

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
2	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	For State Use Only	For State Use Only DESIGN ISSUE: It may be virtually impossible to train recruiters to understand what remarks should be entered in comments vs. what remarks belong here.
3	NC	State MEP Staff	Williams	200.89(c) National COE	General	For State Use Only	The "For State Use Only" section is also too small to be of use.
4	NC	State MEP Staff	Tessini	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	The New National COE should be aligned with the MSIX MDE. Currently it is not.
5	DE	State MEP Staff	Loveland	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	I'm requesting that the national COE add the MDEs so that states do not have to add another page.
6	FL	State MEP Staff	Mathews	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	The Migrant SEA in Florida and Florida's technical staff supporting MSIX's implementation request that the information collected on the National COE match the data collected in the MSIX system. If the items in the COE do not match the data collected in the MSIX system the following issues arise: <ul style="list-style-type: none"> * collection of additional data elements creates additional paperwork * the cost of producing and completing the COE increases * this creates an additional burden on staff members who collect the information and parents or guardians who supply the information * records will be inconsistent between the National COE and the MSIX data base * the margin of error in the transfer of data from the data collected during the COE process to the data keyed in the MSIX system increases Since the National Certificate of Eligibility is still under review and in draft form, we ask that you consider aligning the two data collection activities (with MSIX)
7	IL	State MEP Staff	Wilhelm	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	With the launch of MSIX, every effort should be made to ensure consistency in data elements among MSIX, CSPR reporting, and the national COE. The proposed form does not reflect such correspondence. It is essential that all information needed for eligibility determinations, MSIX and CSPR data collection be included on one form.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
8	MI	State MEP Staff	Moreno	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	Why aren't the following elements from MSIX included on the COE? Immunizations IEP/Spec Ed LEP MSIX Elements 32-37, 40, 41 are not in COE Fields for following are omitted on COE: - Medical Alert -PFS (Why?) -Ethnicity
9	DC	Public/Private Organization (MLAP)	Rosenthal	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	We understand from the regulation that states will be allowed to collect additional data on another form or form(s) and that the FERPA "signature" the parents will sign also needs to be on a separate form, based on the current published regulation and the COE instruction packet distributed to the state directors. Please explain how the 66 minimum data elements for MSIX are to be collected, since the COE form has only a small amount of information which is required in the 66 elements. How is it envisioned that states will collect that and on what forms?
10	DC	Public/Private Organization (MLAP)	Rosenthal	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	How does the FERPA page that states can also have relate to the MSIX collection?
11	MI	State MEP Staff	Moreno	200.89(c) National COE	General	Alignment to MSIX and/or	There are great discrepancies between the COE and the MSIX minimal data elements- can you explain that?
12	DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	Further, the information collected must align with the MSIX data collection requirements, the data required for the Consolidated State Performance Report (CSPR), required EDEN data elements, and state data collection requirements. In a series of letters over the past two and a half years to the Department and to the Office of Management and Budget, we have repeatedly demonstrated the substantial and inexplicable misalignment of such federal data requests (CSPR, EDEN, and the MSIX). The proposed form simply compounds the crisis of data collection created by the lack of coordination of data requests within the Department of Education, let alone the disparity between what the federal government and each state government is requiring of its staff and local districts and providers. If we did not know better, we would have to assume that the Department is intentionally trying to burden the state directors and local providers to the degree that services would be reduced to children due to the extraordinary burdens of time and funding that would need to be devoted to such uncoordinated and duplicative data collection.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
13	MT	State MEP Staff	Branz-Spall	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	If continuity of practice and accuracy of data collection is to be maintained in view of the start-up of MSIX, every effort should be made to ensure consistency in definition of data elements among the various entities: MSIX, EDEN, CSPR reporting, and the national COE. The proposed form does not reflect such a correspondence among systems. Every effort should be to make the form as consistent, concise and complete in order to obviate the need for other forms and signatures, and most especially so as to not burden our clients and our data systems with unnecessary duplication and the taxpayers with unnecessary expense. In states like Montana, where a large population (1500 workers or more) may come to a particular harvest area contained in one county simultaneously, and, who, simultaneously, are in need of other federal assistance such as WIC, WIA vouchers, Migrant Health services, Food Bank services, etc., parents may stand in line for hours on end in the heat, missing work, in order to complete interviews and provide information and signatures on official forms.
14	MT	State MEP Staff	Branz-Spall	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	There is no other federal program in which parents are asked to do this while they are trying to work. In Montana, migrant workers are not usually provided housing where MEP staff can locate them. They are camping, in the cars, along the lake, or in the orchards. We cannot ask them to come back for more interviews, more signatures etc. Their expectation is that when they begin picking, there will be services for their children. That often takes place on the same day or next day of their arrival. It is imperative that the administrative and legal eligibility information be contained on one form. To do otherwise will require a completely new set of employees to search for families and gather the information on a separate form. It would require costly new programming for all data systems and loss of important instructional time.
15	SC	State MEP Staff	Black	200.89(c) National COE	General	Alignment to MSIX and/or CSPR	South Carolina suggests that the form become a two-sided document (or two pages for electronic form) to accommodate certain missing data elements needed for MSIX.
16	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Date	Sometimes the design of the form unnecessarily complicates the reporting of information. The most significant of these is the 8-digit date (including the century). Recruiters are accustomed to entering six digit dates (MMDDYY), and there seems to be no compelling reason to make that more complicated.
17	PA	Local MEP Staff	Murray	200.89(c) National COE	General	Date	a. Dates require 4 digit-years...why is that necessary? Given the context, the two-digit year is always adequate to decipher and helps with space and time to complete.
18	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Date	DESIGN ISSUE: For this date and all other dates on the COE, we believe that a 6-digit date (e.g., 09/20/03) is sufficient. There is no ambiguity as to the century for any date on this form. Recruiters have been entering dates using six digits for nearly 40 years (beginning with MSRTS and continuing now). To comply with this instruction would involve massive retraining for no apparent gain.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
19	AZ	State MEP Staff	Romero	200.89(c) National COE	General	Date	This issue was originally raised by California. "Sometimes the design of the form unnecessarily complicates the reporting of information. The most significant of these is the 8 digit date (including the century). Recruiters are accustomed to entering 6 digit dates (MMDDYY), and there seems to be no compelling reason to make that more complicated. Another unnecessary complication is the inconsistency in how parent's and children's names are ordered on the form." Arizona agrees.
20	MO	State MEP Staff	Williams	200.89(c) National COE	Section II	Date	<input type="checkbox"/> MM/DD/YYYY. Record the date that the child(ren) entered the present school district. Use the two-digit number that refers to the month and day, and the four-digit number that refers to the year. For example, May 20, 2008 would be written as 05/20/2008. <input type="checkbox"/> Is this the date of residency? This could be different then the date they entered the school district.
21	WA	State MEP Staff	Campos	200.89(c) National COE	General	Format	Size of Document: In the event that all states will be required to use the national standard COE as is, we recommend allowing states to print the National COE on Legal Paper to accommodate the collection of other necessary data without having to use two forms.
22	WA	State MEP Staff	Campos	200.89(c) National COE	General	Format	Washington State COE: At the end of this document we've attached the Washington COE to provide a visual of options to consider in relation to formatting and the proposed Revalidation and parent Authorization/Permission sections (see WA email)
23	WA	State MEP Staff	Campos	200.89(c) National COE	General	Format	Since all of the COEs in Washington State are scanned into the system, we allow BLUE or BLACK ink to be used. When COEs are reference we pull up the scanned image and print it out. LEA staff maintain the original document, but what is most often referenced is the scanned document. Is it unacceptable to work from a photocopy or a scanned version of the COE? If it is not unacceptable, then we recommend not requiring a specific color of ink be used.
24	WI	State MEP Staff	Toney	200.89(c) National COE	General	Format	12. The design of the COE needs to be improved to be more user friendly. The Comments space appears to be too small to accommodate the explanations possibly required in questions 3 and 5, and to capture other child-specific information (for example referrals, failed TAKS test, homelessness notes, special circumstances).
25	FL	State MEP Staff	Melecio	200.89(c) National COE	General	Format	How many colors can a COE have? Will a different color be required every time a correction, addition. or amendment is made to a COE?
26	MT	State MEP Staff	Branz-Spall	200.89(c) National COE	General	Format	With regard to formatting of the proposed document, eligibility factors must precede the names of the children and should be the first thing documented after the interview has taken place. To have the children's names prior to listing the eligibility factors is not logical placement; In other words, Section I of a COE should always be the eligibility information; children's names and data should follow in Section II.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
27	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Format	Among our form design issues, we are concerned with the general sequencing of the questions, the small print and lack of space to write responses, and prompts that are misleading, confusing or unclear. Again, the most important design issue is related to the prompts that capture QAD aka eligibility date.
28	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Format	We are concerned about the lack of flexibility that states will have regarding the overall design of the form, particularly because our state uses both paper and electronic COEs.
29	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Format	We are also concerned that the need to use a second form to collect other data needed for MSIX and the CSPR unnecessarily increases the data burden. If the COE form were more carefully designed (in terms of the data element inclusion and placement), there would be room for everything.
30	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Format	<p>DESIGN ISSUE: Eighty percent of California regions create electronic COEs on Tablet PCs. eCOEs will not look exactly like the national paper COE. California's paper COE, out of necessity, must match its electronic COE. California would have the capability of producing a paper COE for every child in its system, which would look exactly like the national paper COE even though it may not originate in precisely that form.</p> <p>It is not important that the data be collected in an identical format in all instances, only that it can be reported out in an identical format. It is important that the data is collected in a format that flows conveniently for the recruiter and the data entry staff. It is not important that it is collected in a format convenient for auditors and readers at the national level. For overseers it only needs to be reproducible in a standardized format.</p>
31	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Format	DESIGN ISSUE: The COE form as represented on page 1 fits on the 8 ½ by 11 paper while it is blank. However, if the form were to provide enough space to write the required answers, it would not fit. The spaces to write are in general too small.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
32	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Format	<p>DESIGN ISSUE: The form seems to be ordered to "looks nice" on the paper, rather than being ordered by the way the information is logically obtained. The logical progression is shown in the "Should be" column below.</p> <p>As is: Should be:</p> <p>I. FAMILY DATA III II. CHILD'S SCHOOL DATA IV III. ELIGIBILITY DATA I IV. COMMENTS II V. PARENT/GUARDIAN/SPOUSE/WORKER SIGNATURE V VI. ELIGIBILITY DATA CERTIFICATION VI</p> <p>We are concerned that if this form were to be field tested, it might be determined that the sections should be presented in a different order, both to facilitate a smooth and accurate interview and to accommodate data entry needs.</p>
33	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Format	<p>State Name. The national COE must be used by all states that have a MEP. To identify the state, complete this blank by writing the full name of the state.</p> <p>DESIGN ISSUE: Hopefully the state could be preprinted to avoid hand entry. It seems an enormous waste of time to require recruiters to write the state name on each and every COE.</p>
34	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Format	DESIGN ISSUE: There is not enough room on the form to enter the full name.
35	MO	State MEP Staff	Williams	200.89(c) National COE	General	Format	<input type="checkbox"/> The design of the new national COE seems too small. We are not an automated state our recruiters still write out each COE which will make it difficult with the limited amount of space allowed for each field.
36	MO	State MEP Staff	Williams	200.89(c) National COE	General	Format	<p>State Name. The national COE must be used by all states that have a MEP. To identify the state, complete this blank by writing the full name of the state.</p> <ul style="list-style-type: none"> • This seems like excess work for the recruiters would it be possible to have the name of the state printed in the space when the COE's are printed?
37	MO	State MEP Staff	Williams	200.89(c) National COE	General	Format	<input type="checkbox"/> This space is too small to enter the entire school district, we would also like a spot to enter our school's county district code.
38	NC	State MEP Staff	Williams	200.89(c) National COE	General	Format	1. The font and font size for the form are not designed for readability; a serif font is often easier to read at a very small font size. (This National COE uses a sans-serif.)
39	NC	State MEP Staff	Williams	200.89(c) National COE	General	Format	It would appear that this form does not lend itself easily to the creation of an electronic version.
40	NC	State MEP Staff	Williams	200.89(c) National COE	General	Format	Unclear Directions Page 3: COE in blue ink.... It would be better to ask for signatures in blue ink, and text in black ink for better readability. (Even USCIS specifies black ink...)

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
41	NC	State MEP Staff	Williams	200.89(c) National COE	General	Format	Unclear Directions Page 11: Again, the recruiter is asked to comment, when there is minimal space left for comments.
42	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Format	DESIGN ISSUE: Entirely too little space to write all that.
43	WA	State MEP Staff	Campos	200.89(c) National COE	General	Format	In viewing Section II, some of the spacing for completion of the COE is either too small or too large. We've attached the Washington COE to provide a visual of options to consider.
44	SC	State MEP Staff	Black	200.89(c) National COE	General	Format	the Migrant Program in South Carolina suggests that the form font be enlarged
45	AZ	State MEP Staff	Romero	200.89(c) National COE	General	Format	Boxes- the boxes on the COE are too small to be able to legibly complete the COE with the appropriate information and detail that is needed.
46	AZ	State MEP Staff	Romero	200.89(c) National COE	General	Format	Check boxes- There are options in the proposed COE that do not apply to our State. Not being able to alter this section, and remove the areas that do not apply, opens the possibility for human error and incorrect determinations of eligibility.
47	MI	State MEP Staff	Moreno	200.89(c) National COE	General	General	Are there any limitations on how extensive the SEA COE can be? (beyond the OME COE?) (In the conference call James English said that the National COE MAY go beyond one page depending on the feedback, but that states were free to expand the SEA COE as much as needed)
48	NY	Local MEP Staff (BOCES Geneseo Migrant Center)	Lynch	200.89(c) National COE	General	General	It is, indeed, important that only eligible children are recruited to be served by the Migrant Education Program; however, the process of identification and recruitment of migrant families should not include unnecessary barriers that will negatively affect the ultimate provision of education to the migrant children.
49	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Instructions	INSTRUCTIONS ISSUES. Most of our comments relate to instructions that are ambiguous, confusing, missing, or conflicting with the form or other OME/MSIX requirements. Of course, the problems related to instructions impact both the design of the form and the data elements that are captured.
50	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Instructions	Missing or confusing instructions defeat the entire purpose of a national COE. It makes no sense to require states to be consistent on the format of the data collection, but to allow inconsistent interpretation of the content. Some of the instruction citations in the attached document may seem inconsequential on their own. However, if the COE is to really tell the story in the briefest way possible, we cannot settle for individual state interpretation of these many fields.
51	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Instructions	The problems we have cited regarding instructions contain both serious concerns and relatively minor ones. Yet, even the minor ones are not inconsequential. Thanks for your patience in considering all of our concerns, including both incredibly serious as well as the California preferences.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
52	VA	State MEP Staff	Moore	200.89(c) National COE	General	Minimum Required Fields	She just re-printed the Virginia COE and included all of the MSIX minimum data elements, some of which are not required on the National COE. If Virginia's COE contains all of the information required on the National COE, can she continue to use her own COE form or is she required to use the National COE format?
53	IL	State MEP Staff	Wilhelm	200.89(c) National COE	General	Minimum Required Fields	In lieu of a required national COE form, we recommend that the Department specify the required data elements for States to include in their State-specific COEs. In most cases, States need more information than is contained in the proposed national COE, so this approach would allow flexibility in design to accommodate both their own and Department requirements in a single document. In this manner, there is an assurance that the COE contains all data necessary to make a sound eligibility decision while enabling states to capture all needed information on a single document.
54	WA	State MEP Staff	Campos	200.89(c) National COE	General	Minimum Required Fields	National COE: While recognizing the need to require certain elements on a COE, we believe a standard national COE that does not allow states to add items unique to their state is burdensome. We strongly recommend that OME require certain elements be required on a COE, but that states have the liberty to append state specific items to the COE.
55	MI	State MEP Staff	Briones	200.89(c) National COE	General	Minimum Required Fields	Michigan has gone through an extensive review of its Migrant Education Database System (MEDS) to insure accuracy. We have done a careful analysis to eliminate duplications in our database. More recently, we have done a crosswalk of the minimum data elements required by MSIX to insure they are collected in MEDS. We have also refined our state paper COE to align with our electronic COE and with MSIX. All this has been done in an effort to create a congruent and accurate data collection system. To impose a National COE that is not aligned with any of the above seems ill advised and an errant duplication of effort. We would suggest that OME look into ways data in MSIX can populate the proposed form. The idea would be to collect data once and use it many times.
56	MI	State MEP Staff	Briones	200.89(c) National COE	General	Minimum Required Fields	The issue should be the collection of data elements that would attest to student eligibility and not an additional specific paper format. We can retrieve and report eligibility data elements from our current database.
57	PA	Local MEP Staff	Murray	200.89(c) National COE	General	Minimum Required Fields	While we support the need for standards and even a requirement for a state to have their COE, based on a national standard, to receive official approval before it can be used, we have major concerns that forcing states to follow one single form will actually do more harm than help the process as intended. In addition, there are various inconsistencies and even flat out misleading information represented in the current format

