

JOHNSON O'MALLEY PROGRAM



POLICY MANUAL

Ho-Chunk Nation Johnson O'Malley Program

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HO-CHUNK NATION

Consolidated Tribal Government Program

Contract # CTF55T43984

Legislative Intent

The Legislative Intent of the Johnson O'Malley of 1934 is to provide supplementary financial assistance to Indian Tribes to meet the “unique and specialized” educational needs of Indian children.

Priority shall be given to contracts

- (a) which would serve Indian students on or near reservations
and
- (b) where a majority of such Indian students will be members of the tribe(s) of such reservations (as defined in Sec. 273.2 (o)).

JOM Goal Statement

It is the goal of the Ho-Chunk Nation JOM Division to ensure each area served by the JOM Grant complies with the Federal Regulations to ensure continued funding of the grant and to ensure that each student enrolled in the program receives fair and equitable treatment and consideration for the program funds.

This manual will provide guidance for the Indian Education Committees to follow when developing their by-laws and assist in the conduct of business in their respective areas. This manual will also provide the Ho-Chunk Nation JOM Division staff with their Standard Operating Procedures to maximize their ability to provide service to the Native Students, the Committees and ensure compliance with the terms of the Contract to ensure continued funding.

The Consolidated Tribal Government Program (#CTF55t43984) of the Ho-Chunk Nation will provide learning experiences for eligible Indian students by implementing educational programs designed to improve cultural awareness, attendance and grade point average, decrease tardiness and increase extra curricular involvement.

Each local JOM Committee from each of the Ho-Chunk Nation Communities approved the following supplemental educational opportunities for eligible JOM students that would not otherwise be provided:

- ***Educational Support Expenditure Plan;***
- ***Educational Incentive Expenditure Plan;***
- ***Cultural Awareness Expenditure Plan; and***
- ***Administrative Expenditure Plan.***

SECTION I

SHORT TITLE

This document may be cited as the **HO-CHUNK NATION JOM POLICY MANUAL**,

SECTION II

BACKGROUND AND PURPOSE

A Historical Background of the Johnson-O'Malley Program

In 1871, Congress discontinued the policy of treaty agreements with Indian tribes. For the next half century the Federal Government continued to assume the major responsibility for Indian education through the actual operation of Government schools or by paying the equivalent of “non-resident” tuition to public school districts enrolling Indian children. This early effort was implemented by legislative authority contained in the Bureau of Indian Affairs Appropriation Act of February in Regulations adopted in that Act are still nominally in effect as Part 33, Title 25 Indians, although superseded under the authority of the JOM Act. For the most part, the educational efforts focused primarily on Indian reservations that were surrounded by public domain or territorial status land. The transition of responsibility for Indian children from the Federal government to individual states is a direct result of two basic factors. (1) an organization into States formerly in territorial status, each state recognizing in its constitution the responsibility to equally provide education opportunities for all State citizens; and (2) the Citizenship Act of 1924 granting American citizenship to all Indians residing within the continental United States. Therefore, by virtue of Indian citizenship and Indian rights under the 14th Amendment of the U.S. Constitution, the responsibility for the education of the American Indian is primarily that of each State and local school district. Although the legal responsibility of equality in education for America’s children rests with the states it is recognized in basic state laws, the Federal Government also recognizes its responsibility for assisting states under certain circumstances. The JOM Act of April 15, 1934 (48 Stat. 596), as amended by the Act of June 4, 1936 (49 Stat. 1458), is such a circumstance.

A Legislative History of the Johnson-O'Malley Program

The JOM Act (73 Cong., 2nd Session, Chs. 146-1481 April 16 1934 (Title 25 452-455) provided the Secretary of the Interior with the authority to arrange with the states or territories for the education, medical attention, agricultural assistance, relief of distress and social welfare of the Indian and for other purposes. In 1934, Hiram W. Johnson was Chairman of the Senate Committee on Indian Affairs and Thomas P. O'Malley was Chairman of the House Committee on Indian Affairs. Mr. Johnson introduced the bill S2571, in February of 1934. The report of the Senate Committee (S. Rpt. 511) was identical with that of the House (H. Rpt. 864), and stressed the bill was designed to handle “*Indian problems with those States in which the Indian tribal life is largely broken up and in which the Indians are to a considerable extent mixed with the general population.*” It was felt that where such circumstances prevailed,

health and other problems were “so intermixed with that of the general health of the community that it is difficult to separate the two.” The committee felt separate white and Indian health facilities were “uneconomical and contrary to efficient administration.” By this bill the state could handle the services to both white and Indians with the Federal Government bearing the added expense for services to the Indian population. The committee noted the Indian Service had already established the precedent of arranging with many local communities to take Indian children into the public schools, but lacked the authority to transfer such functions on the broader basis to the States. Mr. Johnson amended the bill during floor debate to add “or Territory” after State so that the bill would be applicable to Alaska. The JOM Act was amended by the 74 Cong., 2nd Sess., C. 490, 49 Stat. 1458, June 4, 1936. The bill was reported out of Committee in April 1936; Thomas of Oklahoma reported the bill with an amendment. The original act provided the Secretary must contract with some legally authorized institution for those services. Some of those States had not passed an enabling act on the subject, so the bill provided the Secretary might contract with the Governor and in some States the Government may make the contract in the exercise of his inherent powers as Governor. Instead of “State or Territory” the bill now reads, “with any State or territory, or political subdivision thereof, or with any State university, college, or school or with any appropriate State, or private-corporation, agency or institution.” It was passed by the Senate with the additional change in which the non-applicability to Oklahoma was deleted in committee; no reason given. The House passed the bill and it was signed into law June 4, 1936. S1(15), June 29, 1960, 74 Stat. 248. While the JOM Act was identified primarily with education and although that was where the bulk of funds were distributed, the Act itself designated the use of funds for such purposes as education, medical attention, agricultural assistance and social welfare, including relief of distress. The expenditure of some funds for welfare and agricultural extension programs was justified under the JOM authority by the BIA but JOM funds continued to be emphasized in the area of education. Aid under the JOM Act was provided on the basis of need as approved by Congress in Senate Rpt. 1941 (1951 Appropriation Bill). Prior to 1958, the JOM Program was a basic Federal Aid program specifically designed to assist public school districts to educate Indian children from reservations and other Indian owned, tax-exempt land areas. On August 12, 1958, Public Law 81-874, administered through the Department of Health, Education and Welfare, providing financial assistance to public schools was amended to include assistance for educating Indian children. This broader based Federal aid program met most of the basic financial needs of eligible school districts. Subsequently, the JOM program became a supplementary aid program geared to offset the financial deficit of unmet extraordinary and exceptional cases of need. Funds were available for operational purposes as distinguished from construction needs. JOM funds were made available to states based on separate plans negotiated between BIA and the respective States or tribal corporations for the express purpose of supplemental Federal assistance for educating Indian children in public schools. The State, tribal corporations, or local school districts, in turn, administered these funds. The purpose of the regulations established in Part 273 of Public Law 93-638, the Indian Self-Determination and Education Assistance Act were to set forth the application and approval process for education contracts under the JOM Act. Any State, school district, tribal organization or Indian corporation is eligible to apply for a contract. These regulations were written to ensure the

maximum participation of Indian parents in the development of programs for eligible Indian students.

