



COLORADO
Department of Education

ESSA Ed-Flex Program

**Colorado Department of Education
Unit of Federal Programs Administration
Application for Individual Ed-Flex Programmatic Waiver**

Overview:

All Ed Flex waiver requests must demonstrate clear “benefit and effectiveness in decreasing barriers to implementing education reform.” This application is for Individual Programmatic Waivers only. Complete a separate application for each individual waiver requested.

Applicants will be notified of their waiver status (approval, approval with changes, denial) within 15 days of the application receipt.

LEA Ed Flex waiver application(s) should be submitted within 15 months of the initial grant period start date for the relevant program for which the waiver pertains to. CDE encourages timely submission of applications.

Authority for Data Collection: P.L. 106-25, as amended by P.L. 107-110

Planned Use of Data: To grant waivers of federal law or regulation and associated state law or rule.

Submission: Submit completed application to: consolidatedapplications@cde.state.co.us.

Part 1: General Information

Ed-Flex application and reporting materials and procedures align with the Consolidated Federal Programs Application. The Local Education Agency’s (LEA) contact should be available to provide any additional information requested by the Colorado Department of Education (CDE). The LEA’s Ed-Flex contact will also be the person notified of the application approval or denial by CDE.

LEA Name _____ Date: _____

LEA Ed-Flex Contact Person _____ Telephone: (____) _____

Email _____

Part 2: Type of Individual Programmatic Waiver Requested (Select ONE per application)

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

- ☐ School Allocations [P.L.114-95, Section 1113(c)(1)]
- ☐ 125% Special Allocation Rule [P.L.114-95, Section 1113(c)(2)]
- ☐ Other: Specify the provision to be waived: P.L.114-95 Section _____

Title I, Part C (Education of Migratory Children)

☐ Specify the provision to be waived: P.L.114-95, Section_____

Title I, Part D (Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At Risk)

☐ Specify the provision to be waived: P.L.114-95, Section_____

Title II, Part A (Supporting Effective Instruction)

☐ Specify the provision to be waived: P.L.114-95, Section_____

Title IV, Part A (Student Support and Academic Enrichment Grants)

☐ Funding Assurances [Section 4106(e)(2)(C)(D)(E)]

☐ Specify the provision to be waived: P.L.114-95, Section_____

Carl D Perkins Career and Technical Education Act of 2006 as amended by the Strengthening Career and Technical Education for the 21st Century (20 U.S.C..5891b(b))

☐ Specify the provision to be waived: P.L.114-95, Section_____

Please indicate whether a specific State Law or Rule needs to be waived in conjunction with the Ed-Flex Waiver?

☐ Yes ☐ No If yes, please specify: _____

Part 3: Public Comment According to 20 U.S.C. § 5891b(a)(7) Any local educational agency seeking a waiver, including school-specific waivers:

- Shall provide the public with adequate and efficient notice of the proposed waiver
 - consisting of a description of the agency's application for the proposed waiver
 - in a widely read or distributed medium,
 - including a description of any improved student performance that is expected to result from the waiver.
- Shall provide the opportunity for parents, educators, and all other interested members of the community to comment regarding the waiver.
- Shall specify how the comments may be received, and how the comments may be reviewed by any member of the public.
- Shall submit the comments received with the agency's application to the State educational agency.

Please identify, using the options below, how the LEA publicized the request for the waiver and solicited comments. Include copies of newspaper notices or other print materials notifying the public of the local education agency's intent to request a waiver. The public notice must specify the nature of the waiver being requested.

☐ Newspaper/News Media; specify _____

☐ LEA/School Newsletters

☐ School Board Meeting

☐ Press Release

☐ LEA/School Website; insert link _____

☐ Other (Specify)_____

Narrative Response 3.1: How LEA Met Public Comment Requirements. In the narrative box below, describe how the notice and comment requirements have been met for each of the waivers the LEA is applying for. Also, when applicable, describe how appropriate measures were taken to involve non-public schools in the LEA, who might be impacted by this waiver request.

Narrative Response 3.2: LEA Consideration of Public Comments and Suggestions. If any comments or suggestions were received, submit these comments and suggestions with the waiver request(s) and in the narrative box below explain how these comments and suggestions were considered as a part of the waiver process. If the comments or suggestions were not considered, explain why they were not considered.

Part 4: Waiver Description

Complete the Purposes, Goals, Activities, and Results Table below showing how the requested waiver will improve student achievement in schools affected by the waiver(s) or decrease barriers to education reform. Submit any other data supporting the need for the waiver. The completed table will:

- A. Specify the waiver sought; this should reflect the selection above under Part 2.
- B. Describe the purposes and overall expected results of waiving the requirement;
- C. Describe, for each school year, specific, measurable educational goals for each LEA, ESA, or school affected by the proposed waiver, and for the students served by the LEA, ESA, or school who are affected by the waiver;
- D. Outline clear evaluation criteria that will be reported on at the end of the waiver period;

A. Description: Specify the waiver sought.	
B. Purpose and Expected Results: Describe the purposes and overall expected results of waiving the requirement. Include any information on barriers or challenges that would be addressed or overcome by the waiver.	
C. Goals: Describe, for each school year for the waiver period, specific educational goals for the district and schools affected by the proposed waiver, and for the students served by the LEA who are affected by the waiver.	
D. Evaluation Criteria: Describe how progress toward goals listed will be evaluated. Provide specific criteria aligning to the LEA's goals.	

Part 5: Evaluation Requirements

Ed-Flex offers the opportunity for additional flexibility in exchange for additional accountability. Each Ed-Flex waiver that is granted must be evaluated using clear criteria. The Office of ESEA Programs will review the LEA's evaluation criteria, populated in the table above, for each type of Individual Programmatic Waiver requested, and recount these criteria in the waiver approval letter.

At the end of the waiver period, the LEA will submit a brief description to CDE of whether and how the evaluation criteria were met. CDE will provide an online form to waiver recipients to collect this information.

Part 6: Assessment of Previous Waiver

If an LEA is applying to renew a waiver that is due to expire in the current school year, the LEA **must** provide data to demonstrate that the evaluation criteria as described in the LEA's waiver approval letter have been met. Applications will only be considered if the evaluation criteria for the previous waiver(s) were met. If evaluation criteria are not met, then CDE will consult with the district to determine eligibility for renewal of waivers.

This part is **not applicable** to those LEAs that did not have a waiver in the previous year.

Part 7: Certification

The signatures below indicate the LEA's understanding of all provisions of this document.

Name and Signature of Chairperson of District Accountability Committee

Name_____ Signature_____

Date Signed: MM/DD/YYYY

Name and Signature of LEA Federal Programs Director

Name_____ Signature_____

Date Signed: MM/DD/YYYY

Name and Signature of Superintendent

Name_____ Signature_____

Date Signed: MM/DD/YYYY

Name and Signature of Board Representative

Name_____ Signature_____

Date Signed: MM/DD/YYYY