



BOARD OF EDUCATION

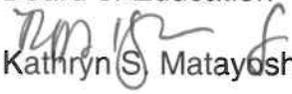
STATE OF HAWAII
DEPARTMENT OF EDUCATION
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OFFICE OF THE SUPERINTENDENT

August 2, 2011

TO: The Honorable Wesley Lo, Chairperson
Committee on Finance and Infrastructure
Board of Education

FROM: 
Kathryn S. Matayoshi, Superintendent

SUBJECT: Proposed Amendment of Board of Education Policy No. 1200-1.18 –
Federal Funds

1. RECOMMENDATION

It is recommended that the Board of Education approve the amendment of Board Policy No. 1200-1.18 to:

- Delegate to the Department of Education the Board's statutory responsibility under Section 302A-1401, Hawaii Revised Statutes, for the expenditure of federal funds
- Delete from the policy the requirement for the Department to "develop and implement regulations, which will include procedures for the routine reporting of the planned use of federal funds and approval of the proposed use of Impact Aid/Department of Defense funds"
- Change the policy requirement for monthly reports to a requirement for periodic reports
- Expand the policy requirement for reports from the Department to include federal funds expended and encumbered, in addition to federal funds received
- Delete the policy requirement that the periodic report be in a Board-approved format
- Delete the policy requirement that the Department, at least six months before federal funds will lapse, provide the Board with an action plan for ensuring the funds will not lapse

2. RECOMMENDED EFFECTIVE DATE

Upon adoption by the Board.

3. DISCUSSION

a. Background

- The policy was initially adopted by the Board in 2000 in response to a desire by the Board to utilize federal funds for Board initiatives.
- The policy was amended in 2006 in response to a concern by the Board that the Department was carelessly allowing federal funds to lapse.

b. Arguments in support of the recommendation

- The Board no longer entertains initiatives that are separate from those of the Department
- The policy, as currently written, is overly detailed
- The Board can exercise appropriate oversight over federal funds in the same manner as it exercises oversight over other Department funds; a separate reporting requirement for federal funds is not necessary

c. Arguments against the recommendation

None.

KSM:RGM:ck

Attachments

c: The Honorable Donald G. Horner, Chairperson, BOE
Office of Fiscal Services

C. FEDERAL FUNDING

[§302A-1401] Administration and use of federal funds, including pregrade education. (a) The board, designated as the administrators of such funds as may be allotted to the State under federal legislation for public educational purposes, subject to such limitations as may be imposed by congressional action, shall use and expend the funds:

- (1) To improve the program of the public schools of the State, including any grades up to the fourteenth grade or such lower grade as shall be prescribed as a maximum for such purposes by the Act of Congress concerned, by expanding the educational offerings, particularly in the rural districts;
- (2) For the payment of salaries to teachers;
- (3) To employ additional teachers to relieve overcrowded classes;
- (4) To adjust the salaries of teachers to meet the increased cost of living, within such limits as may be fixed by, and pursuant to, state law;
- (5) To provide for the purchase of supplies, apparatus, and materials for the public schools; and
- (6) For any of such purposes and to such extent as shall be permitted by the Acts of Congress concerned.

(b) The board shall organize and conduct a program of public pregrade education to the extent that funds provided therefor by the United States government are, or from time to time may become, available. In establishing and carrying on the pregrade education, any such federal funds shall be expended during any school year as nearly as practicable in each of the school supervisory districts of the State in the proportion that the number of inhabitants of each district of less than six years of age bears to the total number of the inhabitants of the entire State within the age limits, as shown by the latest report of the department of health preceding the opening of the school year. [L 1996, c 89, pt of §2]

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FEDERAL FUNDS

POLICY

The Board of Education (Board), as the statutorily designated administrator of federal funds allotted to the State for public educational purposes, is required to use and expend the funds in accordance with State law and "for any such purposes and to such extent as shall be permitted by the Acts of Congress."

The Board delegates the responsibility for the expenditure of federal funds as required by law to the Department of Education (Department) [shall develop and implement regulations, which will include procedures for the routine reporting of the planned use of federal funds and approval of the proposed use of Impact Aid/Department of Defense funds]. The Department shall provide the Board with [monthly] periodic reports on the federal funds received, [in a format approved by the Board. At least six months prior to the lapsing of any funds, the Department shall provide the Board with an action plan for ensuring the funds will not lapse] encumbered, and expended.

Approved: 09/21/2000; Amended: 10/05/2006 Amended xx/xx/2011

1200-1.18
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Approved: 09/21/2000; Amended: 10/05/2006; Amended xx/xx/2011