



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234
Office of P-12 Education

Office of Accountability
Title I School & Community Services
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NYS FIELD MEMO
NCLB EDUCATION OF MIGRATORY CHILDREN
01-2011

June 30, 2011

TO: District Superintendents
Superintendents of Public Schools
SUNY Migrant Program Liaisons
Migrant Education Program Administrators

FROM:

Roberto Reyes

SUBJECT: Migrant Education Policy Statement

As the recipient of funds under Title I Part C, Education of Migratory Children, it is the responsibility of the New York State Education Department (NYSED) to ensure that funds that are sub-allocated to Local Education Agencies (LEAs), Boards of Cooperative Educational Services (BOCES), Institutions of High Education, and/or other agencies for the purpose of providing services to migrant eligible students meet the intent of Title I Part C-Education of Migratory Children.

Funding received from a State or Federal agency to implement a migrant education program under Title I, Part C-Education of Migratory Children are required to be used to provide services to migrant eligible children in accordance with Section 200.81(d) of the regulations. Programs receiving Title I, Part C funds are required to maintain distinct fiscal records demonstrating all program expenditures in an identifiable form that is consistent with the General Accounting Office (GAO).

Migrant Education Outreach Program (MEOP) and Statewide Migrant Program (SMP) staff members whose salary is paid through funds received under Title I, Part C, should only provide services to the eligible population of migrant children. Should MEOP or SMP staffs participate

in a collaborative partnership with an agency or program, which includes a non-migrant population, the MEOP or SMP staff must:

- Charge the percentage of time, including fringe benefits, that staff spend providing services to migrant eligible children to the Title I, Part C grant;
- Charge the percentage of time, including fringe benefits, staff spend providing services to the non-migrant eligible students, to a funding source other than Title I, Part C;

Staff whose salary is paid by multiple funding sources, including Title I, Part C, are required to complete the appropriate Payroll Certification Requirement form specifying FTEs and percentage of salary paid under each funding source.

Tutors whose salaries are paid exclusively from funding received under Title I, Part C and who are providing services to migrant eligible students in a school district, push-in classroom setting:

- Must only provide services to migrant eligible students in that classroom;
- Must not assist non-eligible students with assignments in the classroom. These students should be directed to the classroom teacher for assistance.

Tutors whose salaries are paid exclusively from funding received under Title I, Part C and who are providing educational services to migrant eligible students in a camp setting or home:

- Must only provide services to migrant eligible students residing in said camp or home.

Should you require any additional information or clarification of these requirements please contact Ivelisse Rivera irivera@mail.nysed.gov or me rreyes@mail.nysed.gov at (518) 473-0295.