Application for Initial Funding under the State Fiscal Stabilization Fund Program

CFDA Numbers: 84.394 (Education Stabilization Fund) and 84.397 (Government Services Fund)

U.S. Department of Education
Washington, D.C. 20202

OMB Number: 1810-0690
Expiration Date: 9/30/2009

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0690. The time required to complete this information collection is estimated to average 17 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: State Fiscal Stabilization Fund Program, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Ave., S.W., Room 3E108, Washington, D.C. 20202-3118

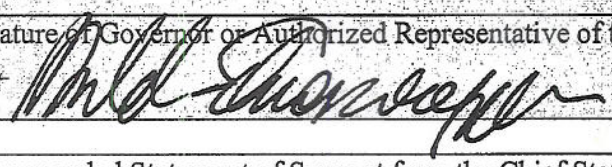
STATE FISCAL STABILIZATION FUND APPLICATION

PART 1: APPLICATION COVER SHEET
(CFDA Nos. 84.394 and 84.397)

Legal Name of Applicant (Office of the Governor):	Applicant's Mailing Address:
Office of the Governor	P.O. Box 3044 Sacramento, CA 95812-3044
State Contact for the Education Stabilization Fund (CFDA No. 84.394) Name: Cynthia Bryant Position and Office: Deputy Chief of Staff, Office of the Governor Contact's Mailing Address: Same as above Telephone: (916) 445-3637 Fax: (916) 322-8880 E-mail address: Cynthia.Bryant@gov.ca.gov	**State Contact for the Government Services Fund (CFDA No. 84.397)** *(Enter "same" if the same individual will serve as the contact for both the Education Stabilization Fund and the Government Services Fund.)* Name: Same Position and Office: Contact's Mailing Address: Telephone: Fax: E-mail address:

To the best of my knowledge and belief, all of the information and data in this application are true and correct.

Governor or Authorized Representative of the Governor (Printed Name):	Telephone:
Arnold Schwarzenegger	(916) 445-0210
Signature of Governor or Authorized Representative of the Governor:	Date: April 15, 2009



Recommended Statement of Support from the Chief State School Officer *(Optional)*:	
The State educational agency will cooperate with the Governor in the implementation of the State Fiscal Stabilization Fund program.	
Chief State School Officer (Printed Name):	Telephone:
Signature of the Chief State School Officer:	Date:

Form Approved OMB Number: 1810-0690; Expiration Date: 9/30/2009

STATE FISCAL STABILIZATION FUND APPLICATION

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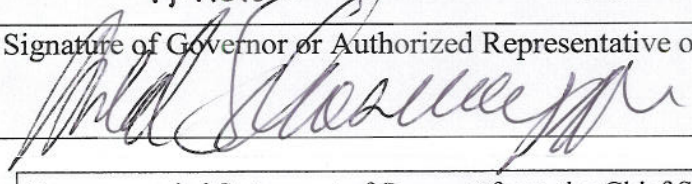
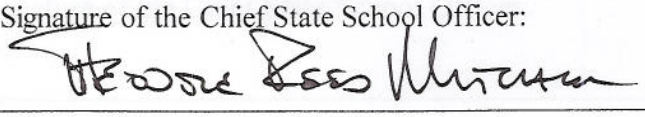
Governor or Authorized Representative of the Governor (Printed Name):	Telephone:
Arnold Schwarzenegger	(916) 445-0210
Signature of Governor or Authorized Representative of the Governor:	Date:
	April 9, 2009

Recommended Statement of Support from the Chief State School Officer *(Optional)*:

The State educational agency will cooperate with the Governor in the implementation of the State Fiscal Stabilization Fund program.

Chief State School Officer (Printed Name):	Telephone:
Present, State Board of Education	(916) 319-0827
Signature of the Chief State School Officer:	Date:
	April 3, 2009

Form Approved OMB Number: 1810-0690; Expiration Date: 9/30/2009

CALIFORNIA
DEPARTMENT OF
EDUCATION

JACK O'CONNELL
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

April 9, 2009

Arne Duncan, Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan:

It is my pleasure to provide this cover letter to California's application for the State Fiscal Stabilization Funds of the American Recovery and Reinvestment Act of 2009. These funds provide an unprecedented opportunity to save and create jobs, to stimulate the economy, and continue our efforts to close the achievement gap.