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
58	PA	Local MEP Staff	Murray	200.89(c) National COE	General	Minimum Required Fields	a. The first concern is over having to use the exact form as provided by OME. We understand the need for consistency, especially when it comes to Section III. However providing only a small space for state-specific data or requiring a second form when things could be accommodated on a single form that meets both needs makes a lot more sense from many aspects. Pennsylvania has included a copy of their interim form. Please indicate how this form does anything that distracts from the intent of the National COE, while still accomplishing the needs of the state MEP? i. Specific Issues: 1. increase paperwork/paper waste for two forms 2. More chance of confusion by recruiter or family 3. Increase chance of error when switching forms
59	PA	Local MEP Staff	Murray	200.89(c) National COE	General	Minimum Required Fields	b. We are still not sure how electronic COE's fit into this, but understand that as long as they accommodate all of the required elements and in a similar format, they are fine. Why would it be any different for a paper COE???
60	PA	Local MEP Staff	Murray	200.89(c) National COE	General	Minimum Required Fields	There are several missing elements that are very important in Pennsylvania. Some may be important all states, but some only in others. As we read the current proposal, the suggestion is that they could be entered on a separate form or in the state specific comment area. Both of these are poor designs and will lead to a lower quality of data collection. Some key ones that are not mentioned elsewhere in this document include: a. Mailing Address (when different than physical address) b. Ethnicity c. Recording of either the MSIX or State Student ID (for better matching to the database if someone is starts by looking at the COE) d. Home Language e. EY/DO grade. Other states probably have various other needs and shoe-horning into a standard form is a mistake.
61	PA	Local MEP Staff	Murray	200.89(c) National COE	General	Minimum Required Fields	6) In summary, the Pennsylvania Department of Education's Migrant Education Program has taken great strides over the years to develop a COE that meets the changing clarifications required by OME. While we acknowledge some items need updated to match the new regulations and we applaud the effort to have a national TEMPLATE, we believe our attached form: a. Captures all of the required elements from the proposed draft national COE b. Matches MSIX MDE requirements better than the proposed form c. Achieves State specific data without compromising integrity of National Standard d. Does a much better job of accurately capturing data related to moves where children and worker to not move simultaneously. We ask you to seriously consider the injustice you will cause to the program on a national level by implementing a national COE instead of a national template, especially one that contains the flaws mentioned above.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
62	DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	General	Minimum Required Fields	First, in the strongest possible terms, we urge you to adopt the proposal by the Illinois Migrant Council that the Department issue minimum requirements for the COE form, but not require the form developed by ED. There are several reasons why this is the only proposed solution which will accommodate both the Department's needs and the needs of the states in data collection.
63	MT	State MEP Staff	Branz-Spall	200.89(c) National COE	General	Minimum Required Fields	Comprehensiveness of data elements and flexibility in COE design: In lieu of a required national COE form that does not take into account the variations in agriculture and programming among the states, it would be better for OME to specify the required core data elements as listed above, and to continue to allow the States to include other vital information on the same document. To implement programs States need more information than is contained on the proposed national COE. By presenting and field-testing a COE that contains the required Federal core eligibility elements and which still allows flexibility in design to accommodate discrete State requirements on a single document, both important components would be addressed. In this manner, there would be an assurance that the COE contains all data necessary to make a sound eligibility decisions, quality control and service delivery implementation using a single document.
64	NC	State MEP Staff	Williams	200.89(c) National COE	General	Minimum Required Fields	My overall comment is that the National COE presented is not as complete or easy to use as our current state COE. It certainly does not make eligibility decisions any clearer or interviewing any more straightforward. Why would it not be possible to have a minimum set of COE requirements, and let states continue to use their own COEs if they are in compliance with requirements? We have already done major work with MIS2000 and other vendors (in the case of the 20 states not using MIS2000) to design our COEs and data management systems to be in compliance with Statute and Guidance. Would it not be simpler to have each state COE evaluated by OME for compliance with the new regulations and move on? I am not sure the system was broken, and I am not sure that the "fix" improves it.
65	WA	State MEP Staff	Campos	200.89(c) National COE	General	New Field	Revalidations: As recruiters are too annually visit families to verify move data, we believe is feasible to use the COE to collect this verification. We recommend adding a Revalidation Section to collect this data on the National COE.
66	WA	State MEP Staff	Campos	200.89(c) National COE	General	New Field	Please add the option for state to list School District and School Year next to the State Name. This will be helpful as SEA files COEs completed by the LEA on a year to year basis
67	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	New Field	DATA ELEMENT NEEDED: California must be allowed to record the Operating District/County, i.e. Regional Office.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
68	AK	State MEP Staff	Svobodny	200.89(c) National COE	General	New Field	<p>The Migrant Education Office of the State of Alaska has reviewed the draft of the national Certificate of Eligibility (COE) that is currently available for public comment. We offer the following comments for consideration.</p> <p>1) Alaska's Migrant Education Program assigns a unique identification number to each COE upon being entered into the state migrant database (MIS2000). This COE number is the primary way in which our migrant program tracks COEs both within the SEA and the LEAs. This COE identification number is the most reliable way of verifying that there are no duplications of COEs in our system. In addition, this number provides a way to trace hard-copy COEs to COEs entered into the database. We would like to see a field for a unique state identification COE number on the national COE. There may be states to which this field is not important, but for programs such as ours, this field would be available for use.</p>
69	AZ	State MEP Staff	Romero	200.89(c) National COE	General	New Field	In addition, Arizona will need to have a place on the COE to put COESTAR numbers on the form.
70	NC	State MEP Staff	Williams	200.89(c) National COE	Section II	New Field	Missing Data Elements or Unnecessary Information There is no space for COE ID. While MIS2000 assigns the COE ID and the other ID can be populated at a later date, it is important to have a placeholder for the information.
71	MO	State MEP Staff	Williams	200.89(c) National COE	General	New Field	<input type="checkbox"/> The national COE does not allow enough space to count the student for the other two years they are allowed to be in our migrant program. (If they qualify). There also does not seem to be enough space to allow for adjustments for this.
72	IL	State MEP Staff	Wilhelm	200.89(c) National COE	General	Pilot	Prior to mandating use of the new national COE, a comprehensive pilot should be conducted to identify additional areas of concern and address them before States incur great expense in implementing the new requirement.
73	MI	State MEP Staff	Briones	200.89(c) National COE	General	Pilot	We are concerned that the proposed National COE has not been field tested. We are concerned that comments from the field have not been received. In the interest of collecting accurate data, we urge you to postpone the adoption of a National COE until you have field tested the form and received comments from users.
74	CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Pilot	FORM DESIGN ISSUES: These concerns include our overriding concern that the form has not been field tested to assure that it is workable for both the recruiter and the data entry specialist. Clearly, a poorly designed form impacts the complete and accurate capturing of the data elements referenced above.
75	VA	State MEP Staff	Moore	200.89(c) National COE	General		Are they required to use the new National COE?
76	MI	State MEP Staff	Briones	200.89(c) National COE	General		The state of Michigan wishes to go on record in support of the concerns expressed by California as it regards the proposed National COE.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
77	MI	State MEP Staff	Briones	200.89(c) National COE	General		We understand that the proposed National COE attempts to primarily collect eligibility data. As pointed out by Ernie Ruiz, there are concerns about how accurately the proposed form would be able to capture those data. Michigan's current quality control measures, our re-interview results, and our re-documentation process indicate that only eligible children are included in MEDS.
78	MI	State MEP Staff	Briones	200.89(c) National COE	General		We are further concerned that the National COE would be implemented immediately with no time to train recruiters.
79	PA	Local MEP Staff	Murray	200.89(c) National COE	General		c. Has the work and suggestions done by the ConQIR Consortium been taken into account?
80	FL	State MEP Staff	Melecio	200.89(c) National COE	General		General Instructions to the COE: Can children who were born after the move, or obtained a GED, or who did not make the qualifying move be included in the state section? Florida believes that such information is necessary and essential in order to provide non-migrant funded services to families as a whole. By excluding such cases from the COE, it may create an "out-of-sight, out-of-mind" situation that will affect families directly. FL Recommendation: Allow for children born after the move or who did not make the qualifying move to be included on the COE (with appropriate comments indicating that such children are not eligible).
81	FL	State MEP Staff	Melecio	200.89(c) National COE	General		Why is it necessary to re-enter the information already obtained on one form yet again on a second form? Florida recruiters make a notation on the 1st COE such as "1 of 2" and "2 of 2" to document multiple COEs. Do not break the family information.
82	TX	State MEP Staff	Villarreal	200.89(c) National COE	General		It is important that only eligible children are recruited to be served by the Migrant Education Program; however, the process of Identification and Recruitment (ID&R) of migrant families should not include unnecessary barriers that will negatively affect the ultimate provision of education to migrant children.
83	DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	General		NASDME has reviewed comments which have been or will be provided by the California Department of Education, the Illinois Migrant Council, and the Montana Office of Public Instruction in response to the July 29, 2008 solicitation of comments. Each of these comments provides background and a very detailed analysis of specific problems with the proposed form for a national Certificate of Eligibility. NASDME adopts, supports, and incorporates by reference the issues raised by each of these three commenters regarding the proposed national COE form. We assume other strong and substantive comments have been sent from additional states and migrant education providers, but have not seen those comments at the time this letter was submitted to you. We wish to comment specifically on several of these issues, but do not wish to imply by such comments that we are abandoning any of the issues raised in the California, Illinois, or Montana submissions to you.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
84	MT	State MEP Staff	Branz-Spall	200.89(c) National COE	General		Both the concept of the Certificate of Eligibility and its name were developed because the States saw a need to voluntarily collect and record the salient and legally required eligibility factors that a family had met in order to participate in the program. These critical, core factors of eligibility included the date of move--once known as LQM- now known as the QAD; information regarding the move itself --when the move occurred and from where it occurred/to where it occurred--; the nature of the qualifying work activity sought or obtained; and the age/grade of child. These were the factors which were necessary to qualify for services in the MEP. Certainly, these common core data elements should be retained on any form of the COE which emerges in the future. It was also understood by the State Migrant Directors who worked on the original development of the COE that the document would also serve other very important State-related administrative purposes as well.
85	MT	State MEP Staff	Branz-Spall	200.89(c) National COE	General		Another issue has to do with the printing of documents by the Office of Public Instruction which have not followed the protocols for printing established by the Chief State School Officer, who is an elected official in the state. Any document disseminated by the Office of Public Instruction must have, for example, the name of our agency and its director upon it. We would not be able to print documents from the web and disseminate them without following our state procedures.
86	CA	State MEP Staff	Sanchez	200.89(c) National COE	General		Deploying the national COE without consultation with the user base only increases the burden for everyone concerned. If the COE is deployed and then modified, the above steps must be repeated each time it is modified. For this reason, we strongly encourage Office of Migrant Education to take the time to complete the appropriate steps to get the COE right the first time.
87	CA	State MEP Staff	Sanchez	200.89(c) National COE	General		DATA ELEMENT ISSUES. These concerns include data elements that are ambiguous, missing, unnecessary, or inconsistent with the minimum data elements and MSIX requirements. Ambiguous data elements include those that either are so poorly defined in the instructions or so poorly captured by the form design that they compromise the overall data collection effort.
88	CA	State MEP Staff	Sanchez	200.89(c) National COE	General		Missing data elements include those that are needed just to establish eligibility. Some missing data elements are cited because they are required in order to produce an accurate child count. Others are needed for state reporting on the CSPR or for MSIX. Others are mentioned because they are elements the state database simply cannot function without.
89	CA	State MEP Staff	Sanchez	200.89(c) National COE	General		Though many problematic data elements are sited in the attached document, they can be made clear by changing the form design or modifying the instructions--as described in our next two types of concerns.
90	CA	State MEP Staff	Sanchez	200.89(c) National COE	General		You should be able to read a COE like a storybook that tells the story of a migrant family. --State ID&R Coordinator This is a very good quote. However, unless the new national COE is modified, it may both hide and misrepresent the story.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
91	NC	State MEP Staff	Williams	200.89(c) National COE	General		Upon a more careful study of the National COE, we find the following types of issues, which echo those found by the California Migrant Education Program: v Design and ease of use v Missing data elements or added unnecessary information v Unclear directions
92	CA	State MEP Staff	Sanchez	200.89(c) National COE	Processing & Storing the COE	Instructions	Processing and Storing the COE After the recruiter completes the COE, the SEA is responsible for reviewing the information on the document, and then storing and securing it appropriately. This process varies by state, but there are some basic guidelines for the recruiter and other ID&R staff. After the recruiter completes the COE, and before it is forwarded to the next person for review, the recruiter should: Check the COE for accuracy. Are all the items filled in? Are the dates of birth, QAD, and residency correct? Are the names spelled properly? Are the recruiter's and the parents' signatures included (if the state requires a parent signature)? Is the writing legible? INSTRUCTION AMBIGUOUS: Is this saying that the parent signature on the national COE is optional?
93	CA	State MEP Staff	Sanchez	200.89(c) National COE	Processing & Storing the COE	Instructions	Review the basic eligibility questions and eligibility determination. Were the answers to all the basic eligibility questions "yes"? Is it clear from the information on the COE that the child is eligible for the MEP? Were comments provided? If so, would they be clear to an independent reviewer? INSTRUCTIONS UNCLEAR: What basic eligibility questions does this refer to? What does it mean, "were the answers 'yes'?". There are no questions on the COE that can be answered with a yes or no. ;
94	DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	General	Format	As discussed in the Montana comments, the COE has been a longstanding fixture of the MEP, developed by the state directors to provide a format for collecting eligibility data. It is a necessary part of the program, but must be adaptable by states based on the variance in crops, agricultural/fishing work patterns, population size, and state-mandated data collection requirements, among other issues. The mandated COE form provided to the state directors by the Department pursuant to the regulation issued on July 29, 2008 would have to be supplemented by multiple additional documents. This would require recruiters (who are often literally out in the fields being cultivated) and farmworkers (who are in a hurry to return to work or to return home to shower and eat) to fill out, review, and sign multiple pages of text which often must be translated or explained to the farmworker parent/guardian. A unitary form is absolutely required for all state program data collection on each family, as opposed to multiple documents, but it is certainly reasonable and feasible to require certain minimum data elements in the first section of the unitary document, which could then be followed by whatever information and signature lines an individual state requires or deems necessary.

