



Educational Flexibility Program (Ed-Flex)

Georgia's Application Process

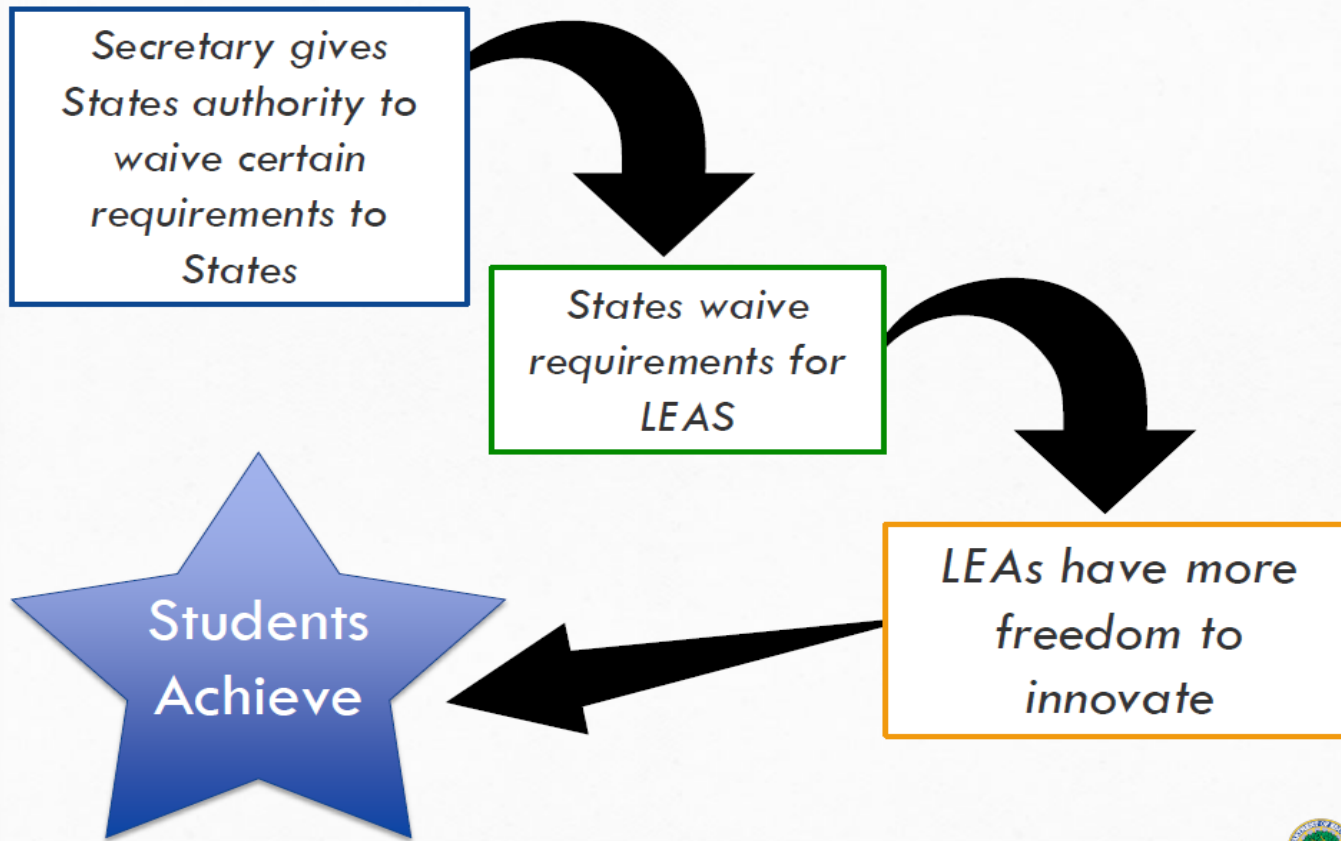
June 25, 2020

Overview

- Through Ed-Flex, the U.S. Department of Education (Secretary) delegates to eligible SEAs the authority to waive certain statutory or regulatory education requirements that may impede local efforts to reform and improve education.
- Ed-Flex is designed to help LEAs, educational service agencies, and schools carry out educational reforms and raise the achievement levels of all children.

