Appendix VII: Sample Recruiter Ethics Guidelines

Migrant Education Program Recruiter Standard of Ethics

The recruiter’s primary responsibility is to properly identify and recruit migratory children for the MEP. In carrying out this work, every recruiter is expected to make a commitment to ethical professional behavior. This ethics policy explains what this commitment means.

Recruiters work with migratory farm workers and their families, who are often highly mobile. Children of migratory workers experience educational disruptions, encounter cultural and language barriers, live in poverty and rural isolation, and have health-related problems that inhibit their ability to do well in school. This policy is intended to serve as a basis for ethical decision-making in the conduct of identification and recruitment.

Migrant Education Program Recruiter Standards of Conduct

1. *Know the eligibility rules*. The recruiter should study and prepare to make proper eligibility determinations. The recruiter is expected to have up-to-date knowledge of the eligibility rules established at both the federal and state level.
2. *Be objective*. Recruiters are expected to put aside personal beliefs and biases when making eligibility determinations and to base all decisions on objective facts. Gender, race, religion or age should have no bearing on a recruiter’s decisions. Other factors, including whether a particular child “deserves” assistance should not be considered.
3. *Be honest.* The recruiter’s job is to gather information, provide clear documentation on the COE, and help make the eligibility determination. Recruiters must not exaggerate, falsify, or omit information. Falsification of program documents may deprive eligible migratory children of needed services and is against the law and could result in criminal prosecution. Honest recruiters keep the MEP safe so that eligible migratory children will continue to receive educational services.
4. *Report fraud.* It’s the recruiter’s job to protect the reputation and integrity of the MEP. If the recruiter feels pressured to enroll a child who doesn’t appear to be eligible or observes others who are being pressured or who are committing fraud, it is the recruiter’s responsibility to report what he or she has observed.

Identify Fraud, Falsification or Misconduct

The dictionary defines fraud as, “intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right” or “an act of deceiving or misrepresenting.”[[1]](#footnote-2)   
It defines falsify as “to represent [falsely](http://www.m-w.com/dictionary/falsely)” or “misrepresent.”[[2]](#footnote-3) It may be difficult to understand how these terms apply to the ID&R of migratory children, particularly since it may not seem that any particular person is being deceived. In the case of fraud, intentional falsification, or misconduct in ID&R, it is the federal government that is being deceived. Ultimately, when there is fraud, intentional falsification or misconduct in ID&R, the public at large, who pays taxes in the belief that federal funds are being spent as authorized by Congress, is being deceived, as is the federal government, which awards state funding on the assumption that state child counts are accurate. Furthermore, counting children who are not eligible for the MEP can affect the size of subgrants within each state and can dilute services to eligible migratory children. This is why it is important to preserve the public trust by rooting out fraud, intentional falsification, and misconduct in ID&R.

Although it is not possible to provide a complete guide of how fraud or misconduct would look in ID&R, following are some examples of possible fraud or misconduct:

* A supervisor tells a recruiter that the recruiter needs to give the supervisor 40 new COEs by the next week, even though it is impossible to find that many eligible children and interview their families in that amount of time.
* A recruiter picks out a family in need each year and enrolls their children in the MEP so they can get extra services, even though the recruiter knows they don’t qualify.
* A data entry specialist points out missing information on a recruiter’s COEs; the recruiter disappears for a few minutes and then returns with the information filled out. The data entry specialist thinks the recruiter made up the information since the recruiter couldn’t have possibly contacted the family in that short amount of time.
* A supervisor announces that any recruiter who finds 5% more children than he or she found the previous year will get an expense paid trip to the OME Annual Conference.
* A local recruiting agency qualifies children whose parents supposedly moved to find work picking blueberries. However, none of the workers ever actually seem to get jobs in agriculture. Most, if not all, of the families find work in construction or other non-qualifying jobs.

Report Fraud, Falsification or Misconduct

If a recruiter observes fraud, falsification or misconduct, some things he or she can do include:

* If the recruiter has been asked to do something he or she believes is inappropriate, the recruiter should make it clear that he or she isn’t comfortable with what is being asked.
* The recruiter should write down what happened with as much detail as possible (if others witnessed what happened, the recruiter should ask them to write down what they observed as well).
* The recruiter should report what happened to the appropriate person (if the supervisor is involved, the recruiter should report the problem to someone who is at a higher level within the MEP).

The recruiter should not do things that he or she believes to be wrong and should follow up on any concerns until they have been properly addressed. Furthermore, if the recruiter suspects that another recruiter is enrolling children in the MEP who are not eligible, the recruiter is obligated to report that as well. If the state MEP does not take the recruiter’s concern seriously, the recruiter should report the problem to the staff at the federal Office of Migrant Education (<http://www2.ed.gov/about/offices/list/oese/ome/aboutus.html#contact>).

Anyone suspecting fraud, waste or abuse involving ED’s funds or programs should also call or write to the Office of the Inspector General's (OIG) Hotline. The OIG keeps these complaints confidential; it will not release the recruiter’s name, address, or any other identifying information. The OIG can be contacted using any of the following methods:

* Call the OIG Hotline's toll free number 1-800-MIS-USED. The Hotline's operating hours are from 9:00 a.m. until 4:00 p.m. Eastern Time, Monday through Friday, except for holidays.
* Send an e-mail message to [oig.hotline@ed.gov](mailto:oig.hotline@ed.gov).
* Complete and submit an electronic complaint form, which is available on the ED’s website at: <http://www2.ed.gov/about/offices/list/oig/hotline.html>.
* To ensure complete anonymity, download a hardcopy of the special complaint form (<https://www2.ed.gov/about/offices/list/oig/oighotline.pdf>), complete, and mail to:

Inspector General's Hotline  
Office of Inspector General  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1510

Fraud or intentional falsification is not something that should be taken lightly. Remember that the recruiter commits to this Code of Ethics every time he or she signs a COE, which includes the following statement:

I certify that based on the information provided to me, which in all relevant aspects is reflected above, I am satisfied that these children are migratory children as defined in 20 USC 6399and implementing regulations, and thus eligible as such for MEP services. I hereby certify that, to the best of my knowledge, the information is true, reliable, and valid and I understand that any false statement provided herein that I have made is subject to fine or imprisonment pursuant to   
18 USC 1001.

The recruiter has a special opportunity to help migratory children receive needed educational services through the MEP. Every service that is provided starts with a competent and qualified recruiter who is doing his or her job correctly and ethically.

1. Merriam Webster, 2017.Fraud. Retrieved from <http://www.merriam-webster.com/dictionary/fraud>. [↑](#footnote-ref-2)
2. Merriam Webster, 2017.Falsify. Retrieved from <http://www.merriam-webster.com/dictionary/falsify>. [↑](#footnote-ref-3)