

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

APPLICATION INSTRUCTIONS

GENERAL INSTRUCTIONS

To receive the initial 67 percent of the State's allocation under the State Fiscal Stabilization Fund (Stabilization) program, a Governor must submit to the Department an application that provides the following information:

- A completed application cover sheet. *(Part 1 of the Application)*
- Assurances that the State will commit to advancing education reform in four specific areas:
 - (1) Achieving equity in teacher distribution;
 - (2) Improving collection and use of data;
 - (3) Enhancing the quality of standards and assessments; and
 - (4) Supporting struggling schools. *(Part 2 of the Application)*
- Confirmation that the initial baseline data identified in Appendix B of the application is acceptable for purposes of demonstrating the State's current status in each of the four education reform areas for which the State provides assurances, or submission of alternative initial baseline data. *(Part 3 of the Application)*
- The following maintenance-of-effort (MOE) information:
 - (1) An assurance that the State will comply with the Stabilization program MOE requirements;
 - (2) If applicable, an assurance that the State meets or will meet the eligibility criterion for a waiver of those requirements; and
 - (3) MOE baseline data. *(Part 4 of the Application)*
- A description of how the State intends to use the funds allocated under:
 - (1) The Education Stabilization Fund – CFDA No. 84.394; and
 - (2) The Government Services Fund – CFDA No. 84.397. *(Part 5 of the Application)*
- Accountability, transparency, and reporting assurances. *(Part 6 of the Application)*
- Other assurances and certifications. *(Part 7 of the Application)*

APPENDICES TO THE APPLICATION

- Appendix A – State Allocation Data
- Appendix B – Instructions for Part 3: Initial Baseline Data for Education Reform Assurances
- Appendix C – Instructions for Part 4: Maintenance of Effort
- Appendix D – Instructions for Part 5: State Uses of Funds
- Appendix E – Application Checklist and Submission Information



ARKANSAS DEPARTMENT OF EDUCATION

Dr. T. Kenneth James
Commissioner

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of Education**

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Diane Tatum
Pine Bluff

May 1, 2009

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

Dear Secretary Duncan:

I am pleased to provide this cover letter for the State of Arkansas's application for the State Fiscal Stabilization Funds of the American Recovery and Reinvestment Act of 2009. Our state is committed to using these unprecedented funds to save and create jobs, to stimulate the economy, and to continue our efforts to close the achievement gap.

Your prompt approval of Arkansas's application will enable schools to embark on projects that will create jobs and positively effect student achievement. I know of superintendents who are eager to use ARRA money to transform unused classrooms into state-of-the-art science labs and to institute rigorous reading programs that will help propel all students to grade-level performance. The opportunity to embark on ambitious opportunities like these that were previously unaffordable is an exciting and appreciated one indeed.

I am committed to working with Governor Mike Beebe to distribute these funds to Arkansas schools expeditiously, once the state's application is approved. We have in place a Statement of Assurance for school districts to sign, as well as a user-friendly, online application and reporting system that will ensure both efficiency and transparency in this process.

Thank you for your leadership and your remarkable efforts on the behalf of *all* public school children in this country. We in Arkansas proudly support your work and follow your lead.

Sincerely,

T. Kenneth James, Ed.D.
Commissioner of Education

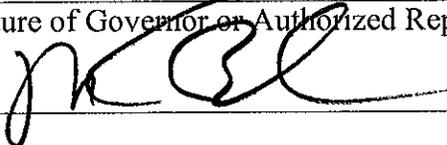
Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

STATE FISCAL STABILIZATION FUND APPLICATION

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

<p>Legal Name of Applicant (Office of the Governor):</p> <p><i>Office of Governor Mike Beebe</i></p>	<p>Applicant's Mailing Address:</p> <p><i>Office of Governor Mike Beebe State Capitol, Suite 238 Little Rock, AR 72201</i></p>
<p>State Contact for the Education Stabilization Fund (CFDA No. 84.394)</p> <p>Name: <i>Christopher A. Masingill</i></p> <p>Position and Office: <i>Director of Intergovernmental and External Affairs Office of Governor Mike Beebe</i></p> <p>Contact's Mailing Address: <i>State Capitol, Suite 238 Little Rock, AR 72201</i></p> <p>Telephone: <i>501-683-4355</i> Fax: <i>501-682-1736</i> E-mail address: <i>Chris.Masingill@governor.arkansas.gov</i></p>	<p>State Contact for the Government Services Fund (CFDA No. 84.397)</p> <p><i>(Enter "same" if the same individual will serve as the contact for both the Education Stabilization Fund and the Government Services Fund.)</i></p> <p>Name: <i>Same</i></p> <p>Position and Office:</p> <p>Contact's Mailing Address:</p> <p>Telephone: Fax: E-mail address:</p>

