EDUCATION JOBS FUND APPLICATION

(Public Law No. 111-226, Section 101)

Legal Name of Applicant: Executive Office of the State of Utah
DUNS No:
Employer Identification Number:

Governor's Mailing Address:
Utah State Capitol, Suite 200
PO Box 142220
Salt Lake City, Utah 84114-2220

State Contact for the Education Jobs Fund Program: John Nixon
Contact's Position and Office: Executive Director, Governor's Office of Planning and Budget

Contact's Mailing Address:

Utah State Capitol, Suite 150
PO Box 142220
Salt Lake City, Utah 84114-2220

Contact's Telephone No.: 801.538.1555
Contact's Fax No.: 801.538.1547
Contact's E-mail Address: jnixon@utah.gov

Completion of this application constitutes a request by the Governor for funding under the Education Jobs Fund program.

The Governor hereby assures that:

1. The State will comply with all applicable statutes, regulations, and its approved Education Jobs Fund (Ed Jobs) application and will use funds under the program in accordance with those statutes and regulations and its approved application;

2. The State will comply with the maintenance-of-effort (MOE) requirements in section 101 (10)(A) of Public Law No. 111-226 (Act) and, within 60 days of the date of the State's grant award, submit to the U.S. Department of Education (Department) the most current applicable MOE data available;

3. The State will use fiscal control and fund accounting procedures that ensure proper disbursement of and accounting for funds under the Ed Jobs program, including procedures to ensure compliance with Federal cash management requirements;

4. The State will reserve not more than 2 percent of its allocation for the administrative costs of carrying out its responsibilities with respect to Ed Jobs funds and will use all remaining funds to make awards to local educational agencies (LEAs) for the support of elementary and secondary education in accordance with section 101(5) of the Act;

5. The State will make awards to LEAs on a timely basis so that funds are available for their use during the 2010-2011 school year;

6. The State will not require an LEA that has previously submitted the required local application under the State Fiscal Stabilization Fund (SFSF) program to submit an application to receive funding under the Ed Jobs program;

7. The State will not use funds under the Ed Jobs program, directly or indirectly, to (a) establish, restore, or supplement a rainy-day fund; (b) supplant State funds in a manner that has the effect of establishing, restoring, or supplementing a rainy-day fund; (c) reduce or retire debt obligations incurred by the State; or (d) supplant State funds in a manner that has the effect of reducing or retiring debt obligations incurred by the State;

8. The State will develop and implement a monitoring plan that will enable the State to ensure that its LEAs comply with all applicable programmatic and fiscal requirements;

9. The State will comply with the reporting requirements (including subrecipient reporting requirements) of section 1512 of the American Recovery and Reinvestment Act of 2009 and such other reporting requirements as the Secretary may establish;

10. The State will comply with all applicable assurances in OMB Standard Form 424B (Assurances for Non-Construction Programs); and

11. 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 Governor further assures that the State will distribute funds to LEAs on the basis of *either* – **(check <u>one</u> of the boxes below)**

- [X] The State's primary elementary and secondary education funding formula(e) as identified in its application for funding under the SFSF program; *or*

- [ ] The LEAs' relative shares of funds under Part A of Title I of the Elementary and Secondary Education Act of 1965 for the most recent fiscal year for which data are available.

Governor Gary R. Herbert

Governor or Authorized Representative (Printed Name)

Gary R Herbert

Signature of Governor or Authorized Representative

September 7, 2010

Date