

# PROGRAM STATUTE

---

## Sec. 304. Migrant and Seasonal Farmworkers

### (a) Grants

#### (1) Authority

The Commissioner, subject to the provisions of section 306, may make grants to eligible entities to pay up to 90 percent of the cost of projects or demonstration programs for the provision of vocational rehabilitation services to individuals with disabilities who are migrant or seasonal farmworkers, as determined in accordance with rules prescribed by the Secretary of Labor, and to the family members who are residing with such individuals (whether or not such family members are individuals with disabilities).

#### (2) Eligible entities

To be eligible to receive a grant under paragraph (1), an entity shall be—

- (A) a State designated agency;
- (B) a nonprofit agency working in collaboration with a State agency described in subparagraph(A); or
- (C) a local agency working in collaboration with a State agency described in subparagraph (A).

#### (3) Maintenance and transportation

##### (A) In general

Amounts provided under a grant under this section may be used to provide for the maintenance of and transportation for individuals and family members described in paragraph (1) as necessary for the rehabilitation of such individuals.

##### (B) Requirement

Maintenance payments under this paragraph shall be provided in a manner consistent with any maintenance payments provided to other individuals with disabilities in the State under this Act.

#### (4) Assurance of cooperation

To be eligible to receive a grant under this section an entity shall provide assurances (satisfactory to the Commissioner) that in the provision of services under the grant there will be appropriate cooperation between the grantee and other public or nonprofit agencies and organizations having special skills and experience in the provision of services to migrant or seasonal farmworkers or their families.

(5) Coordination with other programs

The Commissioner shall administer this section in coordination with other programs serving migrant and seasonal farmworkers, including programs under title I of the Elementary and Secondary Act of 1965 (20 U.S.C. 6301 et seq.), section 330 of the Public Health Service Act (42 U.S.C. 254b), the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.), and the Workforce Investment Act of 1998.

(b) Authorization of Appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this section, for each of the fiscal years 1999 through 2003.

**SECTION C**  
**SELECTION CRITERIA FOR APPLICATIONS**

---

**(Taken from 34 CFR 75.210)**

**How the selection criteria will be used:**

- (a) In the application package or a notice published in the Federal Register, the Secretary informs applicants of-
  - (1) The selection criteria chosen: and
  - (2) The factors selected for considering the selection criteria, if any.
- (b) If points or weights are assigned to the selection criteria, the Secretary informs applicants in the application package or a notice published in the Federal Register of -
  - (1) The total possible score for all of the criteria for a program; and
  - (2) The assigned weight or the maximum possible score for each criterion or factor under that criterion.
- (c) If no points or weights are assigned to the selection criteria and selected factors, the Secretary evaluates each criterion equally and, within each criterion, each factor equally.

**(Authority: 20 U.S.C. 1221e-3 and 3474)**

# **MIGRANT AND SEASONAL FARMWORKERS (84.128G) SELECTION CRITERIA**

---

The Secretary uses the following selection criteria to evaluate applications for new grants under the Migrant and Seasonal Farmworkers Program (CFDA #84.128G) competition:

- (a) Need for project. (10 points) In determining the need for the proposed project, the Secretary considers the following factors:
  - (1) The magnitude or severity of the problem to be addressed by the proposed project.
  - (2) The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project.
  - (3) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses.
  
- (b) Significance. (10 points) In determining the significance of the proposed project, the Secretary considers the following factors:
  - (1) The significance of the problem or issue to be addressed by the proposed project.
  - (2) The potential contribution of the proposed project to increased knowledge or understanding of rehabilitation problems, issues, or effective strategies.
  - (3) The likelihood that the proposed project will result in system change or improvement.
  - (4) The extent to which the proposed project is likely to yield findings that may be utilized by other appropriate agencies and organizations.
  - (5) The extent to which the proposed project is likely to build local capacity to provide, improve, or expand services that address the needs of the target population.
  - (6) The extent to which the proposed project involves the development or demonstration of promising new strategies that build on, or are alternatives to, existing strategies.
  - (7) The importance or magnitude of the results or outcomes likely to be attained by the proposed project, especially improvements in employment, independent living services, or both, as appropriate.
  
- (c) Quality of the project design. (25 points) In determining the quality of the design of the proposed project, the Secretary considers the following factors:
  - (1) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.
  - (2) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs.
  - (3) The extent to which the design for implementing and evaluating the proposed project will result in information to guide possible replication of project activities or strategies, including information about the effectiveness of the approach or strategies employed by the project.
  - (4) The extent to which the proposed project is designed to build capacity and yield results that will extend beyond the period of Federal financial assistance.

- (5) The extent to which the proposed project will be coordinated with similar or related efforts, and with other appropriate community, State, and Federal resources.
- (6) The extent to which the proposed project will establish linkages with other appropriate agencies and organizations providing services to target population.

(d) Quality of project services. (20 points)

- (1) In determining the quality of the services to be provided by the proposed project, the Secretary considers the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been under represented based on race, color, national origin, gender, age, or disability.
- (2) In addition, the Secretary considers the following factors:
  - (1) The extent to which the services to be provided by the proposed project are appropriate to the needs of the intended recipients or beneficiaries of those services.
  - (2) The likely impact of the services to be provided by the proposed project on the intended recipients of those services.
  - (3) The likelihood that the services to be provided by the proposed project will lead to improvements in the skills necessary to gain employment or build capacity for independent living.
  - (4) The extent to which the services to be provided by the proposed project involve the collaboration of appropriate partners for maximizing the effectiveness of project services.

(e) Quality of project personnel. (10 points)

- (1) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been under represented based on race, color, national origin, gender, age, or disability.
- (2) In addition, the Secretary considers the following factors:
  - (1) The qualifications, including relevant training and experience, of the project director, or principal investigator.
  - (2) The qualifications, including relevant training and experience, of key project personnel.
  - (3) The qualifications, including relevant training and experience, of project consultants or subcontractors.

(f) Adequacy of resources. (10 points) In determining the adequacy of resources for the proposed project, the Secretary considers the following factors:

- (1) The adequacy of support, including facilities, equipment, supplies, and other resources, from the applicant organization or the lead applicant organization.
- (2) The relevance and demonstrated commitment of each partner in the proposed project to the implementation and success of the project.
- (3) The extent to which the budget is adequate to support the proposed project.

- (4) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.
  - (5) The extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits.
  - (6) The potential for the incorporation of project purposes, activities, or benefits into the ongoing program of the agency or organization at the end of Federal funding.
- (g) Quality of the management plan. (10 points) In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:
- (1) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.
  - (2) The adequacy of procedures for ensuring feedback and continuous improvement in the operation of the proposed project.
  - (3) The adequacy of mechanisms for ensuring high-quality products and services from the proposed project.
  - (4) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.
- (h) Quality of the project evaluation. (5 points) In determining the quality of the evaluation, the Secretary considers the following factors:
- (1) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.
  - (2) The extent to which the methods of evaluation are appropriate to the context within which the project operates.
  - (3) The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.
  - (4) The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.
  - (5) The extent to which the evaluation will provide guidance about effective strategies suitable for replication or testing in other settings.

