

**POLICY**

**3220/3230 STATE FUNDS; FEDERAL FUNDS**

Each year, when it is believed that the school district is eligible for federal and/or state assistance under the provisions of public laws, application for said assistance may be submitted so long as acceptance of the funds does not include conditions contrary to the policies of the board of education. The chief school administrator shall inform the board about specific assurances which may be required in addition to those addressed in this policy, and will provide the required language for board adoption.

When the law requires the development and implementation of administrative procedures for submitting state and federal financial reports, with specified time schedules, the chief school administrator and board secretary shall ensure that the staff has properly completed the reports and that in each instance the reports have been submitted within the specified time.

The regular operating budget must include amounts anticipated to be received from state and/or federal sources, and a listing of projects describing how this money will be spent. These recommendations for expenditures will be approved by the board before projects are submitted.

If additional amounts become available during the year, additional projects will be recommended to the board and, with its approval, added to the budget.

**Maintenance of Effort**

The board of education will maintain a combined fiscal effort per pupil or aggregate expenditures of state and local funds with respect to the provision of the public education for the preceding fiscal year that is not less than the required amount of the combined fiscal effort per pupil or the aggregate expenditures for the second preceding fiscal year.

**Equivalence**

To be in compliance with the requirements of federal law, the board of education directs the chief school administrator to assign staff and distribute curriculum materials and instructional supplies to the schools in such a way that equivalence of personnel and materials is ensured among the schools.

**Supplement not Supplant**

Federal funds shall be used for supplementary services only and shall not be used to replace services that the district would supply eligible pupils, if state and federal funds were not available.

## POLICY

### Parent/Guardian Participation

The district shall implement parent/guardian consultation and participation, advisory councils, etc., as mandated for the specific program.

### Control of Equipment

Title to and control over equipment and/or property purchased with federal funds shall be maintained in accordance with the pertinent federal regulations. The chief school administrator shall develop written procedures outlining federal ownership and district use, loan, loss and disposal of such equipment/property for public and private/nonpublic schools.

### Special Education Medicaid Initiative (SEMI) Program

The chief school administrator or designee shall ensure that the district follows all required procedures to maximize its revenue from reimbursements under the Special Education Medicaid Initiative (SEMI) Program. This Program allows the district to recover a portion of the cost of certain health-related services considered medically necessary in a student's Individualized Education Program (IEP), including evaluation services, physical, occupational and speech therapy, and specialized transportation services.

Procedures to be followed are included in the SEMI Provider Handbook, found at [www.state.nj.us/treasury/administration/SemiMac.htm](http://www.state.nj.us/treasury/administration/SemiMac.htm). These procedures include maximizing the return rate of parental consent forms for all SEMI eligible students.

In accord with the Family Education Rights and Privacy Act (FERPA), the district shall obtain the parent/guardian's informed written consent prior to any disclosures of personally identifiable information from education records, including health information, to the Medicaid program for Medicaid claim submission.

All supporting documentation for Medicaid claims shall be maintained on file and available for state or federal audit for at least seven years from the date of service. Records shall fully document the basis upon which claims for reimbursement are made.

### Legal References:

N.J.S.A. 18A:7F-1 et seq. Comprehensive Education Improvement and Financing Act of 1996

N.J.S.A. 18A:7G-1 through 44 et al. Educational Facilities Construction and Financing Act

N.J.S.A. 18A:11-1 General mandatory powers and duties

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N.J.S.A. 18A:34-1 Textbooks; selection; furnished free with supplies; appropriations  
N.J.S.A. 18A:38-7.7 through -7.14 Legislative findings and declarations (regarding impact aid)  
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N.J.S.A. 18A:38-7.7 through -7.14 Legislative findings and declarations (regarding impact aid)  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.S.A. 18A:58-7.1 School lunch program  
N.J.S.A. 18A:58-7.2 School lunch program; additional state aid  
N.J.S.A. 18A:58-11 Emergency aid  
N.J.S.A. 18A:58-11.1 Loss of tuition to district due to establishment of regional district; state aid for one year  
N.J.S.A. 18A:58-33.6 through -33.21 Additional State School Building Aid Act of 1970  
N.J.S.A. 18A:58-37.1 through -37.7 Textbook Aid to Public and Nonpublic Schools  
N.J.S.A. 18A:59-1 through -3 Federal aid  
N.J.A.C. 6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts  
N.J.A.C. 6A:14-1.1 et seq. Special Education  
N.J.A.C. 6A:23-5.1 et seq. State Aid  
N.J.A.C. 6A:23-8.1 et seq. Annual Budget Development, Review and Approval  
N.J.A.C. 6A:23A-5.3 Accountability Regulations  
N.J.A.C. 6A:26-1.1 et seq. Educational Facilities  
N.J.A.C. 6A:27-8.1 et seq. State Aid  
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
N.J.A.C. 6A:32-14.1 Review of mandated programs and services

Abbott v. Burke, 149 N.J. 145 (1997)

Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (Pub. L. 100-97)

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

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Drug-Free Workplace Act of 1988

34 CFR Part 85, Government-wide Debarment and Suspension (nonprocurement) and Government wide Requirements for Drug-Free Workplace (Grants)

34 CFR 200.1 et seq.

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Manual for the Evaluation of Local School Districts

34 CFR 80 (7-1-05) monitoring districts' use of federal grant funds

Education Department General Administrative Regulations (EDGAR)

<b>Cross References:</b>	3100	Budget planning, preparation and adoption
	3160	Transfer of funds between line items/amendments/purchases not budgeted
	3500.1	Energy
	3541.1	Transportation routes and services
	3542.31	Free or reduced-price lunches/milk
	3570	District records and reports
	4119.23	Employee substance abuse
	4219.23	Employee substance abuse
	6142.2	English as a second language; bilingual/bicultural
	6142.6	Basic skills
	6142.12	Career education
	6171.3	At-risk and Title 1
	6171.4	Special education
	9326	Minutes

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