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

<p>Governor or Authorized Representative of the Governor (Printed Name):</p> <p><i>Mike Beebe</i></p>	<p>Telephone: 501-683-6424</p>
<p>Signature of Governor or Authorized Representative of the Governor:</p> 	<p>Date:</p> <p><i>5-21-09</i></p>

<p>Recommended Statement of Support from the Chief State School Officer (Optional):</p> <p>The State educational agency will cooperate with the Governor in the implementation of the State Fiscal Stabilization Fund program.</p>	
<p>Chief State School Officer (Printed Name):</p> <p><i>T. Kenneth James</i></p>	<p>Telephone:</p> <p>501-682-4201</p>
<p>Signature of the Chief State School Officer:</p> 	<p>Date:</p> <p><i>5/20/09</i></p>

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):

Mike Beebe

Signature:



Date:

5-21-09

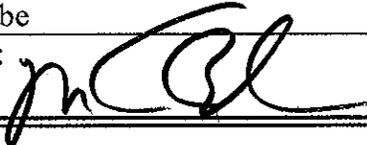
PART 3: INITIAL BASELINE DATA FOR EDUCATION REFORM ASSURANCES

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*):

- Achieving Equity in Teacher Distribution Assurance.
- Improving Collection and Use of Data Assurance.
- Improving Standards Assurance.
- Supporting Struggling Schools Assurance.

Governor or Authorized Representative of the Governor (Printed Name):	
Mike Beebe	
Signature: 	Date: 5-21-09

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.

 NA 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. (*Data is not currently available. The Arkansas General Assembly will set the budget for 2011 Fiscal Year during their 2010 Financial Session. Therefore no firm budget information is currently available. However, Act 108 of the Second Extraordinary Session of 2003 provides assurance that the Educational Adequacy Fund for K-12 Public Education will be maintained, even if other state obligations must be reduced. Therefore we can state with reasonable assurance that K-12 Funding for Fiscal Year 2011 will be in excess of Fiscal Year 2006 funding.*)

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

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

 NA In FY 2011, the State will maintain State support for public IHEs at least at the level of such support in FY 2006. (*Data is not currently available.*)

---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):

Mike Beebe

Signature:



Date:

5-21-09

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.

NOT APPLICABLE

Governor or Authorized Representative of the Governor (Printed Name):	
Signature: 	Date: 5-21-09

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	\$2,063,870,796
FY 2009*	\$2,167,084,430
FY 2010*	\$2,660,090,469
FY 2011*	Not available

(* 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	\$683,776,409
FY 2009*	\$790,092,988
FY 2010*	\$821,569,063
FY 2011*	Not available

(* 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; (SEE ATTACHMENT A) - and -
- (b) Identify and describe the data sources used in determining the levels of State support for public IHEs. (SEE ATTACHMENT B)

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 | \$2,165,600,327 |
| (b) Level of State support for public IHEs in FY 2008 | \$799,817,111 |
| (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 | \$2,167,084,430 |
| (d) Level of State support for public IHEs in FY 2009 | \$790,092,988* |
| (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 | \$2,660,090,469 |
| (f) Level of State support for public IHEs in FY 2010 | \$821,569,063** |

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

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. (SEE ATTACHMENT A)

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. (SEE ATTACHMENT B)

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 | \$0 |
| (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 | \$11,333,726 |

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 | \$0 |
| (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 | \$5,032,995 |
| (e) Amount of funds, if any, remaining after restoring State support for elementary, secondary, and postsecondary education in FY 2009 and FY 2010 | \$5,595,141 (estimated 2011 postsecondary education shortfall) |

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.

