



Notice of Authority to Request Records

Dear District or Charter School Official:

The purpose of this letter is to inform your district or charter school personnel responsible for student records maintenance that student records data will be requested for students in your district who are identified as migratory. The Minnesota Department of Education's (MDE) Minnesota Migrant Education Program (MEP) under the Every Student Succeeds Act (ESSA) of 2015, Title I, Part C, has the purpose of meeting the unique educational needs of migratory children and their families and ensuring that migratory children reach the same challenging academic standards as all students and graduate high school. A migratory child is defined as a child or youth, from birth to age 21, who made a qualifying move in the preceding 36 months as a migratory agricultural worker or migratory fisher; or with, or to join, a parent or spouse who is a migratory agricultural worker or migratory fisher [Section 1309(3)(A)–(B)].

The MDE contracts with Tri Valley Opportunity Council (TVOC) to identify and support migratory students. This agency, under MDE's supervision, is authorized to request and obtain any educational information and/or data not limited to transcripts, assessment scores, and health-related requests such as immunizations, vision and dental information.

The Family Educational Rights and Privacy Act (FERPA) allows records to be transferred from local education agencies to other agencies working in collaboration with the MEP to provide services for migratory students. To comply with the federal requirements to implement interstate and intrastate coordination under Title I, Part C of the Every Student Succeeds Act of 2015, MDE has the authority under FERPA and the Code of Federal Regulations (CFR) 34 Section 99.31¹ to receive "personally identifiable information from an education record of a student without the consent required by section 99.30".

Districts are expected to comply with records requests from TVOC following the required procedures under FERPA to record disclosures.

Please take the time to disseminate this letter to any district or school personnel responsible for student records (e.g., office staff, school registrar, etc.).

The Minnesota MEP is committed to ensuring all migratory children enrolled in a Minnesota district or charter school are provided with educational and support services to overcome barriers due to mobility and allow for access to challenging academic standards and to facilitate record transferring. For more information on how Minnesota addresses the needs of migratory families, please review the [Service Delivery Plan](#) on the [MDE MEP website](#).

¹ [34 CFR Section 99.31](#): Authority to request student records – [FERPA Exceptions](#)

Below is contact information for TVOC, the agency authorized by MDE to collect student records. Please contact staff at TVOC with relevant questions or needs for training or support with your migratory student needs:

Tri-Valley Opportunity Council

[Cris Young](#)

Assistant Director of Migrant Education Services

1-800-890-4853

christine.young@tvoc.org

Additionally, questions regarding this information should be sent to mde.migrant@state.mn.us.

Sincerely,

A handwritten signature in black ink that reads "Leigh C. Schleicher". The signature is written in a cursive style with a large initial "L".

[Leigh Schleicher](#), Supervisor

Minnesota Migrant Education State Director

Equity and Opportunity Division

651-582-8326

leigh.schleicher@state.mn.us