Alaska Department of Education & Early Development

Assurances
State Fiscal Stabilization Funds
under the
American Recovery and Reinvestment Act (ARRA)

Assurances form a binding agreement between the local district, the Alaska Department of Education & Early Development, and the U.S. Department of Education that assures all legal requirements are met in accordance with state and federal laws, regulations, and rules. These assurances apply to program activities and expenditures of funds. Compliance to general and specific program assurances is the legal responsibility of the local district under the authorization of the local board of education and the direction of the superintendent.

In applying for and accepting funding under the following components of ARRA, the district assures that it will comply with the principles of ARRA, will meet all applicable program laws and regulations, and will meet all accounting, reporting and monitoring requirements of the state and federal governments. This will include information on the number of jobs saved or created and on economic development that was achieved by the use of ARRA funds.

For All ARRA Funds

The district assures that it will follow these guiding principles of ARRA:

- Spend funds quickly to save and create jobs;
- Improve student achievement through school improvement and reform;
- Ensure transparency and accountability and report publicly on the use of the funds;
- Invest one-time ARRA funds thoughtfully to minimize the "funding cliff" by investing in ways that do not result in unsustainable continuing commitments after the funding expires.

The district acknowledges that the funding is a one-time addition and that the Alaska State Legislature makes no representation that it will replace the federal stimulus money when it expires, in accordance with the Alaska State Legislature's stated intent in accepting the stimulus funds.

The district, if applicable to its use of stimulus funds, will strive to hire Alaska workers and use Alaska contractors and vendors and minimize the use of out-of-state consultants, in accordance with the Alaska State Legislature's stated intent in accepting the stimulus funds.

The district will focus on short-term investment with long-term gains for student and teacher performance and pay particular attention to the U.S. Department of Education's guidance that the funds should be invested in ways that do not result in unsustainable

continuing commitments after the funding expires, in accordance with the Alaska State Legislature's stated intent in accepting the stimulus funds.

For State Fiscal Stabilization Funds (SFSF)

The district assures that it:

- received Title I Part A federal funds in the school year that is used to calculate districts' share of stabilization funds;

- has on file with the state an application that contains the assurances in Section 442 of the General Education Provisions Act (20 U.S.C. 1232e), among which are assurances that it will 1) administer the program in accordance with all applicable statutes and regulations, and 2) use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, the funds. (See http://www.law.cornell.edu/uscode/html/uscode20/usc_sec_20_00001232---e000-.html);

- will use the funds only for activities authorized by the Elementary and Secondary Education Act of 1965, the Individuals with Disabilities Education Act, the Adult and Family Literacy Act, or the Carl Perkins Career and Technical Education Act of 2006, or for modernization, renovation, repair or construction of public school facilities (Note that the ESEA includes broad Impact Aid authority, and therefore districts may use stabilization funds for activities that are allowable under Impact Aid, regardless of whether the district usually receives Impact Aid. See Page 20 of the U.S. Department of Education's Guidance on the State Fiscal Stabilization Fund Program, dated April 2009);

- will comply with specific requirements relating to the use of American iron, steel and manufactured goods, under Section 1605 of ARRA, and comply with U.S. Department of Labor rules on paying prevailing wages for laborers and mechanics for any school modernization, renovation, repair or construction projects;

- will not use the funds for items prohibited under Section 14003(a) of ARRA (payment of maintenance costs; stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the public; purchase or upgrade of vehicles; or improvement of stand-alone facilities whose purpose is not the education of children, including central office administration or operations or logistical support facilities; school modernization, renovation, repair or new construction that is inconsistent with state law);

- will not use the funds to provide financial assistance to students to attend private elementary or secondary schools, unless the funds are used to provide special education and related services to children with disabilities as authorized by IDEA (per Section 14011 of ARRA);

- will not use the funds as non-federal funds for maintenance of effort in other federal programs unless the district receives a waiver from the U.S. Department of Education;

- will obligate the funds by September 30, 2011, to support authorized activities in school years 2008-2009, 2009-2010, and 2010-2011, and will not use the funds to restore or supplement a “rainy day” fund;

- will comply with federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age;

- will, to the extent applicable, include in its state application a description of how the district will comply with Section 427 of the General Education Provisions Act, including the steps the district proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers that impede access to, or participation in, the program;

- will maintain records that separately track and account for its stabilization funds and report on the specific uses of the funds;

- will submit to the state an application for the funds that describes the planned expenditures for the funds;

- will include in its application to the state an explanation of how their expenditure of stabilization funds will assist the state in advancing education reform in the following areas:
    - Making progress toward rigorous college-ready and career-ready standards and high-quality assessments that are valid and reliable for all students, including English language learners and students with disabilities.
    - Establishing pre-K to college and career data systems that track progress and foster continuous improvement.
    - Making improvements in teacher effectiveness and in the equitable distribution of qualified teachers for all students, particularly students who are most in need.
    - Providing intensive support and effective interventions for the lowest-performing schools. (See Section 14005 of ARRA.)

- will provide timely information to the state so that the state can meet all its reporting requirements for the stabilization funds (See Section 14008 of ARRA);

- will provide the state with information about any district expenditures of stabilization funds on infrastructure, so the state can certify to the federal government that the expenditures have received the full review and vetting required by state law and are an appropriate use of taxpayer money;

- will attach to these assurances a copy of district school board meeting minutes showing approval of the district’s application for these funds.

SOURCES: The American Reinvestment and Recovery Act, the U.S. Department of Education document Guidance on the State Fiscal Stabilization Fund Program dated April 2009, and Alaska House Bill 199.

By my signature below, I agree, upon the approval of the project application by the Alaska Department of Education & Early Development, to accept and perform the requirements as contained in the assurances above.

Name of School District

Signature of Superintendent Date

Printed Name of Superintendent

Signature of District School Board President Date

Printed Name of District School Board President

Mail the original signed document to:
Alaska Department of Education & Early Development
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