General COE Comments

	A	B	C	G	H	I	J
1	State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
95	TX	State MEP Staff	Villarreal	200.89(c) National COE	General		<p>The Texas Education Agency (TEA) respectfully submits the following comments regarding the new information collection requirements under 34 CFR 200.89(c), including the use of a standard Certificate of Eligibility (COE) form.</p> <p>The TEA submits these comments with the expectation that they will assist the U.S. Department of Education (USDE) in deciding whether the proposed collections are necessary for the proper performance of its functions, including whether the information will have practical use; evaluating the accuracy of the USDE's estimate of the burden of the proposed collections; enhancing the quality, usefulness, and clarity of the information collected; and minimizing the burden on the states.</p>
96	CA	State MEP Staff	Sanchez	200.89(c) National COE	General		<p>Thank you for the opportunity to review and comment on the Notice of Final Regulations for the Migrant Education Program posted in the Federal Register on July 29, 2008. This letter represents comments from the California Department of Education on the proposed new regulations. Our comments, questions, and concerns that follow address the implementation plan, increased burden, and the considerable resources needed to implement the new regulations.</p>
97	SC	State MEP Staff	Black	200.89(c) National COE	General		<p>SC submitted identical comments to all those submitted by Marcos Sanchez (CA) on 8/28/08. Therefore, all comments received by CA should be considered as two commenters.</p>

COE Section I Family Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
MO	State MEP Staff	Williams	200.89(c) National COE	Section I	Homebase	<input type="checkbox"/> Is the homebase address necessary? Some of our migrants might not have a home base address and if they do they might not be willing to share it. How does this help establish eligibility? And won't this be able to be tracked through MSIX?
WA	State MEP Staff	Campos	200.89(c) National COE	Section I	Homebase	In Washington State we collect the Homebase City, State and Country. In the many years of operating our system we have never had the need in our state to collect the homebase address. No mailings have ever been sent to homebase addresses. We do not see the need for and therefore recommend not collecting homebase mailing address. This would free up space to be used to collect other information.
WA	State MEP Staff	Campos	200.89(c) National COE	Section I	Homebase	We recommend you consider collecting the homebase country. We are often asked where families are originating from and it is helpful to have the Homebase Country already clarified on the COE.
NC	State MEP Staff	Williams	200.89(c) National COE	Section I	Homebase	Unclear Directions Page 5: If the homebase is a country outside the US, write N/A; what do we do to indicate that the children are binational? We also have some young H2A workers who have a homebase outside the US.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Homebase	Unnecessary data elements are those that are not needed to establish eligibility. There are several of these: all the Home base fields only serve to promote continuity of education, but have nothing to do with establishing eligibility.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Homebase	DATA ELEMENT UNNECESSARY: Home base information has nothing to do with establishing eligibility. If it did, it would be equally relevant for both national and international moves. Per the instructions, it is only relevant to moves inside the USA. Some states use this information to improve continuity of services. For California, it only wastes our time to collect it, as it has no bearing on any of our decisions or activities. The entire list of data elements: Home base address, city, state, zip, phone, and district should be struck from the COE. If some states find it useful, they should be allowed to collect it on a separate form.
WI	State MEP Staff	Toney	200.89(c) National COE	Section I	Homeless	4. Where do you add "homeless" on the national COE? How should a lack of address information be handled?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Homeless	INSTRUCTION MISSING: What do you enter for "homeless"? NA?
WA	State MEP Staff	Campos	200.89(c) National COE	Section I	Last Name	We have found the collection of parent last names to be very difficult and often quite confusing. We've tried collecting two last names and only one last name and what we've found is that no matter which way we do it, it is not always accurate. However, we have found that if we have only one field that accepts the last name, and that name can be hyphenated in necessary, that has worked best with minimal confusion.
WA	State MEP Staff	Campos	200.89(c) National COE	Section I	Last Name	We recommend the use of only one field for last name, but have the option of having it hyphenated if necessary.

COE Section I Family Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
WA	State MEP Staff	Campos	200.89(c) National COE	Section I	Last Name	On another note, the requirement to collect two parent last names conflicts with the MSIX requirement to collect only one last name and this is going to cause confusion. There is no common standard for which name goes first and LEA staff often switch the names upon school registration.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Last Name	DESIGN ISSUE: It is confusing to require the parents' first name first when the form requires entering the children's names last name first. We suggest that you make them consistent, but whatever you choose, they are the same.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Last Name	INSTRUCTION MISLEADING: If the name is hyphenated then the whole thing is the last name 1. For example, Diaz-Rios is the last name, i.e. you cannot drop off the Rios and say that the last name is Diaz. However, if the last name is a compound last name representing the last name of the father and the last name of the mother as in: Diaz Rios, then it is possible to enter Diaz in Last Name 1 and Rios in Last Name 2.
MI	State MEP Staff	Moreno	200.89(c) National COE	Section I	Last Name	Please explain the status of one last name versus a hyphenated last name. What will OME consider a legal last name? (MSIX doesn't ask for second last name- new COE does.)
PA	Public/Private Organization (CSIU)	Murray	200.89(c) National COE	Section I	Last Name	The fact that [the COE] calls for two last names for parent (not just for children)
WA	State MEP Staff	Campos	200.89(c) National COE	Section I	Last Name	We have found the collection of student last names to be very difficult and often quite confusing. We've tried collecting two last names and only one last name and what we've found is that no matter which way we do it, neither is more accurate than the other. However, we have found that if we have only one field that accepts the last name, and that name can be hyphenated if necessary, that has worked best with minimal confusion and duplication. We recommend the use of only one field for last name, but have the option of having it hyphenated if necessary.
WI	State MEP Staff	Toney	200.89(c) National COE	Section I	Last Name	Also, in the area for parent names as well as in the section II table, is it necessary to ask for Last Name 1 and Last Name 2? The instructions for entering Last Name 1 and Last Name 2 can be confusing and can create problems when an individual uses a hyphenated last name, as in Zepeda-Capistrán, as one last name. Separating these names allows for wrongful manipulation of last names where one of them, usually Last Name 1, will likely be abbreviated, in this case as a "Z" and used as a middle name rather than as the last name that it is. Names like Zepeda-Capistrán are often purposely used to avoid having it be misinterpreted and filed incorrectly, under "Capistrán" instead of under "Zepeda."
PA	Local MEP Staff	Murray	200.89(c) National COE	Section I	Last Name	b. The COE calls for Lastname2 for the family; that is not addressed in MSIX MDE and should be removed. The instructions could state to list both last names if that is the case instead of calling for two fields, which does not match up to MSIX. The last/first name order should also be consistent. Under child it is last name then first, but in reverse for the parent. This is misleading and certainly will cause errors.

COE Section I Family Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
FL	State MEP Staff	Melecio	200.89(c) National COE	Section I	Last Name	Male & Female Parent Last Name 1, Last Name 2, First Name, Middle Name: MSIX does not have space for Last Name 2 for either parent. National COE does not provide space to input cases when children travel with a relative or guardian - both "current" and "legal" parent information is needed for effective record location and child/student number identification or creation. FL recommendation: Include additional field for "legal" and/or "current" parent. Or Provide clear guidance regarding issues such as children traveling with relatives and how to enter such cases in the COE.
MO	State MEP Staff	Williams	200.89(c) National COE	Section I	Last Name	• If the child's last name is listed first can the parent's last name be listed first?
MO	State MEP Staff	Williams	200.89(c) National COE	Section I	Last Name	• If the last name is hyphenated why do you need to have two spaces? It is not entered into our database that way. It will be very confusing when trying to find a student.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Last Name	Another unnecessary complication is the inconsistency in how parent and children's names are ordered on the form
AZ	State MEP Staff	Romero	200.89(c) National COE	Section I	Last Name	Last Name 1 and Last Name 2- The majority of our students are Hispanic and use two last names, even though the legal name may contain only one last name. This is will cause an unnecessary problem within our state's Student Accountability Information System (SAIS). The student name on the COE must match the legal name within the SAIS system or it causes SAIS to reject data which in turn causes problems within other programs in our state (including AYP and AMO).
NC	State MEP Staff	Tessini	200.89(c) National COE	Section I	Parent	The COE should specify if the parents names should be the name of the Legal Parents or the name of the Current Legal Guardians (who in many cases are different).
PA	Public/Private Organization (CSIU)	Murray	200.89(c) National COE	Section I	Parent	The legal/current issue [with regard to parent]
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section I	Parent	Parents' names—Both the legal and current parents should be identified
WI	State MEP Staff	Toney	200.89(c) National COE	Section I	Parent	1. In the document for completing the Certificate of Eligibility (COE), it is imperative that the language guiding completion of the parents' names be clarified. The language needs to be revised in the section of the instructions that pertains to "currently responsible" person and "parent," which is a legal guardian.

COE Section I Family Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
WI	State MEP Staff	Toney	200.89(c) National COE	Section I	Parent	2. Adequate space needs to be provided on the national COE to record information on legal male parent, current male parent, legal female parent and current female parent. While we understand the MSIX MDEs will require the legal parent information, it is very important for local projects to have the current parent/guardian information.
PA	Local MEP Staff	Murray	200.89(c) National COE	Section I	Parent	a. The COE clearly indicates that the family to be reported is the "current family", however MSIX business rules clearly state that it is to be the legal family. The MDE call for Male and Female parent, but the real reason for these are not for eligibility purposes, but for matching purposes. While legal and current may often be the same, they are not in many cases. It's clear from the MSIX MDE that legal is to be recorded, but the instructions are for "current" on the COE. The MSIX definition does somewhat contradict itself, but the business rules clearly states it needs to be the legal parent.
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	Section I	Parent	Common Core COE Data Elements which must be retained: The recording of pertinent Family Data, including the legal and current parents of the children identified to further ensure accuracy ;
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Parent	All missing instructions lead to ambiguous data elements. Certain definitions are missing such as: "more than one male parent" (vs. current and legal father), "guardian" (vs. current parent or other household provider), "parent" (vs. guardian) ,
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Parent	All missing instructions lead to ambiguous data elements. Certain definitions are missing such as: "parent's affidavit" (legal document vs. verbal statement),
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Parent	Section I – Family Data. In this section of the COE, the recruiter will record the name and address of the child's male and/or female parent or parents... DATA ELEMENT INCONSISTENCY: This document seems to be calling for what we call the "current parents" aka the guardians. But MSIX and the minimum data elements require us to collect the legal parents' names, even if they are the "absent" parents. INSTRUCTION MISSING: Is this information expected if the child is a self-qualifier or the child's spouse is the qualifier (and the parents do not reside with the child)? If it is entered on the COE, it will be confusing. However, if it is omitted, important identifier information is unknown. Omitted, it compromises our ability to produce a unique count.
AZ	State MEP Staff	Romero	200.89(c) National COE	Section I	Parent	This issue was originally raised by California. "Inconsistent data elements are those where MSIX clearly requires one thing and the COE requires something different. For example, the COE seems to be asking for what we call 'current parents', while MSIX requires us to report 'legal parents'. Arizona agrees. In addition, Arizona notes that there is no distinction between who the legal parents (on birth certificate) are and who the legal guardians are. This information is a must for the re-interview process as well as for program information.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Parent	INSTRUCTION MISSING: What should be entered if there is no male parent in the home, or if the female parent declines to mention the name of the male household member?

COE Section I Family Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Parent	INSTRUCTION AMBIGUOUS (definition needed): What does "more than one male parent" mean? Are you talking about the legal father (absent) and the current father (stepfather, mother's current husband, mother's friend, mother's father, etc.)? We do not think you are referring to same sex couples. However that said, it might be important to not exclude that possibility. Further, if this requirement exists for the male parent, it should also apply to the female parent.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Parent	INSTRUCTION MISSING: If there is "more than one male parent," which one should be named in Section II, the legal, the current parent, the absent or the present parent? Then, which one should be mentioned in Comments?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Parent	INSTRUCTION AMBIGUOUS (definition needed): Is guardian defined as "non-legal" parent?
MO	State MEP Staff	Williams	200.89(c) National COE	Section I	Parent	• Since some families move with a guardian one time and legal parents another time is it possible to add a guardian spot if they are traveling with the guardian?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Parent	Inconsistent data elements are those where MSIX clearly requires one thing and the COE requires something different. For example, the COE seems to be asking for what we call "current parents," while MSIX requires us to report "legal parents."
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Parent	Another unnecessary complication is the inconsistency in how parent and children's names are ordered on the form
WA	State MEP Staff	Campos	200.89(c) National COE	Section I	Parent	We would like you to consider the option of listing the "Mother's Maiden Name" as we find this very helpful in conducting student searches, assigning student IDs and avoiding duplication of student numbers.
PA	Local MEP Staff	Murray	200.89(c) National COE	Section I	Parent	c. The draft instructions go on to say that if more than one parent, list in comments...why not simply allow for both...once again, refer to PA example as a possible way to handle.
MI	State MEP Staff	Moreno	200.89(c) National COE	Section I	Parent	It appears that "parent" on the new OME COE can be anyone. Don't we need to distinguish between guardians, grand parents, other relatives, step parents...? (we were referred to the original ESEA language)
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Postal	All missing instructions lead to ambiguous data elements. Certain definitions are missing such as: "current address" (PO Box vs. street address)

COE Section I Family Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Postal	INSTRUCTION MISSING: Is current street address expected here (rather than the current mailing address? For California, a PO Box is often the current mailing address. It may or may not be in the same community where the family presently resides. Do you want the PO Box in the current address, and street address in the comments?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Postal	INSTRUCTION UNCLEAR: Under what circumstance would the postal abbreviation be unknown? It is always "CA," i.e. the reporting state. It could even be preprinted on the form. Our electronic database is capable of entering the current state abbreviation automatically. The recruiter does not need to do it.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Postal	INSTRUCTION UNCLEAR: Is the entire zip code is optional (enter "if known"), or just the last four digits are optional?
WI	State MEP Staff	Toney	200.89(c) National COE	Section I	Postal	14. In the guidance document for Completing the Certificate of Eligibility, page 21 lists U.S. state and possession 2 letter postal abbreviations. Page 22 lists postal abbreviations for Mexican states. No table of state postal abbreviations is listed for Canadian states. It is suggested that 1) a table be added to include Canadian state abbreviations, and 2) that that consideration be given to standardizing the length of all state abbreviations to 2 letters each. A comprehensive sample can be found at http://www.tea.state.tx.us/nclb/migrant/documents/2007_docs/NGS-Guidelines.doc on page 91.
WI	State MEP Staff	Toney	200.89(c) National COE	Section I	Postal	3. A field for collecting "Country" data should be included in the current address, home base address, and with each student's birth city and state. MSIX collects country data for every reference to city, state, or address. Therefore, this should be a field and should be collected on the national COE. It should be completed by the interviewer at the interview, not added later or in the margin.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Postal	Mexican State Abbreviations: DATA ELEMENT CONCERN: We would prefer to continue using two letter abbreviations. The abbreviations above are nothing short of bizarre. Consider that with the currently designed national COE, these are all entered free form on a tiny little line.
SC	State MEP Staff	Black	200.89(c) National COE	Section I	Telephone	Specifically, the client telephone number should be added to I (Family Data).
AZ	State MEP Staff	Romero	200.89(c) National COE	Section I	Telephone	Telephone number- If the parent has no telephone and the field is left blank it will create problems with our state's migrant data system (COESTAR) and the federal Migrant Student Information Exchange (MSIX) systems which may reject the COE as incomplete.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section I	Telephone	DATA ELEMENT NEEDED: Many families have both home phones and cell phones. Would it be possible to record both? If not, can one or the other be entered in "Comments"? If so, should it be based on parent preference or OME preference?

