



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

MEMORANDUM

DATE : September 22, 2010

TO : Thelma Meléndez de Santa Ana, Ph.D.
Assistant Secretary for Elementary and Secondary Education

FROM : Lisa Ramirez, Ed.D.
Director, Office of Migrant Education

SUBJECT : Request Approval of the FY 2010 awards of the Migrant Student Information Exchange (MSIX) State Data Quality Grants Program, CFDA 84.144G

The Office of Migrant Education (OME) is requesting approval of 42 new formula grant awards for the FY 2010-2011 grant cycle of the Migrant Student Information Exchange (MSIX) State Data Quality Grants Program. These grants are awarded to States receiving a Migrant Education Program (MEP) formula grant that request the funds, and that agree to use grant funds only to help pay for additional costs that their agencies and the local operating agencies in their States may assume for various activities related to the transfer of the minimum data elements (MDEs) to and through MSIX. The total award amount for these grants is \$1,418,339. These funds must be obligated by September 30, 2010.

The grant award slate for this program is attached. The award amounts in the attached table have been calculated independently by both the program office and Budget Service Office. The Budget Service Analyst, Milagros Lanauze, concurs with the amounts in the attached budget table. In addition, our office consulted with the program attorney, Richard Mellman regarding these awards and he concurs with our recommendation to make these awards.

BACKGROUND AND PROGRAM FOCUS

The MSIX State Data Quality Grants program is authorized by section 1308(b) of Title I, Part C, of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001. The MSIX State Data Quality Grants program provides additional resources to State educational agencies (SEAs) in order to assist them

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and their local operating agencies (LOAs) in implementing the interstate electronic exchange of migrant children's records through the MSIX.

OME awards these grants using a formula established in the Notice of Final Requirements published on July 23, 2008, in the Federal Register (73 FR 42792, 42794), whereby, for those State educational agencies requesting funds 75% of the total grant amount available is awarded in equal amounts to each State with a Migrant Education Program (MEP) Basic State Formula grant award and 25% is awarded proportionally relative to the amount of each State's Basic MEP State Formula grant award made on July 1 of the current fiscal year, except that no SEA may receive an MSIX State Data Quality grant award that exceeds 20% of its MEP Basic State Formula grant award.

An SEA must use these funds only to help pay for additional costs that their agencies and the LOAs in the States may assume for various activities related to the transfer of the MDEs to and through MSIX. A list of examples for which funds may be used is provided in the Notice of Final Requirements (73 FR 42794).

Consistent with the Notice of Final Requirements, SEAs were required to submit a simple application letter, signed by the Chief State School Officer or other authorized official, requesting MSIX State Data Quality Grant funds and agreeing to abide by the requirements of the Notice of final requirements and the grant condition. To date, 42 of the 48 SEAs that received FY 2010 MEP Basic Grants and are operating State MEPs¹ have submitted the application letters. In addition, the States of IL, IA, ME, UT, WV and WY have elected to not participate in the program.

The total amount of funds available for these fiscal year FY 2010 grant awards is \$1,418,339 (in FY 2009 MEP funds). We propose to award these funds to these 42 SEAs-- in amounts ranging from \$25,648 (NH) to \$150,193 (CA). The following table indicates the breakout of funds for the MSIX Data Quality Grants Program.

Migrant Student Information Exchange (MSIX) State Data Quality Grants Program CFDA 84.144G		
#	Amount	Purpose
1	\$8,581,661	Grants and Contracts Coordination Activities
2	\$1,418,339	For 42 MSIX Data Quality Grant Formula Awards

SPECIAL INFORMATION

Because no State may transfer information to and through MSIX without having an MSIX Interconnection Agreement (IA) and Interconnection Security Agreement (ISA) signed by an authorized State official, language in the Terms and Conditions of the Grant Award Notification (GAN) prohibits a grantee from drawing down its MSIX State Data Quality

¹ The CT, DC, PR and RI SEAs did not receive an FY 2010 MEP Basic Grant and are not operating State MEPs.

grant funds until the Department has a fully executed IA and ISA by the State.
(Attachment B to be inserted as Terms and Conditions of the GAN).