Your prompt approval of California's application will help schools avoid layoffs of teachers and other school personnel and allow them to continue their focus on raising student achievement and improving student outcomes. Last month over 26,000 California teachers received preliminary notices that they might not be rehired for the next school year, and, throughout the year thousands of classified employees have received similar layoff notices. We welcome the additional resources to avert a dramatic reduction in our education workforce.

I am committed to working with Governor Arnold Schwarzenegger to distribute the funds to California schools expeditiously, once the state's application is approved. Additionally, please be assured that California shares President Obama's goals of improving student achievement by ensuring access to effective teachers, enhancing our longitudinal student data system, maintaining our high standards and focusing data driven reforms to help struggling schools. These are all initiatives that I have set as priorities in California, and I welcome our new partnership in this work.

Thank you for your work on behalf of America's school children; your leadership will help us to better prepare California's students for success.

Sincerely,

Jack O'Connell

JACK O'CONNELL

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PART 2: EDUCATION REFORM ASSURANCES

The Governor or his/her authorized representative assures the following:

(1) The State will take actions to improve teacher effectiveness and comply with section 1111(b)(8)(C) of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (20 U.S.C. 6311(b)(8)(C)) in order to address inequities in the distribution of highly qualified teachers between high- and low-poverty schools, and to ensure that low-income and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers. (*Achieving Equity in Teacher Distribution Assurance*)

(2) The State will establish a longitudinal data system that includes the elements described in section 6401(e)(2)(D) of the America COMPETES Act (20 U.S.C. 9871(e)(2)(D)). (*Improving Collection and Use of Data Assurance*)

(3) The State will –

(3.1) Enhance the quality of the academic assessments it administers pursuant to section 1111(b)(3) of the ESEA (20 U.S.C. 6311(b)(3)) through activities such as those described in section 6112(a) of the ESEA (20 U.S.C. 7301a(a)); (*Improving Assessments Assurance*)

(3.2) Comply with the requirements of paragraphs (3)(C)(ix) and (6) of section 1111(b) of the ESEA (20 U.S.C. 6311(b)) and section 612(a)(16) of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1412(a)(16)) related to the inclusion of children with disabilities and limited English proficient students in State assessments, the development of valid and reliable assessments for those students, and the provision of accommodations that enable their participation in State assessments; (*Inclusion Assurance*) and

(3.3) Take steps to improve State academic content standards and student academic achievement standards consistent with section 6401(e)(1)(A)(ii) of the America COMPETES Act. (*Improving Standards Assurance*)

(4) The State will ensure compliance with the requirements of section 1116(b)(7)(C)(iv) and section 1116(b)(8)(B) of the ESEA with respect to schools identified under these sections. (*Supporting Struggling Schools Assurance*)

Governor or Authorized Representative of the Governor (Printed Name): Arnold Schwarzenegger	
Signature:	Date: April 9, 2009

PART 3: INITIAL BASELINE DATA FOR EDUCATION REFORM ASSURANCES

SPECIAL NOTES:

- In completing this portion of the application, please refer to Appendix B – Instructions for Part 3: Initial Baseline Data for Education Reform Assurances.
- The data described in Appendix B for two of the education reform assurances in Part 2 of the application – the Improving Assessments Assurance and the Improving Standards Assurance – are the most current available baseline data for these areas. Thus, the Department is not inviting States to submit additional information with respect to these two assurances.
- The Governor or his/her authorized representative should confirm whether the initial baseline data sources described in Appendix B for the four assurances referenced below – Achieving Equity in Teacher Distribution; Improving Collection and Use of Data; Improving State Academic Content and Student Achievement Standards; and Supporting Struggling Schools – reflect the State's current status with respect to these assurances. A State that confirms the use of these initial baseline data sources does not have to submit additional baseline data with this application. If a State elects not to use the identified data sources for one or more of these four assurances, it must submit other initial baseline data for that assurance.

