

## Johnson O'Malley (JOM)

### Examples of Allowable and Unallowable Costs

The Johnson O'Malley (JOM) funds are designed to meet the specialized and unique educational needs of eligible Native American children where such funding is necessary to maintain established State educational standards. JOM funds are supplemental education funds and cannot supplant State, Federal, or local funding. JOM funds can be used for JOM staff, eligible students, and Indian Education Committee (IEC) members.

#### ***§273.113 How can the funds be used under the Johnson-O'Malley Act?***

*An eligible entity may use the funds available under the contract to provide educational benefits to eligible Indian students to:*

- (a) Establish, carry out programs or expand programs in existence before the contract period that provide:*
  - (1) Remedial instruction, career, academic, and college-readiness counseling, and cultural programs;*
  - (2) Selected courses related to the academic and professional disciplines; or*
  - (3) Important needs, such as school supplies and items that enable recipients to participate in curricular and extra-curricular programs; and*
- (b) Purchase equipment to facilitate training for professional trade skills and intensified college preparation programs.*

When deciding whether a cost is allowable under JOM, consider these questions:

- Is this cost related to an eligible JOM student's unique and specialized need? If **all** students have this need, another source of funding should be provided by the school.
- Is this cost an academic need? JOM funds are for academic support only. JOM funds cannot be used for Social Emotional Learning (SEL).
- Is this need funded by another program (nutrition, special needs, COVID, etc)? JOM cannot supplant (take the place of) other funding.
- Is the cost reasonable and necessary? (reference 2 CFR § 200.404 - *Reasonable Costs*).
- Is the cost included in the Director approved Grants Management application? Costs must be aligned with the needs and goals documented in the approved JOM application.

Although an item may be allowable based on the list below, there are additional considerations:

- Items disallowed by a school district or tribal governing board will take precedence over this list.



- All items must be approved by the parent Indian Education Committee (IEC) based on the student needs assessment and the associated education plan.
  - When determining which items should be funded, the IEC should consider educational priorities and allocated funding amounts.
  - The IEC should prioritize the budget to support the most students with the greatest academic needs.

## **EXAMPLES OF ALLOWABLE COSTS**

You can use JOM funding for a variety of items to help students stay in school and increase their chance of academic success. Reference the [Bureau of Indian Education Allowable Cost Guidance](#) for more examples.

### Programs/Personnel *(JOM cannot be used for mental health or Social Emotional Learning (SEL))*

- Instructional assistants / paraprofessionals, Math/reading interventionists/tutors
- Academic Counseling
- Family Liaison – assist the school, caregivers and students with school related issues such as attendance, grades or other academic items (normally someone from within the community)
- Homeschool liaisons
- Cultural Enrichment teachers
- Indian Education Coordinators
- Bus drivers for after school or summer school Programs
- Head Start / Kindergarten Enrichment

### Services and Supplies

- Academic support such as backpacks, notebooks, paper, pens/pencils, calculators, eyeglasses
- Activity materials (culture crafts, learning activities)
- Recruitment items – banners, tablecloth, T-shirts
- Graduation caps and gowns
- Distance / Remote learning – laptops, hotspots, prepaid data/internet support, kindles, tablets

Incentives - Federal grant funds *should not be used to pay for food related to student incentives*. When purchasing student incentives, the primary focus should be on items best categorized as instructional supplies, instructional materials or award certificates/plaques and should be of nominal value.

### Indian Education Committee (IEC)

- Committee member training, conferences, educational workshops
- Attendance incentives, such as gas or grocery gift cards (nominal value, i.e., ≤ \$15 each)
- Meeting supplies
- Stipends (based on fulfillment of leadership / officer responsibilities per the bylaws)

### Culture Enrichment

- Culture projects in the form of Native American art, music, literature, and heritage
- Field trips
- Guest speakers and presenters
- Tribal language support
- Culture day celebrations

### Professional development – Training, Conference registration & travel costs

### College and Career – college readiness activities and career awareness programs

Fees and dues - registration, summer school, activities, athletic, testing, field trips, clubs, technology  
Participation – mandatory items, such as, school identification, gym clothes, uniforms, instrument rentals  
Printing & Mailings – flyers, invitations, learning packets  
Professional services – services that result in proficiency or effectiveness of academic goals and objectives  
Student recognition - perfect attendance, grades, character awards per incentive guidelines above  
Events - presenter fee, light refreshments. *Decorations are NOT an allowable cost.*  
Food – tutoring snacks, parent committee meetings, field trip lunches, events, graduation/award banquets.  
 Note the guidance below. **Be prepared to justify how food purchases are necessary** to meet the program objective.

The Uniform Guidance ([2 CFR § 200](#))

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**Food**

**While Part 200 does not prohibit food, ED generally does not allow for the purchase of food:**

- There is a very high burden of proof to show that paying for food and beverages with federal funds is necessary to meet the goals and objectives of a federal grant.
- Grantees should structure the agenda for the meeting so there is time for participants to purchase their own food, beverages, and snacks.
- "Grantees, therefore, will have to make a compelling case that the unique circumstances they have identified would justify costs as reasonable and necessary."

Department of Education Guidance on Food, 2014

- Consider light refreshments or snacks. Attempts should be made to have all, or a portion of the food, paid through alternative sources such as sponsorships or donations (local businesses, Parent/Teacher organization, restaurants/grocery stores, food trucks, etc.)
- If there is a significant and compelling need to use JOM funds for a meal, as opposed to light refreshments, the event should be:
  - Longer than two (2) hours
  - Scheduled over a normal mealtime (i.e., 7:30- 10:30am, 11:30am – 2:30pm, 5:00 – 8:00pm)
  - Not exceed \$8.00 for Breakfast, \$10.00 for lunch and \$15.00 for dinner, per person

### **EXAMPLES OF UNALLOWABLE COSTS**

JOM funds are to be used to provide educational benefits only. The JOM application must identify how a budget item assists a student in achieving academic improvement. JOM funding cannot be used for the following items:

- Social Emotional Learning (SEL) or social services
- Capital Expenditures
- Drivers Education



- Wellness, mental health or behavioral support
- Decorations
- Class rings
- Letter Jacket
- Yearbooks
- Class pictures/Portrait packages
- College class tuition
- Any item funded by another funding source. For example, nutrition funds for school lunch
- Any items provided by the school/tribe to all students. For example, Personal Protective Equipment (PPE)
- Alcohol, *2 C.F.R. § 200.423*
- Entertainment, *2 CFR § 200.438*

This list is subject to change. Please contact the Arizona Department of Education, Office of Indian Education, if you have any questions.