COE Section I Family Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
SC	State MEP Staff	Black	200.89(c) National COE	General		SC submitted identical comments to all those submitted by Marcos Sanchez (CA) on 8/28/08. Therefore, all comments received by CA should be considered as two commenters.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
NC	State MEP Staff	Tessini	200.89(c) National COE	Section II	Birth	The proposed National COE is not collecting Birth Country.
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section II	Birth	Birth city, birth state—Birth country is also needed.
WA	State MEP Staff	Campos	200.89(c) National COE	Section II	Birth	We recommend you also collect the Birth Country as this information is used to reduce duplication of student information in data bases and reduces student merges. In addition, the collection of Birth Country also conforms to MSIX collection requirements.
PA	Local MEP Staff	Murray	200.89(c) National COE	Section II	Birth	c. Birth City and State on form should mention Country...the directions do, but should be more clear on form, which is misleading (see attached sample for ideas)
FL	State MEP Staff	Melecio	200.89(c) National COE	Section II	Birth	Birth Country (Missing): With so many children coming from Mexico, Florida will be affected by not having this information available. Recruiters currently enter the country of birth information and will now be required to enter the correct state abbreviation. This is a duty most often performed at the office, not in the field. FL Recommendation: Provide space for "birth country" in National COE.
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	Section II	Birth	Common Core COE Data Elements which must be retained: • The recording of the child's Birth city, birth state and birth country to ensure accuracy;
WI	State MEP Staff	Toney	200.89(c) National COE	Section II	Birth	13. There is an error on page 7 of the document for Completing the Certificate of Eligibility. In the last sentence of the explanation for completing the Birth City, Birth State field, it says, "Use the standard abbreviation code for the city and country..." Where it says "city" in this sentence, it should say "state."
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Birth	DATA ELEMENT NEEDED: State of birth is a necessary field, for both Mexico and the USA. If the recruiter does not ask for the state of birth for children born in Mexico, it will often be unclear where the child was born. There are many cities with duplicate names in different states of Mexico. Much of the picture referenced in the opening quote would be missing. Place of birth is one of the key identity elements needed to establish an unduplicated student count, and to assure that the student is not entered into the system under multiple Student IDs.
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section II	Ethnicity	Ethnicity—This information should be included for each child on the COE.
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	Section II	Ethnicity	Common Core COE Data Elements which must be retained: • The recording of racial/ethnicity data is required in other federal reporting

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Ethnicity	DATA ELEMENT NEEDED: There is no place to record ethnicity. Some of our subcontractors require this, so we may need to collect it here as the best way to control the data burden.
NC	State MEP Staff	Williams	200.89(c) National COE	Section II	Ethnicity	Missing Data Elements or Unnecessary Information No space is provided for ethnicity, which may be necessary in some cases for statistical purposes.
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	Section II	Gender	Common Core COE Data Elements which must be retained: • The recording of gender (included on proposed COE though not an eligibility factor, it is necessary to find children and sort out duplications etc. for MSIX and quality control);
MI	State MEP Staff	Moreno	200.89(c) National COE	Section II	Grade	Will OME provide a new key for grade levels? CSPR requires counts for pre schoolers as in 0 to 5 preschoolers. How will we distinguish for CSPR?
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section II	Grade	Grade level—Grade level designations should match CSPR data collection which categorizes pre-school aged children and out-of-school youth separately under grade level. Out-of-school should not be confused with Ungraded.
WI	State MEP Staff	Toney	200.89(c) National COE	Section II	Grade	Are there any instructions/recommendations for entering student's grade level when the student abandoned school at an early age and later returns, as a 17 or 18 year old (for example, an 18 year old who has been out of school since 8th grade who hasn't yet enrolled in school, but wants to enroll)? Or for teens who never attended school in the home base state/country? This is sometimes an issue while completing a COE in between school years because there isn't a way to know how the schools will be placing the student, or it could take some time after the start of the school year before the schools can figure it out themselves.
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	Section II	Grade	Common Core COE Data Elements which must be retained: • The recording of Current Grade level Designation—Grade level designations should match CSPR/EDEN data collection which categorizes pre-school aged children and out-of-school youth separately under grade level. Out-of-school should not be confused with Ungraded. (Background on this topic: An agreement had been made by the States to record all eligible children's grade levels so that proper program planning could take place quickly in states attempting to serve currently mobile (as opposed to settled out) migrant children in states where children arrived when the crop was ready and departed as soon as the harvest or work was completed. We agreed to include children who were not of school age and to use the categories PO for infants under that age of one, P1 for one year-olds, P2 for two year-olds, etc. We did this at that time because fewer than 25 states had Migrant Head Start or Migrant Even Start programs, resulting in the fact that neither the data regarding these non-school-aged children, nor the service for them was available from other agencies. This remains true in many states to this day. It is the MEP in these states which must provide critical care for these very young children in the hope of preventing their school- aged siblings from staying behind in the camps, cars or tents to baby sit their younger siblings instead of attending school. Additionally, preschool children ages 3-5 who attended a site-based or home based program were and always have been documented as preschool students, not as out of school students. To venture from these established practices may have the unintended consequence that states will neither include these children in their data collection procedures, nor provide services for this very needy population. These children are particularly vulnerable when the family is actively mobile and away from home-based extended family. Confusion will also result in using the delineation "OO" or "out of school" for these children and their older counterparts. The term "Out of School" or OSY - Out of School Youth has traditionally been used primarily for secondary or middle

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Grade	<p><input type="checkbox"/> Grade level. Record the code from the list below that corresponds to the grade level in which the school/MEP project has enrolled the child.</p> <ul style="list-style-type: none"> o UG – Ungraded means a child who is served in an educational unit that has no separate grades. For example, some schools have primary grade groupings that are not traditionally graded, or ungraded groupings for children with learning disabilities. In some cases, ungraded students may also include special education children, transitional bilingual students, students working on a GED through a K-12 institution, or those in a correctional setting. (Students working on a GED outside of a K-12 institution are counted as out-of-school youth.) o PS - Pre-school means that the child is enrolled in a public or private preschool program that is held in a building or facility. Do not record home-based pre-school programs, or children ages 0 through 5 who are not in school or in a program. <p>COMMENT: Good. However, as noted above, the facility these children attend will not be accepted in MSIX</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Grade	<p>DATA ELEMENT AMBIGUITY: We have many youth, who have not graduated from high school, who are attending Adult education in a K-12 institution, or are attending Community College. We use the grade code 'AD'. While we could map this grade to "UG," we do not think it is the same thing.</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Grade	<p>INSTRUCTIONS MISSING: Do you use grade 00 for a child who is attending a MEP program but not attending school?</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Grade	<p>If we use 00 for all out-of-school children, age 0 through 21, how should the out-of-school youth population be defined?</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Grade	<p>What should we enter when the child moved during the summer and is not presently attending school? There are at least three possibilities: Not attending, the grade they just completed, and the grade they will be going into in the future. In general, how can we distinguish between temporarily not attending because school is not in session, and other kids who are 1) dropouts 2) never attended school in the USA (here to work)? The Out-of-school youth count is an important category in the CSPR.</p>

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Grade	DATA ELEMENT UNNEEDED: Overriding all of these concerns about missing or ambiguous data, the grade is not even needed to establish eligibility. However, we have included the comments above because we agree that this is an appropriate place to collect the information.
MO	State MEP Staff	Williams	200.89(c) National COE	Section II	Grade	<input type="checkbox"/> Grade level. Record the code from the list below that corresponds to the grade level in which the school/MEP project has enrolled the child. <input type="checkbox"/> If we use 00 for all out of school youth age 0-21, how should the out of school youth population be defined? <input type="checkbox"/> How can we distinguish between not attending school because it is not in session and other children who are drop outs or have never attended school in the US and are just here to work?
DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	Section II	Grade	Lumping all out-of-school youth together is a very good example of how this COE does not align with other ED data requests. Currently, the group defined in the COE material is broken down in proper subgroups in other ED data collection in the MEP. If the COE form proposed is truly to be used as the basis for eligibility determinations, it will not be possible to count eligible children from this form, because no distinction is made based on age and since only children aged 3-21 generate funding, this is a fatal flaw in the design of the form and the data collection here.
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section II	ID	Migrant student identifying number—The COE must include each child’s unique identifying number(s). In most cases, states will need to record two numbers: one for the state MEP data system and one for MSIX.
WA	State MEP Staff	Campos	200.89(c) National COE	Section II	ID	In addition we recommend that spacing be provided for the Migrant Student ID to the Student Name section of the COE as it is used for enrollment purposes. This also helps to reduce the number of duplications within the MSIX. The Washington COE has been provided as a sample as to how the Migrant Student ID can be incorporated into the Student Name field.
WI	State MEP Staff	Toney	200.89(c) National COE	Section II	ID	5. On the national COE, in section II there is not a column to record a unique identifier for each student. It is imperative that a field be added to capture” Student ID” for each student on the COE. This is an essential field in the data entry process and for matching the new information that comes from COEs to students in our state databases, eventually going to MSIX. Having a field on the national COE for a Student ID is a very important element for matching new information to existing records.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	Section II	ID	The proposed form, as well explained by the three commenters we support (and we assume others that submit comments to you), does not include the unique identifier numbers which must be on any COE form for it to have any usefulness. In addition, the first information on the form must be about the parents, since it is their work which generates eligibility. Student information must come after all parent information. (In addition, it would appear that the line immediately above the box listing the children is duplicative of data listed after the box.)
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	Section II	ID	Common Core COE Data Elements which must be retained: <ul style="list-style-type: none"> • The recording of the unique student identifier on the COE so that this child's and only this child 's (and no other with a similar name) demographic, educational and health information could be transferred as soon as known and so that for all inquiries about this child whether by the Office of Migrant Education (OME) or other State or Local entities, the SEA could be confident that the correct child's identifying information could accompany him/her;
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	ID	The missing data elements needed for eligibility are: a Student ID number. We cannot possibly produce a list of eligible students from an electronic database if there is no way to associate the paper COE form to the database with an identifier.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	ID	DATA ELEMENTS NEEDED: The national COE does not provide a place to write the child(ren)'s Migrant student number. There is no possible way to manage the identification of children without a Student Number. There is no way to link a piece of paper to an electronic database without a student identification number. California and smaller states as well simply cannot establish a unique student count based on the fields presently collected on the national COE. This seems so elemental that we truly wonder if it is an oversight.
AK	State MEP Staff	Svobodny	200.89(c) National COE	Section II	ID	2) In reference to "II. Child/School Data" the Alaska Migrant Education Program would like to see an additional column created in which to enter the state student identifier number. This is a unique number assigned to Alaska's students when they enter our school system. This number is used by the migrant office to track student eligibility determinations, supplemental program data, and assessment data. This field is essential to match migrant databases to other program databases within the department and is the basis for putting together information for the CSPR report. In addition, this number eliminates the possibility of duplicate records, and counts, of students.
MO	State MEP Staff	Williams	200.89(c) National COE	Section II	ID	<input type="checkbox"/> The national COE does not have a section to include our state id number for the children.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
NC	State MEP Staff	Williams	200.89(c) National COE	Section II	ID	Missing Data Elements or Unnecessary Information There is no space for Student ID. Our state is engaging in a large effort to designate students with unique IDs in NC, which will enable us to effectively collect health, academic, and other data and avoid duplication. While MIS2000 assigns the COE ID and the other ID can be populated at a later date, it is important to have a placeholder for the information.
AZ	State MEP Staff	Romero	200.89(c) National COE	Section II	ID	This issue was originally raised by California. "The missing data elements needed for eligibility are: a Student ID number. Arizona agrees.
AZ	State MEP Staff	Romero	200.89(c) National COE	Section II	ID	In addition, Arizona will need to have a place on the COE to put SAIS numbers on the form.
WA	State MEP Staff	Campos	200.89(c) National COE	Section II	Middle Name	We recommend only collecting the Middle Initial, as the full middle name spelled out has cause problems due to various spellings of middle names.
WI	State MEP Staff	Toney	200.89(c) National COE	Section II	Move Informatio n	10. The current school district name is captured in the sentence above the table in section II. It is redundant to ask for this information again in the second blank of question 1 section III. This is a very small space to capture school district name, city, state, and country. As the school district name is already captured in section II, it is not necessary to write it again in section III. It is suggested that the guidance words, "School district" from under the second blank in question 1 of section III be eliminated.
FL	State MEP Staff	Melecio	200.89(c) National COE	Section II	Move Informatio n	Section II. "The children listed below..." Section III. "The children listed above..." These statements seem repetitive. This requires recruiters to enter the "from/to" information twice, unless the eligibility determination is being made using a prior qualifying move when the information will be different. However, the instructions to the COE indicate that the information to be entered should be regarding the LEA where the children resided "immediately prior to making the qualifying move." Since it is obvious that this does not allow for determinations made based on prior moves, the information is repetitive. If this is the case, where does information for eligibility determinations based on "prior moves" get entered in the COE? How is this to be recorded? FL Recommendation: Modify Section II "The children listed below..." to allow for entry of information used in "prior moves" determinations. Provide guidance on where and how to enter information to document determinations made using "prior moves."

