

53A-1-903 Federal programs -- School official duties.

- (1) School officials may:
 - (a) apply for, receive, and administer funds made available through programs of the federal government;
 - (b) only expend federal funds for the purposes for which they are received and are accounted for by the state, school district, or charter school; and
 - (c) reduce or eliminate a program created with or expanded by federal funds to the extent allowed by law when federal funds for that program are subsequently reduced or eliminated.
- (2) School officials shall:
 - (a) prioritize resources, especially to resolve conflicts between federal provisions or between federal and state programs, including:
 - (i) providing first priority to meeting state goals, objectives, program needs, and accountability systems as they relate to federal programs; and
 - (ii) providing second priority to implementing federal goals, objectives, program needs, and accountability systems that do not directly and simultaneously advance state goals, objectives, program needs, and accountability systems;
 - (b) interpret the provisions of federal programs in the best interest of students in this state;
 - (c) maximize local control and flexibility;
 - (d) minimize additional state resources that are diverted to implement federal programs beyond the federal money that is provided to fund the programs;
 - (e) request changes to federal educational programs, especially programs that are underfunded or provide conflicts with other state or federal programs, including:
 - (i) federal statutes;
 - (ii) federal regulations; and
 - (iii) other federal policies and interpretations of program provisions; and
 - (f) seek waivers from all possible federal statutes, requirements, regulations, and program provisions from federal education officials to:
 - (i) maximize state flexibility in implementing program provisions; and
 - (ii) receive reasonable time to comply with federal program provisions.
- (3) The requirements of school officials under this part, including the responsibility to lobby federal officials, are not intended to mandate school officials to incur costs or require the hiring of lobbyists, but are intended to be performed in the course of school officials' normal duties.

Amended by Chapter 342, 2011 General Session