

Indiana's Request for ESEA Flexibility

July 16, 2025

TODAY'S AGENDA

What is ESEA?

ESEA Flexibility Waiver Overview

Indiana's Flexibility Waiver Request

Timeline & Next Steps



WHAT IS ESEA?

The Elementary and Secondary Education Act (ESEA) is the federal K-12 education law of the United States. This law:

Requires every state to measure performance in reading, math, and science

Requires every state to develop a "State Report Card" that is accessible online

Increases transparency to empower parents with information to help them make the best choices for their children

Extends flexibility for funds to be invested in CTE and transportation for students to attend higher performing schools

Timeline:

- First signed into law in the 1960s
- Reauthorized in 2015 as the Every Student Succeeds Act (ESSA)

ESEA FLEXIBILITY WAIVER OVERVIEW

ESEA Flexibility Waivers are intended to **“advance student academic achievement”** by providing flexibility from certain ESEA requirements.

Elementary and Secondary Education Act of 1965

[As Amended Through P.L. 114-95, Enacted December 10, 2015]

SECTION 1.¹ [20 U.S.C. 6301 note] SHORT TITLE.

This Act may be cited as the “Elementary and Secondary Education Act of 1965”.

SEC. 2.² TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

- Sec. 1001. Statement of purpose.
- Sec. 1002. Authorization of appropriations.
- Sec. 1003. School improvement.
- Sec. 1003A. Direct student services.
- Sec. 1004. State administration.

PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

Subpart 1—Basic Program Requirements

- Sec. 1111. State plans.
- Sec. 1112. Local educational agency plans.
- Sec. 1113. Eligible school attendance areas.
- Sec. 1114. Schoolwide programs.
- Sec. 1115. Targeted assistance schools.
- Sec. 1116. Parent and family engagement.
- Sec. 1117. Participation of children enrolled in private schools.
- Sec. 1118. Fiscal requirements.
- Sec. 1119. Coordination requirements.

¹ Section 5(a) through (c) of the Every Student Succeeds Act (Public Law 114-95) provides as follows:

SEC. 5. EFFECTIVE DATES.

(a) IN GENERAL.—Except as otherwise provided in this Act, or an amendment made by this Act, this Act, and the amendments made by this Act, shall be effective upon the date of enactment of this Act.

(b) NONCOMPETITIVE PROGRAMS.—With respect to noncompetitive programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) under which any funds are allotted by the Secretary of Education to recipients on the basis of a formula, the amendments made by this Act shall be effective beginning on July 1, 2016, except as otherwise provided in such amendments.

(c) COMPETITIVE PROGRAMS.—With respect to competitive programs that are conducted by the Secretary of Education on a competitive basis (and are not programs described in section 1113(b)) under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.), the amendments made by this Act with respect to appropriations for use under such programs shall be effective beginning on October 1, 2016, except as otherwise provided in such amendments.

Section 312 of the Department of Education Appropriations Act, 2016 (division H, title I, section 113; Consolidated Appropriations Act, 2016) provides: “Notwithstanding section 1113 of the Elementary and Secondary Education Act of 1965, funds provided in this Act for non-competitive formula programs authorized by the ESEA for use during academic year 2016–2017 shall be administered in accordance with the ESEA as in effect on the day before the date of enactment of the Every Student Succeeds Act.”

² The amendment by section 6 of Public Law 114-95 to amend section 2 to read in its entirety as follows was executed by striking the table of sections contained in such section (shown above) in order to reflect the probable intent of Congress.

ESEA FLEXIBILITY WAIVER OVERVIEW CONT.

Federal law requires a state seeking flexibility from one or more sections of ESEA to submit a written request to the U.S. Secretary of Education. The request must describe:

- The specific sections to be waived;
- How the waiver will advance student achievement;
- A plan to monitor and regularly evaluate the effectiveness of the implementation of the plan; and
- How schools will continue to provide assistance to the same student populations prioritized in ESEA.



INDIANA: OUR **GOALS** IN REQUESTING A WAIVER



- **Reduce administrative burden** on Hoosier educators and school systems by reducing bureaucratic compliance
- **Empower local education officials** with flexibility to use funds to meet local student needs
- **Promote innovation** through the use of competitive grants at the state level
- **Eliminate duplicative systems** by adopting a single accountability system for state and federal requirements

INDIANA'S FLEXIBILITY WAIVER REQUEST

SEA "Block Grant"

Waive the requirements associated with each SEA set-aside to establish a strategic block grant to support Indiana's priorities

LEA "Block Grant"

Consolidate LEA formulaic allocations (excluding Title I-A) AFTER distribution by eliminating program-specific requirements

Innovation Grant

Combine set-aside and school improvement funds into one Innovation Fund and eliminate eligibility restrictions and allowability restrictions on each

Accountability Flexibility

Align state and federal accountability metrics and ratings to increase consistency and transparency for educators, students, and families

INDIANA'S FLEXIBILITY **WAIVER REQUEST** CONT.

What this means for Hoosier students and educators...

- More time spent serving students by **reducing compliance exercises, such as time and effort logs** and other burdensome, federal reporting requirements;
- Better-aligned interventions and supports by consolidating, in part or in whole, some of the **many different formulaic grant programs** within ESEA; and
- Greater impact by allowing us to remain laser-focused on Indiana's priorities, including **third grade literacy, STEM, and rethinking high school**, and eliminating additional requirements from the federal government

TIMELINE & NEXT STEPS

Timing	Action Item
July 16, 2025	Status update on the goals behind Indiana's proposed ESEA Flexibility Waiver request
Summer 2025	Public and stakeholder feedback on Indiana's proposed ESEA Flexibility Waiver
September 2025	IDOE officially submits ESEA Flexibility Waiver request to U.S. Department of Education (USED)
Fall 2025/Winter 2026	IDOE works with USED on technical requirements of ESEA Flexibility Waiver pursuant to full approval
July 2026	ESEA flexibilities would go into effect for the 2026-2027 SY, if approved



THANK YOU!