Nombre del estudiante
- ▶ Fecha de nacimiento del estudiante
- Nombre de la madre o guardián y nombre del padre o guardián
- Dirección actual y dirección anterior
- Número de teléfono
- Idioma
- Raza étnica
- Grado del estudiante
- Nombre del entrevistado y su relación con el niño (a)
- Nombre del trabajador y su relación con el niño (a)
- Última escuela a la cual el estudiante asistió.
  - $\Box$  ¿Has estudiado en los EU?
  - □ ¿Estás actualmente inscrito en la escuela?
  - □ ¿Tienes un diploma de escuela superior, Bachillerato, IEP (Individualized Education Program) o GED?
  - □ ¿Has pasado los examines regionales o estatales?

#### Preguntas relacionadas a la mudanza:

- ¿Alguien en el hogar es menor de 22 años de edad?
- ¿Has trabajado recogiendo frutas o vegetales, trabajando en una lechería, o en un invernadero, etc.?
- ¿Se ha mudado usted o un miembro de su familia desde otro distrito escolar en los pasados 3 años?
- ¿Cuándo fue la última vez, que usted se mudó? o ¿Cuándo se mudó a esta casa?
- ¿ En esta fecha, de donde se mudó usted? (Anote el distrito escolar, la cuidad, el estado y el país)
- Al momento de esta mudanza; ¿Se mudó usted solo (a), o él/los niños se mudaron con usted, antes de usted, después de usted, o se reunieron con usted?
  - □ ¿Qué tipo de trabajo estaban buscando? (Pídale a la persona que describa el trabajo y pregunte por la información del patrono).
- > ¿Cuándo comenzaron a trabajar en la agricultura?
  - □ ¿Cuándo tiempo pensaba que duraría el trabajo?
  - □ ¿Está usted remplazando a otro trabajador temporalmente?
- ¿Por cuánto tiempo piensa usted trabajar aquí? o ¿Por cuánto tiempo está contratado para trabajar aquí?
  - □ ¿Cuándo comenzó su trabajo?
  - □ ¿Cuándo término su trabajo?
- Si el trabajador busco una empleo que cualifica, pero no lo consiguió;
  - □ ¿Por qué no obtuvo el empleo en la agricultura?
  - □ ¿Qué esfuerzo se realizaron para obtener el trabajo en la agricultura?
  - □ ¿Lleno usted una solicitud? (Anote la fecha, la información del rancho y el tipo de trabajo).

¿Habló usted con el patrón o el contratista? (Anote la información del patrón o el contratista)
 ¿Fue usted a trabajar a otro rancho por un corto tiempo y regresó?



Children are eligible to receive MEP services if they meet the definition of "migratory child" and if, the basis for their eligibility is properly recorded on a certificate of eligibility (COE).

#### A migratory child means a child:

a-) Whose parents, guardian, spouse or him/herself is a migratory agricultural worker or a migratory fisher.

b-) Who has moved within the past thirty-six months from one school district to another out of economic necessity to enable the child, the child's guardian, spouse or a member of the child immediate family to obtain temporary or seasonal employment in an agricultural or fishing activity.

#### Eligibility factors:

- *Age:* The child is younger than 22 years of age.
- School Completion: The child is eligible for a free public education (no HS diploma or GED)
- Move: The child and worker moved
  - a. With or to join the worker, or as worker
  - b. From one school district to another
  - c. Changed of residency
  - d. For economic necessity
  - e. Within the past 36 months

#### In order to obtain:

- One purpose of the worker's move was to seek or obtain qualifying work. To obtain any employment and obtain qualifying work soon after the move. (up to 30 days, however some circumstances can increase the time period)
- Specifically to obtain qualifying work, but did not obtain the work soon after the move. (write comments; credible evidence that worker sought the work or have prior history to obtain qualifying work) Attached documents if necessary.

#### Qualifying work: "Temporary or seasonal employment in agricultural or fishing work".

- Seasonal employment: Occurs only during a certain part of the year because of the cycles of nature.
- Or Temporary Employment: Employment that lasts for a limited period of time, usually a few months, but no longer than 12 months. It is determined based on... <u>Employer</u> <u>Statement</u> or <u>Workers Statement</u> or <u>State Educational Agency (SEA) Documentation.</u>
- ▶ Fishing Work or Agricultural work
- ► For wages or for personal subsistence



# (A COE must be completed every time a child makes a new qualifying move or an eligible child move across school district boundaries.)