§ 273.4 Policy of maximum Indian participation.

The meaningful participation in all aspects of educational program development and implementation by those affected by such programs is an essential requisite for success. Such participation not only enhances program responsiveness to the needs of those served, but also provides them with the opportunity to determine and affect the desired level of educational achievement and satisfaction which education can and should provide. Consistent with this concept, maximum Indian participation in the development, approval and implementation of all programs

The purpose of the Johnson O'Malley Act of 1934 is to ensure that eligible Indian children receive the educational opportunities that would not otherwise be provided.

- a) The basic purpose is to provide supplementary financial assistance to meet the "unique and specialized education need" of Indian children.
- b) JOM funds are supplementary and are not to take the place of federal, state, or local funds and are not intended to take the place of or replace the responsibility a parent has to their child(ren).
- c) There are (2) two main requirements under the Johnson O'Malley Act to assure parent participation and control **The purpose of the regulations established in Part 273 of Public Law 93-638, the Indian Self-Determination and Education Assistance Act were to set forth the application and approval process for education contracts under the JOM Act. Any State, school district, tribal organization or Indian corporation is eligible to apply for a contract. These regulations were written to ensure the maximum participation of Indian parents in the development of programs for eligible Indian students, therefore:**

It is the intent and purpose of this manual to provide guidance to ensure maximum participation of the Indian parents to assist this program in providing their children with the benefits that are most needed in their respective areas. It is the responsibility of the Ho-Chunk Nation JOM Division to ensure compliance with the Federal Regulations with regard to the funding of the JOM program and the Contract between the Ho-Chunk Nation and the Federal Government and to ensure that the Parent Committees comply with the Federal Regulations and with their own regulations or By-Laws with regard to the disbursement of funds. It is the responsibility of the Parent Committees to help develop the program by conducting needs assessments, developing education plans and determining what shall be considered approved expenditures for the JOM funds within this program. Each Parent Committee (hereafter IEC) shall draft by-laws and include provisions detailing how these responsibilities will be met.

SECTION III:

ELIGIBILITY CRITERIA

[25 CFR. 2 (j). 273.12]

273.12 ELIGIBLE STUDENTS

Indian students, from age 3 years through grade(s) 12, except those who are enrolled in Bureau or sectarian operated schools, shall be eligible for benefits provided by a contract pursuant to this part if they are ¼ or more degree Indian blood and recognized by the Secretary as being eligible for Bureau services. Priority shall be given to contracts (a) which would serve Indian students on or near reservations and (b) where a majority of such Indian students will be members of the tribe(s) of such reservations (as defined in S 273.2(o)).

This section was amended by Public Law 99-228 Section (f)(1) [which states]“...is a member of or at least one-fourth degree Indian blood descendent of a member of an Indian tribe which is eligible for the special programs and services provided by the United States through the Bureau of Indian Affairs to Indians because of their status as Indians.”

According to the Nation Johnson-O’Malley Association, this amendment was made because several tribes lowered their enrollment policy to allow for the enrollment of descendents that have less than ¼ degree blood quantum into a their respective tribes. To comply with this policy, a child may receive benefits from the JOM Program if they can demonstrate that they are enrolled in federally recognized tribe or prove that they have at least ¼ degree blood quantum of a tribe. If they have less than ¼ degree blood quantum, they must actually enroll in a tribe before they can receive benefits.

The eligibility criteria include students who:

- **Are three (3) years by October 1st, through grade 12, except those who are enrolled in Bureau or sectarian operated schools;**
- **Are enrolled in a federally recognized tribe or are at least ¼ or more degree of Indian blood descendent of a member of a Federally Recognized Tribe.**

SECTION IV:

CONTRACTUAL REQUIREMENTS

- 1) **25 USC 452-456 and P.L. 93-638 authorize this contract.** The regulations are contained in 25 CFR 273.
- 2) **The contractor (Ho-Chunk Nation) shall provide for the administration** of the program funds to meet the special and unique needs of eligible Indian students. The services provided are contained in the approved application, which is a part

- of the contract. The BIA NACIE Area Education Programs Administrator or the Agency Superintendent will be designated as the Contracting Officer's Representative (COR).
- 3) The contractor shall allow **meaningful participation** of the IEC's in all aspects of planning, development and evaluation of the programs for eligible Indian students.
 - 4) The **Annual Report** is due within (90) ninety days after the end of the fiscal year September 30th. (By December 29th) **Each IEC must submit an Annual Report to the JOM Division Manager no later than November 15 of each year for the Contractor to compile and consolidate for submission to the BIA.**
 - a) The contractor shall prepare and send to the appropriate BIA NACIE person a report which shall include, but not be limited to:
 - i. An objective and quantitative evaluation of the effectiveness of the program in meeting the stated objectives in the Education Plan.
 - ii. An accounting of the amounts and purposes for which the contract funds were expended.
 - iii. Information on the conduct of the program.
 - 5) A narrative report is due within (90) ninety days after the close of a contract with a focus on the performance of the contract/program.
 - 6) All contracts, non-confidential records concerning students served by the program, reports, budgets, budget estimates, plans and other documents pertaining to the preceding and current year administration of the contract program shall be made available by the contractor and local school officials to each member of the IEC's, to members of the public and COR upon written request through the Ho-Chunk Nation Department of Justice.
 - 7) The contractor shall provide, free of charge, single documents of such documents upon request.