The Governor or his/her authorized representative confirms that the data sources that are currently available to the Department and described in Appendix B are a reasonable reflection of the current status of the State with respect to the following education reform assurances that he/she provided in Part 2 of the Application *(check only those assurances for which the State accepts the data described in Appendix B)*:

__X__ Achieving Equity in Teacher Distribution Assurance.

__X__ Improving Collection and Use of Data Assurance.

__X__ Improving Standards Assurance.

__X__ Supporting Struggling Schools Assurance.

Governor or Authorized Representative of the Governor (Printed Name): Arnold Schwarzenegger	
Signature:	Date: April 9, 2009

PART 4, SECTION A: MAINTENANCE-OF-EFFORT (MOE) ASSURANCE

SPECIAL NOTES:

- In completing Part 4 of the application, please refer to Appendix C – Instructions for Part 4: Maintenance of Effort.
- The Governor or his/her authorized representative should check only those MOE requirements that he or she anticipates the State will meet. If the Governor or his/her authorized representative anticipates that the State will be unable to meet one or more of the requirements, he or she must sign the additional waiver assurance in Part 4, Section B.
- For the purpose of determining MOE, State support for public institutions of higher education (IHEs) must not include support for capital projects or for research and development or tuition and fees paid by students.

The Governor or his/her authorized representative assures the following *(check appropriate assurances that apply)*:

K In FY 2009, the State will maintain State support for elementary and secondary education at least at the level of such support in FY 2006.

K In FY 2010, the State will maintain State support for elementary and secondary education at least at the level of such support in FY 2006.

K In FY 2011, the State will maintain State support for elementary and secondary education at least at the level of such support in FY 2006.

K In FY 2009, the State will maintain State support for public IHEs at least at the level of such support in FY 2006.

K In FY 2010, the State will maintain State support for public IHEs at least at the level of such support in FY 2006.

K In FY 2011, the State will maintain State support for public IHEs at least at the level of such support in FY 2006.

---OR---

_____ To the best of his/her knowledge and based on the best available data, the State will be unable to meet any of the above-referenced maintenance-of-effort requirements.

Governor or Authorized Representative of the Governor (Printed Name): Arnold Schwarzenegger	
Signature:	Date: April 9, 2009

PART 4, SECTION B: MAINTENANCE-OF-EFFORT WAIVER ASSURANCE

SPECIAL NOTES:

- If a State anticipates that it will be unable to comply with one or more of the Stabilization program MOE requirements referenced in Part 4, Section A of the application, the State must provide the assurance below.
- States that anticipate meeting all of the Stabilization program MOE requirements should not complete the waiver assurance in this section of the application. *See* Appendix C – Instructions for Part 4: Maintenance of Effort. The criterion for a waiver of the MOE requirements is provided in Appendix C.
- The Department will be providing additional guidance to States regarding the process for applying for waivers of the Stabilization program MOE requirements.

The Governor or his/her authorized representative assures the following:

To the best of his/her knowledge and based on the best available data, the State meets or will meet the eligibility criterion for a MOE waiver for each of the Stabilization program MOE requirements that the Governor or his/her authorized representative anticipates the State will be unable to meet.

Governor or Authorized Representative of the Governor (Printed Name):	
Signature:	Date:

PART 4, SECTION C: MAINTENANCE-OF-EFFORT BASELINE DATA

SPECIAL NOTES:

- A State has some flexibility in determining the "levels of State support" for MOE purposes. For example, for the purpose of the elementary and secondary education MOE requirements, a State may use the level of support that the State provides through its primary elementary and secondary funding formulae, or it may use other relevant data. *See* Appendix C – Instructions for Part 4: Maintenance of Effort.

1. **Levels of State support for elementary and secondary education** *(the amounts may reflect the levels of State support on either an aggregate basis or a per-student basis):*

   FY 2006 $34.905 billion

   FY 2009* $35.418 billion

   FY 2010* $36.230 billion

   FY 2011* Unknown

   (* Provide data to the extent that data are currently available.)

2. **Levels of State support for public institutions of higher education** *(enter amounts for each year)*:

   FY 2006 $5.435 billion

   FY 2009* $6.071 billion

   FY 2010* $5.586 billion

   FY 2011* Unknown

   (* Provide data to the extent that data are currently available.)

