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): **Office of the Idaho Governor C.L. "Butch" Otter**	Applicant's Mailing Address: **P.O. Box 83720** **Boise, ID 83720-0034**
State Contact for the Education Stabilization Fund (CFDA No. 84.394) Name: **Wayne Hammon** Position and Office: **Administrator, Division of Financial Management** Contact's Mailing Address: **Idaho Division of Financial Management** **P.O. Box 83720** **Boise, ID 83720-0032** Telephone: **208-334-3900** Fax: **208-334-3438** E-mail address: Wayne.Hammon@dfm.idaho.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): Wayne L. Hammon, Administrator, Div. of Financial Mng.	Telephone: 208-334-3900
Signature of Governor or Authorized Representative of the Governor:	Date: 3/17/11

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

PART 2, SECTION A: 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):	
Signature: **(Document on File with the U.S. Department of Education – No Further Action Necessary)**	Date:

PART 2, SECTION B: EDUCATION REFORM ASSURANCES DATA

SPECIAL NOTES:

- In this portion of the application, please describe the State's current status for each indicator or descriptor in the State's Phase 2 SFSF application by completing the chart below and choosing a response for each pull down menu.
- If the State has met the reporting requirement(s) for each indicator or descriptor, please change the "Progress" column to "Completed" and provide the URL where the information can be found.
- If the State has not met the reporting requirement(s) for each indicator or descriptor, please specify the current status in the "Progress" column. Additionally, the State should update the URL(s) and/or State Plan(s) to reflect the most recent versions. (If the State cannot provide the State Plan through a URL, please attach the update plan to the end of this section).

Assurance (a): Achieving Equity in Teacher Distribution

Indicator	Progress	URL	State Plan
Indicator (a)(1): Confirm, for the State, the number and percentage (including numerator and denominator) of core academic courses taught, in the highest-poverty and lowest-poverty schools, by teachers who are highly qualified consistent	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

with section 9101(23) of the Elementary and Secondary Education Act of 1965, as amended (ESEA).			
Indicator (a)(2): Confirm whether the State's Teacher Equity Plan (as part of the State's Highly Qualified Teacher Plan) fully reflects the steps the State is currently taking to ensure that students from low-income families and minority students are not taught at higher rates than other students by inexperienced, unqualified, or out-of-field teachers (as required in	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

section 1111(b)(8)(C) of the ESEA)			
Indicator	**Progress**	URL	State Plan
Descriptor (a)(1): Describe, for each local educational agency (LEA) in the State, the systems used to evaluate the performance of teachers and the use of results from those systems in decisions regarding teacher development, compensation, promotion, retention, and removal.	More than 50% completed	Updated URL Updated URL: IDAPA 08.02.02.120: http://adm.idaho.gov/adminrules/rules/idapa08/08index.htm Senate Bill 1108 http://www.legislature.idaho.gov/legislation/2011/S1108.htm	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (a)(3): Indicate, for each LEA in the State, whether the systems used to evaluate the performance of teachers include	More than 50% completed	Updated URL Updated URL: Senate Bill 1108 http://www.legislature.idaho.gov/legislation/2011/S1108.htm	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

student achievement outcomes or student growth data as an evaluation criterion.			
Indicator (a)(4): Provide, for each LEA in the State whose teachers receive performance ratings or levels through an evaluation system, the number and percentage (including numerator and denominator) of teachers rated at each performance rating or level.	Less than 50% completed	Updated URL Updated URL: Data Collection Elements: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (a)(5): Indicate, for each LEA in the State whose teachers receive performance ratings or levels through an evaluation system, whether the	Not Started	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

number and percentage (including numerator and denominator) of teachers rated at each performance rating or level are publicly reported for each school in the LEA.			
Descriptor (a)(2): Describe, for each LEA in the State, the systems used to evaluate the performance of principals and the use of results from those systems in decisions regarding principal development, compensation, promotion, retention, and removal.	More than 50% completed	Updated URL Updated URL: IDAPA 08.02.02.120: http://adm.idaho.gov/adminrules/rules/idapa08/08index.htm Senate Bill 1108 http://www.legislature.idaho.gov/legislation/2011/S1108.htm	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

Indicator	Progress	URL	State Plan
Indicator (a)(6): Indicate, for each LEA in the State, whether the systems used to evaluate the performance of principals include student achievement outcomes or student growth data as an evaluation criterion.	More than 50% completed	Updated URL Updated URL: Senate Bill 1108 http://www.legislature.idaho.gov/legislation/2011/S1108.htm	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (a)(7): Provide, for each LEA in the State whose principals receive performance ratings or levels through an evaluation system, the number and percentage (including numerator and denominator) of principals rated at each performance rating or level.	Not Started	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