SECTION V: COMMUNITY ORGANIZATION

[Maximum Indian Participation Policy]

It is considered to be essential for the success of the JOM program that there is a strong sense of community as well as open lines of communication. To enhance both of these elements; is it the policy of the HCN JOM Division that a representative from the HCN JOM Department is made available to attend each Indian Education Committee meeting that may be held in the various service areas upon request of that area

SECTION VI:

JOM STUDENT LIST

- 1) . A listing shall be made of all students who sign up during open enrollment and who meet the eligibility requirements detailed in SECTION III of this manual and are enrolled in a public school, including public pre-schools and head start programs that are specifically affiliated with that area's public school district. In some cases enrolled in a charter school, and have also registered for services with an Indian Education Committee. This list shall be provided to the HCN JOM Department no later than October 1st of each School Year.
- 2) Budget allocations to the various IEC's are determined by the student list (head count) for each IEC.
- 3) **Open enrollment** for the JOM Program will take place every beginning of the school year from **August 1 thru the third Monday of September.**
- 4) IEC's will make public announcements, mailings, or other notifications to affected parents to optimize program enrollment.
- 5) JOM Program staff will produce an **enrollment form** for use in registering participants for the program.
 - a) These forms **if they have been modified or updated since the previous enrollment period** will be mailed to the IEC Secretary no later than July 15, by the JOM Staff.
 - b) These forms will be standardized for use by all IEC's. Copies, faxes or other reproductions may be accepted as valid enrollment forms for the purpose of registering participants for the JOM Program.
 - c) Enrollment forms will be completed by **all** participants. Participants when initially enrolling will be required to submit proof of eligibility. It is the responsibility of the parents/guardians and the IEC officers conducting enrollment to physically verify eligibility. **Proof of eligibility must be written or physically tangible, meaning it can be seen, copied and filed.**
 - d) Proof of eligibility and enrollment forms will be kept on file by the **HCN** JOM Program staff and the IEC Secretary. **Once on file, for the participant will not have to provide proof of Tribal Eligibility** for subsequent years of participation unless they move to a new school district (IEC coverage area). Each participant must still complete an annual enrollment form.
 - e) The JOM Program staff (copies) and the IEC secretary (originals) will keep all enrollment forms including proof of eligibility in Program files.

- 6) Students shall be included in the IEC's student listing (head count) **in the area in which he/she/they will attend school.**
- 7) IEC student listings (head counts) may be amended throughout the year, as students/families relocate. However, the budget for the IEC's will stay the same, based on the original counts submitted *for that year.*
- 8) The **IEC Officers** will ensure that no participant is counted twice. **This will be verified by the JOM Program staff.**
- 9) The IEC chairperson will ensure that the final student list (head count) for his/her IEC is submitted to the **HCN JOM Program Staff by the October 1st deadline.**
- 10) JOM Program Registration form composition (at a minimum):
 - a) **Date of Application**
 - b) **Student Sex**
 - c) **Student Name**
 - d) **Student Age**
 - e) **Student Date of Birth**
 - f) **Student Mailing Address w/ City, State and Zip Code**
 - g) **Student Tribal Affiliation**
 - h) **Student Tribal Enrollment Number/**
 - i) **Student School Name**
 - j) **Student School District**
 - k) **IEC that Student is a Participant of**
 - l) **Student's Parent/Guardian Name**
 - m) **Student's Parent/Guardian Phone Number**
 - n) **Student's Parent/Guardian Address w/ City, State and Zip Code**
 - o) **Verification by two (2) IEC officer signature**
 - p) **Other information as deemed necessary by the JOM Program staff and/or the Education Council**

11) Student list (head count) composition:

- a) **IEC Name as header**
- b) **School Year that the List represents (August, XXXX – June, XXXX)**
- c) **Student Name w/ last name first and first name last**
- d) **Listed in alphabetical order by first letter, etc. of last name.**
- e) **Name of Parent/Guardian/Contact and Contact Information including address and if and whenever possible, phone number and email address.**

SECTION VII:

STRATEGIC PLANNING

[The Annual Needs Assessment]

Annual Needs Assessment

- 1) 25 CFR Sections 273.16 (v) (b) (2) requires that the recipients of JOM Program funding “Make an annual assessment of the learning needs of Indian children in the community affected.”
- 2) The IEC’s will conduct an annual needs assessment during the final quarter of the current school year to determine needs for the upcoming school year.
 - a) The IEC’s will conduct the annual needs assessment during the final quarter of the current school year and have them completed by June 15th of that year.
- 3) **Needs Assessment Definition:** a process designed to gather information about the specialized and unique educational and culturally related needs of eligible Indian students. It provides direction for the development of programs to meet specific needs. The results for the survey will be used to develop the goals and objectives for the JOM Program. A needs assessment is a determination of what the actual needs are of an organization, a group or individual. A need is defined as a “condition or discrepancy” from the norm. It can be based upon on either **subjective** (something thought to exist) or **objective** (something that actually exists) information. Clear, objective, quantifiable data is preferable in determining needs.
- 4) The Annual Needs Assessment will be the tool that is used by the Education Council and the IEC’s in determining the allocations of funds within **their Education Plans. The Education Plan determines where funds are placed within the IEC budgets specifically in the areas of Cultural Awareness, Education Support, Administration, and Incentives as determined by the Needs Assessments of each area.**
- 5) The JOM staff **will develop a** standardized assessment tool for this purpose. This standardized assessment tool will be reviewed annually to ensure it is comprehensive and meets the needs of gathering the assessment data necessary for planning, development and budgeting of the JOM program.
- 6) **Prior to the end of each school year, each IEC will review their Needs Assessments and compile a report explaining how the JOM Funds assisted them in attaining the goals that they had set forth for their students. The IEC will make recommendations for program changes to improve or maximize the success in attaining their goals for the following school year.**
 - a) **This report will be given to the parents in their area for review and comment. These comments will then be compiled and included in their Annual Report and act as an aide to determining the effectiveness of the program and submitted to the JOM Program Staff to be filed.**

