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## Update From USBE Financial Operations on April 9, 2020

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Jones, Scott <Scott.Jones@schools.utah.gov>  
To: "Phillips, Cynthia" <cindyphillips@wsdpc.org>, "Van Tassell, Royce" <royce@utahcharters.org>

Mon, Apr 13, 2020 at 12:17 PM

Hello everyone,

Yes, this is correct from both Royce and Director Phillips. Also, it is important to note that you must have a written policy in place that you are treating both your state funded and federal funded workers the same as it relates to payroll.

1. For example, if a para educator paid for by 100% of IDEA funds was on a 3-1/2 hour per day schedule and works one hour in the interest of that program and students within that program during this situation, you may pay (seek reimbursement for) that para educator for the full 3-1/2 hours from this funding source. You may not pay that para educator for additional time beyond the one hour he worked using this funding source if he went over and assisted with another open program. Also,
2. If you have a para educator that is paid from state special education funds and she was working a 3-1/2 work schedule and works only one hour you may pay her for the full amount of her schedule as long as her one hour of work was in the interest of the program and individual students within the program. And,
3. You have a written policy that is clear that you are treating both of your workers the same during this situation along the examples I just provided.

Now, I have verified with Department of Education that you can put this policy in place retroactively. What I mean is if you did not have this policy in place before the situation they understand. Again, they are just saying that in order for you to provide federal funds for payroll it must be in the interest of the program and student(s) within the program and must match your policy and procedure for your payroll activities with state funds as well.

There are currently no waivers for Maintenance of Effort. Try and document to the greatest extent possible what you are having employees do and demonstrate that it is in the continuing interest of the students and the programs that serve those student. If you have questions regarding what is reasonable for your employees to do in the interest of the students and the programs that serve the student(s) I defer to Patty Norman and the program staff for clarity on what services are deemed, "reasonable," given this current situation within that particular program.

I hope this helps. If I have confused anyone, please call me directly at 385-288-7723.

[Quoted text hidden]