3. **Additional Submission Requirements**: In an attachment to the application –

   (a) Identify and describe the data sources used in determining the levels of State support for elementary and secondary education; - and -

   (b) Identify and describe the data sources used in determining the levels of State support for public IHEs.

PART 5, SECTION A: STATE USES OF THE EDUCATION STABILIZATION FUND

SPECIAL NOTES:

- Section A of Part 5 requests data on the Education Stabilization Fund (CFDA No. 84.394). In completing this portion of the application, please refer to Appendix D – Instructions for Part 5: State Uses of Funds.
- At a later date, the Department will collect data on the levels of State support for elementary, secondary, and postsecondary education in FY 2011.
- These data may differ from the data in the levels of support for maintenance-of-effort purposes. *See* instructions in Appendix D.
- The term "postsecondary education" refers to public IHEs.

1. Levels of State Support for Elementary, Secondary, and Postsecondary Education

Provide the following data on the levels of State support for elementary, secondary, and postsecondary education:

(a) Level of State support for elementary and secondary education in FY 2008 provided through the State's primary elementary and secondary education funding formulae	$38.814 billion (07-08 actual)
(b) Level of State support for public IHEs in FY 2008	$7.165 billion (07-08 actual)
(c) Level of State support for elementary and secondary education in FY 2009 provided through the State's primary elementary and secondary education funding formulae	$38.873 billion (08-09 Sept 08) $36.308 billion (08-09 Feb 09)
(d) Level of State support for public IHEs in FY 2009	$6.628 billion (08-09 Feb 09)
(e) Level of State support for elementary and secondary education in FY 2010 provided through the State's primary elementary and secondary education funding formulae	$36.230 billion (09-10 Feb 09)
(f) Level of State support for public IHEs in FY 2010	$5.586 billion (09-10 Feb 09)

Additional Information: Did the State, prior to October 1, 2008, approve formula increases to support elementary and secondary education in FY 2010 or 2011, or to phase in State equity and adequacy adjustments?*

☐ Yes ☑ No

* *See* Appendix D Worksheets for further guidance on how such increases affect a State's "use of funds" calculations.

4/15/09
Undersecretary of Education

2. State's Primary Education Funding Formulae

Additional Submission Requirement: In an attachment to the application, identify and describe each of the State's primary elementary and secondary education funding formulae that were used in determining the calculations provided above for the levels of State support for elementary and secondary education.

3. Data on State Support for Postsecondary Education

Additional Submission Requirement: In an attachment to the application, identify and describe the specific State data sources that were used in determining the calculations provided above for the levels of State support for public IHEs.

4. Restoration Amounts

Based on the Worksheets included in Appendix D, calculate and provide the amount of Education Stabilization funds that the State will use to restore the levels of State support for elementary, secondary, and postsecondary education in FYs 2009 and 2010. As explained in the Instructions in Appendix D, a State must determine the amount of funds needed to restore fully the levels of State support for elementary, secondary, and postsecondary education in FY 2009 before determining the amount of funds available to restore the levels of such support in FY 2010.

SPECIAL NOTES:

- At a later date, the Department will collect data on the amount of funds, if any, that remain available to (1) restore the levels of State support for elementary, secondary, and postsecondary education in FY 2011, and (2) award subgrants to local educational agencies (LEAs) based on their proportionate shares of funding under Part A of Title I of the ESEA.
- The calculations for these data must be based on the State's total Education Stabilization Fund allocation as reflected in Appendix A and not on the State's initial Education Stabilization Fund award.
- Although the State must follow the Instructions in Appendix D, in order to determine the amount of funds that LEAs and IHEs will receive under the program (i.e., the "restoration amounts"), the Governor has discretion in determining when to release these funds to LEAs and IHEs.

