



OFFICE OF THE GOVERNOR
ARNOLD SCHWARZENEGGER, Governor



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CALIFORNIA DEPARTMENT OF EDUCATION
JACK O'CONNELL, State Superintendent of Public Instruction

State Fiscal Stabilization Fund (SFSF) American Recovery and Reinvestment Act (ARRA) Application

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Certification of Assurances

XXX Unified

On behalf of XXX Unified, I hereby apply to the Governor for SFSF funds and agree to all of the following assurances:

PART I: General Assurances for Local Educational Agencies (LEAs)

The XXX Unified assures that:

- (1) The LEA will administer each program covered by the application in accordance with all applicable statutes, regulations, program plans, and applications;
- (2) The control of funds provided to the local educational agency under each program, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;
- (3) The local educational agency will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, federal funds paid to that agency under each program;
- (4) The local educational agency will make reports to the State agency or board and to the Secretary as may reasonably be necessary to enable the State agency or board and the Secretary to perform their duties and that the local educational agency will maintain such records, including the records required under Section 1232f of this title, and provide access to those records, as the State agency or board or the Secretary deem necessary to perform their duties;
- (5) The local educational agency will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program;
- (6) Any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public;
- (7) In the case of any project involving construction—
 - (A) the project is not inconsistent with overall State plans for the construction of school facilities, and
 - (B) in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under Section 794 of title 29 in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities;
- (8) The local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects;
- (9) None of the funds expended under any applicable program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization. (20 U.S.C. 1232e)

PART II: SFSF Education Reform Assurances

The XXX Unified assures that it will work with the state to advance the education reform areas identified in the state SFSF application, assured by the Governor available at <http://www.recovery.ca.gov> (Outside Source)) and shown below:

- (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)*

PART III: Accountability, Transparency and Reporting Assurances

The XXX Unified will comply with all of the accountability, transparency, and reporting requirements that apply to the program, which the Governor has already assured, including the following:

- (1) For each year of the program, the LEA or public Institution of Higher Education (IHE) will submit a report to the State, at such time and in such manner as the Governor and/or the California Department of Education (CDE) may require, to comply with requirements from the US Secretary of Education, that describes:
 - (A.) the uses of funds within the State;
 - (B.) how the State distributed the funds it received;
 - (C.) the number of jobs that the Governor estimates were saved or created with the funds;
 - (D.) tax increases that the Governor estimates were averted because of the funds;
 - (E.) 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;
 - (F.) 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;
 - (G.) 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
 - (H.) a description of each new construction, modernization, renovation or repair project funded, including the amounts awarded and project costs. (ARRA Division A, Section 14008)
- (2) The LEA or public IHE will provide the assistance necessary for the State to 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))
- (3) The LEA or public IHE 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)
- (4) If the LEA or public IHE, as applicable, uses funds for any infrastructure investment, the LEA or public IHE 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 Web site and linked to <http://www.recovery.gov> (Outside Source). 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)
- (5) The LEA or public IHE will cooperate with any Inspector General examination of records under the program. (ARRA Division A, Section 1515)

PART IV: Other Assurances

The XXX Unified assures that:

- (1) The LEA or public IHE 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.

- (2) 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.
- (3) The LEA or public IHE 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).
- (4) Any LEA or public IHE receiving funding under this program will have on file a set of assurances that meets the requirements of Section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).
- (5) To the extent applicable, an LEA or public IHE 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.
- (6) 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).

Contact Information

First Name:

Last Name:

Job Title:

E-mail:

Telephone: (999-999-9999)

Electronic Signature - Question: What is your favorite sport?

Electronic Signature - Answer:

Certification

Checking this box certifies that I have read the applicable certifications, assurances, terms, and conditions identified on this grant application and I agree to comply with all requirements as a condition of funding.

After selecting the Submit button below, you will be presented with a confirmation page indicating a successful submission to the California Department of Education.

Questions: [Government Affairs Branch](#) | ARRA@cde.ca.gov | 916-319-0821

Sacramento, CA 95814

Web Policy