SEE ATTACHMENT C.

**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.

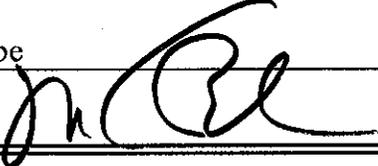
Uses of the Government Services Fund

Category	Estimated Percentage of Funds to Be Used
Public Safety	10%
Elementary and secondary education (excluding modernization, renovation, or repair of public school facilities)	0%
Public IHEs (excluding modernization, renovation, or repair of IHEs)	2.3%
Modernization, renovation, or repair of public school facilities	16%
Modernization, renovation, or repair of IHEs	59.2%
Medicaid	0%
Public assistance	0%
Transportation	0%
Other (please describe) 1. Arkansas Rehabilitation Services: Repairs and upgrades in the areas of Water Systems, Roof, Electrical and Safety/Security for the State's only medical rehabilitation facility for critical injuries and disabilities 2. Rock Island Rail Bridge: Rehabilitation of historic bridge linking the cities of Little Rock and North Little Rock at the William J. Clinton Presidential Center in partnership with the Clinton Foundation.	7.6%
Undetermined	4.9%
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):	
Mike Beebe	
Signature: 	Date: 5-21-09

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):	
Mike Beebe	
Signature: 	Date: 5-21-09

APPENDIX E

APPLICATION CHECKLIST AND SUBMISSION INFORMATION

Please use the following checklist to confirm that your application is complete:

Part 1: Application Cover Sheet

- Is all of the requested information included on the Cover Sheet?
- SIGNATURE REQUIRED** – Has the Governor or his/her authorized representative signed the Cover Sheet?
- SIGNATURE OPTIONAL** – Has the Chief State School Officer confirmed that the State educational agency will cooperate with the Governor in the implementation of the State Fiscal Stabilization Fund program?

Part 2: Education Reform Assurances

- SIGNATURE REQUIRED** – Has the Governor or his/her authorized representative signed the Education Reform Assurances?

Part 3: Initial Baseline Data for Education Reform Assurances

- Has the State confirmed the Education Reform Assurances for which the State is accepting the identified data sources?

NOTE: The State must provide other initial baseline data for any assurance for which the State elects not to use the identified data sources.

- SIGNATURE REQUIRED** – Has the Governor or his/her authorized representative signed the initial baseline data confirmation page?

Part 4, Section A: Maintenance-of-Effort (MOE) Assurance

- Has the State indicated which of the listed MOE requirements the Governor or his/her authorized representative anticipates that the State will meet?
- SIGNATURE REQUIRED** – Has the Governor or his/her authorized representative signed the MOE Assurance?

Part 4, Section B: Maintenance-of-Effort Waiver Assurance

NOTE: This assurance must be signed if the Governor or his/her authorized representative anticipates that the State will be unable to meet one or more of the MOE requirements listed in Part 4, Section A.

- SIGNATURE REQUIRED** – Where applicable, has the Governor or his/her authorized representative signed the MOE Waiver Assurance?

Part 4, Section C: Maintenance-of-Effort Baseline Data

- Has the State provided data on the levels of State support for elementary and secondary education?
- Has the State provided data on the levels of State support for public institutions of higher education (IHEs)?
- Has the State identified and described the data sources used in determining the levels of State support for elementary and secondary education?
- Has the State identified and described 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

- Has the State provided data on the levels of State support, through the State's primary elementary and secondary education formulae, for elementary and secondary education?
- Has the State provided data on the levels of State support for public IHEs?
- Has the State indicated whether or not, prior to October 1, 2008, the State approved formula increases or equity and adequacy adjustments?
- Has the State identified and described the primary elementary and secondary education funding formulae that were used in determining the levels of State support for elementary and secondary education?
- Has the State identified and described the specific data sources that were used in determining the levels of State support for public IHEs?
- Has the State provided data on the amount of the State's total Education Stabilization Fund allocation that will be used to restore State support for elementary and secondary education and public IHEs?
- Has the State described the process that it 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

- Has the State provided preliminary estimates of the percentage of the Government Services Fund that the State intends to use under the listed categories?

