



## Ed-Flex Waiver Application Frequently Asked Questions

The Indiana Department of Education’s (IDOE’s) Office of Title Grants and Support has made changes to the Ed-Flex Waiver applications and requirements. Ed-Flex is a program through the U.S. Department of Education that grants state educational agencies (SEAs) the authority to waive statutory or regulatory education requirements that may impede local efforts to reform and improve educational achievement.

IDOE currently has four waivers available to Indiana local education agencies (LEAs).

- Waiver 1: Increased Title I carryover allowability from 15-25%
- Waiver 2: Increased flexibility in paraprofessional requirements
- Waiver 3: Applicable only to the Indiana Department of Corrections
- Waiver 4: Increased flexibility in Title IV spending requirements for LEAs that receive over \$30,000

Number	Question	Answer
1	<b>What are the significant changes to the waiver applications?</b>	Information added to the waiver applications includes the number of students expected to be impacted, academic subjects to be addressed, specific, measurable, achievable, relevant, and time-bound (SMART) goal(s) supported by the Ed-Flex waiver, and how the LEA will measure progress toward goal(s) supported by the ed-flex waiver.
2	<b>Are Ed-Flex waivers still available annually?</b>	Each Ed-Flex waiver must be applied for annually to ensure that specific, measurable goals for the applicable school year are in place. This allows for more accurate and reliable data to be reported, which is necessary to demonstrate success and progress toward goal(s).  LEAs may apply to renew a previously-approved waiver that is due to expire in the current school year. In this situation, an LEA must provide data to demonstrate that the evaluation criteria described in the previous waiver application has been met.
3	<b>What is required when seeking public comment for the Ed-Flex waiver?</b>	According to 20 U.S.C. § 5891b(a)(7), any LEA seeking an Ed-Flex waiver, including school-specific waivers, shall: <ul style="list-style-type: none"> <li>● Provide the public with adequate and efficient notice of the proposed waiver, which consists of a description of the LEA/school application for the proposed waiver in a widely-accessible or distributed medium. This should also include a description of the anticipated improvements to student performance due to the Ed-Flex waiver.</li> <li>● Provide the opportunity for parents, educators, and all other interested community stakeholders to comment on the waiver.</li> <li>● Specify how the comments may be received and how they may be reviewed by any member of the public.</li> <li>● Submit the comments received with the application to IDOE.</li> </ul>
4	<b>How does my LEA demonstrate</b>	LEAs should maintain documentation of public notices or printed materials to demonstrate compliance with the public comment process. Examples may include



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	<b>compliance with the public comment requirement?</b>	copies of newspaper notices, school newsletters, school board meeting minutes, etc.
<b>5</b>	<b>If my LEA is applying to renew a previously-approved waiver, do the public comment requirements still apply?</b>	Yes, an LEA must meet the public comment requirements for each year that an Ed-Flex waiver and/or renewal of a waiver is requested.
<b>6</b>	<b>How will outcomes and progress towards goals be reported to IDOE?</b>	IDOE will request an annual performance report (APR) via Jotform for all LEAs that utilize an Ed-Flex waiver in 2024. More information and a finalized timeline will be provided in the coming months.
<b>7</b>	<b>What information will be collected on the APR?</b>	Data to be collected through the Ed-Flex APR will vary based on the specific waiver requested and individual LEA/school goals. Some standard information will be collected from all LEAs; however, there will be space for the LEA/school to include individualized information or data as well.
<b>8</b>	<b>When are Ed-Flex waivers due?</b>	Beginning with the 2025-2026 school year, waiver applications for waiver two and four will be due July 30 annually. Applications for waiver one are due March 30, 2025.
<b>9</b>	<b>If our LEA/school had an Ed-Flex waiver approved prior to August of 2024, do we need to reapply?</b>	Yes, all LEAs must reapply for any Ed-Flex waivers that were previously approved from 2020 through July of 2024.  Any waivers approved from August 2024 through 2029, must be applied for on an annual basis to ensure that continued use of the waiver is needed and that data supports the waiver as a successful strategy.
<b>10</b>	<b>How is the Ed-Flex waiver one different from the excess carryover waiver?</b>	Ed-Flex waiver one allows LEAs to increase the allowable carryover amount from 15-25%. This waiver may be applied for annually when available.  The <a href="#">excess carryover waiver</a> allows LEAs to increase the allowable carryover amount from 15-100%. The excess carryover waiver is only allowable for use once every three years.
<b>11</b>	<b>Does Ed-Flex waiver 2 for paraprofessional requirements apply to special education paraprofessionals?</b>	The federal ed-flex waiver does not apply to Indiana's Article 7 statute <a href="#">[511 IAC 7-36-2(i)]</a> . A paraprofessional that provides instructional support to special education students must continue to meet the requirements in subsection (g)(2) unless the paraprofessional acts solely as a translator to enhance the participation of limited English proficient students, only conducts parental activities, or solely provides personal care activities.



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<b>12</b>	<b>The Title IV-A budget application is a 27-month grant cycle. Does an LEA have to apply for waiver 4 annually?</b>	An LEA should apply for Waiver 4 as needed for each grant cycle. Approval of Waiver 4 applies only to the specific grant cycle in which the waiver was submitted and approved. Once approved, the waiver remains valid throughout that 27-month cycle. However, approval does not carry over into a new grant cycle. If an LEA requires Waiver 4 for a subsequent cycle, a new waiver application must be submitted.
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Contact IDOE's [Brittany Kronmiller](#) with questions regarding the Ed-Flex waiver process.

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