SECTION VIII: EDUCATION PLAN

1. The Educational Plan is the written document which outlines the plans for providing programs to meet the unique and specialized needs of Indian students. It is developed **by** the IEC's. It identifies needs of the Indian students, the goals and objectives to be accomplished, procedures to be followed, methods to be used in evaluating the program as well as proposed budgets and is submitted as part of the contract.
2. The Educational Plan will include, at a minimum:
 - a) Educational goals and objectives which adequately address the educational needs of Indian students to be served by the contract **and a method to measure the success or failure of the plan so that appropriate steps can be taken to correct the deficiencies that are noted.**
 - b) Incorporate the program or programs developed by the IEC's.
 - c) Procedures for the hearing grievances from Indian students, parents, community members, and tribal representatives related to the programs contracted. Such procedures shall provide for the adequate notice of the hearing.
 - d) Identify established standards and requirements which shall be maintained in operating programs and services contracted.
 - e) Describe how the standards and requirements will be maintained.
 - f) Provide that educational facilities receiving funds shall be open to visits and consultations by the IEC's, tribal representatives/ parents or guardians of Indian students in the community, and duly authorized representatives of the Federal, State and Tribal Governments.
 - g) Outline procedures of administrative and fiscal management to be used by the JOM Program staff if these do not already exist.
 - h) Contain justifications for requesting funds for operational support. The information given will include non-confidential records of receipt of local, State, Tribal and Federal funds.
 - i) Include budget estimates and financial information needed to determine program costs to contract for services, provide activities, etc. This will include, but is not limited to, the following:
 - i. State and district average operational cost per pupil.

- ii. Other sources of funding the IEC is receiving, the programs funded, and the number of Indian students being served by the funding.
 - iii. Administrative costs involved, total number of employees, and total number of Indian employees.
 - iv. Costs which the parents normally are expected to pay for each school, activity, etc.
 - v. Supplemental and operational funds outlined in a separate budget, by line item, to facilitate accountability.
 - vi. Total number of employees for each special program and number of Indian employees for that program.
- j) State the total enrollment of school and district, by age and grade level.
 - k) State the eligible Indian enrollment-total and classification by tribal affiliation(s) and by age and grade level.
 - l) State the total number of school board members and number of Indian school board members.
 - m) List Government equipment needed to carry out the contract.
 - n) State the period of the contract term requested.
 - o) Include the signature of the authorized representative of applicant.
 - p) Provide written information regarding:
 - i. Program goals and measurable objectives related to the learning needs of potential target Indian students along with the assessments used to evaluate program success.
 - ii. Procedures and methods to be used in achieving program objectives, including the involvement of parents, students and communities in determining needs and priorities.
 - iii. Overall program implementation including staffing practices, parental and community involvement, evaluation of program results, and dissemination thereof.
 - iv. Determination of staff and program effectiveness in meeting the stated needs of target students.
- 4) The Education Plan will also have as major headings/inclusions:

a) **Education Support Work Plan** that will at a minimum contain:

- i. A plan that is created to guide the student's academic readiness enhancement activities by assisting with the supplemental cost of basic and unique educational needs.

b) **Educational Incentive Work Plan** that will at a minimum contain:

- i. A plan that is created to provide students with the means to participate in school related extracurricular activities, including athletics, educational field trips, and student honor banquets.

c) **Cultural Awareness Work Plan** that will at a minimum contain:

- i. A plan that is created to develop and foster cultural awareness in the local community and school districts to reinforce tribal identity in Indian students.
- ii. Assessment plan for determining cultural awareness aptitude and other relevant identity issues in the local community and school districts.

d) **Administration Work Plan** that will at a minimum contain:

- i. A plan that is created to provide reimbursement and payment for meeting expenses, based on a percentage basis, incurred by the IEC's in carrying out their JOM Program duties.

5) The Education Plan as well as the included Educational Support, Educational Incentive, Cultural Awareness and Administration Work Plans must be based solely on the facts and finding of the **Annual Needs Assessment**.

6) A copy of the Educational Plan will be maintained in the JOM Program files located in the Johnson O'Malley & Pre K – 12 Grant Programs offices. **The original and a copy must also be kept by the IEC Secretary and readily accessible to all officers and parents. This copy should be periodically reviewed by all members of the IEC to ensure they are acting in a manner consistent with their Plans.**

SECTION IX: GOALS AND CATEGORICAL OBJECTIVES

JOM Goal Statement

The Consolidated Tribal Government Program (#CTF55T43984) of the Ho-Chunk Nation will provide learning experiences for eligible Indian students by implementing educational programs designed to improve the effectiveness of the IEC's Educational Plans.

Categorical Objectives

Budgetary constraints and/or IEC goals and objectives may limit each IEC in using any of the following (4) four objectives.

Educational Support Objective

By September 30, of the current school year JOM staff in concert with the HCN Education Department Accountant will facilitate a prorated percentage of dollars for Educational Support Costs that will assist with the supplemental cost of basic and unique educational initiatives for each eligible JOM student to enable them access academic readiness enhancement as detailed in the IEC Educational Plan.

Educational Incentive Objective

By September 30, of the current school year the JOM staff in concert with the HCN Education Department Accountant will facilitate a prorated percentage of dollars for Educational Incentive Costs to provide for each eligible JOM student as described in the IEC Educational Plan.

Cultural Awareness Objective

By September 30, of the current school year JOM staff in concert with the HCN Education Department Accountant will facilitate a prorated percentage of dollars for Cultural Awareness Costs that will create and foster cultural awareness in the local community and to reinforce tribal identity for each eligible JOM student as described in the IEC Educational Plan.

Administrative Objective

By September 30, of the current school year JOM staff in concert with the HCN Education Department Accountant will facilitate a prorated percentage of dollars or Administrative Costs that will provide reimbursement and payment for meeting expenses incurred by the JOM Committee(s) to enable them to carry out their JOM duties as described in the IEC Educational Plan.

SECTION X: PARENT & OFFICER TRAINING & NATIONAL JOM CONFERENCE

- 1) **JOM Program will plan and conducting Officer Training annually. The IEC Officers are responsible for attendance at the training and wherever necessary, for providing instruction and presentations to the parents in their areas. The JOM Program Staff can provide assistance and support for this training at each location at the request of the IEC.**
 - a) **The National Johnson O'Malley Conference takes place during October or November each year. When funding is available and there is sufficient interest, IEC officers and parents may be able to attend this conference. The interaction with other JOM committee members around the country is considered very educational and enlightening. Because funding is limited and because it takes place during the school year, student attendance will not be encouraged or funded by the JOM Program. You must be a parent or legal guardian of a child that is registered for benefits with a recognized IEC.**
- 2) **Attendees at the National Johnson O'Malley Association Conference will also be required to present on a topic of interest at any IEC meeting that requests them or at any trainings conducted by the JOM Staff. IEC members and Officers that attend the NJOMA conference will not be eligible to attend during subsequent years while there are those interested and willing to attend that have not previously attended the NJOMA conference. This is to ensure that we can maximize the opportunity for attendance by everyone to at least one meeting.**

SECTION XI: INDIAN EDUCATION COUNCIL (IEC) ORGANIZATION & MEETINGS

- 1) **The IEC's are established to meet the Johnson O'Malley Program requirement of maximum Indian participation as stated in 25 CFR, Section 273.4.**
- 2) **The IEC's involvement is a prerequisite to providing meaningful parent participation in all aspects of educational programming, development, and implementation.**
 - a) **Parent participation enhances program responsiveness to the needs of those served and allows them the opportunity to determine and affect the**

desired level of educational achievement and satisfaction which education can and shall provide.