(a) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary and secondary education in FY 2009 $2.565 billion

(b) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for public IHEs in FY 2009 $537 million

Restoration Amounts (continued)

(c) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary and secondary education in FY 2010	$1.110 billion
(d) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for public IHEs in FY 2010	$663 million
(e) Amount of funds, if any, remaining after restoring State support for elementary, secondary, and postsecondary education in FY 2009 and FY 2010	$0

5. Process for Awarding Funds to Public IHEs

Additional Submission Requirement: In an attachment to the application, describe the process that the State will use to determine the amount of funding that individual public IHEs will receive from the funds that the State sets aside to restore the levels of State support for these institutions.

PART 5, SECTION B: STATE USES OF THE GOVERNMENT SERVICES FUND

SPECIAL NOTES:

- Section B of Part 5 requests data on the Government Services Fund (CFDA No. 84.397).
- In this section, provide preliminary estimates of the percentage of the Government Services Fund that the State intends to spend under various broad categories (to the extent such estimates are available). The total percentages in the chart should equal 100 percent.
- To the extent such estimates are available, the estimated percentages must be based on the State's total Government Services Fund allocation and not on the State's initial Government Services Fund award.

Uses of the Government Services Fund

Category	**Estimated Percentage of Funds to Be Used**
Public Safety	100%
Elementary and secondary education (excluding modernization, renovation, or repair of public school facilities)	
Public IHEs (excluding modernization, renovation, or repair of IHEs)	
Modernization, renovation, or repair of public school facilities	
Modernization, renovation, or repair of IHEs	
Medicaid	
Public assistance	
Transportation	
Other (please describe)	
Undetermined	
TOTAL	100%

PART 6: ACCOUNTABILITY, TRANSPARENCY, AND REPORTING ASSURANCES

The Governor or his/her authorized representative assures that the State will comply with all of the accountability, transparency, and reporting requirements that apply to the Stabilization program, including the following:

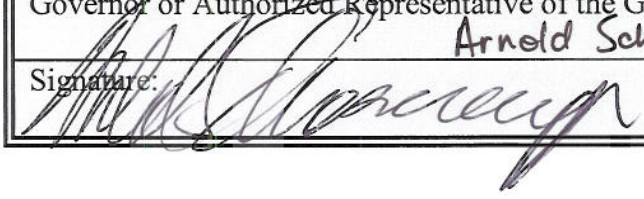
- For each year of the program, the State will submit a report to the Secretary, at such time and in such manner as the Secretary may require, that describes:
    - the uses of funds within the State;
    - how the State distributed the funds it received;
    - the number of jobs that the Governor estimates were saved or created with the funds;
    - tax increases that the Governor estimates were averted because of the funds;
    - the State's progress in reducing inequities in the distribution of highly qualified teachers, implementing a State longitudinal data system, and developing and implementing valid and reliable assessments for limited English proficient students and children with disabilities;
    - the tuition and fee increases for in-State students imposed by public IHEs and a description of any actions taken by the State to limit the increases;
    - the extent to which public IHEs maintained, increased, or decreased enrollment of in-State students, including those students eligible for Pell Grants or other need-based financial aid; and
    - a description of each modernization, renovation or repair project funded, including the amounts awarded and project costs. (ARRA Division A, Section 14008)

- The State will cooperate with any Comptroller General evaluation of the uses of funds and the impact of funding on the progress made toward closing achievement gaps. (ARRA Division A, Section 14009)

- If the State uses funds for any infrastructure investment, the State will certify that the investment received the full review and vetting required by law and that the chief executive accepts responsibility that the investment is an appropriate use of taxpayer funds. This certification will include a description of the investment, the estimated total cost, and the amount of covered funds to be used. The certification will be posted on the State's website and linked to www.Recovery.gov. A State or local agency may not use funds under the ARRA for infrastructure investment funding unless this certification is made and posted. (ARRA Division A, Section 1511)

- The State will submit reports, within 10 days after the end of each calendar quarter, that contain the information required under section 1512(c) of the ARRA in accordance with any guidance issued by Office of Management and Budget or the Department. (ARRA Division A, Section 1512(c))

- The State will cooperate with any Inspector General examination of records under the program. (ARRA Division A, Section 1515)

Governor or Authorized Representative of the Governor (Printed Name): Arnold Schwarzenegger	
Signature: 	Date: April 9, 2009

PART 7: OTHER ASSURANCES AND CERTIFICATIONS

The Governor or his/her authorized representative assures or certifies the following:

- The State will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood hazards; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders and regulations.