Part 6: Accountability, Transparency, and Reporting Assurances

- SIGNATURE REQUIRED** – Has the Governor or his/her authorized representative signed the Accountability, Transparency, and Reporting Assurances?

Part 7: Other Assurances and Certifications

- **SIGNATURE REQUIRED** – Has the Governor or his/her authorized representative signed the Other Assurances and Certifications?

SUBMISSION INFORMATION

Please submit your application to the Department as follows:

1. E-mail an electronic version of your application in .PDF (Portable Document) format to Stabilizationfundapplication@ed.gov and
2. Mail the original and two copies of your application by express mail service through the U.S. Postal Service or through a commercial carrier to the following address:

Dr. Joseph C. Conaty
Director, Academic Improvement and Teacher Quality Programs
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, S.W., Room 3E314
Washington, D.C. 20202

ATTACHMENT A

**Arkansas Department of Education
Application for Initial Funding under the
State Fiscal Stabilization Fund Program**

**Part 4, Section C - Maintenance Of Effort
Item 3, (a)**

and

**Part 5 Section A - State Uses of the Education
Stabilization Fund Item 2**

ALTERNATIVE LEARNING

School districts were required to provide an alternative learning environment (ALE) for students who demonstrated an inability to function in the standard learning environment. The ALE program provided educational programs to eligible students in alternative classroom settings, as well as additional services to meet the needs of this group of at-risk students. The Department of Education calculated ALE funds in the 2007-2008 school year by multiplying \$4,063 by the number of identified ALE students enrolled during the previous school year, pursuant to Arkansas law and Department of Education Rules.

DEBT SERVICE FUNDING SUPPLEMENT

This aid, also known as Bonded Debt Assistance, was provided to school districts to offset some of the existing debt burden incurred and to increase the amount of local revenue available for the maintenance and operation of schools. Bonded Debt Assistance funds were to be used solely for the payment of bonded debt.

Pursuant to ACA §6-20-2503, the following calculation was used to determine the Bonded Debt Assistance. The calculation was based on the Principal and Interest Payment Schedule in effect and on file with the Arkansas Department of Education (ADE) on January 1, 2005. This amount was reduced by 10% for purposes of calculating debt service funding supplement. If a school district demonstrated to the Commission for Arkansas Public School Academic Facilities and Transportation (the "Commission") that all or a portion of the 10% reduction in scheduled debt payment was attributable to the support of academic facilities, the Commission reversed all or a portion of the 10% reduction by a percentage proportionate to the amount attributable to academic facilities. The remaining 90% (or greater if a percentage was reversed) of the principal and

interest payment was divided by the total assessed value of the district and multiplied by 1,000 to calculate the required debt service mills. This product was multiplied by the State Wealth Index, multiplied by the prior year three-quarter ADM, and multiplied by a funding factor of \$18.03.

These funds were paid on or before August 1 and February 1 of each year. If a district qualified for Bonded Debt Assistance, the amount of aid was not reduced as a result of refunding bonds outstanding in effect and on file with the ADE on January 1, 2005. As the amount of state financial assistance decreases, resulting from reductions in principal and interest payments and increases in property assessments, the Commission distributed savings to the Educational Facilities Partnership Fund (EFP), in accordance with rules promulgated by the Commission. The amount of savings transferred in fiscal year 2008 to the Educational Facilities Partnership Fund (EFP) was \$5,983,136.

DECLINING ENROLLMENT

This program provided additional funding to school districts with a prior year Average Daily Membership (ADM) that was less than the ADM of the previous year. Funding was equal to the difference between the average of the ADM for the two immediately preceding years and the ADM for the previous school year multiplied by \$5,719, the amount of foundation funding for 2007-2008. Additionally, any appropriated and available funds for declining enrollment funding that remained after the initial distributions were prorated and distributed equally to school districts that qualified for both declining enrollment funding and special needs isolated funding. There were no declining enrollment funds remaining in 2007-2008 after the initial distributions.

ENGLISH LANGUAGE LEARNERS

This program served school districts with language minority students assessed as limited in their English proficiency. Most of these students were at the beginning stage of acquiring English. Funding was provided to assist with securing specially-trained staff, instructional materials and/or training. School districts received grants in the 2007-2008 school year based on the district's Limited English Proficiency (LEP) headcount at \$293 per LEP student.