- 3) The IEC officers **may** include:
- a) **Chairperson**
 - b) **Vice-Chairperson**
 - c) **Secretary**
 - d) **Treasurer**

Chairperson responsibilities are to:

- i. Preside over all duly called meetings using simple Parliamentary Procedure.
- ii. Participate in duly called sub-committees.
- iii. Participate and take the leadership role in the program needs assessment process.
- iv. Ensures compliance of the IEC with all rules, regulations, laws and this manual when conducting business **and ensures that all reports are completed and submitted to the JOM Program Staff. Quarterly Reports should be done to gauge each areas progress and adherence to their Education Plans and given to the parents and JOM Program Staff. The annual report should begin being completed in April of each year summarizing the effectiveness of the program over that school year. The annual reports are due to the JOM Program Staff in June each year and may be submitted at the monthly Networking Meeting or sent directly to the JOM Program Office in Black River Falls. The annual report should also be shared with the parents during a regular IEC meeting.**

f) Vice-Chairperson responsibilities are to:

- i. Assist the Chairperson in performing their assigned duties and responsibilities.
- ii. Act as the Chairperson, Secretary, Treasurer if he/she is not in attendance and become the Chairperson if the office is vacated.

g) Secretary responsibilities are to:

- i. Serve as the Vice-Chairperson or Chairperson if necessary.
- ii. Keep an official roster of IEC officers including **current contact information.**

- iii. Write and receive correspondence for the IEC.
 - iv. Record, sign **and** submit copies of the **meeting minutes** to the JOM staff and maintain copies of meeting minutes.
 - v. Read minutes of the previous meeting.
 - vi. Maintain “copy-only” files of IEC business.
 - vii. Maintain forms and ensure their proper usage and completion as required for compliance with all rules, regulations, laws, and this manual.
 - viii. Submit copies of all completed meeting documents, forms, and files to the JOM staff for storage in the permanent program files.
- h) Treasurer responsibilities are to:
- i. Serve as the Secretary, Vice-Chairperson or Chairperson if necessary.
 - ii. Maintain the fund raising activity finances of the IEC and report on account status at duly called meetings.
 - iii. Reports on contract funds use and balances for the IEC
3. IEC officers must be elected by majority vote of the participating parents and/or guardians, including persons acting as *in loco parentis*, of eligible Indian students. Officers must also be parents of eligible Indian students.
4. IEC Policies and Procedures will, at a minimum, require:
- a) Elections to be conducted in accordance with IEC on even numbered years IEC’s will ensure that this is included within their by-laws during the regular annual review and revision period (as designated by the IEC, typically October). Note: By-laws can change at IEC discretion and timeframe.
 - b) BIA OIEP NACIE and Ho-Chunk Nation JOM Handbooks are distributed to new officers.
 - c) New officers are given an orientation to their duties and responsibilities **by the JOM program staff after they are elected.**
 - d) JOM Staff provide budget and program reports at duly called meetings as requested.
 - e) JOM staff will attend IEC meetings, at the request of the IEC **with** a two (2) week notice.

- f) IEC secretaries ensure that agendas, meeting minutes, meal/door-prizes are ready for all duly called meetings. Secretaries also ensure that adequate meeting notice and pertinent agenda information is made available to all parents of eligible Indian students and the JOM staff.
 - aa.) **Door Prizes are only for those parents of registered students attending and participating in a IEC meeting.**
 - bb.) **Meals are only for those parents/guardians and their JOM Program enrolled children attending and participating in an IEC meeting.**
- g) IEC Officer will conduct all duly called meetings per IEC By-Laws.
- h) Simple parliamentary meeting process and rules apply at all meetings and it is the responsibility of the presiding officer to ensure compliance with this.
 - aa.) **Motions made at meetings must be in writing and read aloud by the Chairperson before being voted upon.**
 - bb.) **Secretaries will ensure that all motions and other business are recorded in the official meeting minutes as required.**

5. IEC meeting procedures will follow, at a minimum;

- b) Agenda prepared by the Chairperson, Vice-Chairperson and Secretary as required to include, at least, the following:
 - i. **Call to Order**
 - ii. **Prayer**
 - iii. **Roll Call**
 - iv. **Agenda Approval**
 - v. **Review Meeting Minutes of Last Meeting**
 - vi. **Reports**
 - vii. **Unfinished Business**
 - viii. **New Business**
 - ix. **Announcements**
 - x. **Next Meeting**
 - xi. **Adjournment**

7) **Copies of all meeting** documents are turned in within **three (3)** business days of the meeting for processing and filing by the JOM staff.

SECTION XII:**FEDERAL JOM POLICY**

- 1) The Education Plan serves as a contract between the Bureau of Indian Affairs Office of Indian Education Programs National Advisory Committee on Indian Education (BIA OIEP NACIE), the Contractor (Ho-Chunk Nation).
- 2) JOM Program staff **monitors each sub-contractor for compliance with their own education plans, by-laws, approved expenditure lists and all applicable laws, rules and regulations.**
- 3) All JOM Program files will be maintained in lockable file cabinets that are to be kept locked when JOM Program staff is not present.
- 4) Funds received for the JOM Program from the BIA OIEP NACIE shall be expended only for the benefit of eligible Indian students.
- 5) The JOM Program cannot supplant, but may supplement Federal, State, Tribal, and local funds. Use of JOM Program funds will not result in the decrease of Federal, State, Tribal or local funds which would be made available for Indian students if there were no funds under this contract.
 - a) Tribes operating JOM Programs need to clearly understand that their JOM Program is not duplicating the local school obligations to Indian students, including transportation and tutoring that fall into this area.
 - b) The IEC's of the Ho-Chunk Nation's JOM Program will always ascertain what services the schools in their areas of service are providing to Indian students and then address the specialized and unique educational needs that fall outside the school's responsibilities.
- 7) Federal, State, and local funds must be used to provide comparable services to non-Indian and Indian students prior to the use of JOM contract funds. The Ho-Chunk Nation and its established programmatic funds is the "payer of last resort."
- 8) The school lunch program of the United States Department of Agriculture (USDA) shall constitute the only federally-funded school lunch program for Indian students in public schools. Where Indian students do not qualify to receive free lunches under the National School Lunch Program of the USDA because the students are non-needy and do not meet the family size and income guidelines for free USDA lunches, the Education Plan may provide, to the extent of funding available for JOM Programs, for free school lunches for those students who do not qualify for free USDA lunches but who are eligible students within the JOM Program.