## Every COE must include the following data elements:

- Program/MEOP Ex. Brockport
- School District and County
- Residency Date

# The residency date is always the date when the child moves, and it may precede the QAD. (In these cases, you don't fill out the COE until the QAD; the residency date will be a date in the past.)

- A qualifying work can never be made to a country outside of the U.S.
- Use MM/DD/YY format to record the date the worker moved to obtain the work AND the date the child(ren) moved AND record the reason for the different move dates in the Comments section and the COE documentation comment section form.

## I. Family Data:

- ▶ This section includes information about the child's parents or guardian.
- Current address and other contact information.
- Complete each field, as applicable.
- ▶ If a response is not required or does not apply, write a dash (-) or N/A

# II. Child Data Element:

This section includes the information about each child.

- Complete a separate COE for any child with different current family info or different eligibility info (including a different QAD).
- ► To answer the Multiple Birth Question (MB) write (N) for No and (Y) for Yes.
- ▶ If a response is not required or does not apply, write a dash (-) or N/A.
- To complete the Birth Date Verification Code. Record the last two numbers that correspond to the evidence used to confirm each child's birth date. If written evidence is not available, the Recruiter may rely on a parent's or emancipated youth's verbal statement. In such cases, you should record "07" – the number that corresponds to "parent's affidavit."
- Review the reference guide for certificate of eligibility completion as a reference for the Birth Verification Code, Language Code and Ethnicity Code.



## III. Qualifying move & work section:

The contents of each section must remain as required by COE instructions.

#### <u>Section 1</u>

Document the move across school district boundaries.

#### <u>Section 2</u>

The worker information. If you mark "to join or precede the worker" in section 2a, you must also complete section b1.

#### <u>Section 3</u>

• Qualifying Arrival Date (QAD) is the date that both child and worker completed the move.

<u>Type of Qualifying Move</u> <u>The child</u>	<u>Qualifying Arrival Date (QAD)-Eligibility Begins</u> <u>The QAD is</u>
moved <u>with</u> the worker	the date the <u>child and worker both arrive</u> in the district where the worker will look for qualifying work.
moved <u>before</u> the worker	the date the <u>worker arrives</u> in the district to look for qualifying work.
moved to join the worker <u>after</u> the worker moves.	the date the <u>child arrived</u> to join the worker.

#### <u>Section 4</u>

- Indicate is the worker moved to (a) obtained qualifying work, (b) any work and obtain qualifying work or (c) qualifying work specifically, but did not obtain the work. If selected (c) indicate if the worker;
  - □ Has prior history of moves to obtain qualifying work or
    - Evidence that the worker actively sought for qualifying work.

(Provide comments in <u>Section IV</u> and in the COE Eligibility Documentation Comment Form)

#### <u>Section 5</u>

#### Describe the agriculture or fishing work the worker sought of obtained.

- Include worker's action (verb) and crop, livestock or fish (noun). Example. Picking apples at Peter Farms, milking cows at Daily Dairy Farm.
  - Include enough information so that a third party can look at the COE and know that the worker is engaged in agricultural work.
  - Make a selection in both (a) and (b).



#### <u>Section 6</u>

#### (If you select temporary employment in the Section 5a)

Mark if documentation was obtained based on;

- a. Statement by the worker or the worker's family (such as spouse)
- **b**. Statement or documentation obtained by the employer.
- Include comments in comments section and attached supporting documentation if available.
- Only mark 6 c. (based on State documentation) if you have been directed to do so by the ID&R Office.

(Provide Farm address and comments in <u>Section IV</u> and in the COE Eligibility Documentation Comment Form)

#### **IV. Comments Section**

- ▶ This allows recruiter to include additional details that clarify reasons for eligibility.
- ▶ Filled out the COE Eligibility Documentation Comment Form.

(Attach the white copy of the supplementary form to the COE white copy/ID&R Office, the yellow copy of the supplementary form should be attached to Blue copy for your records).