GENERAL FACILITIES FUNDING

These funds were distributed in accordance with ACA §6-20-2503(e). Beginning in fiscal year 2005-2006, school districts received state financial assistance equal to the General Facilities Funding the school district received or would have received under the Supplemental School District Funding Act of 2003 (ACA 6-20-2401, et seq. [repealed]) during fiscal year 2004-2005.

After fiscal year 2005-2006, this funding was phased out by reducing the amount received by a school district by one-tenth each year over a ten-year period with the savings distributed through the Educational Facilities Partnership Fund (EFP). The amount of savings transferred in fiscal year 2007-2008 to the Educational Facilities Partnership Fund (EFP) was \$1,628,609. Prior to fiscal year 2005-2006, a school district's expenditure of General Facilities Funding was restricted to the purchase of school buses, furniture, equipment and computer software, or for the renovation or repair to existing facilities. Beginning in fiscal year 2005-2006, the use of General Facilities Funding was unrestricted.

ISOLATED FUNDING

Because of location or geographic barriers, some districts contained an area that was not able to share resources or had unusual transportation needs. This area, with an Average Daily Membership (ADM) of less than 350, was termed "isolated school area" and received additional funding. The funding was distributed in the 2007-2008 school year based, in part, upon the prior year three quarter ADM of the isolated school area multiplied by the Per Student Isolated Funding Amount for the isolated school area as prescribed by ACA §6-20-603.

NATIONAL SCHOOL LUNCH STUDENT FUNDING

This program provided funding for those students from low socio-economic backgrounds, as indicated by the eligibility for free or reduced-priced meals under the National School Lunch (NSL) Act, as reported on October 1 of each year and submitted to the Department of Education.

For the 2007-2008 school year, national school lunch student funding was as follows:

- (A) For school districts in which 90% or greater of the enrolled students are national school lunch students, funding was \$1,488;
- (B) For school districts in which at least 70% but less than 90% of the enrolled students are national school lunch students, funding was \$992; and
- (C) For school districts in which less than 70% of the enrolled students are national school lunch students, funding was \$496.

Beginning with the 2007-2008 school year, for school districts that were to receive funding based on a lower percentage tier than the preceding school year, the funding would be reduced in three equal amounts over a three-year period following the year in which a school district's number of national school lunch students decreased. A school district that has experienced a

NSL ACT FUNDING FOR LUNCHES AND SNACKS

significant growth, defined by rule as 1%, in enrolled students in each of the previous three years shall receive funding for the expected increase in the number of national school lunch students based on the three year average growth in enrollment times the percentage of students eligible for NSL Act funding times the appropriate per student funding amount.

PROFESSIONAL DEVELOPMENT FUNDING

This program provided a coordinated set of planned learning activities for teachers and administrators that were standards-based. These programs should have resulted in individual, school-wide and system-wide improvements designed to ensure that all students demonstrate proficiency in the state academic standards. For the 2007-2008 school year, the Professional Development Funding amount for a school district was fifty dollars (\$50) times the district's Average Daily Membership for the previous year. Special language in Act 229 of 2007 allowed the Department of Education to use up to \$4,000,000 to develop a statewide professional development program.

SPECIAL NEEDS ISOLATED FUNDING

During the 2007-2008 school year, additional funding was provided to school districts which contained isolated schools. As stipulated in ACA §6-20-604, districts had to meet certain eligibility requirements, including involvement in a consolidation or annexation, low student density ratios and certain average daily membership levels

Pursuant to ACA §6-20-604(h), any funds appropriated for isolated funding and/or special needs isolated funding that remained after the initial distributions were distributed for transportation costs of isolated schools to school districts eligible to receive special needs isolated funding.

STATE FOUNDATION FUNDING AID

This was the amount of state financial aid provided to each school district for the 2007-2008 school year. It was computed as the difference between the foundation funding amount of \$5,719, established by the General Assembly pursuant to ACA §6-20-2305(a)(2), times the school district's Average Daily Membership (ADM) for the previous school year, and the sum of ninety-eight percent (98%) of the uniform rate of tax times the property assessment of the school district plus the miscellaneous funds of the school district. The funding for charter schools follows the same formula but uses ADM of the current year.