SECTION XIII: PROCESSING JOM REIMBURSEMENT PAYMENTS & RECONCILIATIONS

- 1) The foundation of the JOM Program is to provide supplementary financial assistance to meet the unique and specialized education needs of Indian children. The JOM Program **is not** to be used as **the primary funding source** for any activity. **The donations of JOM funds is illegal per federal law.**
- 2) The IEC **will** develop a list of reimbursable education related activities, items, and purchases as well as a list of allowable expenditures **ensuring that the approved expenditure list complies with each IEC's annual budget. Any expenditures that are included on the approved expenditure listing that creates a situation where any students will exceed their equitable share of JOM funds should be balanced either by the inclusion of an active fundraising program undertaken by that IEC or some alternate explanation of funding plans must accompany the expenditure listing.**
 - a. These lists will be reviewed annually **and submitted with the Education Plan to the JOM Division Staff.**
 - b. All listed activities, items, and purchases must support the education plan.
 - c. **Each Secretary must mail a copy of the approved expenditure list to each eligible student every year to ensure that each student is aware of what funds are available to them as well as any fundraising needs that may exist.**
- 3) The IEC shall approve all expenditures using simple parliamentary meeting processes and record these motions and the actions taken in the appropriate meeting minutes. **The HCN JOM Division will not release any funds for expenditures that are not on an IEC's Approved Expenditure List, nor will funds exceeding the total amount of funds approved on the Expenditure List be distributed.**
- 4) Recipients of reimbursements must be parents/guardians of eligible Indian children and these children must be enrolled in the JOM Program and **must appear** on the enrollment list for the Program.
 - a) Original **Receipts**, invoices, bills, etc. are required for all reimbursements/payments. Copies may be used when originals are lost.
 - b) These documents are maintained in the permanent JOM Program files located in the JOM staff office.
- 5) All requested reimbursements/payments must be submitted using the proper JOM Program forms. Reimbursement/payments must also be recorded in the appropriate meeting minutes including the vote results to approve/disapprove.
- 6) Completed reimbursement/payment requests are forwarded, with a copy of the appropriate meeting minutes to the JOM **program** staff for review and

processing. **The JOM Program staff will process the requests within ten (10) days from the date that all required documentation is received by the JOM Staff from the IEC Secretary. The JOM Program Staff will then forward the request to Treasury for payment.**

- a) When received by the JOM Program staff the completed forms will be date stamped and reviewed for accuracy, quorum attained, motions passed, properly recorded information, proper forms used, receipts, invoices, bills, etc. are attached, all information spaces are filled out, and required signatures are present.
 - b) JOM Program staff also reviews **the student** listing to ensure the student(s) **are eligible**.
 - c) JOM Program staff ensures that the item(s) are on the IEC's approved reimbursement/payment eligibility listing as well as that the budget line item is covered by available funds.
 1. If any required information is missing or incorrect the JOM Program staff will send this back to the IEC for correction.
 2. If there is a lack of funds, the request does not comply with the approved expenditure listing or if the student is not listed on the reimbursement/payment eligibility listing, the request will be denied and returned to the IEC.
 3. The IEC secretary is responsible for ensuring all submissions to the JOM Program staff is complete, correct and that copies have been made for their IEC files.
 4. JOM Program staff will make copies of items for submission with vouchers. Originals will be kept in the JOM Program files with a copy of the completed voucher.
 5. Education Department staff mails all reimbursements/ payments to the designated recipient and provides a copy of the check and voucher to the JOM Program staff, , and/ or IEC's for filing.
- 7) Funds requested for a specific activity/expenditure must be used for that specific activity/expenditure. **All funds that are not used in the manner specified must be reimbursed to the JOM Program immediately after the event conclusion.**
- 8) JOM related activities/expenditures are required to be reconciled within 72 hours of the closing of the event by the IEC.
- a) Items to be included with all reconciliations (no exceptions):

- i. Participant listing
- ii. Participant sign-in
- iii. Original Receipts or council approved receipt, invoices, and/or bills
- iv. Unspent funds in either check or money order made to: **Ho-Chunk Nation**
- v. If incentives, etc. are disbursed, proof of this disbursement including recipient signature and what was received, with explanation of why this was given.
- vi. Copy of initial and subsequent meeting minutes showing approval, planning, budget, and other supporting documents supporting this having been accomplished prior to the activity/expenditure taking place.
- vii. Copy of the education plan used as the basis for the activity/expenditure.
- viii. Evaluation of activity/expenditure, in writing, of what went well, what needs improvement and other information learned.

SECTION XIV: SETTING UP SCHOOL SUPPLY DISTRIBUTION, REIMBURSEMENTS AND ACCOUNTS

There are three (3) options for school supply purchase/reimbursement **ONLY IF THE NEEDS ASSESSMENTS AND EDUCATION PLAN SUPPORT THIS EXPENDITURE:**

Option 1: Distribution by IEC

- 1) The IEC approves of bulk purchase through meeting minutes, specifying dollar amount, who is to purchase, where the purchase is to be made (vendor or vendor(s)), who is responsible for reconciliation and any other pertinent information with accompanying motion and vote for approval.
- 2) IEC's will also provide the JOM staff with a school supply list of bulk items to be purchased by July 15 of the current school year.