Additionally, nine SEAs have a special condition attached to their MSIX Data Quality Grant awards because they have allowed large amounts of previously requested and awarded MSIX Data Quality Grant funds to go unobligated, thus requiring their return to the U.S. Treasury. The condition requires each of these SEAs to submit to the Office of Migrant Education for approval a specific plan and timeline for expending its MSIX data quality award. The State's plan would need to be submitted no later than 30 days after award. The SEA may not draw down any funds until it receives approval of its plan and timeline (Attachment C to be attached to the GAN as ATTACHMENT T).

RECOMMENDATION

In accordance with the *Guide for Managing State Administered Programs (ASC OS1-108)*, I recommend that you approve the attached list of awards for 42 new formula grants which total \$1,418,339.

DECISION

Approve Signature Shelton McLeary Date 9.23.2010

Disapprove Signature _____ Date _____

Comments:

Contact: Daryn Hedlund
Office of Elementary and Secondary Education
Office of Migrant Education
FB-6, Room 3E339
(202) 401-3008

- Attachments:
- A – List of Awards
 - B – Grant Award Terms and Conditions (for the GAN)
 - C – Grant Award Special Condition (for Attachment T of the GAN)
 - D – Sample Award Memo
 - E – Sample Award Memo for Special Condition (refers to Attachment T)

ATTACHMENT A

**Migrant Education Program, CFDA #84.144G
Table of MSIX State Data Quality Grants FY 2010**

State	Total MSIX DQ Grant Award
Alabama	\$27,483
Alaska	\$32,190
Arizona	\$31,813
Arkansas	\$30,565
California*	\$150,191
Colorado	\$32,258
Delaware	\$25,788
District of Columbia	\$0
Florida*	\$47,308
Georgia	\$33,075
Hawaii	\$26,278
Idaho	\$28,931
Illinois	\$0
Indiana	\$30,777
Iowa	\$0
Kansas	\$36,568
Kentucky*	\$32,592
Louisiana*	\$27,875
Maine	\$0
Maryland	\$25,992
Massachusetts	\$27,050
Michigan	\$33,706
Minnesota*	\$27,491
Mississippi	\$26,500
Missouri	\$26,961
Montana	\$26,472
Nebraska	\$30,384
Nevada	\$25,734
New Hampshire	\$25,648
New Jersey*	\$27,386
New Mexico	\$26,390
New York	\$34,970
North Carolina*	\$30,903

North Dakota	\$25,732
Ohio	\$28,048
Oklahoma	\$26,977
Oregon	\$35,317
Pennsylvania	\$34,178
Puerto Rico	\$0
South Carolina	\$26,045
South Dakota*	\$26,309
Tennessee	\$26,058
Texas	\$81,929
Utah	\$0
Vermont	\$26,115
Virginia	\$26,268
Washington	\$39,968
West Virginia	\$0
Wisconsin*	\$26,116
Wyoming	\$0
Total MSIX Data Quality Grants	\$1,418,339

* Denotes State with Special Conditions for MSIX Data Quality Grant

ATTACHMENT B

**MSIX State Data Quality Grants Terms and Conditions
(To Be Inserted into the GAN as Terms and Conditions)**

(1) THIS GRANT IS SUBJECT TO THE PROVISIONS OF ALL APPLICABLE ACTS AND REGULATIONS.

THIS GRANT IS SUBJECT TO THE PROVISIONS OF TITLE I, PART C AND I, AND TITLE IX, AS APPLICABLE, OF THE ELEMENTARY AND SECONDARY EDUCATION ACT, AS AMENDED, AND THE GENERAL EDUCATION PROVISIONS ACT (GEPA). THIS GRANT IS ALSO SUBJECT TO TITLE I, PART C REGULATIONS IN 34 CFR PART 200, THE GENERAL PROVISIONS REGULATIONS IN 34 CFR PART 299, THE EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS (EDGAR) IN 34 CFR PARTS 76 AND 80, AND THE NOTICE OF FINAL REQUIREMENTS PUBLISHED ON JULY 23, 2008, IN THE FEDERAL REGISTER (73 FR 42792).