ADM is the total number of days of school attended plus the total number of days absent by students in grades kindergarten through twelve (K-12) during the first 3 quarters of each school year divided by the number of school days actually taught in the school district during that period of time rounded up to the nearest hundredth.

STUDENT GROWTH

This program provided supplemental funding to school districts that had a growth in students over the previous school year. Student growth funding is calculated as the sum of one quarter of the per student foundation funding for the school district multiplied by the increase (excluding any increase resulting solely from consolidation or annexation), if any, of each of the following:

- (A) The school district's quarterly ADM for the first quarter of the current school year over ADM of the previous school year;
- (B) The school district's quarterly ADM for the second quarter of the current year over the ADM of the previous school year;
- (C) The school district's quarterly ADM for the third quarter of the current school year over the ADM of the previous school year; and
- (D) The school district's quarterly ADM for the fourth quarter of the current school year over the ADM of the previous school year.

As the fourth quarter ADM count will not be available until the following school fiscal year, the final distribution for each school year shall include one half of the per student foundation funding for the school district multiplied by the increase, if any, of the school district's quarterly ADM for the third quarter of the current school year over the ADM of the previous school year. As a result of calculating the final distribution, either an adjustment shall be made in the initial distribution of growth funding for the school district in the following school year to be based on the actual fourth quarter growth or the school district shall refund the overpayment in growth funding.

SUPPLEMENTAL MILLAGE INCENTIVE FUNDING

These funds were distributed in accordance with ACA §6-20-2503(f). Beginning in fiscal year 2005-2006, school districts that elected to receive Supplemental Millage Incentive Funding in fiscal year 2004-2005 would receive the amount of Supplemental

Millage Incentive Funding that exceeded the amount that the school district would have received under Debt Service Funding Supplement and General Facilities Funding in fiscal year 2004-2005. After fiscal year 2005-2006, this funding shall be phased out by reducing the amount received by a school district by one-tenth each year over a ten-year period with the savings distributed through the Education Facilities Partnership Fund (EFP). The amount of savings transferred in fiscal year 2007-2008 to the Educational Facilities Partnership Fund (EFP) was \$2,023,128

ATTACHMENT B

Arkansas Department of Higher Education *Application for Initial Funding under the State Fiscal Stabilization Fund Program*

Part 4, Section C – Maintenance of Effort Item 3 (b)

There are three sources of Unrestricted Educational and General Funding for Arkansas Institutions of Higher Education. The sources are General Revenues distributed under the Revenue Stabilization Act, the Educational Excellence Trust Fund and the Workforce 2000 funds. The data sources for the level of State support for public Institutions of Higher Education are the Arkansas Department of Finance and Administration's (DFA) distribution of General Revenue funds under the Revenue Stabilization Act for each of the years. The Educational Excellence Trust Fund and the Workforce 2000 funding for each year are taken from the allocations published each July or August of the fiscal year.

Part 5, Section A – State Uses of the Education Stabilization Fund Item 1(d)

*The use of fiscal year totals does not reflect the total of the losses of individual institutions of higher education because some institutions actually had small increases in general revenues fiscal 2009. The differences in the totals will not cover all the losses experienced by the institutions. The projected losses of the institutions from all three revenue sources noted in page 6, item 3(b) will actually be \$11,333,726 as compared to the fiscal 2008 funding received. However, the difference in the two year's totals is only \$9,724,123. Since the funds received cannot be reallocated among the institutions, the \$9,724,123 will not allow the restoration of the actual losses of the institutions.

Part 5, Section A – State Uses of the Education Stabilization Fund Item 1(f)

**The forecast for State support for public IHEs in FY2010 includes \$9,350,000 in new tobacco tax revenue for the University of Arkansas Medical Sciences dedicated to the establish of a statewide trauma system and other health care related initiatives, none of which are traditional higher education functions.