Assurance (b): Improving Collection and Use of Data

Indicator	Progress	URL	State Plan
Indicator (b)(1) element 1: A unique statewide student identifier that does not permit a student to be individually identified by users of the system	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (b)(1) element 2: Student-level enrollment, demographic, and program participation information	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (b)(1) element 3: Student-level information about the points at which students exit, transfer in, transfer	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

out, drop out, or complete pre-K through postsecondary education programs			
Indicator (b)(1) element 4: The capacity to communicate with higher education data systems	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator	**Progress**	**URL**	**State Plan**
Indicator (b)(1) element 5: An audit system assessing data quality, validity, and reliability	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (b)(1) element 6: Yearly State assessment records of individual students	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator	Compl	Updated URL	Updated URL

(b)(1) element 7: Information on students not tested, by grade and subject	eted	Updated URL: http://www.sde.idaho.gov/site/isee/	URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (b)(1) element 8: A teacher identifier system with the ability to match teachers to students	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (b)(1) element 9: Student-level transcript information, including on courses completed and grades earned	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (b)(1) element 10: Student-level college readiness test scores	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (b)(1) element 11: Information regarding the extent to which students transition successfull	Less than 50% completed	Choose an item. Updated URL: http://www.boardofed.idaho.gov/research_stats/long_data_system.asp	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

y from secondary school to postsecondary education, including whether students enroll in remedial coursework			
Indicator (b)(1) element 12: Other information determined necessary to address alignment and adequate preparation for success in postsecondary education	Less than 50% completed	Choose an item. Updated URL: http://www.boardofed.idaho.gov/research_stats/long_data_system.asp	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator	**Progress**	**URL**	**State Plan**
Indicator (b)(2): Indicate whether the State provides student growth data on their current students and the students	More than 50% completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

they taught in the previous year to, at a minimum, teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects in a manner that is timely and informs instructional programs.			
Indicator (b)(3): Indicate whether the State provides teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects with reports of individual teacher impact on student achievement on those assessment	More than 50% completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/isee/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

s.			

Assurance (c): Standards and Assessments

Indicator	Progress	URL	State Plan
Indicator (c)(1): Confirm the approval status, as determined by the Department, of the State's assessment system under section 1111(b)(3) of the ESEA with respect to reading/language arts, mathematics, and science assessments.	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (c)(2): Confirm whether the State has developed and implemented valid and reliable alternate assessments for students with disabilities that are approved by the Department.	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (c)(3): Confirm	Completed	URL same as Phase 2 application Updated URL:	Updated URL URL to State Plan:

whether the State's alternate assessments for students with disabilities, if approved by the Department, are based on grade-level, modified, or alternate academic achievement standards.		Click here to enter text.	http://www.sde.idaho.gov/site/arra/
Indicator	**Progress**	**URL**	**State Plan**
Indicator (c)(4): Indicate whether the State has completed, within the last two years, an analysis of the appropriateness and effectiveness of the accommodations it provides students with disabilities to ensure their meaningful participation in State assessments.	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator	Compl	URL same as Phase 2 application	Updated URL

(c)(5): Confirm the number and percentage (including numerator and denominator) of students with disabilities who are included in State reading/language arts and mathematics assessments.	eted	Updated URL: Click here to enter text.	URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (c)(6): Indicate whether the State has completed, within the last two years, an analysis of the appropriateness and effectiveness of the accommodations it provides limited English proficient students to ensure their meaningful participation in State assessments.	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (c)(7): Confirm	Completed	URL same as Phase 2 application Updated URL:	Updated URL URL to State Plan:

whether the State provides native language versions of State assessments for limited English proficient students that are approved by the Department.		Click here to enter text.	http://www.sde.idaho.gov/site/arra/
Indicator (c)(8): Confirm the number and percentage (including numerator and denominator) of limited English proficient students who are included in State reading/ language arts and mathematics assessments.	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (c)(9): Confirm that the State's annual State Report Card (under section 1111(h)(1) of the ESEA) contains the most recent available	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