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
NC	State MEP Staff	Williams	200.89(c) National COE	Section II	New Field	Missing Data Elements or Unnecessary Information There is no dropout information or retention information asked for (yet these are needed for MSIX),
SC	State MEP Staff	Black	200.89(c) National COE	General	New Field	LEP and IEP indicators should be evident on this form in the column under Child/School Data II."
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section II	Residency	Date of arrival in present school district—Please clarify if this is the residency date.
MT	State MEP Staff	Branz- Spall	200.89(c) National COE	Section II	Residency	Common Core COE Data Elements which must be retained: • The recording of the actual residency date, which often precedes school enrollment date;
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Residency	Another important but confusing instruction relates to the date (and other information) in Section II. We think this is the residency date, but are not sure. The instructions need to make it clear that it is not necessarily the QAD.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Residency	DATA ELEMENT AMBIGUITY: We think this field is attempting to capture what we call the "residency date," but in view of the next instruction, we are unsure what is being asked for in this field.
AZ	State MEP Staff	Romero	200.89(c) National COE	Section II	Residency	There is no residency date on the COE. Arizona has students who move across district lines for housing purposes, but there is no new Qualifying Arrival Date (QAD). Without the residency date field Arizona would not be able to determine those students who are continuing eligibility students who have moved. This may cause people to unknowingly extend eligibility past the appropriate expiration.
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section II	School District, City, State, Country:	Name of present school district—Children on the same COE may be enrolled in more than one school district, especially when different grade levels are involved, but it is not possible to properly record this information on the COE.
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section II	School District, City, State, Country:	Name of previous school district--Families often do not know the name of the previous school district either because there are multiple districts in the area or because they were served in a summer program that operates regionally and provides services to eligible children located in several school districts in the larger geographic area served.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
WA	State MEP Staff	Campos	200.89(c) National COE	Section II	School District, City, State, Country:	School District, City, State, Country: It seems as if this field is intended to collect the child's last place of residence prior to moving into the LEA. Why? This information will not affect the child's eligibility. Since this information has nothing to do with qualifying move data, we recommend this move data not be collected as qualifying move data is collected in Section III. In addition the definition states this is "where the child resided immediately prior to making the qualifying move." What if the move into the school district where the child presently resides was not a qualifying move? i. If this was a qualifying move, this data will be captured in Section III. ii. If this was not a qualifying move, why do we need to collect this non-qualifying move data? We recommend not collecting this move data as it has no bearing on the child's eligibility and could cause confusion in the field.
WA	State MEP Staff	Campos	200.89(c) National COE	Section II	School District, City, State, Country:	School District, City, State, Country: If we are to collect this data, is it necessary to list the School District if the City and school district name are the same? Many of the migrant program school districts in Washington State have the same school district and city name. To collect the School District and the City would be a duplication of efforts. We recommend collecting only the City name and in those situations where the school district and city names are not the same, then the two names can be requested.
PA	Local MEP Staff	Murray	200.89(c) National COE	Section II	School District, City, State, Country:	e. There is very little space to enter School District, City, State and Country at various places on the form. Please refer to the attached PA example of suggested improvements.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School District, City, State, Country:	Several design issues are cited because they appear to be mistakes or oversights. From what we can tell, the COE asks for the identical "moved from" information in both the FAMILY DATA and the ELIGIBILITY DATA section.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School District, City, State, Country:	School District, City, State, Country. Record the school district, city, state, and country (if not the U.S.) where the child resided immediately prior to making the qualifying move. Provide the two-letter postal abbreviation code used by the U.S. Postal Service (or the full name if not known) for the state. Use the standard abbreviation code for cities and states in other countries, if known. Use a map or the postal abbreviations in the back of this document to ensure that the name of the state is spelled correctly or the proper abbreviation is used. DATA ELEMENT UNNECESSARY: These instructions seem identical to the instructions for Question 1 in the ELIGIBILITY DATA. Is the COE asking for the same data in both places? If not what data element are needed here? Is it possible that you are asking for the school district, city, state, and country for the most recent move that is a non-qualifying move? If so, it has no reason to be on the COE. That has nothing at all to do with establishing eligibility.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
MO	State MEP Staff	Williams	200.89(c) National COE	Section II	School District, City, State, Country:	<input type="checkbox"/> School District, City, State, Country. Record the school district, city, state, and country (if not the U.S.) where the child resided immediately prior to making the qualifying move. Provide the two-letter postal abbreviation code used by the U.S. Postal Service (or the full name if not known) for the state. Use the standard abbreviation code for cities and states in other countries, if known. Use a map or the postal abbreviations in the back of this document to ensure that the name of the state is spelled correctly or the proper abbreviation is used. <input type="checkbox"/> Is this the same information as Question 1 in Eligibility Data?
NC	State MEP Staff	Williams	200.89(c) National COE	Section II	School District, City, State, Country:	Unclear Directions Page 5: There is massive room for error in writing the full legal name of the LEA. It would be better to design a form that could be adapted by each state to list the LEAs?
NC	State MEP Staff	Williams	200.89(c) National COE	Section II	School District, City, State, Country:	Unclear Directions Page 5: In my experience, many families don't know the full legal name of their previous school district. This is one of our greatest challenges when we try to get records. However, it should not hold up the eligibility determination of a child.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School District, City, State, Country:	INSTRUCTION UNCLEAR: Does "entered the present school district" mean "began residing in the present school district" as opposed to "enrolled in the present school district"? Assuming you want the date the children entered the district, it might be important to mention that if the family's most recent move is not the qualifying move, this date will be later than the eligibility date (QAD). In addition, if the children come ahead of the worker, this date will be earlier than the eligibility date (QAD). If it is not mentioned, recruiters might enter the date the family entered the district associated with the QAD in the first case, or the date the worker entered the district in the second case. DESIGN ISSUE: There is too much space for the data.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollment	DATA ELEMENTS NEEDED: This national COE does not seem to provide enough information to count eligible students for funding purposes during the subsequent 2 years. We rely on two other fields, enrollment type, and school year. Enrollment type is used to separate the Category 1 and 2 counts. What is needed here now in the "type" field is "project type" which is one of the minimum data elements. Project type would allow us to establish eligibility types that would otherwise be ambiguous. School Year is used to establish continued presence in the state, and is used for 1st year, 2nd year, and 3rd year eligibility. While these two elements do not impact the first year 12-month count, they directly impact certifying subsequent and type of eligibility, and should therefore have a place on even a "ruthless" COE.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section II	School Enrollmen t	Type of enrollment—Enrollment type (summer, regular year, or identified but not enrolled) is not included on the COE but is necessary for CSPR reporting and determination of the child count.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollmen t	The missing data elements needed for eligibility are: enrollment or project type (needed to distinguish between Category 1 and Category 2 counts). We cannot possibly produce a list of eligible students from an electronic database if there is no way to associate the paper COE form to the database with an identifier.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollmen t	The missing data elements needed for eligibility are: the school year (needed to determine eligibility over 3 years time). We cannot possibly produce a list of eligible students from an electronic database if there is no way to associate the paper COE form to the database with an identifier.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollmen t	DATA ELEMENT NEEDED: if the school is entered, "free form" the state will never be able to produce school lists. Because of the nearly infinite number of ways a school can be spelled or misspelled it will be nearly impossible to correctly identify the school by name only. California MEP uses a shorthand Migrant School ID (as used by MSRTS), and CDE has CDS codes for all public and private schools, but not for MEP programs and public and private preschools. It is almost as important to have a School ID, as it is to have a Student ID.
WI	State MEP Staff	Toney	200.89(c) National COE	Section II	School Enrollmen t	8. A suggestion is that the column heading in section II, "School Enrollment Date" be amended to "School/Project Enrollment Date." Not all MEP funded projects or programs are held in schools (for example, summer PASS courses taught at migrant camps).
WI	State MEP Staff	Toney	200.89(c) National COE	Section II	School Enrollmen t	9. The instructions say not to record children ages 0-5 who are not in school or in a program. Does this mean not to record them on a COE? In this case, how would "school" or "program" be defined? Recording the eligibility data onto a COE for children not yet school age, including their age year (for example using a system for P0, P1, P2, P3, P4, P5) is necessary for national MEP child count submissions on the Consolidated State Performance Report (CSPR), for accurate state records and numbers of eligible migrant children, for local referrals, for the establishment of a history of migrancy for each migrant child, and for the exchange of student records across the states. A record must be kept for each eligible migrant child, regardless of age or enrollment in a program.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
FL	State MEP Staff	Melecio	200.89(c) National COE	Section II	School Enrollment	School Enrollment Date: Florida has used the day the COE is signed by the program director as the date the child is enrolled in the MEP. The current field name does not provide for out-of-school, preschoolers and youth, or other residency only situations. As it is currently defined in the COE instructions, recruiters will have to leave this section of the COE blank for residency only children. This is critical for Florida, since the number of out-of-school youth and preschoolers has increased. In addition, when a seasonal move is made before school has started, recruiters will be forced to leave this section blank or write unknown. This will occur with such frequency, that too many COEs will have this section blank or with an "unknown". FL recommendation: Remove this section from the COE. This should be handled at the office, not in the field. It will be impractical to expect recruiters to know when children are enrolled into the program at the time of the interview. Or make it the day the form is signed by the coordinator.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollment	INSTRUCTION MISLEADING: Since the previous field is titled "school or project name," this field should be titled "school or project enrollment date." Instead, it is labeled "School Enrollment Date." If the information in School or project name is a project instead of a school, should this field be left blank or should the school enrollment in an unidentified school be entered?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollment	INSTRUCTIONS MISSING: What should be entered in this blank when the child moved during the summer and is not presently attending school? NA; the school they expect to attend in the future; or the school they just finished attending? When the child came ahead of the worker, should the recruiter enter the date the child really enrolled in school, or the date the child started the school enrollment as an eligible migrant student?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollment	If a child is enrolled in both a MEP project and a public school, which enrollment date takes precedence?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollment	The school enrollment date is very important, and parents frequently do not know the exact date. Recruiters in California always contact the school or district to obtain or verify the enrollment date.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollment	DATA ELEMENT UNNEEDED: Overriding these concerns about missing, the enrollment date is not even needed to establish eligibility. However, we have included the comments above because we agree that this is an appropriate place to collect the information.
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section II	School Enrollment	School enrollment date—If project name is allowed in the school or project name column, then project must also be included in this date field.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
PA	Local MEP Staff	Murray	200.89(c) National COE	Section II	School Enrollmen t	d. The space to write the School or Project is very small. Most states use codes and the option to write that would be useful and take less space.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollmen t	Inconsistent data elements are those where MSIX clearly requires one thing and the COE requires something different. There is also a disconnect with the "School or project name".
AZ	State MEP Staff	Romero	200.89(c) National COE	Section II	School Enrollmen t	This issue was originally raised by California. Inconsistent data elements are those where MSIX clearly requires one thing and the COE requires something different. For example, There is also a disconnect with the 'school or project name'. Arizona agrees.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollmen t	INSTRUCTIONS MISSING: What does the recruiter enter when the child is both in school and in a MEP project? The school or the project? We think it is confusing to allow either/or in this field. What factors might be used to prioritize which to enter?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollmen t	INSTRUCTIONS MISSING: What is a MEP project? Is MEES a MEP project? How can we distinguish between a project and a service?
MO	State MEP Staff	Williams	200.89(c) National COE	Section II	School Enrollmen t	<input type="checkbox"/> School or Project Name. Record the full legally or popularly accepted name of the regular school (public or private) (or MEP project providing educational and/or educationally-related services) in which the child is currently enrolled. Record N/A if the child is not currently enrolled in a regular school or is not receiving services through the migrant education program. <input type="checkbox"/> We use a code for school identification it is possible to use that code in this spot?
MT	State MEP Staff	Branz- Spall	200.89(c) National COE	Section II	School Enrollmen t	Common Core COE Data Elements which must be retained: • The recording of enrollment or project type (regular term, intersession, summer);
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	School Enrollmen t	DATA ELEMENT UNNECESSARY: Overriding all of these concerns about missing or conflicting data, the school, or project is not even needed to establish eligibility. However, we have included the comments above because we agree that this is an appropriate place to collect the information.
WI	State MEP Staff	Toney	200.89(c) National COE	Section II	School Enrollmen t	6. There is no field or checkbox to indicate the enrollment type (MDE 29-Enrollment Type) on the COE. MSIX will capture one of the 6 options. The COE should also have a field to collect this data. As the answer to this question can be different for children within the same family and on the same COE, it is suggested that it be added as a column in the table in section II.
AZ	State MEP Staff	Romero	200.89(c) National COE	Section II	School Enrollmen t	This issue was originally raised by California. "The missing data elements needed for eligibility are: enrollment or project type (needed to distinguish between Category 1 and Category 2 counts), Arizona agrees.
AZ	State MEP Staff	Romero	200.89(c) National COE	Section II	School Enrollmen t	This issue was originally raised by California. "The missing data elements needed for eligibility are: the school year (needed to determine eligibility over 3 years time), Arizona agrees.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
WA	State MEP Staff	Campos	200.89(c) National COE	Section II	Suffix	<i>Suffix. Where applicable, record the child's generation in the family (e.g., Jr., Sr., III, 3rd). We collected this in the past and found it to be of no value in avoiding duplication of student information. We recommend deleting this field to provide additional writing space in this section.</i>
NC	State MEP Staff	Tessini	200.89(c) National COE	Section II	Verification	The proposed National COE is not collecting Multiple Birth Flag
MI	State MEP Staff	Moreno	200.89(c) National COE	Section II	Verification	Verification of birth- there is no key for codes, such as name in Bible, hospital certificate...
WA	State MEP Staff	Campos	200.89(c) National COE	Section II	Verification	What is essential to note is how the birth data was confirmed. In our state we use the following for birth verification B=Birth Certificate, D=Document and O=Other, oral, etc. We place most value on the Birth Certificate, second to other Documents and least value to Other, when no documentation is available. We do not believe it is necessary to track all the various documents that can have a child's birth data. We therefore recommend simplifying the collection birth verification data to: i. Birth Certificate ii. Legal Document iii. Other In addition, the three options listed above conform to MSIX specifications while the codes currently proposed on the Draft National COE list do not and this will cause confusion in the field.
WI	State MEP Staff	Toney	200.89(c) National COE	Section II	Verification	7. Headings in the section II table under the "verification" column should be labeled. The instructions explain what type of verification information is being requested, but if the columns are not labeled on the COE, they could be entered incorrectly and cause confusion.
PA	Local MEP Staff	Murray	200.89(c) National COE	Section II	Verification	b. Multiple Birth Verification is not well delineated on the form. Refer to the attached sample for suggestions; also the current form provides lots of room for a Y/N (instead of Yes/No as currently required), but very little room for a 4 digit code.
FL	State MEP Staff	Melecio	200.89(c) National COE	Section II	Verification	Verification – Multiple Birth: Has it been demonstrated that migrant families have a higher incidence of multiple births than non-migrant families? "No" will be the norm for this question, and requiring an entry for something that is such a "norm" adds to the data entry process. FL recommendation: "No" should be the default. Recruiters are still required to ask, but a "dash" should be sufficient, with only an entry (or flag?) to identify multiple births.
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	Section II	Verification	Common Core COE Data Elements which must be retained: • The recording of birth verification (many of the too numerous options are preposterous...migrant families do not usually carry their Bibles with them when migrating, for example-this field should be limited to those 4 or five most often used in the history of the program)
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Verification	INSTRUCTION UNCLEAR (definition needed): What is parent's affidavit? Is it legal document, or a parent statement?

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Verification	INSTRUCTION UNCLEAR: "1010" Does this mean that school records can be used only if the school verified the DOB using one of the listed documents.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Verification	INSTRUCTION UNCLEAR: Does 9999- Other mean "other paper proof"? Parent's statement? Out of school youth's statement? Exact DOB unknown?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Verification	MISSING INSTRUCTION: If no paper proof is shown of the child's DOB, can the recruiter accept the interviewee's word that they are giving the correct DOB? In that case, what would be entered?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II	Verification	Inconsistent data elements are those where MSIX clearly requires one thing and the COE requires something different. There is also a disconnect with the birth verification options.
AZ	State MEP Staff	Romero	200.89(c) National COE	Section II	Verification	This issue was originally raised by California. Inconsistent data elements are those where MSIX clearly requires one thing and the COE requires something different. There is also a disconnect with the birth verification options. Arizona agrees.
MO	State MEP Staff	Williams	200.89(c) National COE	Section II	Verification	<input type="checkbox"/> Is it necessary to document multiple births?
MO	State MEP Staff	Williams	200.89(c) National COE	Section II	Verification	If a birth certificate is not available, the interviewer may use another document to confirm the child's birth date, including any of those listed below. <ul style="list-style-type: none"> o 1003 – baptismal or church certificate; o 1004 – birth certificate; o 1005 – entry in family Bible; o 1006 – hospital certificate; o 1007 – parent's affidavit; o 1008 – passport; o 1009 – physician's certificate; o 1010 – previously verified school records; o 1011 – State-issued ID; o 1012 – driver's license; o 1013 – immigration document; o 2382 – life insurance policy; or o 9999 – other. o There will need to be a larger space if these numbers need to be added in the verification spot.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
NC	State MEP Staff	Williams	200.89(c) National COE	Section II	Verification	Missing Data Elements or Unnecessary Information and the "multiple birth" information is only discovered by finding the instruction to label the first box under "verification" as yes/no.
NC	State MEP Staff	Williams	200.89(c) National COE	Section II	Verification	Unclear Directions Page 6: This list of documents seems unwieldy. Is a parent who only self-reports a DOB to be labeled as 9999? An affidavit is a legal document, normally notarized; so for 1007, will it be necessary to carry a sample affidavit and get it notarized before declaring a child eligible?
AZ	State MEP Staff	Romero	200.89(c) National COE	Section II	Verification	Verification (field on the COE) - The instructions are using 4 digit codes for different ways to verify identity and age. This is an unnecessary complication on the COE because we have codes that consist of one letter. The instructions also list several different types of verification that Arizona does not currently allow as verification. The federal regulations should provide flexibility so that we can continue to operate with our current procedures.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II		Section II – Child/School Data. Child/school data includes the name, sex, birth date, school, grade level, etc. of each child. A recruiter may include all children with the same family and eligibility data on the same COE. Any child who has different family and/or eligibility data—including a different QAD—should be documented on a separate COE. INSTRUCTION UNCLEAR: Is the instruction stating that the child who has a different family and a different eligibility date must be on a separate COE. We believe you mean to say: that a child who has a different family OR a different eligibility date (or both) should be on a separate COE. See notation correction above.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II		INSTRUCTION MISSING: Only one school district can be entered on the national COE. If the children are in different school districts (due to their age), do they need to be on separate COEs?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II		INSTRUCTION MISSING: If the student name in school records is not the same as the one on the birth certificate, which name should be entered?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II		INSTRUCTION MISSING: There is space for only one school district on the national COE. If the children were in different prior school districts (due to their age), do they need to be on separate COEs?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II		INSTRUCTION MISSING: For first names where all the parts of the name constitute the first name, such as Jose de Jesus or Maria de la Luz, can the entire name be entered in the first name field? If these are very long, can they be abbreviated?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II		INSTRUCTION MISSING: The most important reason for getting the correct DOB is to be certain that the child is actually eligible. This mainly applies to youth in the upper age range.

COE Section II Child/School Data

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section II		DATA ELEMENT CONFLICT: We understand MSIX will only accept schools having valid NCES codes. "Educationally-related MEP services" do not have NCES codes.
SC	State MEP Staff	Black	200.89(c) National COE	General		SC submitted identical comments to all those submitted by Marcos Sanchez (CA) on 8/28/08. Therefore, all comments received by CA should be considered as two commenters.