ATTACHMENT B

Part 5, Section A – State Uses of the Education Stabilization Fund Item 3

There are three sources of Unrestricted Educational and General Funding for Arkansas Institutions of Higher Education. The sources are the General Revenues distributed under the State's Revenue Stabilization Act, the Educational Excellence Trust Fund and the Workforce 2000 Funds. The data sources for the level of State support for public Institutions of Higher Education are the Arkansas Department of Finance and Administration's (DFA) distribution of General Revenue funds under the Revenue Stabilization Act for each of the years. The Educational Excellence Trust Fund and the Workforce 2000 funding for each year are taken from the allocations published each July or August of the fiscal year.

Part 5, Section A – State Uses of the Education Stabilization Fund Item 5

See Appendix C.

Analysis of Higher Education Funding Loss from FY08 to FY09 by Source

INSTITUTION	General Revenues			EET			MF2000			Total Funds Lost from FY08
	FY08 Total Allocation	FY09 "a" + "a-1" + 53.9% "b"	FY09 Funds Below FY08	FY08		FY09 Below FY08		FY09		
				Funding	Funding	Funding	Funding	Funding	Funding	
ASUJ	\$52,877,481	\$52,824,847	(\$52,634)	\$6,174,962	\$5,964,362	(\$210,600)				(\$263,234)
ATU	\$28,686,457	\$28,531,249	(\$155,208)	\$2,069,889	\$1,999,294	(\$70,595)				(\$70,595)
HSU	\$18,241,121	\$18,340,890	\$99,769	\$2,141,203	\$2,068,176	(\$73,027)				(\$73,027)
SAUM	\$15,276,158	\$15,271,736	(\$4,422)	\$1,265,926	\$1,222,751	(\$43,175)				(\$43,175)
UAF	\$111,378,981	\$110,750,529	(\$628,452)	\$9,377,604	\$9,057,775	(\$319,829)				(\$319,829)
UAFS	\$19,908,364	\$19,786,844	(\$121,520)	\$3,137,463	\$3,030,458	(\$107,005)				(\$107,005)
UALR	\$55,582,310	\$55,327,244	(\$255,066)	\$5,437,598	\$5,252,146	(\$185,452)				(\$185,452)
UAM	\$12,795,333	\$12,846,207	\$50,874	\$1,092,534	\$1,055,273	(\$37,261)				(\$37,261)
UAPB	\$21,233,676	\$21,498,260	\$264,584	\$1,896,616	\$1,831,931	(\$64,685)				(\$64,685)
UCA	\$52,427,363	\$50,170,787	(\$2,256,576)	\$4,712,402	\$4,551,683	(\$160,719)				(\$160,719)
4-YR SUBTOTAL	\$388,407,244	\$385,348,593	(\$3,058,651)	\$27,306,197	\$26,033,849	(\$1,272,348)				(\$1,272,348)
ANC	\$8,518,586	\$8,546,510	\$27,924	\$738,530	\$713,342	(\$25,188)				(\$25,188)
ASUB	\$11,691,296	\$11,953,724	\$262,428	\$1,473,231	\$1,422,986	(\$50,245)				(\$50,245)
ASUMH	\$3,451,081	\$3,463,136	\$12,055							
ASUN	\$3,616,596	\$3,452,012	(\$164,584)							
BRTC	\$5,797,098	\$5,875,177	\$77,879							
CCCUA	\$3,206,587	\$3,219,403	\$12,816							
EACC	\$5,782,030	\$5,764,273	(\$17,757)	\$770,979	\$744,684	(\$26,295)				(\$26,295)
MISCC	\$3,687,840	\$3,673,864	(\$13,976)	\$455,331	\$439,802	(\$15,529)				(\$15,529)
NAC	\$7,803,915	\$7,901,297	\$97,382	\$1,153,107	\$1,113,780	(\$39,327)				(\$39,327)
NPCC	\$6,741,258	\$6,847,844	\$106,586							
