

**Team IV – High School Equivalency Program (HEP) and  
College Assistance Migrant Program (CAMP)**

**Origin:** HEOA Sec. 408

**Issue:** HEP and CAMP Eligibility

**Statutory cites:** HEA Sec. 418A(b)(1)(B)(i)

**Regulatory cites:** 34 CFR §§206.3 and 206.5

**Summary of issue:** Formerly, the HEA authorized the recruitment into HEP and CAMP programs of individuals “who themselves, or whose parents” have spent a minimum of 75 days during the past 24 months in migrant and seasonal farmwork. The HEOA revised this provision to permit recruitment of those “who themselves or whose “immediate family” spent such time in migrant and seasonal farmwork. Current regulations reflect the law as previously enacted. The HEOA does not define an “immediate family” member.

**Team IV – High School Equivalency Program (HEP) and  
College Assistance Migrant Program (CAMP)**

**Origin:** HEA Sec. 418A(b)(1)(A)(ii), as re-authorized in 1998

**Issue:** HEP and CAMP Eligibility

**Statutory cites:** HEA Sec. 418A(b)(1)(A)(ii)

**Regulatory cites:** 34 CFR § 206.5 (c)(7)

**Summary of issue:** The statute provides for eligibility if an individual or his or her immediate family has “spent a minimum of 75 days during the past 24 months in migrant or seasonal farmwork”. The HEOA made no change in the quoted phrase. Program regulations define the term, “seasonal farmworker” as one who “within the past 24 months, was employed for at least 75 days in farmwork, and whose primary employment was in farmwork on a temporary or seasonal basis (that is, not a constant year-round activity).” The regulation does not clarify whether the requisite “primary employment” must occur within the 75 days or over the two years.

## **Issue Paper Format**

### **Proposed Regulatory Language Team IV – Migrant Education**

**Origin:** HEOA Sec. 408

**Issue:** Reservation and Allocation of Funds

**Statutory cites:** HEA Sec. 418A

**Regulatory cites:** To be determined

**Summary of issue:** The HEOA provides a formula for determining the amount of appropriated funds to be made available for HEP and CAMP awards. The HEOA permits the Secretary to reserve 1/2 of one percent of the HEP and CAMP appropriation to conduct outreach, technical assistance, and professional development.