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
NY	Local MEP Staff (BOCES Geneseo Migrant)	Lynch	200.89(c) National COE	Section III	1	Families will not know the name of the school district in another state if they are temporarily residing in a rural area in the summer that is not served by the MEP.
FL	State MEP Staff	Melecio	200.89(c) National COE	Section III	1	In addition, by asking for "country" Section III, #1, for the "to" part of the statement, may confuse individuals completing the form since all qualifying moves must be made to a district and state within the US. Delete "country" in Section III, #1, under the "to" part of the statement.
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	Section III	1	Common Core COE Data Elements which must be retained: • The recording of QAD (instructions at odds with form);
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	Among the ambiguous data elements is the eligibility date (QAD). This is perhaps the single most important element on the COE, and yet the instructions and the form are at odds with each other to such a serious extent that we believe the form must be redesigned to accurately and consistently capture this data element. We have provided a suggested design change.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	Also, note that Section III, 1 prompts the user to enter the country the family moved to. However, by statute the move must be made to a residence in the USA.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	By conflicting instructions, we mean the instructions and the COE form are at odds. It is unacceptable for the instructions to direct a recruiter to enter something in a box other than what the COE prompts the recruiter to enter. Asking the recruiter to (sometimes) enter the date the worker moved on the line where the COE prompts for the date the child moved is the best example. The related field "moved to join" vs. "moved in advance of" is also an important example.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	INSTRUCTION MISSING: However, the parents do not always know the correct school information (e.g., enrollment date, grade). Therefore, we believe the recruiter should complete the COE with the school information provided by the parent, and verify it at the school or district (and change it as needed) before the COE review is completed. Alternatively, the school information is often already known by the recruiter before the COE interview, and can be discussed with the parent and entered per the official source.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	DESIGN ISSUE: There is not enough space on the COE form to write the information expected on the first blank line. Further, we have concerns that these four distinct data elements (district, city, state, and country) are to be entered in free form fashion. It would be very easy for a recruiter to miss one. It would be very difficult for reviewers to quickly determine if one or more elements are missing. Of course, all four elements will not be entered into the computer as a single data element. We question how challenging this format will be for data entry staff. Four separate boxes or lines would certainly improve the quality of data obtained and recorded.

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	INSTRUCTIONS MISLEADING: It is important to name the state in Mexico. It is very confusing where a form prompts for a particular data element, but the instructions state essentially: "In some circumstances, ignore the prompt on the form and enter something else" The form and the instructions should not be at odds with each other.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	INSTRUCTIONS CONFUSING: We are instructed to ignore the state for international moves. We are not instructed to ignore the school district for international moves. Is the school district required for international moves? Is this an oversight? If it is required for moves from Mexico, it cannot be provided. Mexico does not have school districts.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	INSTRUCTION MISSING: If the child's last place of residence and the qualifying parent's last place of residence are different, should the recruiter enter the child's last place of residence?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	INSTRUCTIONS CONFUSING: In a free-form data entry format, all four elements should not be sometime required and sometimes optional. It will be nearly impossible to determine is data is missing because the recruiter forgot to enter it or the recruiter was following instructions to omit it.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	School district/City/State. Record the name of the school district, city, and state that the child(ren) resided in following the qualifying move... DESIGN ISSUE: There is not enough space to write the information expected on the second blank line. See our remarks related to the first blank for Question 1. INSTRUCTIONS MISLEADING: Note suggested change above from "reside" to "resided." When the most recent move is not the qualifying move, the family no longer "resides" there. Resided should cover both circumstances. Even better wording might be: "Record the name of the school district, city, and state where the child(ren) began residing following the qualifying move." The form must be worded broadly enough to include most if not all circumstances. In one of our regions alone, over 9000 students were not currently residing at the locality (district/city/state) when the COE was signed that would be entered here. If the wording remains "resides," recruiters will be inclined to enter the current address, not the city where the QAD was established. We believe you are expecting the latter.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	INSTRUCTION MISSING: Is the school district required when the district, city, or state in this field is not the current district or address? Typically, neither the interviewee nor the recruiter would know the school district in this case. Why is it relevant? What should be entered if it is unknown?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	DESIGN ISSUE: The form states that country is required in this blank. But the instructions state the country must be USA. We think this was an oversight in the form design.

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	<p>DATA ELEMENT AMBIGUITY: Thus, if the child moved before the worker, recruiters would not enter the date the children moved in the space that says "The children moved ...on." Instead, they must enter the date the parent moved. This very confusing, misleading, and not auditable. It seems incredible that the instructions would expect the interviewee and the recruiter to sign a COE in this case where they know they have entered something that does not represent the facts.</p> <p>California has between 3500 and 5000 children who move before the qualifier each year. This is not an insignificant number.</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	<p>Consider the following rationale regarding this data element: When the worker and the child do not move simultaneously, the QAD (i.e., eligibility date) is something that must be inferred by the recruiter, not obtained from the interviewee. The recruiter can ask the interviewee "When did the worker move?" and "When did the child move?" However, the recruiter would never ask the parents "What is the child's eligibility date?" That is why positions for more than one date are needed. Without both the dates of the child move and the worker move, the recruiter has to misrepresent one of the 2 dates when the children precede the worker, and jerry-rig the data in some of the other fields in order to follow the instructions that are inconsistent with the prompts on the form.</p> <p>The QAD is the single most important data element on this form. To design the form in such a way that the paper prompts for one thing and the instructions require another, is simply unacceptable. Further, it is being captured on the new COE in a way that is inconsistent with the definition in the NRG Chapter II, E2, page 17. There are many possible ways to eliminate the ambiguity, and to tell the story that actually occurred. Some suggestions are presented below.</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	<p>Change 1 to read as follows: 1. The child(ren) listed above moved from a residence in _____ School district/City/State/Country to a residence in _____. School district/City/State Insert a new Question 2 (and renumber subsequent sections) 2. The Qualifying Arrival Date at the residence in #1 (the eligibility date) is _____. If the child(ren) moved before the qualifier, the child(ren) moved on _____. If the child(ren) moved after (to join) the qualifier, the worker moved on _____.</p>

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	<p>We believe that there is a variety of other ways to word our proposed Question 2. The important point is to provide a way to enter clear and unambiguous date data when the worker and child(ren) moved separately. Since the QAD or eligibility date will always be the latest date, one of the other lines will always contain the earlier date. Optional rewording for proposed Question 2. 2. The Qualifying Arrival Date at the residence in #1 (the eligibility date) is _____.</p> <p>If the child(ren) moved before the qualifier, the child(ren) moved on _____.</p> <p>If the worker moved before the child(ren), the worker moved on _____.</p> <p>Yet another option is shown below. This is perhaps the clearest way to prompt for the information. However, it may be difficult for existing state databases to adjust to this modification. 2. The Qualifying Arrival Date at the residence in #1 (the eligibility date) is _____. (later of worker or child move, if different) The earlier of the qualifying worker or child(ren)'s move is _____.</p> <p>The earlier move was made by the child qualifying worker.</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	1	<p>We believe that any of the above suggestions remove all ambiguity about this crucial field. Besides being able to clearly capture the eligibility date (as determined by the recruiter, not reported by the interviewee) both the worker move date and the child date are needed for additional reasons. The worker move date is needed to determine if the work sought corresponds to the time frame when the work might be available. (For example if a child came to join a worker in northern California in November and qualifying work was obtained harvesting tomatoes, this should arouse a reviewer's suspicion. However, if the COE has a place to note that the worker arrived in July, at the beginning of the tomato harvest season, there is no cause for concern.) Both the worker and children's move dates are needed to establish the time span between the two moves. It is the only way the reviewer can determine if the time span is within the recommended 3 months.</p>
MO	State MEP Staff	Williams	200.89(c) National COE	Section III	1	<p><input type="checkbox"/> School district/City/ State/Country. Record the full legally or commonly used name of the school district where the child(ren) listed resided immediately prior to the qualifying move. Also record the name of the city, state, or country from which the child(ren) listed moved. If the most recent move was from a country outside of the U.S., record the country instead of the state. If any of this information is unknown, write "unknown" for that particular piece of information.</p> <p>This location is the last place of residency before the child(ren), parent, spouse or guardian moved due to economic necessity in order to obtain qualifying work. Note that the child(ren) might have made subsequent non-qualifying moves.</p> <p><input type="checkbox"/> There is not enough space in this field to enter the data. If the parents can't remember the school is it necessary to enter it? It happens quite frequently that the parents can't remember the name of the school their child attended.</p>

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
MO	State MEP Staff	Williams	200.89(c) National COE	Section III	1	<input type="checkbox"/> School district/City/State. Record the name of the school district, city, and state that the child(ren) reside in following the qualifying move. A qualifying move can never be made to a country outside of the United States. As mentioned previously, the child(ren) might have made subsequent non-qualifying moves. <input type="checkbox"/> There is not enough space in this field it is also a duplicate to section II.
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	1	The QAD, an extremely critical piece of information, is buried in text, rather than being in a clearly marked box.
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	1	Missing Data Elements or Unnecessary Information There is no real space to put moves that the children make PRIOR to their parent's moves to join them. While the instructions say to put it in the line "to join the worker," the syntax of that line is only confusing.
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	1	Unclear Directions Page 9: See comment 2, under missing/unnecessary, above.
PA	Local MEP Staff	Murray	200.89(c) National COE	Section III	1	c. There is no place to record when the worker moves, if different. It could go into comments, but it's such an integral part of eligibility, why not make it part of the main form? d. Please refer to the attached interim COE PA has developed for methods we feel much more clearly documents the potential difference on the move dates and allows for quality assurance. As it is, the National COE will not identify all of the correct information and actually reads inaccurately when the children and worker do not move at the same time. e. An even better way to do it might be to add a line below section 2 or even below section 5 that says "The latter date of when the worker and children both moved establishes a QAD of _____". This is how we will do it on our electronic form.
PA	Local MEP Staff	Murray	200.89(c) National COE	Section III	1	a. The concept of QAD, especially when the move is prior/after is very poorly represented on the Draft National COE. It is worded in Section III.1 that the children moved on date ____, that it is calling the QAD. That is not the case when it is a "to join" or "prior" move. While there is explanation of QAD in the instructions, the form does not lend itself to recording and it is very critical data to relegate to "comment" status.
PA	Local MEP Staff	Murray	200.89(c) National COE	Section III	1	b. This is further complicated in III.2 where it says "the above children moved on that date...". Once again, this is completely inaccurate wording if they move on different dates.
FL	State MEP Staff	Melecio	200.89(c) National COE	Section III	2	Section III, #2 – "The children moved in that date...: Recruiters in Florida (and most places in the country) are used to the "with, to join, on own" order, rather than "on own, with, to join." FL Recommendation: Please re-order to "with, to join, on own."
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	2	There are a few places where we have suggested minor alternate wording so that the form's intention can be more clearly understood. One of these is III, 2, c. we suggest, "to join the worker" should be replaced by "to join or precede the worker."

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	2	2. The child(ren) moved on that date (described in 1.): [Mark only one of the following boxes, either a, b, or c.] DESIGN ISSUE: But that date is not the date the children moved if the children precede the worker. Very confusing. Take "on that date" out!
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	2	MISSING INSTRUCTION: How do you define the difference between parent and guardian? In Part I above, they seem to be inter-changeable. Is guardian "non-legal" parent?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	2	DATA ELEMENT AMBIGUITY: California has a check box for "Other." There are frequently circumstances where a child is supported by the qualifying work of a household member who is not a parent, guardian, or spouse of the child. Example 1. Two minor brothers make a move unaccompanied by an adult where one does qualifying work and the other does not. Example 2. A mother and her disabled husband and children travel with the children's uncle to seek qualifying work. Therefore, can a brother qualify a sibling, or can an uncle qualify a child whose father is in the home? If so, should the people in these examples be considered guardians?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	2	c. <input type="checkbox"/> to join(or precede) the worker, _____ (First and Last name of Worker) who is the <input type="checkbox"/> parent <input type="checkbox"/> spouse <input type="checkbox"/> guardian. <input type="checkbox"/> Mark this box if the child(ren) moved either before or after the date the parent, spouse, or guardian moved due to economic necessity to obtain qualifying work. Record the first and last name of the worker who obtained the qualifying work. Mark the box that indicates the child's relationship to the worker (i.e., parent, spouse or guardian). If the child(ren) moved more than 3 months before or after the parent, spouse or guardian moved to obtain qualifying work, provide an explanation in the comment section of the COE. DATA ELEMENT AMBIGUITY: This language is confusing and misleading. When the child precedes the worker, this language forces the recruiter to enter something that is not literally true. If the worker joined the child (i.e., the child preceded the worker), the child did not move to join the worker. See the recommended modification above. Child moves that precede the worker and child moves to join the worker cannot be treated as if they are identical if the COE is expected to tell a story.
NY	State MEP Staff	Drake	200.89(c) National COE	Section III	2	Point 2...For consistency purposes, in Section 3 of Eligibility Data, number 2c should be reworded to combine the issue of "to Join" and those children that precede their qualifiers movement into a single statement rather than leaving off 'to preced' altogether. How about #2c to read 'to join OR preced the worker'
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	2	The check boxes under "III. Eligibility Data" do not line up appropriately. Sub-boxes for parent, spouse, guardian are confused with "on own," " with," and "to join" boxes in III.1. This will create confusion.

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	2	Missing Data Elements or Unnecessary Information Our COE in NC contains space for information on parents and qualifying workers and current guardians in separate places, since these may not always be the same, AND by having this greater level of detail, we are able to complete the "storybook" in a more comprehensive fashion.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	3	All missing instructions lead to ambiguous data elements. Certain definitions are missing such as: "soon after" (time frame),
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	3	3. The worker moved due to economic necessity in order to obtain:[Mark only one of the following boxes, either a, b, or c.] a. <input type="checkbox"/> qualifying work, and obtained qualifying work, OR <input type="checkbox"/> Mark this box if the child, parent, spouse, or guardian moved due to economic necessity in order to obtain temporary or seasonal employment performing in agricultural or fishing work, and soon after the move successfully obtained that work. INSTRUCTION MISSING: (definition needed). "Soon after" needs some explanation particularly as to time span from arrival to employment.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	3	California has suggested that "soon after" could mean up to two or three months. Sometimes workers who are less familiar with the seasonal crops misjudge the start of the season. Sometimes workers arrive early in order to be among the first to apply for scarce jobs. Sometimes workers arrive in advance of the season because housing is tight and they must arrive before the crowd to secure housing. Sometimes the workers arrive prior to the season to start their children in school at the beginning of a term. These circumstances could serve to justify a liberal period between arrival and employment.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	3	b. <input type="checkbox"/> any work, and obtained qualifying work, OR <input type="checkbox"/> Mark this box if the child, parent, spouse or guardian, moved due to economic necessity in order to obtain any work, and soon after the move obtained temporary or seasonal employment in agricultural or fishing work. INSTRUCTION MISSING: Does the worker have to state he was seeking any work, or can he specify the work he was seeking and then whatever he states falls under the grouping any work.

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	3	b. <input type="checkbox"/> any work, and obtained qualifying work, OR <input type="checkbox"/> Mark this box if the child, parent, spouse or guardian, moved due to economic necessity in order to obtain any work, and soon after the move obtained temporary or seasonal employment in agricultural or fishing work. Can the worker actually do that non-qualifying work prior to accepting qualifying work soon after the move?
MO	State MEP Staff	Williams	200.89(c) National COE	Section III	3	ii. <input type="checkbox"/> There is other credible evidence that the worker actively sought qualifying work soon after the move, but for reasons beyond the worker's control, the work was not available (explain in Section IV). <input type="checkbox"/> What is the time line for "soon after"? Is it a few days or a few months?
MO	State MEP Staff	Williams	200.89(c) National COE	Section III	3	ii. <input type="checkbox"/> There is other credible evidence that the worker actively sought qualifying work soon after the move, but for reasons beyond the worker's control, the work was not available (explain in Section IV). <input type="checkbox"/> Does the statement of the worker qualify as credible evidence?
FL	State MEP Staff	Melecio	200.89(c) National COE	Section III	3	Section III, #3 – "The worker moved due to economic necessity...": The information required to complete this section is not included in MSIX. If this becomes a requirement of a National COE, it should be also in MSIX. There can't be a program requirement that is not included in the MSIX. FL Recommendation: Needs to be included in MSIX
FL	State MEP Staff	Melecio	200.89(c) National COE	Section III	3	Section III, #3.b – "any work, and obtained qualifying work": Although it is still undefined, the statement is missing the "soon after" component of the new regulations. FL Recommendation: Add "soon after" to the statement
MI	State MEP Staff	Moreno	200.89(c) National COE	Section III	4	Please explain the distinctions between self-employed and personal subsistence and the impact on eligibility in the new COE? (we were given a clarification....somewhat)
FL	State MEP Staff	Melecio	200.89(c) National COE	Section III	4	Section III, #4 "temporary, seasonal": Recruiters are used to having "seasonal" before "temporary". It should remain that way. FL Recommendation: Please re-arrange to "seasonal and then "temporary."
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	4	All missing instructions lead to ambiguous data elements. Certain definitions are missing such as: "self employed" (apparently excluded in the regs),
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	4	All missing instructions lead to ambiguous data elements. Certain definitions are missing such as: "personal subsistence" (appears to exclude personal profit ala self employment).
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	4	Misleading instructions are those that instruct the recruiter incorrectly. For example, the employer might be able to inform the recruiter if the work is temporary or permanent, but he cannot inform the recruiter if the work is temporary or seasonal as defined by the MEP.