NWACC	\$9,733,519	\$9,362,604	(\$370,915)	\$1,019,049	\$984,294	(\$34,755)				(\$34,755)
OTC	\$3,399,148	\$3,406,105	\$6,957							
OZC	\$2,892,401	\$2,865,642	(\$26,759)							
PCCUA	\$8,764,886	\$8,811,428	\$46,542							
PTC	\$14,567,025	\$13,201,023	(\$1,366,002)	\$750,829	\$725,221	(\$25,608)				(\$25,608)
RMCC	\$3,200,486	\$3,154,717	(\$45,769)							
SAOC	\$5,917,296	\$5,941,276	\$23,980	\$203,510	\$196,570	(\$6,940)				(\$6,940)
SAUT	\$5,452,961	\$5,525,371	\$72,410	\$527,294	\$509,311	(\$17,983)				(\$17,983)
SEAC	\$5,439,921	\$5,515,032	\$75,111	\$207,867	\$200,778	(\$7,089)				(\$7,089)
UACCB	\$3,894,615	\$3,923,222	\$28,607							
UACCH	\$4,428,859	\$4,398,641	(\$30,218)							
UACCM	\$4,533,938	\$4,615,974	\$81,936							
2-YR SUBTOTAL	\$134,771,342	\$133,575,751	(\$1,195,591)	\$7,299,727	\$7,050,768	(\$248,959)				(\$248,959)
ASU-System	\$2,399,160	\$2,327,652	(\$71,508)							
ASUJ-MT	\$2,323,181	\$2,332,693	\$9,512							
ATU-AVTI	\$2,346,695	\$2,375,798	\$29,103							
HSU-SWATLC	\$212,732	\$210,294	(\$2,438)							
SAUT-ECC	\$366,824	\$362,413	(\$4,411)	\$34,736	\$33,552	(\$1,184)				(\$1,184)
SAUT-FTA	\$1,772,272	\$1,553,066	(\$219,206)	\$87,917	\$84,918	(\$2,999)				(\$2,999)
UA-SYS**	\$3,465,261	\$3,338,090	(\$127,171)	\$269,680	\$260,483	(\$9,197)				(\$9,197)
UA-AS	\$2,365,101	\$2,260,393	(\$104,708)	\$133,308	\$128,762	(\$4,546)				(\$4,546)
UA-DivAgri	\$62,160,726	\$61,940,181	(\$220,545)	\$5,542,287	\$5,353,265	(\$189,022)				(\$189,022)
UA-ASMSA*	\$894,551	\$1,016,481	\$121,930	\$7,312,274	\$7,062,885	(\$249,389)				(\$249,389)
UA-CS	\$2,263,898	\$2,271,657	\$7,759							
UA-CJII	\$1,813,498	\$1,804,341	(\$9,157)							
UALR-RAPS	\$3,534,411	\$3,556,157	\$21,746							
UAM-Crosssett	\$1,131,651	\$1,137,864	\$6,213							
UAM-McGehee	\$1,586,206	\$1,642,877	\$56,671							
UAMS	\$87,762,107	\$86,995,397	(\$766,710)	\$9,362,479	\$9,043,166	(\$319,313)				(\$319,313)
UAMS-Child Safety	\$1,250,000	\$674,125	(\$575,875)	\$232,975	\$225,029	(\$7,946)				(\$7,946)
UAMS-IC	\$5,398,955	\$5,334,529	(\$64,426)							
UAPB-Nonformula	\$3,641,856	\$3,650,415	\$8,559							
ENTITY SUBTOTAL	\$186,691,116	\$184,786,423	(\$1,904,693)	\$22,975,656	\$22,192,060	(\$783,596)				(\$783,596)
TOTAL	\$709,869,701	\$703,710,767	(\$6,158,934)	\$67,581,580	\$65,276,677	(\$2,304,903)				(\$2,304,903)
				\$22,457,068	\$21,105,544	(\$1,351,524)				(\$1,351,524)
				\$2,603,789	\$2,603,789	\$0				\$0
				\$616,949	\$616,949	\$0				\$0
				\$677,581	\$677,581	\$0				\$0
				\$593,543	\$593,543	\$0				\$0
				\$638,415	\$638,415	\$0				\$0
				\$560,098	\$560,098	\$0				\$0
				\$602,440	\$602,440	\$0				\$0
				\$146,721	\$146,721	\$0				\$0
				\$21,105,544	\$21,105,544	\$0				\$0
				\$22,365,830	\$22,365,830	\$0				\$0
				\$2,457,068	\$2,457,068	\$0				\$0
				\$11,260,286	\$11,260,286	\$0				\$0
				\$3,096,472	\$3,096,472	\$0				\$0
				\$11,353,726	\$11,353,726	\$0				\$0