



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

Dear Migrant Education Program (MEP) State Directors:

The purpose of this letter is to clarify the U.S. Department of Education's (Department) policy prospectively regarding the use of remote methods (telephone, video conference, and other electronic means) to identify and recruit eligible migratory children for the MEP authorized under Title I, Part C of the Elementary and Secondary Education Act of 1965. These remote methods were discussed in the May 2020 [MEP Fact Sheet](#).

The Department encourages States to conduct MEP recruitment interviews in-person if considered safe and practical given local conditions. However, we recognize that *when in-person contact with migratory families is impractical*, having the flexibility to conduct interviews remotely allows States to reach greater numbers of eligible migratory children and subsequently provide services that address their unique educational needs. Therefore, we want State educational agencies (SEAs) to be aware of their discretionary authority to allow remote recruitment when they determine in-person recruitment is not safe and/or practical.

In addition to recent experiences with the COVID-19 pandemic, MEP staff have brought to our attention other circumstances that may warrant remote interviews because travel to migratory families is unsafe (e.g., wildfires) or cost-prohibitive (e.g., travel expenses to remote areas of the State). For eligibility interviews conducted remotely, States have the flexibility to waive the interviewee signature on the Certificate of Eligibility (COE). This limited exception only applies to the interviewee signature on the COE. The SEA must continue to ensure that the recruiter/interviewer and SEA-designated reviewer sign and date the COE to certify the eligibility determination. When the [National COE Instructions](#) are subject to the Office of Management and Budget's (OMB's) renewed approval in 2023 under the Paperwork Reduction Act, the Department will propose additional language to further clarify this policy and to require a Comment on the COE to explain the circumstances that prevented the recruiter/interviewer from obtaining the interviewee's signature. MEP staff should keep and maintain for review, monitoring, or auditing contemporaneous records of such interviews for the same duration as the COEs those records support, in accordance with record retention requirements in [2 C.F.R. § 200.334](#).

The Department will continue to monitor States' MEP identification and recruitment practices, and we urge all States to be diligent in upholding quality control measures as required under [34 C.F.R. § 200.89\(d\)](#). Thank you for your ongoing efforts to identify and serve our nation's migratory children. If you have any questions or concerns, please contact your State's assigned program officer in the Office of Migrant Education.

Sincerely,

Tara Ramsey
Director
Office of Migrant Education

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