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	4	Record "self-employed" in this blank if the worker works for himself or herself instead of as an employee of another person or entity. DATA ELEMENT AMBIGUITY: It is not clear to us what constitutes self-employment. The Federal Register states that the worker must work for wages or personal subsistence. How then is self-employment an option here? Since "incidental sale" appears to have, been removed from personal subsistence, would incidental sale now be considered self-employment? Would that be the only acceptable form of self-employment?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	4	If workers who are not paid a wage to harvest produce, but sell what they harvest as a form of self-employment, are they engaged in qualifying work? For example, when a worker who owns equipment (e.g. a truck) and is contracted directly by the grower to do a set of agreed upon qualifying agricultural work for a fixed fee, is he engaged in qualifying work? Can any contractor be eligible for MEP? Can gleaners who sell the product qualify?
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	4	Record "personal subsistence" in this blank if "...the worker and the worker's family, as a matter of economic necessity, consume, as a substantial portion of their food intake, the crops, dairy products, or livestock they produce or the fish they catch." DATA ELEMENT AMBIGUITY: Was "incidental sale" removed from the definition of personal subsistence in error, or to deliberately exclude anyone who sells the harvest as someone working for personal subsistence?
MO	State MEP Staff	Williams	200.89(c) National COE	Section III	4	<input type="checkbox"/> Most employers will not know the difference between seasonal and temporary, wouldn't the worker know if they were hired on a temporary or permanent basis?
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	4	The layout of the text in the Qualifying Work question is not clear.
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	4	The line and text "describe agricultural or fishing work" should be clarified to indicate activity and crop/product. It is in the instructions, but it could be put on the form to make the form clearer.
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	4	Space allotted for Employer's Name and Address is not enough to include it legibly.
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	4	Missing Data Elements or Unnecessary Information As mentioned in 9, above, it is important to use a two-word phrase to describe agricultural work. The way this form is set up, it encourages the use of a single word, e.g., "tobacco," versus "priming tobacco."

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	4	Section III – Eligibility Data. While all of the information on the COE should be completed accurately, the eligibility data are absolutely critical, as they document why the state believes the child(ren) are eligible to receive MEP services... INSTRUCTION MISLEADING: The employer would not be familiar with the MEP definitions of temporary and seasonal, and could not provide that distinction. A contact with the employer might conceivably make sense to determine if the work is permanent. However, the worker would certainly know if he/she was hired on a temporary vs. permanent basis. So it is the trained recruiter’s responsibility (not the employer or the worker) to determine whether the work is temporary vs. seasonal based on the facts provided by the interviewee that can help the recruiter rule out permanent work, but not determine temporary vs. seasonal.
FL	State MEP Staff	Melecio	200.89(c) National COE	Section III	4	Section III, #4 – Qualifying activity and employer’s name: This information is not in MSIX. If states are to assess if “virtually all” employees have left certain employment with a specific employer, this information should be available in MSIX. This would also facilitate our state’s efforts if this was collected while the family was in another state and returned to Florida (this will be true for all homebase locations). Also, by having qualifying activity in MSIX, a state will be able to corroborate information provided by families in relation to prior migrant history. FL Recommendation: Qualifying activity should be included in MSIX.
FL	State MEP Staff	Melecio	200.89(c) National COE	Section III	4	Section III, #4 – Employer’s name: This will be very difficult to obtain. Families who work for a crew leader, by cash, or “under the table” will have an increased difficulty in providing this information to recruiters. In addition, this creates issues of trust (and questions about lack of trust) to families and/or recruiters. This also becomes more complicated with families returning home to Florida after performing qualifying work outside the state. FL Recommendation: Eliminate this section from the National COE.
TX	State MEP Staff	Villarreal	200.89(c) National COE	Section III	4	Collection of Employer Information: The TEA is concerned about the collection of data elements on the National COE which are not required in statute or in regulations. The collection of employer and employer’s address on the National COE will cause migrant families undue stress since many times families are not hired by an employer, but rather are hired by a crew leader to work for multiple growers. Texas primarily is a sending state and will have great difficulty in gathering this information. Parents often will not have or know the employer’s name or address. This information also is not readily available from the Department of Labor and, in many cases, cannot be shared across states. Additionally, families may not want to share employer information fearing repercussions from their employers and Immigration and Customs Enforcement (ICE). Families also may not know the name of the school district in a receiving state if they are temporarily residing in a rural area in the summer that is not served by the MEP. Based on past experience in collecting sensitive information from families, the TEA believes that collection of this data may have a negative impact on the numbers of families the Texas MEP can recruit and, therefore, serve. We do not believe it is necessary to collect this information on the COE in order to make an eligibility determination. If these data elements have been added in response to issues about questionable eligibility decisions, then those issues should be handled through other quality control efforts.

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	Section III	4	It is completely unnecessary and it is impossible to collect the name of an employer in most instances. Many farmworkers work for cooperatives of growers and are passed from one employer to the other. Regardless, many farmworkers do not know the name of their employer or know only the crewleader and not the grower. Addresses would be even harder to come by. This is an example of information which is simply not necessary for eligibility determinations and information which is often unavailable. The fact that the family is doing qualifying work is enough to determine eligibility.
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	Section III	4	Employer Information: Not a legal requirement of eligibility. Obtaining an employer's name on the COE will only serve to cause confusion for migrant families. In the process of interviewing a potentially eligible family, recruiters reassure parents that employers' information will not be shared with anyone. Including employer information on the COE will have a negative impact on the identification and recruitment of migrant children. Not to mention that permission from the employer for such documentation would also have to be obtained. In many cases in Montana, workers may not know the employer's name and address because they work in several orchards each day. During one harvest, a single-family unit may pick for 30 or more employers. We would need to inform the employers that we were collecting their names to put on a federal form.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	4	Unnecessary data elements are those that are not needed to establish eligibility. Employer name and address are not needed.
NY	State MEP Staff	Drake	200.89(c) National COE	Section III	4	I would like to address the issue of requiring the name of the farm owner and the farm's address in the qualifying statement on the new National Certificate of Eligibility, in Section 3, Eligibility Data, number 4; "Employers name and address". I believe this requirement should be removed from the Certificate of Eligibility OR have the directions amended to instruct that this information be recorded WHEN available. Some reasons for this are as follows...In some instances the worker does not or did not know the name of the farm they work at or did work at, for various reason...e.g. have limited literacy skills, did the work via a migrant crew chief, actually live on one farm's housing but work at a different farm and not aware of the difference. etc. I also am concerned that putting the name of a migrant family's employer and address on a COE could pose some sensitive information issues for the grower/farmer, as copies of these COE are typically provided by states to local school districts, health and other educational programs. I believe if OME feels that strongly about this issue of collecting this information WHEN available, it could be collected outside of the COE for review when needed.

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
NY	Local MEP Staff (BOCES Geneseo Migrant Center)	Lynch	200.89(c) National COE	Section III	4	I would like to express a major concern regarding the collection of some data elements on the national Certificate of Eligibility (COE) which are not required in statute or in regulations. Collection of employer's name and employer's address will cause migrant families undue stress since families many times are not hired by an employer, but rather are hired by a crew leader to work for multiple growers or "piece rate." They will not have or know the employer's name or address. This information is also not readily available from the Department of Labor and if, it is accessible to different State Migrant Education Programs (MEPs), the information cannot be shared across states. Families may not want to share employer information fearing repercussions from Immigration and Customs Enforcement (ICE) and/or their employers. Collection of this data will have a major negative impact on the numbers of families recruited by the MEP.
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section III	4	Collection of employer information—Collection of the employer's name and address is not needed for the determination of MEP eligibility and will cause additional stress and confusion for migrant families. Migrant workers are often reluctant to share their personal information with MEP personnel but do so when trust is established. In that process, they are reassured that employers' information will not be shared with anyone. Including employer information on the COE will have a negative impact on the identification and recruitment of migrant children.
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section III	4	Identifying the employer can become very complicated when dealing with crew leaders, a primary mechanism for agricultural farm labor contracting. In some cases, the crew leader is under contract with a major employer (perhaps a multinational company such as those involved in the production of seed corn), so the workers are technically employed by the crew leader. In some cases, the crew leader may be under contract with more than one company. The workers may not know the employer's name and address.
WA	State MEP Staff	Campos	200.89(c) National COE	Section III	4	We would like to recommend eliminating the collection of Employer's Name and Address. In many cases, the qualifying worker may not know this information. It is quite common for families to travel from California to Washington seeking work in the cherry harvest and stop at the first orchard they see. They will most often not know the name of the orchardist prior to reaching their final destination.
WA	State MEP Staff	Campos	200.89(c) National COE	Section III	4	In addition, will we have to collect permission from the employer to collect their information? We are not certain the employer would want this information listed. What liabilities does a school district face if this information is collected on the COE?

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	4	<p>DATA ELEMENT UNNECESSARY: California opposes the inclusion of the employers name and address. Inclusion of the employer's name and address does nothing to establish eligibility. Only cases where recruiters suspected that the interview was deliberately lying have California recruiters ever asked for employer name and address. In these rare cases, the employers name and address should be written in comments.</p> <p>We believe that there may be serious problems with accuracy of the information, and further, requiring this information may threaten the trust the recruiter must build with the interviewee. The interviewee may not know the name and address of their employer. Employers are often labor contractors who might be known only by first name, and who are very mobile. They may only have a P.O. Box somewhere, not necessarily, where the work is being performed. Because workers may be brought into the job by labor contractors, the employer named on the paycheck is not necessarily who the person thinks he works for. The interviewee may not want to name the employer. There may be concerns about their immigration status that would make them reluctant to give the recruiter a way to contact the employer</p>
MO	State MEP Staff	Williams	200.89(c) National COE	Section III	4	<p><input type="checkbox"/> Missouri opposes the inclusion of the employers name and address. The interviewee may not know the address of the employer or may not be willing to give that information for concerns of the immigration status.</p>
NC	State MEP Staff	Williams	200.89(c) National COE	Section III	4	<p>Missing Data Elements or Unnecessary Information Employer's name and address is an unnecessary field. While it may be found in comment areas on some of our COEs, a large number of our eligible families work for more than one farmer/contractor. There seems to be no eligibility rationale for collecting this information. In some cases, the worker at the time of the interview may only know the name of his crew boss, who is NOT his employer. Would this information being incomplete invalidate a COE?</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	5	<p>There are a few places where we have suggested minor alternate wording so that the form's intention can be more clearly understood. Another is III, 5, a and III, 5, b. We suggest changing "worker's statement" to "worker's decision" and "employer's statement" to "employer's decision."</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	5	<p>5. The work was determined to be temporary employment based on: a. <input type="checkbox"/> worker's statement decision(explain in Section IV), OR <input type="checkbox"/> Mark this box if the work was determined to be temporary employment based on a statement by the worker or the worker's family (e.g. spouse) if the worker is unavailable (Explain in Section IV). For example, the worker states that he or she only plans to remain at the job for a few months. Provide explanatory comments in Section IV—Comments.</p> <p>DATA ELEMENT AMBIGUITY/FORM DESIGN: The difference between this check box (a) and the next check box (b) should be more clearly defined. We suggest that this check box be used to include only the example given above. In other words, it would be used when the worker has made the choice to accept the work as temporary for him. See modification to the form shown above.</p>

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	5	<p>b. <input type="checkbox"/> employer's statement decision (explain in Section IV), OR</p> <p><input type="checkbox"/> Mark this box if the work was determined to be temporary employment based on a statement by the employer or documentation obtained from the employer. For example, the employer states that he or she hired the worker for a specific time period (e.g., 3 months) or until a specific task is completed and the work is not one of a series of activities that is typical of permanent employment. Provide explanatory comments in Section IV—Comments, and/or attach supporting documentation.</p> <p>INSTRUCTION INCONSISTENCY: In order to mark this check box as instructed, the recruiter would have to interview the employer in order to complete the COE. Moreover, the employer interview would have to be finished before the worker and recruiter could sign. In the real world, this never happens. Therefore, we are puzzled as to why it would be on the COE. California accepts the workers statement that employer offered temporary work. We are wondering if this is what was intended by this check box. If so, we suggest the correction indicated above.</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section III	5	<p><input type="checkbox"/> Mark this box if the State has current documentation that verifies that of those workers whose children were previously determined to be eligible based on the State's prior determination of the temporary nature of such employment (or the children themselves if they are the workers), virtually no workers remained employed by the same employer more than 12 months, even though the work may be available on a constant and year-round basis. In other words, 100 percent, or nearly 100 percent, of workers with children identified as eligible under the MEP stay on the job generally for only a brief period of weeks or months, and only rarely stay for 12 months. Provide explanatory comments in Section IV—Comments, and/or attach supporting documentation.</p> <p>DATA ELEMENT AMBIGUITY: We assume that the region, on behalf of the state, could provide this documentation.</p>
MO	State MEP Staff	Williams	200.89(c) National COE	Section III	5	<p><input type="checkbox"/> Mark this box if the work was determined to be temporary employment based on a statement by the employer or documentation obtained from the employer. For example, the employer states that he or she hired the worker for a specific time period (e.g., 3 months) or until a specific task is completed and the work is not one of a series of activities that is typical of permanent employment. Provide explanatory comments in Section IV—Comments, and/or attach supporting documentation.</p> <p><input type="checkbox"/> In order to complete this check box the recruiter would have to interview the employer. In our state this very rarely happens.</p>
WI	State MEP Staff	Toney	200.89(c) National COE	Section III	General	<p>11. Filling out the eligibility data in Section III is not intuitive. This section is hard to read and needs to be more clearly delineated.</p>

COE Section III Eligibility Data

State	Entity	Last Name	Regulatory Section	COE Section	COE Subfield	Comment
WA	State MEP Staff	Campos	200.89(c) National COE	Section III	General	If, at a minimum, comments must be provided to explain items 3, 4, and 5 of Section III, then every COE will have comments. During our summer and fall influx periods a number of our COEs are quite self explanatory and need no additional comments. Yet this requirement would necessitate comments that would simply duplicate what is documented on sections 3 and 4. We recommend allowances be made so that not all COEs be required to have comments when those comments simply duplicate what is already documented on the COE.
SC	State MEP Staff	Black	200.89(c) National COE	General		SC submitted identical comments to all those submitted by Marcos Sanchez (CA) on 8/28/08. Therefore, all comments received by CA should be considered as two commenters.

COE Section IV Comments

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section IV		<p><input type="checkbox"/> A "move" is of such brief duration or of such a short distance (or both) that one could question whether any migration has occurred (e.g., intra-city or intra-town move that is across school district boundaries).</p> <p>INSTRUCTION AMBIGUOUS: Brief duration and brief distance are quite different things. Brief duration should be bulleted separately – to distinguish the travel as a vacation versus a move.</p>
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section IV		<p>States may require additional comments on other issues based on their own requirements or needs. However, where explanatory comments are called for in the body of the instructions, they must be provided.</p> <p>INSTRUCTION MISSING: Some that might be important to add for the whole nation, not just state options:</p> <p><input type="checkbox"/> Where the qualifying worker moves during a vacation, holiday, winter or summer break.</p> <p><input type="checkbox"/> Where the worker moves several months in advance of the anticipated employment (or more commonly re-employment) where "soon after" could be questionable.</p>
NC	State MEP Staff	Williams	200.89(c) National COE	Section IV		The amount of space left for comments is too small to have room for legible and truly explanatory comments.
SC	State MEP Staff	Black	200.89(c) National COE	General		SC submitted identical comments to all those submitted by Marcos Sanchez (CA) on 8/28/08. Therefore, all comments received by CA should be considered as two commenters.