Write clear and detailed comments so that a third party with no knowledge of this fact can understand the reason for eligibility.

#### <u>Section V</u>

Parent/Guardian/Spouse/Worker Signature Section

- Interviewee signs and dates the COE on the day the interview is conducted, and must also write his or her relations to the child.
- If parent cannot sign his/her name, parent must mark an "x" in signature section and recruiter must print parent's name and relationship to child in the comments section.
- ▶ If the parent refuses to sign, recruiter must document this in comments section.

## Additional Information

Complete all data elements and sections of the COE. In cases where a response may not be required or does not apply, the recruiter must write a dash (-) or "N/A" in the appropriate blank. All other information must be provided.



If the recruiter completes a COE for a family, the recruiter must fill out a separate COE for any child who has a different qualifying arrival date (QAD) or any child who has different eligible criteria than the rest of the children in the family, such as an out of school youth (OSY) who may have moved on his or her own.

#### The recruiter must not include any child who:

- (BAM) Born after the qualifying move;
- Is not eligible to receive a free public school educational (e.g., has graduated from high school or obtained a general educational development (GED) certificate; or
- ▶ Did not make the qualifying move described on the COE.

# <u>Datelines</u>

- ▶ The COE must be sent to the MEOP and the ID&R Office within 48 hours of the interview.
- Please, contact the ID&R office immediately if you have any questions concerning the eligibility of a child.
- School year starts on September 1, thru June 25. Summer year starts on June 26, thru August 31.



Nº 120200		570		Program	Brockport	port		ŝ	School District	1	Rochester		1
I. FAMILY DATA X This family may qualify for McKinney-Vento	CERTIFICALE OF ELIGIBILITY This family may qualify for McKinney-Vento Act services.	BAM: N	Maria Pue	BAM: Maria Pueblo (F) DOB 1/05/12		PIOTI OC		Res	Residency Date		T TO T		
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Directions/Comments:				Rochester		WW	Lip	14622	2	Telepi	Telep 585-555-2222		
Green House is located behind the red barn	ed behind the re	d bar	P	Former Address: (City/State/ScBrockport, NY/Brockport	ite/ScBro	ckpor	t.NY/	Brock	port	Next o	Next of Kin Telephone 302-555-1234	-123	14
Student ID No. Last Name 1	Last Name 2	Suffix	First Name	Middle Name		Sex Birt	Birth Date	MB	Code	Grade	Last School Attended / Birthplace City, ST. Country Still in school® (Y or OSY)	Lang Ethnicity	nicity
Pueblo	n/a	•	Luis	Juanito		M 02	02 10/01	N/N	07	J	Brockport SD/	S	04
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IFYING MOVE & WORK	Brockport Rochester Roc	hest	Brockport er	2	. COMMENTS (Must Include (See attached if applicable)	clude 2bi, abie)	4c, 5, 6a an		Qualityin	g Move a	6b of the Qualitying Move & Work Section. It applicable.)		
2. The child(ren) moved (complete both a, and b.): a. a. an avn as worker, OR X with the	, and b.): ${f X}$ with the worker. OR $\begin{tabular}{lllllllllllllllllllllllllllllllllll$	se the worke	*	V. PARENT/GUARDIAN/SPOUSE/WORKER SIGNATURE Lundentand the purpose of this form is to help the State dek C. Migrant Education Program. To the best of my knowledge	GUARDIAN The purpose lucation Prog	of this form	WORKER S	<b>IGNATU</b> ne State d y knowled	CE etermine lige, all of	f the chi the inform	V. FARENT/GUARDIAN/SPOUSE/WORKER SIGNATURE funderstand the purpose of this form is to help the State determine if the child(ren) listed above is/are eligible for the Tille L Part C. Migrant Education Program. To the best of my knowledge, all of the information I provided to the Interviewer is true.	te for the war is true	Title L. Part
b. The worker, that the $Juan Pueblo $ worker, is the child of the child's $X$ parent to the ch	$_{\rm EC}$ is the child or the child's $X$ parent $\Box$ spouse $\Box$ guardian (2a.) The worker moved on $\{\rm AM}$	parent    sp	pouse 🗌 gua The child(ren)	- 40	lue Pueblo	lo lo receive	Re	Fa iationship d/or surgic	Father Reialianship to the child(ten) and/or surgical treatment in a	id(ren) ent in ca	Juan Pueblo Father 01/10/12 ignative Reialianship to the children) Date Date authorize my children to receive health and central	health a	nd dental
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<ul> <li>a. X seasonal OR   temporary employment</li> <li>b. X agricultural OR   fishing work</li> <li>6. (Complete If "temporary" is checked in #5a) The work a   worker's statement (provide comment). OR</li> </ul>	*If applicable, check: personal subsistence (provide comment) volk was determined to be temporary employment based on	orary emplo	yment bos		1. ENGINEET DATA CERTIFICATION certify that based on the information provided histern are migratery children as defined in 20 process, ihereby certify that, to the beat of my also statement provided herein that i have made Recruiter's Signature fractions of Infordations	e informationidation os o hidren os o	inon an provided lefined in 20 best of my 11 have mar	lo me. w U.S.C. 63 knowledg de is subje	bich in all 99(2) and 99(2) and 90(2) and 90(2	t in all relevant as $12^{2}$ and implement the information is the information is the or implicant $01/10/12$ are	to me, which in all relevant aspects is reflected above. I am salisfied that these U.S.C. 639(2) and implementing regulations, and trus eligible as such to kEP travelets in the information is the, reliable, and valid and Lundestand that any to is subject to the at implement pursuent to 18.U.S.C. 1001. 01/10/12. Date	i salafied ble as suc inderstans 1	that these in for MEP d that any
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# DEPARTURE INFORMATION

