



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUL 15 2010

Dear State Director:

In the attached letter dated July 12, 2010, we notified you that the Department intends to award this year's Migrant Student Information Exchange (MSIX) data quality grants on or about September 1, 2010. Please refer to the attached chart for the amount of your estimated MSIX data quality grant award. I am writing to inform you that, if your agency applies for an award this year, the Department intends to place a special condition on your State's award that would require your agency to submit to the Department, no later than 30 days after award, an approvable plan for use of these funds.

Your State agency was among several that received their Fiscal Year 2007 MSIX data quality grant funds last September, but that failed to obligate all or a large portion of those funds by September 30, 2009, the last day to obligate these funds. As a result, instead of States using these funds to support efforts to help migrant children, the Department had to return \$580,000 of Migrant Education Program (MEP) funds awarded to States under the MSIX data quality program to the Treasury. The Office of Migrant Education (OME) does not intend that this situation will recur.

Please recall that, as stated in the July 23, 2008 *Federal Register* notice that established this MSIX grant program, Requirement 1 for the program required that—

*"in consultation with the [local operating agencies (LOA)]s and the State's parent advisory council, each SEA will determine how these funds will be used in the State. SEAs must use these funds only to help pay for additional costs that their agencies and the LOAs in their States may assume for various activities related to the transfer of the MDEs [minimum data elements] to and through MSIX."*

In addition Requirement 2 provided that to receive an MSIX data quality grant award, your agency and others had to first submit—

*"a letter, signed by the Chief State School Officer or his or her authorized representative, (a) requesting an MSIX State Data Quality grant award, and (b) providing an assurance that these funds will be used only for activities that comport with the requirements in this notice of final requirements." See 73 FR 42792, 42694.*

We believe that the lapsing of these funds is inconsistent with the statement your agency provided in advance of that award. Therefore, should your agency seek an award of FY 2010 MSIX data quality funds, the Department intends to include a special condition on your State's grant award that would require your agency to submit to the OME for its approval a specific plan for expending your State's MSIX data quality award.

In addition after approving your plan, OME intends to track your State's progress in meeting the milestones and timelines included in your plan, and may view any failure in this regard as reflecting on the quality of your agency's overall administration of your State's MEP. Of course, if your agency does not intend to use this year's MSIX data quality grant, please let us know so that the funds may be redirected to States that have use and need of them.

If you have any questions, please contact Ms. Jennifer K. Dozier at (202) 205-4421.

Sincerely,

Ms. Patricia Meyertholen  
Group 1 Leader, Office of Migrant Education  
Office of Elementary and Secondary Education

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