

Each classroom teacher must keep receipts for no less than 4 years to show that funds expended meet the statutory requirement. If receipts are not maintained, the teacher may be subject to pay any federal taxes due on these funds. the statute also contains clear language which says that a teacher agrees to return any unexpended funds to the district school board for deposit into the school advisory council account of the school where they were employed at the time they received the funds.

Audit exceptions found in a small school district last has lead DOE to issue guidance to all districts reminding them of the requirements. Most districts are now requiring submission of the receipts not just retention. And they are establishing time frames for the expenditure of the money so that they can process the bookkeeping in a timely way. These dates would seem to be negotiable. But, I do not think you will have success arguing no receipts and no repayment and you may also find difficult any argument for sitting on unused funds.

The purpose of the program was to reimburse teachers for expenditure made on behalf of their students. If the expenditures have not been made and the funds are languishing, what would be the point? Simply, recipients of the funds should expend them, and then gather and submit their receipts.

As background, the FDOE technical assistance paper contains the advice: "The Internal Revenue Service's Fringe Benefit Guide (<http://www.irs.gov/pub/irs-pdf/p5137.pdf>) requires adequate accounting for allowances or reimbursements paid to employees for job-related expenses that are excluded from wages and that are not subject to withholding. Please review page 8 of this publication to ensure that your district is retaining adequate receipts for the Florida Teachers Classroom Supply Assistance Program to comply with the Internal Revenue Service Code." I have attached a technical assistance paper that may be useful.

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