#### <u>Student Visit</u>

- Verify if the student still living at the residence.
- Ask if someone is new in the house/camp.
- Determine if a student moved to another residence and came back since the enrollment date. Example: Student moved from Sodus, NY to Ontario, NY on 8/8/2011 to pick apples. Student came back to Sodus, NY on 10/30/11. After a complete interview family could re-qualify for MEP services.

#### If the student is NOT living at the residence

Find out where student moved to. You could ask questions like:

- ▶ Did the student move with a family member?
- ▶ Where these family members live at?
- Did the student moved to a new farm? Where?
- Did the student still in NY State? About how many hours?
- ▶ Did he/her move to another State?

(To obtain more specific information you could check with School Districts, MEOP Tutors, ABCD Centers, Employers, Etc.)

#### Recruiters should visit the student residency before fill out the departure to confirm student is no longer at residence.

#### The movement information is located in the back of every COE copies.

- Obtain specific information to fill out the departure/movement section located in the back of every COE.
- Movement date: The date the student left the School District
- Destination: New street name, School District, City, State and Zip Code.

## If the student moved within NYS school boundaries

- Call or email the recruiter assigned to the area and provide student information.
- Contact the ID&R office and provide the referral information.
- If a new COE is filled out, add new number next to the movement date, sign and date the Departure.



MIGRATORY CHILD	MEANS A CHILD:	DEFINITION OF MIGRATOR	namicas. In Buty Alapia Petr Namin au	Keep the Blue Copy for your records. Mail Pink or Gold Copy to the MEOP
a) Whose parent,	guardian, spouse or him/hersel	f is a migratory agricultural worke	er or a migratory fisher.	
b) Who has move guardian, spou	ed within the past thirty-six more use or a member of the child's in	nths from one school district to an nmediate family to obtain tempor	other out of economic r ary or seasonal employ	ecessity to enable the child, the child's ment in an agricultural or fishing activity.
RELATED AGRICUL	TURAL ACTIVITIES:	I SUDDA BODAA	ALIAN ALIAN ALIAN ALIANA	
Farm activities	related to field crops such as a	Ifalfa, broomcorn, flax, hops, pea	nuts and sugar beets.	
Orchard activity	ties related to fruit and nut trees	and vines including sorting and p	picking.	
Farm activities	related to the production of ve	getables including sorting, freezing	g and canning.	JUALIFYING MOVE & WORK
Farm activities	engaged in the production of r	nilk and other dairy products.		(
Farm activities	related to the production of po	ultry and noultry products		
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# STEPS TO ACCESS THE MSIX

The Migrant Student Information Exchange (MSIX) allows States to share demographic and educational information on migrant children who travel from State to State and who as a result, have student records in multiple States' information systems.