(2) UNDER THE "TYDINGS AMENDMENT," SECTION 421(B) OF THE GENERAL EDUCATION PROVISIONS ACT, 20 U.S.C. 1225(B), ANY FUNDS THAT ARE NOT OBLIGATED AT THE END OF THE FEDERAL FUNDING PERIOD SPECIFIED IN BLOCK 6 SHALL REMAIN AVAILABLE FOR OBLIGATION FOR AN ADDITIONAL PERIOD OF 12 MONTHS.

(3) FUNDS MAY BE USED ONLY FOR VARIOUS ACTIVITIES RELATED TO THE TRANSFER OF THE MINIMUM DATA ELEMENTS TO AND THROUGH MSIX. BY LETTER DATED MARCH 20, 2008, THE ASSISTANT SECRETARY HAS INFORMED THE SEA THAT MINIMUM DATA ELEMENTS MAY NOT BE TRANSFERRED TO OR RECEIVED FROM THE MSIX WITHOUT A SIGNED INTERCONNECTION AGREEMENT (IA) AND INTERCONNECTION SECURITY AGREEMENT (ISA). THIS IMPLEMENTS PROVISIONS OF OMB CIRCULAR A-130, APPENDIX III AND THE COMPUTER SECURITY ACT OF 1987 (P.L. 100-235) - AND ARE CONSISTENT WITH THE FEDERAL INFORMATION SECURITY MANAGEMENT ACT OF 2002 ("FISMA", PUB. L. 107-347).

THEREFORE, THE SEA MAY NOT BEGIN TO DRAW DOWN MSIX DATA QUALITY GRANT FUNDS UNTIL ED HAS A FULLY EXECUTED IA AND ISA.

(4) THE GRANT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS, IF APPLICABLE, IN ATTACHMENT T.

ATTACHMENT C

**MSIX State Data Quality Grants FY 2010 Special Condition
(To Be Inserted into the GAN as ATTACHMENT T)**



**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION**

MEMORANDUM **AUG 1 1 2010**

TO : Thelma Melendez de Santa Ana, Ph.D.
Assistant Secretary for Elementary and Secondary Education

FROM : Lisa R. Ramirez *LR*
Director
Office of Migrant Education

SUBJECT : Request Approval to Place Grant Conditions on Fiscal Year 2010-2011
Title I, Part C MSIX data quality grants

This is to request approval to place conditions on the FY 2010 Title I, Part C Migrant Student Information Exchange (MSIX) data quality grant awards for 12 States, California, Florida, Iowa, Kentucky, Louisiana, Minnesota, New Jersey, North Carolina, South Dakota, Utah, Wisconsin, and Wyoming. The conditions for these States are the result of the States not obligating over \$564,000 of FY 2008 MSIX data quality grant funds thereby allowing these funds to lapse.

BACKGROUND

In fiscal year 2008, the Department awarded \$2 million in MSIX Data Quality grants to 49 States to use for costs related to the support of interstate exchange of migrant student records and the MSIX. Twelve States failed to obligate all or a large portion of those funds by September 30, 2009, the last day to obligate funds. As a result, instead of States using these funds to support efforts to help migrant children, the Department had to return \$583,583 of Migrant Education Program (MEP) funds awarded to States under the MSIX data quality program to Treasury, the greatest portion of which was not spent by the 12 States mentioned above. (See Attachment A)

DISCUSSION

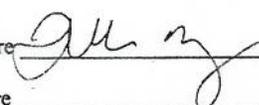
To prevent this situation from recurring, the Office of Migrant Education is requesting approval to condition the new 2010 MSIX data quality grants for these 12 States to ensure the States appropriately plan and administer the grant funds in an effective manner. The grant condition has been reviewed by the Office of General Counsel.

