

## FUND DISTRIBUTION PROCESS

**Program:** Johnson O'Malley Assistance Grants (TPA)

**Type of Funding:** Recurring (Base)/Recurring (Non Base)

**Funding Authority/Responsibility:** 25 U.S.C. 13 (The Snyder Act of November 2, 1921), 42 Stat. 208, Pub.L. 67-85; 90 Stat. 2233, Pub.L. 94-482. 25 U.S.C. 461 et seq. (The Indian Reorganization Act of 1934), 48 Stat. 984, Pub.L. 73-383; Pub.L. 103-263. 25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act), 88 Stat. 2203, Pub.L. 93-638. 25 U.S.C. 452 (The Johnson-O'Malley Act of April 16, 1934), 48 Stat. 596, Pub.L. 73-167; Pub.L. 103-332 as amended Johnson-O'Malley Supplemental Indian Education Program Modernization Act. 25 U.S.C. 2008 (The Quarter Blood Amendment) 99 Stat, 1747, Pub.L. 99-228; Pub.L. 101-301.

The Director, Bureau of Indian Education Programs has responsibility for these funds.

**Criteria for Distribution:** Ninety-two percent of American Indian and Alaska Native students attend public schools. The Johnson O'Malley (JOM) grants provide such students with necessary resources designed to meet their unique and specialized educational needs. These funds can be used to provide remedial instruction, counseling, parental involvement, language and other programs that are culturally relevant to Indian students. The JOM funds are also used to cover school supplies and items that enable recipients to participate in curricular and extra-curricular programs. The JOM grant funding may only be used for students enrolled in federally recognized tribes or at least one-fourth or more degree Indian blood from a federally recognized tribe from three years of age through the 12th grade. Priority is given to programs that are on or adjacent to Indian reservations, including former reservations located in Oklahoma and Alaska Native regions.

The Johnson-O'Malley Supplemental Indian Education Program Modernization Act (JOM Modernization Act) became law on December 31, 2018. This law requires the Department of the Interior to update annually the count of Indian students eligible for the JOM Program and provide technical assistance on reporting requirements For TPA, OSG and 477 tribes. The BIE completed rulemaking in 2019 as required by the JOM Modernization Act, which entailed amending the prior methodology, funding formula and eligibility requirements.

- Base funding is currently calculated from a tribe's 1995 JOM student count, adjusted for appropriation changes, tribal fixed costs and tribal reprogrammings since 1995. For public and previously private schools, funding is based on their 1995 student count and the available funds.
- The weighted student count is determined by multiplying the 1995 count by the weight for the state where the school is located. The weight per state was derived by dividing the state's 1995 per pupil expenditure by the 1995 national per pupil expenditure, with an adjusted minimum weight of 1.3.

The amount of available funding is divided by the sum of the weighted student count for all schools to determine a per weighted student value. The per weight student value is then multiplied by each school's weighed student count to determine their annual funding.

### **Distribution Process:**

- IA Budget notifies the Bureau of Indian Education Budget of the total JOM Funds as appropriated by Congress. (within 5 days of apportionment)

- BIE transfers appropriated base funds to BIA with an accompanying transfer memorandum in the amount of JOM base funding need for the schools within the jurisdiction of the BIA Regions. (within 7 days)
- Indian Affairs OBPM transmits TPA Recurring Base funds to the appropriate BIA Region or to the Office of Self Governance (OSG) for distribution to the agency and tribal level. (within 5 days of receipt of transfer)
- BIE allocates the remaining funds not transferred to BIA to public school via contracts and/or grants.

**Regional Processing:**

- Indian Self Determination (ISD) Awarding Official negotiates terms, conditions of award, including payments. They calculate Contract Support Costs and prepare contract award/modifications in PRISM. (within 5 days)
- The ISD Awarding Official prints and mails the award/modification to tribe for review and acceptance. (within 5 days)
- Tribal elected official approves award/modification and returns the documentation to the Region/Agency.
- The ISD Awarding Official executes the award/modification and releases the obligation in PRISM. PRISM interfaces with ASAP and funds are available to tribes. (within 3 days of receipt of signed document)

**OSG Processing:**

- Once both OSG and OBPM are in agreement with the distribution list, a FED document is processed to OSG for fund distribution. (within 3 business days.)
- OSG will process the FED, subsequent PR, and obligate funding. (within 7 business days.)

Tribes log into ASAP to draw funds into their account.