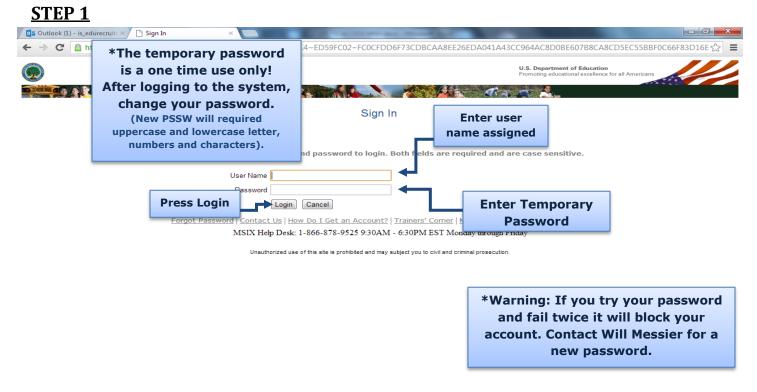
#### MSIX and the Recruiter

MSIX is a great tool to provide the Recruiter with extra information in order to complement an elegibility determination or speed up the process in completing the COE. Some other benefits the MSIX have are;

- Access to student demographics like; name, birth date, birthdate place, parent information, etc.
- Access to recent and prior qualiying moves information, qualifying arrival date, expiration and/or withdrawal dates.
- Provide school district information and in addition, the States are able to notify each other when a migrant student is moving to a different State.
- Offer the possibility to locate students that had departed to an unknown location.

#### TO ACCESS MSIX VISIT: msix.ed.gov

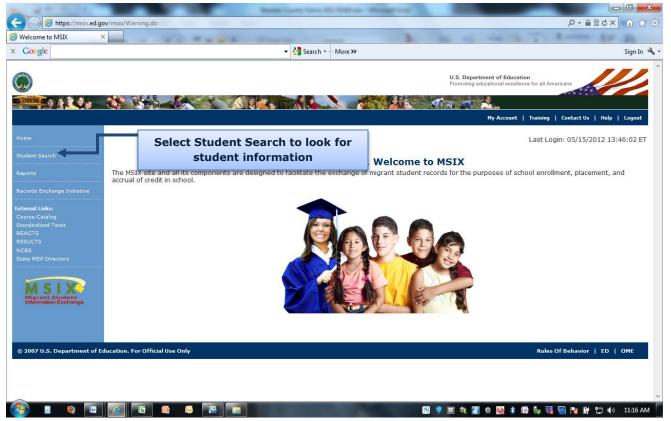
# For user name and password, please contact Will Messier at 518-453-1866





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## <u>STEP 2</u>

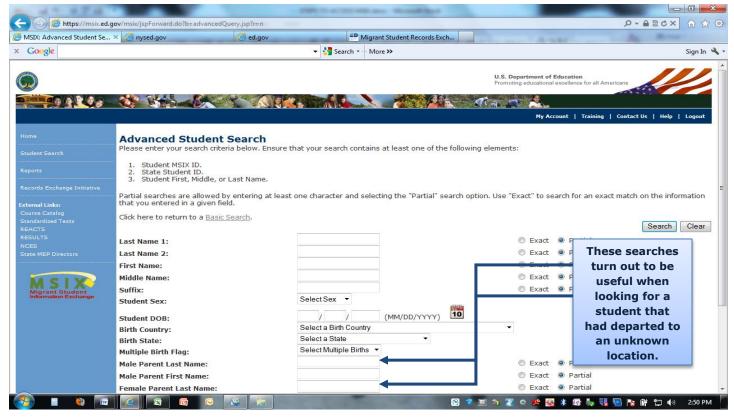


#### **STEP 3-Student Basic Search**

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#### **STEP 4-Student Advance Search**



#### **STEP 5-Search Results**

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## STEP 6- Student Record View

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	Brockport MEOP	NY	09/01/2008	Out-of-School	06/25/2009		Yes	No	No	
	Brockport MEOP	NY	09/01/2008	Out-of-School	06/25/2009		Yes	No	No	
	Brockport MEOP	NY	06/27/2008	Out-of-School	08/31/2008		Yes	No	No	
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For questions or more information, please contact the ID&R Office (518) 453-1866



# ACCESSING MIGRANT LABOR CAMPS

Migrant farmworkers have the right to be visited in labor camps where they reside by doctors, lawyers, labor union representatives, the clergy or other persons during nonworking hours without interference by their employers or owners of the labor camp.