COE Section V Parent/Guardian/Spouse/Worker Signature

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section V	FERPA	The proposed national COE makes no reference to FERPA or how the data collected on the COE will be shared. Such a statement is necessary on the COE as well as a place for parent signature.
WA	State MEP Staff	Campos	200.89(c) National COE	Section V	FERPA	We recommend that the parent signature statement be amended to include FERPA permission statements. While the COE is a documentation of child eligibility for the MEP, could it not also serve as an instrument to document that parents have been informed of FERPA and obtain necessary permission statements? FERPA and MEP go hand in hand and it seems plausible to consider this form being used to fulfill the documentation of eligibility determinations and FERPA permission statements.
FL	State MEP Staff	Melecio	200.89(c) National COE	Section V	FERPA	Section V Parent signature: Not including FERPA consent and authorization to share records, network with other agencies, and share health records reduces the flexibility of LOAs to exchange information with other programs and states. In addition, states will not be authorized to share a copy of the COE or information exclusively collected in the form (qualifying activity, employer's name) with other states and/or programs unless families sign a second form. Because the COE and its information are subject to FERPA, as indicated in the instructions to the COE, this should be reason enough to incorporate such consent on the form. Having the consent in a separate form is not acceptable as it. Not including the FERPA consent on the COE forces states to re-consider their interstate and intra-agency cooperation efforts, an essential part of the program. Furthermore, not including FERPA consent on the COE counteracts and endangers the purpose of MSIX – the seamless, effective and coordinated transfer of student educational and health records, including the information found in the COE. FL Recommendation: Include FERPA consent in the National COE.
DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	Section V	FERPA	There must be a FERPA signature for this information to even be transmitted to the state and local program(s) and through the MSIX system. The proposed form has a signature line. It is very easy to just add what is necessary to comply with FERPA and allow this data to be transmitted to those assisting these children in their educational pursuits both in this state and other states to which the students may move.
NC	State MEP Staff	Williams	200.89(c) National COE	Section V	FERPA	Missing Data Elements or Unnecessary Information The 2003 Draft NRG recommends signatures of the parents to assure that FERPA is understood, yet the FERPA information is missing on the COE. This creates the burden of having the recruiter read yet one more document to the family.
MI	State MEP Staff	Moreno	200.89(c) National COE	Section V	FERPA	Does the FERPA statement remain an SEA responsibility?

COE Section V Parent/Guardian/Spouse/Worker Signature

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section V	FERPA	<p>DESIGN ISSUE: California strongly believes that the FERPA signature should be on the COE. To place the FERPA information on a separate paper increases the data burden. In addition, the CDE legal department requires it. That is, for a third party to receive the student data we need the parents' explicit permission to receive and share the school information. We cannot establish PFS status without this signature allowing us to obtain test scores from the CA Dept of Ed or any other educational institution, and we cannot send information to MSIX without the signature.</p> <p>That said, clearly the national COE already requires more information than is possible to fit on a single sheet of 8 ½ by 11 paper. It will require the deletion of some of the many unnecessary fields to allow space for this signature.</p>
WA	State MEP Staff	Campos	200.89(c) National COE	Section V	Translation	<p><i>I understand the purpose of this form is to help the State determine if the child(ren)/youth listed above is/are eligible for the Title I, Part C Migrant Education Program. To the best of my knowledge, all of the information I provided that is included on this form is true.</i></p> <p><input type="checkbox"/> We recommend this statement be translated into Spanish so the parents can read prior to signing the COE. Over 95% of our migrant population in Washington state is Spanish speaking.</p>
NC	State MEP Staff	Williams	200.89(c) National COE	Section V	Translation	The parent/guardian signature area needs to be available in various languages. It is not appropriate to ask people to sign a document they do not understand.
WA	State MEP Staff	Campos	200.89(c) National COE	Section V	Translation	Translation of Parent Consent: Currently in Washington State we translate into Spanish the Authorization and Permission Statement. We recommend the translation of this information on the National COE.
MT	State MEP Staff	Branz- Spall	200.89(c) National COE	Section V	Translation	Provisions regarding privacy of eligibility and student information needs to be carefully explained in either/both English /Spanish (or other home language), and the parent must be allowed to have a copy of the document. Common practice among the states is to obtain permission to transfer this information from the parent usually by getting the signature of the parent on the COE at the time of the interview.
TX	State MEP Staff	Villarreal	200.89(c) National COE	Section V		Parent Signatures: The TEA does not agree that parental signatures should be required for verification on the COE. Accurate eligibility determinations are the responsibility of the Migrant Education Program and not the parents who are interviewed. If parents are required to sign the COE in order to verify that the information on the COE is correct, the official COE would need to be printed in the language of the parent. There would be other barriers such as the literacy level of the parent that would need to be addressed, as well. The TEA does not believe that the NCLB law intended to have parents held legally responsible for the information collected for child eligibility for the Migrant Education Program.
CA	State MEP Staff	Sanchez	200.89(c) National COE	Section V		INSTRUCTION UNCLEAR: Is the recruiter required to give the parent a copy of the COE, or is it a suggestion?

COE Section V Parent/Guardian/Spouse/Worker Signature

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
NC	State MEP Staff	Williams	200.89(c) National COE	Section V		Missing Data Elements or Unnecessary Information There should be a check box for parents who refuse to sign or cannot sign.
SC	State MEP Staff	Black	200.89(c) National COE	General		SC submitted identical comments to all those submitted by Marcos Sanchez (CA) on 8/28/08. Therefore, all comments received by CA should be considered as two commenters.

COE Section VI Eligibility Data Certification

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
IL	State MEP Staff	Wilhelm	200.89(c) National COE	Section VI		The statement about "fine or imprisonment" on the COE, though not directed toward parents, may have a negative impact on parent willingness to sign the form. It may also have a negative impact on the willingness of recruiters to accept the very demanding job of identifying and recruiting migrant children. Once recruiters are employed, they may shy away from difficult eligibility decisions for fear of making a mistake that they believe might lead to the severe consequences of "fine or imprisonment".
FL	State MEP Staff	Melecio	200.89(c) National COE	Section VI		Section VI. Signature of Designated SEA Reviewer: Does the reviewer have to be an employee of the SEA, as indicated in the COE instructions? Florida has over 30,000 children, and prints 50,000 COEs every year. The SEA relies heavily on properly and frequently trained staff at the local level, with many years of experience, to review, verify, and approve the COE.
TX	State MEP Staff	Villarreal	200.89(c) National COE	Section VI		Signature of SEA Official on COE: The TEA recommends that the USDE allow the second reviewer on the National COE to be a MEP staff person who did not participate in the initial parent interview and COE. The National COE document provided in the regulations indicates that an SEA official must be the second reviewer. In Texas, since we have 60,000 migrant students, it is not possible for the State MEP office to provide the second signature on every COE. Instead, we allow the second reviewer to be at the school district or regional ESC level as long as the second reviewer is someone who did not complete the COE or participate in the parent interview. We do require that second reviewers receive additional training in quality control procedures. The TEA requests clarification on this second sign-off requirement on the National COE.
AZ	State MEP Staff	Romero	200.89(c) National COE	Section VI		SEA reviewer- Under "Eligibility Data Certification" there is a line for Designated SEA Reviewer- Arizona needs clarification on the use of this line. In a state the size of Arizona it would be impractical and very costly to have all COEs reviewed and signed by a SEA Migrant Program official. Also, time delays in getting all COEs signed by a SEA official may unnecessarily cause delays in determinations of eligibility and services to migrant students.
NC	State MEP Staff	Williams	200.89(c) National COE	Section VI		Missing Data Elements or Unnecessary Information While the instructions indicate that a state COE reviewer be the final determiner, our state requires each LEA to have a reviewer check the COE before inputting. There needs to be a space for LEA/Project COE Reviewer in addition to SEA COE Reviewer.

General COE Burden

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
TX	State MEP Staff	Villarreal	200.89(c) National COE	General	Burden	Additional Costs for NEW COE, Training, and NGS: The TEA agrees with the importance of having a data collection tool for determining child eligibility that is consistent with the requirements outlined in federal statute and regulations. Texas' COE contains most of the suggested data elements from the sample COE provided by USDE in the 2003 Non-Regulatory Guidance. However, because the national migrant student tracking system was dismantled in 1995, states developed different tracking systems and databases, thus the COE also has developed differently according to the needs of each state's system.
TX	State MEP Staff	Villarreal	200.89(c) National COE	General	Burden	In preparation for the new school year, the Texas Migrant Education Program has completed statewide training of all recruiters and shipped the new 2008-2009 COEs and Supplemental Documentation Forms (for documenting PMOL and comments related to eligibility) to all regional Education Service Centers (ESCs) for distribution to local projects. When the new National COE has been approved for use by the states, this will require the printing and shipping of the new COE and additional statewide training for all MEP coordinators, recruiters, and data entry specialists. It also will require revisions to the statewide ID&R manual, NGS guidelines as well as the development of a new Texas COE and COE Supplemental Documentation Form. Estimated Costs for Printing and Shipping of Approximately 25,000 COEs and 25,000 Supplemental Documentation Forms COEs \$14,080 Supplemental Documentation Forms \$5,760 Print Shop Staff Time \$2290 Total \$22,130
TX	State MEP Staff	Villarreal	200.89(c) National COE	General	Burden	It is estimated that changes will entail four months of development time by 2 full-time FTEs to make the necessary changes to the New Generation System. Several of the changes will affect almost all of the NGS reports on the system. Addition/modification of data fields will entail structural changes to the database. The cost and effort that will be required to change the data system to accommodate data fields on the national COE will range from \$300,000 to \$450,000.
TX	State MEP Staff	Villarreal	200.89(c) National COE	General	Burden	The TEA strongly recommends that the USDE allow a reasonable timeframe for transition to the new National COE. The changes that will be necessary in order to transition to the new COE will require a significant amount of time and resources. The changes to the NGS required by the new National COE could be completed during a 4-month time frame and the new National COE could be released after the NGS has been aligned to the new COE and all new data fields are in place. The Texas MEP would still incur the costs outlined above, but more time for the transition would allow for better planning and reallocation of program funds that already have been designated for other uses.

General COE Burden

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	General	Burden	NASDME understands the Department's desire to have a mandated national standard form for the Certificate of Eligibility (COE). However, such a requirement puts form over substance, is impossible to implement effectively, and will cost such a huge amount of taxpayer money that program services will suffer significantly. Finally, the proposed, entirely untested, form is rife with problems, omissions, and inaccuracies. Adoption of the current requirement and form would be an unmitigated disaster for the program.
DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	General	Burden	Finally, the costs of adopting this form are incredibly high. The provision in NCLB which mandates an electronic record transfer system for the MEP makes it clear that existing state systems should be linked electronically, but that, apart from requiring minimum and common data elements to be collected, that the integrity of state systems must remain inviolate. What this draft form does is violate the spirit and letter of this provision because it would require multiple data collection instruments at the grassroots level and force wholesale changes in state data collection forms and devices. We can anticipate that if this proposed is adopted, the Congress will look most unfavorably on its implementation, since adoption of this form means that state collection systems would have to be radically altered and redesigned, especially in those states where the data collection at the ground level is electronic, through tablets, computers, or other hand-carried electronic devices.
DC	Public/Private Organization (NASDME)	Rosenthal	200.89(c) National COE	General	Burden	In sum, the concept and design of the national Certificate of Eligibility must be scrapped and work must start anew on this issue. The goals of a COE form must be to collect the data and signatures necessary to an eligibility determination and transmission of such data; to permit a state to collect additional data and information it deems necessary to fulfill its legal requirements; to ensure that any federal requirements here do not complicate or burden the job of the state directors, regional and local staff implementing the program (including recruiters); and to pose no significant and unnecessary requirements or burden on indigent farmworker parents who have very little time to spend with recruitment personnel. We are hopeful that these comments will be of assistance to you in the review of both the re-interviewing regulations as well as the national COE process.
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	General	Burden	In the early 1980's, I was directly involved in the refinement of the Certificate of Eligibility with a committee of other state directors. It is important to note that it was the State Directors of Migrant Education who had earlier seen the need for such a form and who had developed a format and prototype for it during the inception of the Migrant Student Transfer System (MSRTS) in the 1970's. As you are aware, the proposed regulation is the first time in the 42-year history of the program that a national COE will be mandated for the program and the first time that certain elements will be required in such a form by the federal government.

General COE Burden

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
MT	State MEP Staff	Branz-Spall	200.89(c) National COE	General	Burden	The changes purposed by the national COE would wreak havoc with the States ability to provide information for the multiple and complex systems with which the States are now compelled to work: EDEN, MSIX, CSPR, state data systems, and migrant specific data systems. More time, effort, and funds would be spent on counting migrant children, re-counting migrant children, documenting and re-documenting than in any other federal educational program. The MEP would be reduced to a bureaucratic tangle of requirements with an end result of providing fewer and fewer direct services to migrant children. The Office of Migrant Education would not even be able to obtain a national count of eligible children if the data collected does not comport with the statutory language (i.e. children ages 3-22) since all of the non-site based preschool children would be folded into the out of school category. The states have been overly burdened already by the reporting and documentation in the MEP; to require a new COE without field-testing it for efficiency and cost effectiveness would only increase this burden.
AZ	State MEP Staff	Romero	200.89(c) National COE	General	Burden	Implementing a national COE will be costly to the states. The costs associated with the implementation of this new COE will have to come from existing Migrant Education funds available to the states. This will mean a reduction in the funds that are available for direct services to children, which is the original purpose of the Migrant Education Program. Prior to the implementation of this requirement the Secretary of Education should obtain, from Congress, appropriate funding to cover the costs associated with retooling the various state systems and training appropriate staff to ensure successful implementation of these new requirements. In the absence of funding from the federal government for this purpose, the effort within the various states will vary based on available resources, thus the risk of failure is enhanced.
CA	State MEP Staff	Sanchez	200.89(c) National COE	General	Burden	The changes required to adopt a national Certificate of Eligibility (COE) and enforce the new regulations are indeed overwhelming for a state the size of ours. We believe that much time is needed to implement the transition and that the COE must be finalized before we initiate the transition process. This process entails many steps, which include but are not limited to the following: <ul style="list-style-type: none"> • Printing new COE forms • Writing new software to create electronic COEs • Retooling the database to incorporate new field requirements • Re-writing scripts that summarize data according to new regulations • Training recruiters on the new regulation and new COE instructions • Revising the state I&R Manual • Training data entry staff to use the new COE format After meeting with our vendors (WestEd and Tromik), it is clear that the cost in time and money are considerable. It is not unrealistic to say that the above steps will take several months to a year to fully implement.

General COE Burden

State	Entity	Last Name	Regulatory Section	COE Section	Topic	Comment
NC	State MEP Staff	Williams	200.89(c) National COE	General	Burden	The stated reason for creating a National COE is to create a consistent document that will “serve as the official record of why the recruiter and state believe [a] child is eligible for the MEP.” Based on this need, any National COE should be, at the minimum, an easy to read document that contains space for all information necessary to determine eligibility. Our first reaction to the National COE is that it is burdensome and incomplete, and without massive training, will result in more difficulty for interviewers. We feel that we will have to spend time and money to train our statewide staff to use the document well.
IL	State MEP Staff	Wilhelm	200.89(c) National COE	General	Burden	It is anticipated that States will incur significant additional costs in changing existing COEs to comply with the national form and, likely, to develop supplemental documentation as well. Of even greater concern is the amount of time and effort that will be necessary to modify electronic data systems to accommodate these changes. For States that have developed electronic COEs, a complete re-design of these products will be necessary.
SC	State MEP Staff	Black	200.89(c) National COE	General		SC submitted identical comments to all those submitted by Marcos Sanchez (CA) on 8/28/08. Therefore, all comments received by CA should be considered as two commenters.