- With respect to the certification regarding lobbying in Department Form 80-0013, no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; the State will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 C.F.R. Part 82, Appendix B); and the State will require the full certification, as set forth in 34 C.F.R. Part 82, Appendix A, in the award documents for all subawards at all tiers.

- The State will comply with all of the operational and administrative provisions in Title XV and XIV of the ARRA, including Buy American Requirements (ARRA Division A, Section 1605), Wage Rate Requirements (ARRA Division A, Section 1606), and any applicable environmental impact requirements of the National Environmental Policy Act of 1970 (NEPA), as amended, (42 U.S.C. 4371 et seq.) (ARRA Division A, Section 1609). In using ARRA funds for infrastructure investment recipients will comply with the requirement regarding Preferences for Quick Start Activities (ARRA Division A, Section 1602).

- Any LEA receiving funding under this program will have on file with the State a set of assurances that meets the requirements of section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).

- To the extent applicable, an LEA will include in its local application a description of how the LEA will comply with the requirements of section 427 of GEPA (20 U.S.C. 1228a). The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede access to, or participation in, the program.

- The State and other entities will comply with the following provisions of Education Department General Administrative Regulations (EDGAR), as applicable: 34 CFR Part 74 -- Administration of Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations; 34 CFR Part 76 -- State-Administered Programs, including the construction requirements in section 75.600 through 75.617 that are incorporated by reference in section 76.600; 34 CFR Part 77 -- Definitions that Apply to Department Regulations; 34 CFR Part 80 -- Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including the procurement provisions; 34 CFR Part 81 -- General Education Provisions Act—Enforcement; 34 CFR Part 82 -- New Restrictions on Lobbying; 34 CFR Part 85 -- Governmentwide Debarment and Suspension (Nonprocurement).

Governor or Authorized Representative of the Governor (Printed Name): Arnold Schwarzenegger	
Signature:	Date: April 9, 2009

PART 4, SECTION C: MAINTENANCE-OF-EFFORT BASELINE DATA

3. **Additional Submission Requirements**: In an attachment to the application –

(a) Identify and describe the data sources used in determining the levels of State support for elementary and secondary education; - and –

The level of state support for elementary and secondary education includes state General Fund for the state's primary education funding formula, commonly referred to as the "Proposition 98 Guarantee," plus adjustments for various factors as specified in statute. For more information on Proposition 98, please see the response to (B) in Part 5, Section A of this application regarding the state's primary education funding formulae. We note that the totals exclude local property taxes.

Proposition 98 funding provides academic services to pupils between the ages of 3 and 21 including, but not limited to, standards-based academic instruction, special education services, vocational and career preparatory programs, child care and development services, teacher recruitment and development, adult education programs, remedial instruction services, and school facility-related activities.

The MOE baseline for K-12 excludes State Lottery funding and Capital Outlay funding.

(b) Identify and describe the data sources used in determining the levels of State support for public IHEs.

The level of state support for public institutions of higher education includes state General Funds for the University of California and California State University.

The MOE baseline for IHEs excludes State Lottery funding and Capital Outlay funding.

Funding for the California Community Colleges has been excluded from the level of state support because the amount of state funding is determined within the calculation of the Proposition 98 minimum funding guarantee for K-14.

PART 5, SECTION A: STATE USES OF THE EDUCATION STABILIZATION FUND

2. State's Primary Education Funding Formulae

Additional Submission Requirement: In an attachment to the application, identify and describe each of the State's primary elementary and secondary education funding formulae that were used in determining the calculations provided above for the levels of State support for elementary and secondary education.