Overview Cont'd

OVERVIEW VISUAL



Overview Cont'd

- Ed-Flex is authorized under the Education Flexibility Partnership Act of 1999 and was reauthorized under ESSA in 2015
- All states that meet eligibility criteria may apply for Ed-Flex authority
- The SEA's authority to grant waivers, if approved, is for a five-year period
- LEAs must apply to the SEA for waivers annually

State Eligibility

A state is eligible if:

- ✓ The state meets the applicable standards, assessments, and report card requirements
- ✓ The state will hold LEAs and schools accountable for:
 - *Meeting the educational goals described in the local application for educational flexibility (CLIP);*
 - *Engaging in technical assistance; and*
 - *As applicable and appropriate, implementing comprehensive support and improvement activities and targeted support and improvement activities under ESEA section 1111(d)*
- ✓ The state has the authority to waive state statutory and/or regulatory requirements and holds LEAs accountable for student performance under the waivers

Program Eligibility

The Ed-Flex waiver authority applies to the following programs:

1. Title I, Part A – Basic Programs Operated by LEAs, other than Section 1111
2. Title I, Part C – Migrant Education
3. Title I, Part D – Neglected and Delinquent
4. Title II, Part A Supporting Effective Instruction
5. Title IV, Part A Student Support and Academic Enrichment

Why is Ed-Flex a beneficial option?

- Ed-Flex is a tool to help states pursue innovative ways to improve achievement levels for all students
- States with Ed-Flex authority can help LEAs focus on ideas and solutions in a timely manner by having the Ed-Flex authority in place when they plan (i.e., within the CLIP)
- With Ed-Flex authority, a state doesn't have to request individual waivers from ED, with the associated review and response delays

What is prohibited?

A state cannot grant any waiver that would undermine the underlying purposes of the statutory requirements of the program. Furthermore, Ed-Flex authority, once granted, does not authorize the SEA to waive any statutory or regulatory requirements relating to:

- ESEA Section 1111 (including standards, assessments, and accountability requirements)
- Maintenance of effort
- Comparability
- Equitable services
- Distribution of funds to LEAs

What is prohibited? (cont'd)

Ed-Flex authority, once granted, does not authorize the SEA to waive any statutory or regulatory requirements relating to:

- Serving eligible school attendance areas in rank order in accordance with ESEA Section 1113(a)(3)
- The selection of a school attendance area or school under subsections (a) and (b) of ESEA section 1113, (Except that an SEA may grant a waiver to allow a school attendance area or school to participate in Title I, Part A if the percentage of children from low-income families in the school attendance area is not more than 10 percentage points below the lowest percentage of such children for other Title I schools in the LEA)

What is prohibited? (cont'd)

Ed-Flex authority, once granted, does not authorize the SEA to waive any statutory or regulatory requirements relating to:

- The use of federal funds to supplement, not supplant, state and local funds
- Applicable parental involvement or civil rights requirements
- Any requirements that apply to the SEA
- Individuals with Disabilities Education Act requirements

Oversight and Reporting

- The SEA must hold LEAs accountable for the local plan goals/performance of students affected by waiver(s)
- No later than two years after designation, the SEA must begin annual reporting to ED
 - Number of waivers granted for both federal and state statutory and regulatory requirements
 - Effect of waivers on school and student performance
 - Assurance that data are reliable, complete, accurate

Georgia's Ed-Flex LEA Application Process





The direct alignment to the CNA will allow the LEA to thoughtfully incorporate the waiver into the overall district improvement plans as presented in the CLIP/S-CLIP.

Context

- FY20 funds are operating under flexibility that Georgia applied for under the CARES Act.
- CARES Act flexibilities do not apply to FY21 funds (or future year awards).

Types of Waivers

- Statewide Waiver Request
 - GaDOE's pre-identified waivers for usage statewide
- Local Waiver Request
 - LEA identified for a specific local need

LEAs can submit waiver requests in one or both categories.

Ed-Flex Application Process

- For FY21, LEAs will request an amendment of the CLIP (both CLIP Online and S-CLIP) **after July 1**.
 - (FY22 moving forward, this will be part of the original CLIP planning process.)
- CLIP Teams will review when amendment is submitted to GaDOE.
- Approval of CLIP Amendment indicates approval of waiver request.
- Required revisions of the CLIP will indicate the waiver request is not approved and will need to be revised or removed from the CLIP. Resubmit CLIP Amendment.

CLIP Amendment

Consolidated LEA Improvement Plan (CLIP)

Home | CLIP | SandBox | Data Dashboard | School SIP | Progress Monitoring | Cross Functional Monitoring

School Year : 2020 - 20... | District : | You are logged in

Selected Option : CLIP Online | Latest State Submission

No changes can be made to the current state copy as it is already approved by state.

Current Status : Approved By State
Sign Off By (Superintendent) :
Sign Off Date (Superintendent) : 9/30/2019
Date Approved By State: 6/8/2020

[View State Submission Copy](#) | [Print State Copy](#) | [Request Amendment](#)

State Submissions History

Fiscal	Name	Application	Superintendent

Include “Ed-Flex application” in the amendment reason box.

Request for Amendment

Please enter the reason for amendment below:

Request for amendment

[Submit To State](#)

CLIP Online

- Request CLIP amendment.
- Complete Ed-Flex section.
- Submit to GaDOE.