- a. The school supply list of bulk items will be prepared by the IEC's using the approved school supply lists of the school districts where participants will be enrolled.
- 3) The IEC will set the school supply purchase amount allowed per student based upon grade level and supplies required by school district(s) in the service area.
- 4) The IEC will be responsible for establishing a school supply distribution list with student names and supplies to be issued based upon grade level and school requirements.
- 5) The IEC will establish a distribution schedule that ensures that supplies are delivered to participants prior to the start of school.
- 6) JOM Program staff will then have the responsibility of processing the request and ensuring that a check is made available for the purchase from the vendor.
- 7) IEC Officers must be present during distribution of school supplies.
- 8) Participants, and/or parent/guardian will sign for receipt of school supplies.
- 9) School supply distribution must be reconciled by the IEC within thirty (30) days of the completion of the distribution.
- 10) Any supplies or money that is not reconciled within thirty (30) days will be turned over to the Ho-Chunk Nation Department of Justice for collection from the IEC Officers of that area that were present during the distribution. If distribution occurred when there were no IEC officers present, ALL officers will be deemed responsible for the repayment of the un-reconciled amounts.**

Option 2: Reimbursement

- 1) The IEC will determine and record in appropriate meeting minutes or an allowable reimbursement list on file with the JOM Program detailing an amount to be reimbursed per child for school supplies.
- 2) The IEC will determine and record in appropriate meeting minutes a deadline for reimbursements to be turned in to the IEC for approval of payment.
- 3) The IEC Secretary will ensure that each reimbursement includes original receipts with children's names written on the back with parent or guardian name and address (copies may be used if originals are not accessible) and a completed Reimbursement/Payment Form listing all approved reimbursements. Also, a completed Reimbursement Request Form for each parent or guardian requesting reimbursement and that the amounts of each reimbursement and who it is to be paid to are recorded in the appropriate meeting minutes with accompanying motion and vote for approval.

- 4) All documents regarding reimbursement must be submitted by the IEC Secretary to the JOM Staff within thirty (30) days of purchase/ receipt and approval with appropriate meeting minutes. **These documents must include the receipt, a copy of the Education Plan and the approved expenditure list demonstrating these expenditures are consistent with the goals of the IEC.**
- 5) JOM Staff will have ten (10) days to process all reimbursement requests after they are received **and submit the request to Treasury for processing.**

Option 3: Store Account

- 1) The IEC meets and approves establishing the account at a local retailer(s) Included in the motion made for this are the:
 - a) Name of the Vendor.
 - a) Address of the Vendor.
 - b) Phone and Fax Numbers of the Vendor.
 - c) The amount allocated per student.
 - d) The list or number of students.
 - e) Items allowed for purchase – school supplies from a school issued list and may include one pair of gym shoes, one package of gym socks, and one book bag **PROVIDING THESE EXPENDITURES ARE SUPPORTED BY THE NEEDS ASSESSMENTS, EDUCATION PLAN AND ARE ON THE APPROVED EXPENDITURE LIST.**
 - f) IEC Officer responsible for ensuring compliance with store account “Letter of Obligation” as stated in item 2 of this section.
- 2) JOM Staff drafts a “Letter of Obligation”, with copies to affected IEC Officers, to the Manager/Retailer and requests that a charge account be established for the appropriate JOM service areas and includes the following information:
 - a) Current, updated list of students, which is provided by the IEC.
 - b) Amount allowed per student.
 - c) List of allowable items.
 - d) Names and phone numbers of IEC Officers or other designated contact person.
 - e) Proposed deadline of two (2) weeks for pick-up of supplies by students/parents.

- f) IEC Officers are responsible for notifying people in their JOM service area.
- 3) Store accounts will be paid in full within thirty (30) days of completion of charge period or as designated by the Retailer.
- 4) Overcharges or charges for unauthorized items are the responsibility of the parent/guardian making the purchase. The IEC using store charge accounts is also liable for overcharges, which cannot be paid from federal contract funds, and must therefore be paid with personal funds as deemed appropriate by the IEC. The Ho-Chunk Nation or its employees will not be liable for paying any overcharges.

SECTION XV: FINANCIAL MANAGEMENT STANDARDS

GRANTEE means the nonprofit corporation or other legal entity to which a grant is awarded and which is accountable to the Federal Government for the use of the funds provided. [Source: EDGAR—Section 74.3 Definitions]

As a GRANTEE of federal funds, the HO-CHUNK NATION (HCN) Education Department Accountant and selected staff of the Department of Treasury must collectively plan, implement and evaluate fiscal activities including Financial Status Reports (SF-269s) to maintain compliance to the following standards.

- (A) **Financial Reporting:** *Accurate, current, and complete disclosure of the financial results of each project or program shall be made in accordance with the financial reporting requirements of the grant or sub grant.*
- (B) **Accounting Records:** *Records which identify adequately the source and application of funds for grant or supported grant-supported activities shall be maintained. These records shall contain information pertaining to grant or supported awards, authorizations, obligations, unobligated balances, assets, outlays, income, and, if the recipient is a government, liabilities.*
- (C) **Internal Controls:** *Effective control and accountability shall be maintained for all grant or supported cash, real and personal property covered by Subpart O of this part (reference EDGAR Section 74.3), and other assets. Recipients shall adequately safeguard all such property and shall assure that it is used solely for authorized purposes.*
- (D) **Budgetary Controls:** *The actual and budgeted amounts for each grant or grant-supported activity shall be compared. If appropriate or specifically required, recipients shall relate financial information to performance or productivity data, including the production of unit cost information. If unit cost data are required, estimates based on available documentation will be accepted whenever possible.*

- (E) **Advance Payments:** *Procedures shall be established to minimize the time elapsing between the advance of Federal grant or supported funds and their disbursement by the recipient. When advances are made by a letter-of-credit method, the recipient shall make draw downs as close as possible to the time of making disbursements.*
- (F) **Allowable Costs:** *Procedures will be established for determining the reasonableness, allow ability, and allocability of costs in accordance with the applicable cost principles prescribed by Subpart A of this part and terms of the grant.*
- (G) **Source Documentation:** *Accounting records shall be supported by source documentation such as cancelled checks, paid bills, payrolls, contract and sub grant award documents.*

SECTION XVI: EVALUATION PLAN--will assess Program Results and Accountability

Periodic Impact Assessments

Each IEC will conduct on-going periodic impact assessments of the four (4) approved JOM categorical objectives. These periodic assessments of program activities and procedures will prescriptively focus on:

- **Program Performance (Results/Outcomes), and**
- **Program Efficiency (Cost-Effectiveness).**

These on-going assessments should answer questions such as:

1. who is receiving what services, and
2. are the services being delivered in a timely manner?

