



United States Department of the Interior

BUREAU OF INDIAN EDUCATION
Washington, D.C. 20240

IN REPLY REFER TO:

DATE: September 26, 2023
TO: Johnson – O'Malley (JOM) Program Contractors
FROM: Spike Bighorn, Sovereignty in Indian Education (SIE) Program Manager
SUBJ: Annual Reporting Requirement in advance of the FY 2025 Distribution

In accordance with the Johnson O'Malley Supplemental Indian Education Program Modernization Act, P.L. 115-404 ("Act") BIE will calculate the FY 2025/SY 2024-2025 distribution of JOM funds based upon the actual count of eligible Indian students served in SY 2023-2024 as reported from each JOM contractor (tribe/school). Therefore, the SY 2023-24 Student Count will determine the JOM distribution for FY 2025.

As required by 25 C.F.R. §§ 273.150 – 273.153, all existing JOM contractors must submit to the Bureau of Indian Education Director, on or before September 15, 2024, an annual report ("Annual Report") containing the following information:

1. General information about the contractor/grantee;
2. General information about the number and names of the schools;
3. The number of eligible Indian students who were served using amounts allocated under the contract during FY 2024;
4. An accounting of the amounts and purposes for which the FY 2024 contract funds were expended;
5. Information on the conduct of the program;
6. An evaluation of the effectiveness of the contract program in meeting the stated objectives contained in the scope of work or educational plan; and
7. A complete accounting of actual receipts at the end of the FY 2024 for which the contract funds were expended.

Items 1-3 will be collected on the attached SY 2023-2024 Student Count Report form (which is to be returned to your BIE JOM Program Specialist). For Tribal contractors, we expect items 4-7 will be collected by your 638, OSG or 477 Awarding Official through their annual reporting requirement. BIE will coordinate with those Awarding Officials to ensure the reports are provided to the BIE Director. For school district grantees, please continue to adhere to the annual JOM reporting requirements as provided by your BIE JOM Program Specialist.

Please use the attached SY 2023-2024 Student Count Form to report the number of JOM eligible students in your service area/school district. As outlined earlier, the SY 2023-2024 JOM student count report of JOM-eligible students will be utilized to calculate the FY25/SY 2024-2025 JOM distribution.

For the SY 2023-2024 JOM student count, contractors may use ANY week during SY2023-2024 to conduct the JOM student count. In addition, although the regulatory deadline for this student count information as part of the Annual Report is September 15, 2024, BIE encourages JOM contractors to complete and submit the attached Student Count Report Form to their BIE JOM Program Specialist as soon as possible to assist BIE staff in preparing the FY 2025/SY 2024-2025 distribution in a timely manner, and to properly follow up on incomplete/missing student count reports.

As provided in 25 C.F.R. § 273.154, “any existing contracting party that fails to submit the annual report will receive no amounts under this Act for the fiscal year following the academic year for which the annual report should have been submitted.” This means if BIE doesn’t receive a JOM contractor’s SY 2023-2024 Student Count Report on or before the statutory deadline (September 15, 2024), that JOM contractor will not receive a JOM distribution for FY2025/SY 2024-2025.

Existing contracting parties may request technical assistance and/or training on the Annual Reporting process and requirements by addressing the request in writing to the BIE Director. The BIE Director will then work together with the requesting contracting party to identify the form, substance, and timeline for the technical assistance or training. As provided in 25 C.F.R. 273.158, existing contracting parties are “encouraged to request technical assistance and/or training before annual reporting requirements are due in order to avoid the consequences for failure to comply.”

Should you have further questions, please contact your JOM Program Specialist. If you are unable to contact your JOM Program Specialist, you contact me via email at spike.bighorn@bie.edu.