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STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER

September 23, 2016

Ms. MaryEllen Elia  
Commissioner  
State Education Department  
State Education Building - Room 125  
89 Washington Avenue  
Albany, NY, 12234

Re: Selected Aspects of the  
Migrant Education Program  
Report 2016-F-9

Dear Ms. Elia:

Pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law, we have followed up on the actions taken by officials of the State Education Department to implement the recommendations contained in our audit report, *Selected Aspects of the Migrant Education Program* (2014-S-48).

**Background, Scope and Objective**

The Migrant Education Program (Program) provides supplemental services to migrant students, thereby helping them to achieve challenging academic standards, graduate high school, and/or participate in life skills, career education services, vocational instruction, and college occupational programs. A migrant student is a person between 3 and 21 years old whose parent, guardian, or spouse – or the child him- or herself – is a migratory agricultural worker or fisher and who has moved between school districts within the past three years to obtain temporary or seasonal employment in agricultural or fishing activity as a principal means of livelihood.

The State Education Department (Department) is responsible for administering the Program and ensuring the goals of the Program are met. To this end, the Department contracts with five State University of New York (SUNY) campuses and four Boards of Cooperative Educational Services (BOCES) to create a network of Migrant Education Tutorial Services (METS) programs serving migrant students throughout the State.

Our initial audit found that: the Program did not meet certain Program outcomes and overarching Program goals; the Department did not complete federally required documents in a timely manner; and a significant portion of the METS faced challenges obtaining migrant student

performance data. We issued our initial audit report on May 15, 2015. The objective of our follow-up was to assess the extent of implementation, as of June 2, 2016, of the three recommendations included in that report.

### **Summary Conclusions and Status of Audit Recommendations**

The Department has made significant progress in addressing the issues we identified in the initial audit. Of the three prior audit recommendations, one was implemented and the other two were partially implemented.

### **Follow-Up Observations**

#### **Recommendation 1**

*Take steps to expedite the Plan update, and complete future programmatic updates in a timely fashion.*

Status – Implemented

Agency Action – Since the initial audit, the Department has developed a new Service Delivery Plan (SDP) to take effect beginning with the 2016-17 school year. The Department submitted a draft version of the SDP to the U.S. Department of Education’s Office of Migrant Education (OME) in April 2016 and a final version in June 2016. At the time of our follow-up work, the Department was awaiting OME approval of its SDP.

#### **Recommendation 2**

*Develop methods to periodically provide evaluation results both at the METS level and Program-wide to monitor performance against established goals.*

Status – Partially Implemented

Agency Action – The Program Coordinator has implemented controls to monitor the METS’ performance. METS are required to submit Action Plans that are tied to Program outcomes and the METS’ budgets. The Program Coordinator conducts semi-annual teleconferences with the METS directors at mid-year and year-end to review Program results. During the conference calls, they review data security, Program activities, Program budgets, goal progress, and Program strategies, based on the available data. The Coordinator and METS directors agree on any corrective actions, if necessary. As the Department awaits approval of its SDP, it scheduled a formal evaluation of the Program to begin in the 2017-18 Program year (one year after implementation of the SDP), and to be conducted annually thereafter.

### **Recommendation 3**

*Establish a method to facilitate the timely exchange of information between METS and school districts.*

Status – Partially Implemented

Agency Action – The Program Coordinator stated that SED has made improvements in its ability to secure migrant student data to formulate Program strategies. The Program has added a parent consent statement on the Certificate of Eligibility form, thereby allowing school districts to share migrant students' information with Program educators. The consent statement is provided in English as well as other languages (e.g., Spanish) most commonly spoken among New York's migrant students and their families, to enhance understanding of what the consent entails. Additionally, the METS are using the Regional Information Centers, accessed through BOCES, to obtain migrant student academic and assessment data. Lastly, the Department has a memorandum of understanding (MOU) with SUNY Oneonta to operate the Program's statewide Identification and Recruitment Program Office, which includes administration of the migrant data system (MIS2000). In 2018, when the current MOU ends, the Department plans to update the continuing MOU to include the ability of the Department's Information and Reporting Services unit to share migrant student assessment data with MIS2000.

Major contributors to this report were Heather Pratt and Scott Heid.

We would appreciate your response to this report within 30 days, indicating any actions planned to address the unresolved issues discussed in this report. We also thank the management and staff of the Department for the courtesies and cooperation extended to our auditors during this review.

Very truly yours,

John F. Buyce, CPA, CIA, CFE, CGFM  
Audit Director

cc: Thalia Melendez