Proposition 98
On November 8, 1988, the voters of California approved Proposition 98, a combined initiative constitutional amendment and statute called the "Classroom Instructional Improvement and Accountability Act." Proposition 98 changed state funding of public education below the university level, primarily by guaranteeing K-12 education and California Community Colleges a minimum level of funding (the "Proposition 98 Guarantee"). Proposition 98 (as modified by Proposition 111, enacted on June 5, 1990) guarantees K-14 education the greater of: (a) in general, a fixed percentage of state General Fund revenues ("Test 1"), (b) the amount appropriated to K-14 education in the prior year, adjusted for changes in state per capita personal income and enrollment ("Test 2"), or (c) a third test, which replaces Test 2 in any year that the percentage growth in per capita General Fund revenues from the prior year plus one half of one percent is less than the percentage growth in state per capita personal income ("Test 3"). Local property tax collections represent an offset to state General Fund costs in a Test 2 or Test 3 year. Proposition 98 provides funding through revenue limits and categorical aid as described below.

Revenue Limits
The state provides most general-purpose K-12 education funding through a calculation known as the "revenue limit." The revenue limit is an amount calculated pursuant to statute for each school district on a per unit of average daily attendance (ADA) basis and adjusted annually to provide cost-of-living (COLA) increases, and periodically to equalize funding among similar types (i.e. unified school districts, high school districts, and elementary school districts) and sizes (i.e. small and large) of school districts. A school district's total revenue limit funding is equal to its revenue limit per ADA multiplied by its ADA plus various adjustments that the state may add or subtract as specified in statute.

Categorical Aid
The state also provides school districts with funding for numerous categorical programs, either through the state General Fund or special funds. Generally, funding for these programs has been restricted for specific uses (e.g. instructional materials, adult education, and English language learners), or has been contingent on achieving certain goals (e.g. class size reduction).

Restoration Details
The Revised FY 2008 Budget includes no COLA adjustment for K-12 revenue limits nor categorical programs, and additionally reduces both K-12 revenue limits and categorical programs. The state intends to use roughly 50 percent of the federal Education Stabilization Funds to restore K-12 revenue limits and 50 percent for categorical programs. This is the best way for California to ensure that we can continue to maintain our high academic standards and student expectations. California has standards that are among the highest in the nation, and these funds will assist us in maintaining those standards.

3. Data on State Support for Postsecondary Education

Additional Submission Requirement: In an attachment to the application, identify and describe the specific State data sources that were used in determining the calculations provided above for the levels of State support for public IHEs.

The level of state support for public institutions of higher education includes state General Funds and capital expenditures for the University of California and California State University.

Funding for the California Community Colleges has been excluded from the level of state support, because the amount of state funding is determined within the calculation of the Proposition 98 minimum funding guarantee for K-14. Further, the Community Colleges received an increase in state support over the FY 2008 level.

5. Process for Awarding Funds to Public IHEs

Additional Submission Requirement: In an attachment to the application, describe the process that the State will use to determine the amount of funding that individual public IHEs will receive from the funds that the State sets aside to restore the levels of State support for these institutions.

The funding will be provided directly to the University of California and the California State University, on an equal basis, through authority provided in the Budget Act.

Calculation of Restoration Amounts for SFSF
($ in millions)

	2007-08	Sept Budget 2008-09	Revised 2008-09	2009-10	Restorations 2008-09	Restorations 2009-10
K-12 P98	37,687	37,535	31,011	35,828		
Adjustments						
Plus Settle-Up			1,101			
Plus QEIA	268	402	402	402		
Plus Deferrals			2,904			
Plus Lottery	859	936	890			
Total K-12	**38,814**	**38,873**	**36,308**	**36,230**	**2,565**	**2,644**
Proportional Share						**1,110**
IHEs						
UC	3,778	3,512	3,429	2,933		
CSU	3,387	3,267	3,199	2,654		
Total	**7,165**	**6,778**	**6,628**	**5,586**	**537**	**1,579**
Proportional Share						**663**

Calculation of MOE Amounts for SFSF
($ in millions)

	2005-06	2008-09	2009-10	Amount Above MOE 2008-09	Amount Above MOE 2009-10
K-12 P98	34,898	31,011	35,828		
Adjustments					
Plus Settle-Up	7	1,101			
Plus QEIA		402	402		
Plus Deferrals		2,904			
Total K-12	**34,905**	**35,418**	**36,230**	**513**	**1,324**
IHEs					
UC	2,839	3,168	2,933		
CSU	2,596	2,903	2,654		
Total	**5,435**	**6,071**	**5,586**	**637**	**152**