



STATE OF NEW JERSEY  
**DEPARTMENT OF EDUCATION**

A Memo from the New Jersey Department of Education

Date: September 4, 2024  
To: Local Educational Agency Leads  
Route To: District Registrars, District Homeless Liaisons, Principals, School Nurses, All District Staff with Enrollment Responsibilities  
From: Kathy Ehling, Assistant Commissioner  
Division of Educational Services

## **Mandatory Identification and Recruitment of Migrant Students**

This letter serves as a reminder of the federal requirement for identifying and recruiting eligible migratory students residing in New Jersey and clarifies the distinction between the terms "migrant" and "immigrant."

### **Migrant vs. Immigrant**

*Migrant:* As defined under [ESSA Section 1309 \(2\)](#), a migrant student is:

- 21 years of age or younger; and
- Who is, or whose parent/guardian is, a migratory fisher, dairy worker, lumber, or agricultural worker; and,
- Who in the preceding three years has moved from one school district to another in order for the worker to obtain temporary or seasonal employment in agricultural or fishing work; and
- Has received a [National Certificate of Eligibility](#) (COE) which is an official record of eligibility determination for migrant students.

*Immigrant:* Under [Section 3201 of the Every Student Succeeds Act \(ESSA\)](#), the term "immigrant children and youth" refers to individuals who:

- Are aged 3 through 21; and
- Were not born in any State; and
- Have not been attending one or more schools in any one or more States for more than 3 full academic years.

### **What is the Migrant Education Program?**

The purpose of the federal MEP is: (1) to ensure eligible children of migratory farm workers and migratory fishers are provided with appropriate educational support services to help reduce the educational lags that result from repeated moves; and (2) to ensure these children have the opportunity to meet the same challenging state educational content and student performance standards that all children are expected to meet.

Two grantees were selected through a competitive grant process to assist local education agencies (LEAs) with identifying, recruiting, and providing services to eligible migratory children, youth, and their families—one serving the Northern region of the state and the other serving the Southern region. It is important for LEAs to know their [regional MEP contact](#) to ensure all eligible students are identified and receive the [National COE](#) in order to secure adequate funding to support migrant students across New Jersey's 21 counties.

### **LEA Responsibilities**

The New Jersey Department of Education (NJDOE) has assured the U.S. Department of Education that migratory students, including out-of-school youth (OSY), would be actively identified and recruited year-round in every district in the state. Identification means determining the presence and location of migratory children. Recruitment means contacting the migratory families, describing the benefits of the NJDOE's Migrant Education Program (MEP) to the child and their family, obtaining the necessary information to document the child's eligibility, and enrolling them in the MEP.

For the purposes of the MEP, an OSY is defined as a youth, high school-age through age 21, who is not currently enrolled in a K-12 institution. The youth may have dropped out of school, may be working on a high school equivalency program outside of a K-12 institution, or may be “here-to-work” only.

In accordance with [ESEA Section 1304](#), NJDOE is required to promote interstate and intrastate coordination of the MEP by providing educational continuity through the timely transfer of pertinent school records (including health information) when students and OSY transition between schools regardless of time of transfer. To assist in this process, LEAs must:

- Accurately identify all eligible migrant children for the purposes of statewide standardized testing and federal reporting requirements; and
- Correct reporting of all eligible migrant children in the NJDOE’s [New Jersey Standards Measurement and Resource for Teaching \(NJSMART\)](#) system database (migrant status data element); and
- Work cooperatively with your respective [regional MEP](#) (i.e., Essex Regional Educational Services Commission or Gloucester County Special Services School District) to obtain a [National COE](#):

#### **Key Notes**

- Do not designate a student as migrant in NJSMART until you are notified of the students’ eligibility by your [regional MEP](#). Upon notification from the region, an LEA then designates the student’s migrant status in NJSMART.
- Children cannot receive MEP services without a [National COE](#) - the official record of eligibility determination for migrant students.
- For more information about the New Jersey MEP, please refer to the resource [Supporting Migrant Students](#).

#### **Contact Information**

For questions related to the Migrant Education Program (MEP), email [migrated@doe.nj.gov](mailto:migrated@doe.nj.gov).

c: Members, State Board of Education  
NJDOE Staff  
Statewide Parent Advocacy Network  
Garden State Coalition of Schools  
NJ LEE Group