Each State will be required to submit to the Department, no later than 30 days after award, an approvable plan for use of the FY 2010 MSIX data quality grant funds. The States that will receive the grant conditions are California, Florida, Iowa, Kentucky, Louisiana, Minnesota, New Jersey, North Carolina, South Dakota, Utah, Wisconsin, and Wyoming.

RECOMMENDATION

I recommend that you approve these conditions.

DECISION

Approve Signature  Date 8/12/10
Disapprove Signature _____ Date _____

Comments:

Contact: Jennifer K. Dozier
LBJ, Room 3E333
(202) 205-4421

Attachments: Attachment A - FY 2008 MSIX data quality grant remaining balances chart
Attachment B - Grant Conditions (Attachment Ts for California, Florida, Iowa,
Kentucky, Louisiana, Minnesota, New Jersey, North Carolina, South Dakota,
Utah, Wisconsin, and Wyoming)

ATTACHMENT D

**MSIX State Data Quality Grants FY 2010
Sample Award Memo**

(COMMISSIONER NAME)
(TITLE)
(DEPARTMENT)
(STREET ADDRESS)
(STREET ADDRESS)
(CITY, STATE, ZIP CODE)

Dear (COMMISSIONER NAME):

It is my pleasure to inform you that your State has been awarded a FY 2010 Migrant Student Information Exchange (MSIX) State Data Quality Grant. The FY 2010 grant award, as authorized under Section 1308(b) of the Elementary and Secondary Education Act, as amended, is enclosed.

I trust that this grant will be of use to your State Migrant Education Program (MEP) in implementing the interstate electronic exchange of migrant children's records through the Migrant Student Information Exchange (MSIX).

Please note the terms and conditions regarding the use of these grant funds, the requirements established in the Notice of Final Requirements published on July 23, 2008, in the Federal Register (73 FR 42792), and the applicability of the Education Department General Administrative Regulations (EDGAR). In particular, note that the funds cannot be drawn down until the Office of Migrant Education (OME) has a fully executed Interconnection Agreement and Interconnection Security Agreement by your State.

If you or your State MEP staffs have any questions regarding this grant award document, please do not hesitate to contact Daryn Hedlund at (202) 401-3008.

Sincerely,

Thelma Melendez de Santa Ana, Ph.D.
Assistant Secretary for Elementary and
Secondary Education

cc: State MEP Director

Enclosures

ATTACHMENT E

**MSIX State Data Quality Grants FY 2010
Sample Award Memo
(Applicable to the 9 SEAs Affected by the Special Grant Condition)**

(COMMISSIONER NAME)
(TITLE)
(DEPARTMENT)
(STREET ADDRESS)
(STREET ADDRESS)
(CITY, STATE, ZIP CODE)

Dear (COMMISSIONER NAME):

It is my pleasure to inform you that your State has been awarded a FY 2010 Migrant Student Information Exchange (MSIX) State Data Quality Grant. The FY 2010 grant award, as authorized under Section 1308(b) of the Elementary and Secondary Education Act, as amended, is enclosed. I trust that this grant will be of use to your State Migrant Education Program (MEP) in implementing the interstate electronic exchange of migrant children's records through the MSIX.

Please note the terms and conditions regarding the use of these grant funds, the requirements established in the Notice of final requirements published on July 23, 2008, in the Federal Register (73 FR 42792), and the applicability of the Education Department General Administrative Regulations (EDGAR). In particular, note that the funds cannot be drawn down until the Office of Migrant Education (OME) has a fully executed signed Interconnection Agreement and Interconnection Security Agreement by your State.

In addition, the State must submit to the Office of Migrant Education for approval a specific plan and timeline for expending its MSIX data quality award. The State's plan must be submitted no later than 30 days after award. The State may not draw down any funds until it receives approval of its plan and timeline.

If you or your State MEP staffs have any questions regarding this grant award document, please do not hesitate to contact Daryn Hedlund at (202) 401-3008.

Sincerely,

Thelma Melendez de Santa Ana, Ph.D.
Assistant Secretary for Elementary and
Secondary Education

cc: State MEP Director

Enclosures