

Migrant Eligibility Definitions

Migratory Child

The term **MIGRATORY CHILD** for Alaska means:

- (a) The child is not older than 20 (22 with an active IEP), *and*
- (b) *(must include one of the following)*
 - (i) The child is entitled to a free public education (through grade 12) under state law, *or*
 - (ii) The child is not yet at a grade level at which the district provides a free public education, *and*
- (c) 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

Qualifying Move

The term **QUALIFYING MOVE** means a move:

- A move within the previous 36 months
- (a) due to economic necessity, *and*
- (b) from one residence to another residence, *and*
- (c) from one school district to another school district, *except*
 - (i) a move of 20 miles or more in a school district that is greater than 15,000 square miles
- (d) The length of the qualifying move must be at least 1 night/2 days with a total of 7 nights/8 days within a one year period.

Migratory Agricultural Worker

The term **MIGRATORY AGRICULTURAL WORKER** means:

- (a) an individual who made a qualifying move in the preceding 36 months *and*,
- (b) 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, soon after the move, *or*
- (c) If the individual did not engage in such new employment soon after the move,
 - (i) The individual actively sought such new employment, *and*
 - (ii) The individual has a recent history of moves for temporary or seasonal employment in agriculture

Migratory Fisher

The term **MIGRATORY FISHER** means:

- (a) an individual who made a qualifying move in the preceding 36 months *and*,
- (b) after doing so engaged in new temporary or seasonal employment or personal subsistence in fishing, *or*
- (c) If the individual did not engage in such new employment soon after the move,
 - (i) The individual actively sought such new employment, *and*
 - (ii) The individual has a recent history of moves for temporary or seasonal employment in fishing