Waiver Request # 1 - StatewideWaiver

A. The following available statewide waiver is requested: (Please select a waiver from the dropdown menu) *

Waiver of Title I, Part A

Waiver of Title I, Part A
Limitation on Carryover
- ESSA Section 1127(a)

Title I, Part C

Title I, Part D

Title II, Part A

Title IV, Part A

C. What are the overall expected results or the measurable educational goals that will be achieved through application of this waiver?
(Please include both districtwide and/or local school level results or measurable goals) *


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D. How was public notice made regarding this waiver? (Please select all that apply) *

- A. Comprehensive Needs Assessment
 - District Report
 - 1. Planning and Preparation
 - 1.1 Identification of Team
 - 1.2 Identification of Stakeholders
 - 2. Data Collection and Analysis
 - 3. Needs Identification and Root Cause Analysis
- B. Parent and Family Engagement Policy
- C. District Improvement Plan
 - 1. General Improvement Plan Information
 - 2. ED - Flex Waiver
 - 3. District Improvement Goals
 - 4. Required Questions
- D. Foster Care Transportation Plan
- E. Title I, Part C ID&R Plan

S-CLIP

- Complete document.
- Request CLIP amendment.
- Upload attachment.
- Submit to GaDOE.



Georgia Department of Education

Ed-Flex Waiver Application

LEA Name: *

Request for School Year: *

I. Statewide Waiver Request

Application Questions

CLIP Online and S-CLIP

Statewide Waiver Request

The following available statewide waiver is requested: (Please select a waiver from the dropdown menu, if applicable.) *

Select each program affected by this waiver request: *

- Title I, Part A
- Title I, Part C
- Title I, Part D
- Title II, Part A
- Title IV, Part A

- Waiver of Title I, Part A Limitation on Carryover – ESSA Section 1127(a) (Unspent Title I, Part A FY21 funds carried over to FY22)
- Waiver of Title IV, Part A Content Area Minimum Percentage Spending Requirements – ESSA Section 4106(e)(2)(C), (D) and (E) under sections 4107, 4108, 4109
- Waiver of Title IV, Part A Spending Limitation of 15 percent on the Use of Funds to Purchase Technology Infrastructure – ESSA Section 4109(b)

Application Questions

CLIP Online and S-CLIP

Statewide Waiver Request

What are the overall expected results or the measurable educational goals that will be achieved through application of this waiver? (Please include both district-wide and/or local school level results or measurable goals):

Application Questions

CLIP Online and S-CLIP

- Follow the LEAs procedures for public notice and comment
- Two-week posting is best practice

Statewide Waiver Request

How was public notice made regarding this waiver? (Please select all that apply): *

- LEA Website
- LEA/School Newsletter
- Newspaper
-

Please provide any comments received as a result of the public notice here:

Application Questions

CLIP Online and S-CLIP

Local Waiver Request

A waiver is requested of an ESSA statutory or regulatory requirement applicable to the following program(s) (Please select all that apply): *

- Title I, Part A
- Title I, Part C
- Title I, Part D
- Title II, Part A
- Title IV, Part A

Define the specific statutory or regulatory requirement to be waived: *

Application Questions

CLIP Online and S-CLIP

Local Waiver Request

If waived, what will be done that is different from what is currently required under the statute or regulation cited? *

Note: The LEA response must include a statement/evidence that the underlying purposes of the statutory requirements will continue to be met.

Application Questions

CLIP Online and S-CLIP

Local Waiver Request

What are the overall expected results or the measurable educational goals that will be achieved through application of this waiver? (Please include both district-wide and/or local school level results or measurable goals): *

Application Questions

CLIP Online and S-CLIP

- Follow the LEAs procedures for public notice and comment
- Two-week posting is best practice

Local Waiver Request

How was public notice made regarding this waiver? (Please select all that apply): *

- LEA Website
- LEA/School Newsletter
- Newspaper
-

Please provide any comments received as a result of the public notice here:

Review Criteria

- Ensure request is not on the unallowable list
- Ensure request does not undermine intent of the statute
- Connection to the CLIP
- Expected outcomes, school/student performance

A state cannot grant any waiver that would undermine the underlying purposes of the statutory requirements of the program.

LEA Annual Evaluation



Annual Reporting of Ed-Flex Implementation

LEA Name: _____

Reporting for School Year: _____

Approved Application		Evaluation			
Statute with Approved Waiver	Expected Results or the Measurable Educational Goals the LEA Planned to Achieve	Effect of Waiver on Implementation of State and Local Reforms Pertaining to School and Student Performance	Description of the Relationship of the Waiver to the Performance of Schools and Students Affected by the Waiver	LEA Self-Evaluation: Rating of Effectiveness of Waiver (1-5)	GaDOE Evaluation: Rating of Effectiveness of Waiver (1-5)

- Uploaded to the Progress Monitoring Tool in the CLIP by June 30.
- CLIP Teams will Review
- Successful results will be applied to future waiver requests
- Reporting to USED



LEA Annual Evaluation

Approved Application	
Statute with Approved Waiver	Expected Results or the Measurable Educational Goals the LEA Planned to Achieve

In this section, the LEA will insert information from the approved Ed-Flex waiver request.