November 25, 1991/ Robert Abrams, Attorney General

As a recruiter, we have the right to visit farmworker labor camps, and workers' homes in order to identify eligible migrant children. However, the situation could turn tense if the farmer doesn't allow access. We want you to be informed of the law; however, we must act carefully to prevent hurting the workers in the process.

#### The following is a list of ideas to help you choose ways to access migrant housing.

*First impressions count!* Making a good impression during your first visit is the key to a successful relationship for future recruiting opportunities. Don't argue with farmers.

*The farmers view!* Some farmers might not welcome outsiders other than workers in the premises because;

- ▶ They may want to protect undocumented workers from being taken by Immigration.
- ▶ They may want to protect workers from being taken advantage of.
- They may not want the workers disturbed on their free time.
- > They may not want workers to speak of what is happening on the farm.
- ▶ The farmer might just be very busy and not want to be bothered.

#### Presenting the Migrant Education Program to the Farmer

# There are signals you can observe that will indicate if you should talk to the farmer before talking to the workers.

- ▶ If the housing is at the farm site.
- ▶ If the farmer lives at the worker housing site.
- ▶ If you see the farmer on the way to the housing.
- ▶ If it is a new farm that you have not had contact with before.

#### **Tips for Presenting the Migrant Education Program to Farmers**

- ▶ Be prepared! Have a package of handouts and flyers ready for the farmer.
- Be sure to have you ID visible at all times.
- Break the ice by asking for help to update the information in the farm directory.
- Rehearse ahead of time to be ready to say what you want to say.
- Keep it as short and concise as possible.
- Give the grower the opportunity to ask questions and be prepared to answer.
- ▶ If you don't know the answer get contact information and follow up later.
- ▶ Be cordial, positive and patient even if the farmer asks you to leave.
- Don't give up, just try again another time.



#### <u>Tips to Obtain Access to Migrant Labor Housing</u>

- Identify locations where farmworkers live.
- Be prepared with handouts and leave them at the door if no one is present.
- Ask the farmer or landlord to introduce you to the workers.
- Ask another organization with access to help you get in.
- Visit housing on a Sunday.
- Visit the church nearby and speak with the church leader.

#### If the farmer still doesn't allow access:

Don't argue with farmer. If you do, you could put the workers at risk of getting them fired for speaking to you. The farmer you argued with could share the situation with other farmers, closing the opportunity of access to other housing. After the farmer sees you at the farm housing a few times, it is more likely he/she won't interfere again.

#### LAWS RELATED TO ACCESS TO LABOR CAMPS

Thousand Island Park Assn.v Tucker 173 NY 203 (1903).

Migrant farmworkers living in labor camps are tenants within the meaning of the New York State's Real Property Law. As tenants, migrant farmworkers have the common law right to receive guests of their choice. One of those rights is the right to receive guests of their choice without interference from the farmer or landowner who acts as their landlord.

#### <u>Colbee 52<sup>nd</sup> Street Corp. v Madison 52nd Corp.</u> 8 Misc. 2d 175 (NY Co 1957) Affd, 5 AD2d 971 (1<sup>st</sup>. Dept. 1958)

Thus, the farmer or grower who acts as the landlord does not have the right to screen, control, require prior notice or warning, or otherwise deny access to any person the migrant farmworker wishes to see in the farmworkers' living quarters.

<u>Folgueras v Hassle</u> Supra, 331 F Supp. AT 624-625

The property rights of a migrant camp owner do not include the right to prevent access to his camp to guests of migrant workers or to persons working for any governmental or private agency whose primary concern is the health and welfare of migrant workers.

If you have problems accessing a farm housing, please contact Jay Drake at the ID&R Office immediately. 518-453-1866