State reading and mathematics National Assessment of Educational Progress (NAEP) results as required by 34 CFR 200.11(c).			
Indicator	**Progress**	**URL**	**State Plan**
Indicator (c)(10): Provide, for the State, for each LEA in the State, for each high school in the State and, at each of these levels, by student subgroup (consistent with section 1111(b)(2)(C)(v)(II) of the ESEA), the number and percentage (including numerator and denominator) of students who graduate from high school using a four-year adjusted cohort graduation rate as required by	Not Started	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

34 CFR 200.19(b)(1)(i).			
Indicator (c)(11): Provide, for the State, for each LEA in the State, for each high school in the State and, at each of these levels, by student subgroup (consistent with section 1111(b)(2)(C)(v)(II) of the ESEA), of the students who graduate from high school consistent with 34 CFR 200.19(b)(1)(i), the number and percentage (including numerator and denominator) who enroll in an institution of higher education (IHE) (as defined in section 101(a) of the Higher Education Act of 1965, as amended (HEA)) within 16 months of	Less than 50% completed	Choose an item. Updated URL: http://www.boardofed.idaho.gov/research_stats/long_data_system.asp	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

receiving a regular high school diploma.			
Indicator (c)(12): Provide, for the State, for each LEA in the State, for each high school in the State and, at each of these levels, by student subgroup (consistent with section 1111(b)(2)(C)(v)(II) of the ESEA), of the students who graduate from high school consistent with 34 CFR 200.19(b)(1)(i) who enroll in a public IHE (as defined in section 101(a) of the HEA) in the State within 16 months of receiving a regular high school diploma, the number and percentage (including numerator and denominator) who complete at	Less than 50% completed	Choose an item. Updated URL: http://www.boardofed.idaho.gov/research_stats/long_data_system.asp	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

least one year's worth of college credit (applicable to a degree) within two years of enrollment in the IHE.			

Assurance (d): Supporting Struggling Schools

Indicator	Progress	URL	State Plan
Indicator (d)(1): Provide, for the State, the average statewide school gain in the "all students" category and the average statewide school gain for each student subgroup (as under section 1111(b)(2)(C)(v) of the ESEA) on the State assessments in reading/language arts and for the State and for each LEA in the State, the number and percentage (including numerator and denominator) of Title I schools in improvement, corrective	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/title_one/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

action, or restructuring that have made progress (as defined in this notice) on State assessments in reading/language arts in the last year.			
Indicator (d)(2): Provide, for the State, the average statewide school gain in the "all students" category and the average statewide school gain for each student subgroup (as under section 1111(b)(2)(C)(v) of the ESEA) on State assessments in mathematics and for the State and for each LEA in the State, the number and percentage (including numerator and denominator) of Title I schools in improvement, corrective action, or restructuring	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/title_one/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

that have made progress on State assessments in mathematics in the last year.			
Descriptor (d)(1): Provide the definition of "persistently lowest-achieving schools" (consistent with the requirements for defining this term set forth in the Definitions section of the NFR) that the State uses to identify such schools.	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/title_one/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator	**Progress**	**URL**	**State Plan**
Indicator (d)(3): Provide, for the State, the number and identity of the schools that are Title I schools in improvement, corrective action, or restructuring, that are identified as persistently lowest-achieving schools.	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/title_one/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

Indicator (d)(4): Provide, for the State, of the persistently lowest-achieving schools that are Title I schools in improvement, corrective action, or restructuring, the number and identity of those schools that have been turned around, restarted, closed, or transformed (as defined in the NFR) in the last year.	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/title_one/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (d)(5): Provide, for the State, the number and identity of the schools that are secondary schools that are eligible for but do not receive, Title I funds, that are identified as persistently lowest-achieving schools.	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/title_one/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (d)(6): Provide, for the State, of the persistently	Completed	Updated URL Updated URL: http://www.sde.idaho.gov/site/title_one/	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

lowest-achieving schools that are secondary schools that are eligible for, but do not receive, Title I funds, the number and identity of those schools that have been turned around, restarted, closed, or transformed in the last year.			
Indicator (d)(7): Provide, for the State and, if applicable, for each LEA in the State, the number of charter schools that are currently permitted to operate under State law.	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (d)(8): Confirm, for the State and for each LEA in the State that operates charter schools, the number of charter schools currently operating.	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator	**Progress**	**URL**	**State Plan**
Indicator	Complete	URL same as Phase 2 application	Updated URL