LEA Annual Evaluation

Evaluation			
Effect of Waiver on Implementation of State and Local Reforms Pertaining to School and Student Performance	Description of the Relationship of the Waiver to the Performance of Schools and Students Affected by the Waiver	LEA Self-Evaluation: Rating of Effectiveness of Waiver (1-5)	GaDOE Evaluation: Rating of Effectiveness of Waiver (1-5)

- In this section, the LEA will provide details on two questions and complete a self-evaluation of the effectiveness of the waiver. GaDOE will also select a rating of effectiveness of the waiver based on the information provided.
- Narrative should address the topic with clear results.
- Rating scale will be 1-5; 5 = high. Additional details forthcoming.

Ed-Flex Website

The screenshot shows the website for the Educational Flexibility Program (Ed-Flex) on the Georgia Department of Education (GaDOE) website. The page features a navigation menu with categories like 'Offices & Divisions', 'Programs & Initiatives', and 'Data & Reporting'. A breadcrumb trail indicates the path: 'School Improvement → Federal Programs → Educational Flexibility Program (Ed-Flex)'. The main content area is titled 'Educational Flexibility Program (Ed-Flex)' and includes a 'Federal Programs' sidebar with a list of various federal programs. The main text describes the Ed-Flex program's authorization under the Education Flexibility Partnership Act of 1999 and its reauthorization under the Every Student Succeeds Act (ESSA). It also provides contact information for John Wight, Director of Federal Programs, and a list of programs covered by Ed-Flex, including Title I, Part A: Improving Basic Programs Operated by LEAs.

Richard Woods, Georgia's School Superintendent

Search this site

Offices & Divisions - Programs & Initiatives - Data & Reporting - Learning & Curriculum - State Board & Policy - Finance & Operations - Contact -

Home → School Improvement → Federal Programs → Educational Flexibility Program (Ed-Flex)

Federal Programs

- Title I, Part A Improving Academic Achievement of the Disadvantaged
- Title I, Part A - Academic Achievement Awards
- Title I, Part A - Foster Care Program
- Title I, Part A - Family-School Partnership Program
- Title I, Part C - Education of Migratory Children
- Title I, Part D - Programs for Neglected or Delinquent Children
- Title II, Part A - Supporting Effective Instruction
- Title III, Part A - Language Instruction for English Learners and Immigrant Students
- Title IV, Part A - Student Support and Academic Enrichment
- Title IV, Part B, Nita M. Lowey - 21st Century Community Learning Centers
- Title V, Part B - Rural Education Initiative
- Title IX, Part A - McKinney - Vento Homeless Assistance Act

Educational Flexibility Program (Ed-Flex)

Ed-Flex

The Educational Flexibility (Ed-Flex) program is authorized under the Education Flexibility Partnership Act of 1999 and was reauthorized by section 9207 of the Every Student Succeeds Act (ESSA). The Ed-Flex program allows the Secretary to authorize a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to one or more of the included programs for any local educational agency (LEA), educational service agency, or school within the State.

The U.S. Department of Education granted this authority to the Georgia Department of Education (GaDOE) on May 18, 2020. This authority will remain in place through the 2023-2024 school year.

Programs Covered by Ed-Flex

This program permits Ed-Flex States to waive requirements of the following State-administered formula grant programs:

- Title I, Part A: Improving Basic Programs Operated by LEAs (other than section 1111)

Contact Information

John Wight
Director
Federal Programs
Phone: 404-463-1857
jwight@doe.k12.ga.us

Ed-Flex and Other Initiatives

- **Equitable Services:** Relevant flexibilities, if approved, must be discussed during ongoing consultation with participating private schools.
- **Consolidation of Funds:** LEAs seeking additional financial flexibilities under Ed-Flex are responsible for working with Consolidation of Funds and Financial Review Staff to explore any potential impact on Fund 150.

Next Steps

- Meet with staff and stakeholders
- Review the Ed-Flex resources on the website
- Review the current Consolidated LEA Improvement Plan (CLIP) (online CLIP or Streamlined-CLIP) and determine if there are federal statute or regulations that could be waived to allow the LEA to better address the needs of children
- Start the application process in the Statewide Longitudinal Data System (SLDS) CLIP Application
- Post for public comment and feedback
- Complete the application in the CLIP and submit to GaDOE.



Questions?