

# MODESTO CITY SCHOOLS

## Administrative Regulation

AR 3231

### BUSINESS AND NONINSTRUCTIONAL OPERATIONS

#### Impact Aid

Any federal Title VII Impact Aid funds received by the district based on the concentration of children residing on lands owned by the federal government shall be used to support district programs and activities in accordance with the budget approved by the Governing Board. Such expenditures may include, but are not limited to, the salaries of teachers and paraprofessionals, capital expenditures, instructional materials, computers and other equipment, supplemental instructional programs, after-school programs, Advanced Placement classes, and special enrichment programs.

*(cf. 0415 - Equity)*

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 3100 - Budget)*

*(cf. 3230 - Federal Grant Funds)*

Any Impact Aid funds received for children with disabilities shall be used to provide a free appropriate public education to those children. (20 USC 7703, 7703a; 34 CFR 222.53)

Whenever Impact Aid funds are received based on students living on Indian lands, the Superintendent or designee shall consult and involve American Indian tribes and parents/guardians of students living on Indian lands in the planning and development of the district's general education program and of the policies and procedures for programs and activities supported by Impact Aid funding. (20 USC 7704; 34 CFR 222.94)

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 6020 - Parent Involvement)*

*(cf. 6173.4 - Title VI Indian Education Program)*

The Superintendent or designee shall: (20 USC 7704; 34 CFR 222.91, 222.94)

1. Disseminate relevant applications, evaluations, program plans, and information related to the district's education program and activities with sufficient advance notice to allow Indian tribes and parents/guardians of American Indian students the opportunity to review and make recommendations

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**BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Impact Aid**

*(cf. 5145.6 - Parental Notifications)*

2. Afford an opportunity for tribes and parents/guardians of American Indian students to present their views regarding the district's educational program and activities, including an opportunity to make recommendations on the needs of those students and how the district may help those students realize the benefits of the programs and activities

The Superintendent or designee shall notify tribes and parents/guardians of the opportunity to submit comments and recommendations, considering the tribe's preference for method of communication. If necessary, the Superintendent or designee shall modify the method of and time for soliciting views to ensure the maximum participation of tribes and parents/guardians.

3. At least annually, assess the extent to which American Indian students participate on an equal basis with other students in the district's education program and activities by:
  - a. Sharing relevant information with tribes and parents/guardians related to the participation of American Indian students in the district's education program and activities
  - b. Allowing tribes and parents/guardians the opportunity and time to review and comment on whether American Indian students participate on an equal basis with non-Indian students
4. At least annually, respond in writing to any comments and recommendations made by tribes or parents/guardians and disseminate the responses to the tribe and parents/guardians prior to the submission of the district's policies and procedures to the federal Impact Aid program director
5. Modify the district's policies and procedures as necessary based on any assessments or input from tribes or parents/guardians of Indian students
6. Annually provide a copy of the district's policy and procedures to the affected tribe(s)

AR 3231 (b)

## **BUSINESS AND NONINSTRUCTIONAL OPERATIONS**

### **Impact Aid**

The district shall annually review the district's procedures to ensure that they comply with law and are implemented by the district. If the district determines that its procedures do not comply with law, it shall revise the policy and procedures within 90 days of its determination. Within 30 days following any such revision, the district shall send a copy of the policy and procedures to the federal Impact Aid program director and the affected tribe(s). (34 CFR 222.94)

### **Records**

The Superintendent or designee shall maintain records of any Impact Aid funds received by the district, including, but not limited to, data and certifications in support of funds received. Such records shall be maintained for three years after completion of the activity for which the funds are expended and, when requested, shall be provided to the appropriate federal authority. (20 USC 1232f, 7703; 34 CFR 222.9-222.10)

### ***Legal Reference:***

#### **UNITED STATES CODE, TITLE 20**

*1232f Records*

*1400-1482 Individuals with Disabilities Education Act*

*7701-7714 Impact Aid*

#### **CODE OF FEDERAL REGULATIONS, TITLE 2**

*200.0-200.521 Federal uniform grant guidance*

#### **CODE OF FEDERAL REGULATIONS, TITLE 34**

*222.1-222.196 Impact Aid programs, especially:*

*222.90-222.129 Impact Aid, special provisions for local educational agencies that claim children residing on Indian lands*

### **Management Resources:**

#### **WEB SITES**

*California Department of Education: <http://www.cde.ca.gov>*

*U.S. Department of Education, Office of Impact Aid:*

*<http://www2.ed.gov/about/offices/list/oese/impactaid>*

*U.S. Department of Education, Office of Indian Education:*

*<http://www2.ed.gov/about/offices/list/oese/oie>*

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**ADOPTED:**