It is also known as a **Formative Evaluation**, because

- it gathers information that can be used as a management tool to improve the way a program operates while the program is in progress.
- it should also identify specific violation of the Standards that occurred,
- how the problems were resolved, and
- what recommendations are needed for future implementation.

Descriptive **Quarterly Performance Reports** will enable the IEC to actively engage in discussions about what the JOM program is doing, where it is going, how it could be

improved, and what information is needed to reduce uncertainty about JOM program implementation and effects.

SECTION XVII: REPORTING REQUIREMENTS

The following **REPORTING REQUIREMENTS** will be planned, implemented and evaluated by the Ho-Chunk Nation Education Department to comply with mandated GRANTEE responsibilities. The actual drafting of these reports must be conducted by the IEC's and submitted to the JOM Program Staff for compilation and submission to the BIA. Without the participation of the Parents, the program cannot effectively be evaluated or implemented.

Semi-Annual Financial Status Report **(SF-269 A and Attachment 1)**

Will be facilitated by the HCN Department of Treasury and submitted by **April 25, October 25**, and/ or final **90 days after the conclusion** of the contract or fiscal year.

ANNUAL NARRATIVE REPORT: [Source: 638 Consolidated Contract] **PART Considerations**

The following PART Evaluation Questions will be the primary basis for the ANNUAL REPORT of the Ho-Chunk Nation JOM Program:

- (A) **Has the program demonstrated adequate progress in achieving its long-term performance goals?**
- (B) **Does the program (including program partners) achieve its annual performance goals?**
- (C) **Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?**
- (D) **Does the performance of this program compare favorably to other programs, including government, private, tribal, etc., with similar purposes and goals?**
- (E) **Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?**

Within 90 days after the end of each federal fiscal year and upon contract completion, the JOM Manager will provide a final **Descriptive Performance Report** detailing the Accomplishments, Problems, Corrective Actions or Recommendations to the Bureau of Indian Affairs. **This final Descriptive Performance Reports will comply with the "Closeout" requirements as specified by BIA and is based upon and a compilation**

of the annual reports submitted by each IEC to the JOM Program Staff in June of each year.

1. **Narrative Section:** Discuss progress toward accomplishment of the goals and objectives envisioned in the contract, comment on problems encountered, etc.
2. **Statistical Section:** Include any and all statistical information as may be required to support the Narrative Section.
3. **Financial Section:** Report on funding issues, total funds expended, balance remaining, status of payments. Comment on funding problems, budgeting problems, etc.

SECTION XVIII:

ANNUAL REPORT

A product final assessment of JOM activities (Annual Narrative Report) will be compiled by collection of data that define the net effects of the EDUCATION PLANS applied in the project. The Annual Narrative Report will produce and interpret findings related to whether the four (4) OBJECTIVES produced desirable changes and their potential for being replicated. The following measurable narrative reporting format will assess whether this JOM program worked.

Educational Support Objective

By September 30, of the current contract year, JOM staff in concert with the HCN Education Department Accountant will facilitate a prorated percentage of dollars for Educational Support Costs that will assist with the cost of basic and unique educational initiatives for each eligible JOM student to enable them access academic readiness enhancement as approved by the IEC's.

Accomplishments:

Barriers to Implementation:

Corrective Action:

Recommendations:

Educational Incentive Objective

By September 30, of the current contract year, JOM staff in concert with the HCN Education Department Accountant will facilitate a prorated percentage of dollars for Educational Incentive Costs to provide for each eligible JOM student with the means to participate in extracurricular activities, including athletics, educational field trips, and student honor banquets as approved by the IEC's.

Accomplishments:

Barriers to Implementation:

Corrective Action:

Recommendations:

Cultural Awareness Objective

By September 30, of the current contract year, JOM staff in concert with the HCN Education Department Accountant will facilitate a prorated percentage of dollars for Cultural Awareness Costs that will: (1) create and foster cultural awareness in the local community and (2) to reinforce tribal identity for each eligible JOM student as approved by the IEC's.

Accomplishments:

Barriers to Implementation:

Corrective Action:

Recommendations:

Administrative Objective

By September 30, of the current contract year, JOM staff in concert with the HCN Education Department Accountant will facilitate a prorated percentage of dollars for Administrative Costs that will provide reimbursement and payment for meeting expenses incurred by the JOM Committee(s) to enable them to carry out their JOM duties as approved by the IEC's.

Accomplishments:

Barriers to Implementation:

Corrective Action:

Recommendations:

SECTION XIX: PENALTIES FOR NON-COMPLIANCE WITH HCN JOM POLICY MANUAL

[SOURCE AUTHORITY 25CFR-273.51]

If any officer, director, agent or employee of, or connected with, any contractor or subcontractor under this part embezzles, willfully misapplies, steals, or obtains by fraud any of the funds or property connected with the contract or subcontract, he/she shall be subject to the following penalties:

a)If the amount involved does not exceed \$100, he/she shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

b)If the amount involved exceeds \$100, he/ she shall be fined not more than \$10,000 or imprisoned for not more than two years, or both.

In an effort to avoid Federal penalties these actions will be taken first.

If at any time, an IEC is determined to operate in a manner inconsistent with the JOM Policy Manual, the **JOM Division Manager** will take the following steps to try and obtain voluntary compliance.

- 1) The non-compliant act(s) will be brought to the attention of the **IEC** along with any supporting documentation or information.
 - a. The IEC Representative will be afforded the opportunity to address the issue(s) and demonstrate that the issue(s) was resolved
- 2) If the IEC is unable to resolve the issue locally, **the JOM Division Manager will freeze the IEC budget until the issue can be resolved through the Ho-Chunk Nation Department of Justice. Once action has begun through the Ho-Chunk Nation Department of Justice and the outcome seems to support the timely resolution of the situation, the JOM Division Manager MAY unfreeze the IEC's budget or may place conditions that must be met in order to have the budget unfrozen. These may include the replacement of an IEC officer or the immediate repayment to the Ho-Chunk Nation any funds that are not reconciled.**
- 3) If issues are not in a timely fashion through the intervention of the Ho-Chunk Nation Department of Justice nor through voluntary repayment or other recommended action, **the JOM Division Manager may re-allocate the affected areas funds to another area to ensure that services are still provided to the affected areas children. The affected area will then comply with the new areas by-laws, expenditure lists and any other regulations that they may have in place until such time as the JOM Division Manager deems it appropriate for the affected area to resume its role of providing services.**