(d)(9): Provide, for the State and for each LEA in the State that operates charter schools, the number and percentage of charter schools that have made progress on State assessments in reading/language arts in the last year.	d	Updated URL: Click here to enter text.	URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (d)(10): Provide, for the State and for each LEA in the State that operates charter schools, the number and percentage of charter schools that have made progress on State assessments in mathematics in the last year.	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/
Indicator (d)(11): Provide, for the State and for each LEA in the State that operates charter schools, the number and identity of charter schools that have closed	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

(including schools that were not reauthorized to operate) within each of the last five years.			
Indicator (d)(12): Indicate, for each charter school that has closed (including a school that was not reauthorized to operate) within each of the last five years, whether the closure of the school was for financial, enrollment, academic, or other reasons.	Completed	URL same as Phase 2 application Updated URL: Click here to enter text.	Updated URL URL to State Plan: http://www.sde.idaho.gov/site/arra/

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)*:

__XX__ Achieving Equity in Teacher Distribution Assurance.

__XX__ Improving Collection and Use of Data Assurance.

__XX__ Improving Standards Assurance.

__XX__ Supporting Struggling Schools Assurance.

Governor or Authorized Representative of the Governor (Printed Name):	
Signature: **(Document on File with the U.S. Department of Education – No Further Action Necessary)**	Date:

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)*:

___X___ 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.

___X___ 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.

___X___ 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.

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

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

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

---OR---

___X___ 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): Wayne L. Hamm	
Signature: Wayne L. Hamm	Date: 3/17/11

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): Wayne L. Hamm	
Signature: Wayne L. Hamm	Date: 3/17/11

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 **$ 1,064,265,000**

FY 2009* **$ 1,420,354,600**

FY 2010* **$ 1,283,454,000**

FY 2011* **$ 1,312,192,200**

(* 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 **$ 304,276,500**

FY 2009* **$ 340,781,100**

FY 2010* **$ 293,434,800**

FY 2011* **$ 285,687,000**

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

Information on File with the U.S. Department of Education – No Further Action Necessary

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	$ 1,441,254,600
(b) Level of State support for public IHEs in FY 2008	$ 332,585,400
(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	$ 1,420,354,600
(d) Level of State support for public IHEs in FY 2009	$ 340,781,100
(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	$ 1,283,454,000
(f) Level of State support for public IHEs in FY 2010	$ 293,434,800
(g) Level of State support for elementary and secondary education in FY 2011 provided through the State's primary elementary and secondary education funding formulae	$ 1,312,192,200
(h) Level of State support for public IHEs in FY 2011	$ 285,687,000

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 ☐ X No

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

2. State's Primary Education Funding Formulae

Information on File with the U.S. Department of Education – No Further Action Necessary

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

Information on File with the U.S. Department of Education – No Further Action Necessary

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, 2010 and 2011. 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:

- 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 $ 0.00

(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 $ 0.00

(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 $ 179,248,800

(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 $ 15,098,482

(e) 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 2011 $ 0.00

(f) 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 2011 $ 7,352,400

(g) Amount of remaining funds, if any, awarded as subgrants to LEAs based on their proportionate shares of funding under Part A of Title I of the ESEA $ 0.00

5. Process for Awarding Funds to Public IHEs

Information on File with the U.S. Department of Education – No Further Action Necessary

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	**Dollar Amount - or - Percentage of Funds Allocated**
Public Safety	4%
Elementary and secondary education (excluding modernization, renovation, or repair of public school facilities)	24%
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	39%
Other (please describe) Water/Waste - Water	33%
Undetermined	
TOTAL	100%

PART 5, SECTION C: STATE USES OF STABILIZATION FUNDS TO MAINTAIN FISCAL EFFORT

SPECIAL NOTES:

- Under section 14012(d) of ARRA, a State may treat any portion of Stabilization funds used for elementary, secondary or postsecondary education as non-Federal funds for the purpose of any requirements to maintain fiscal effort under any other program administered by the Department.
- For FY 2009 and FY 2010, please provide the amount of Stabilization funds that the State used to meet maintenance of effort requirements under the ESEA and IDEA.
- For FY 2011, please provide the amount of Stabilization funds that the State intends to use to to meet maintenance of effort requirements under the ESEA and IDEA.

Fiscal Year	**Title I**	**IDEA**	**Other ESEA Programs (Please Specify the program)**
FY 2009			
FY 2010			
FY 2011			
Total			

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):	
Signature: **Document on File with the U.S. Department of Education – No Further Action Necessary**	Date:

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):	
Signature: **Document on File with the U.S. Department of Education – No Further Action Necessary**	Date: