BACKGROUND: Through Ed-Flex, the U.S. Department of Education delegates to eligible states the authority to waive certain statutory or regulatory education requirements that may impede local efforts to reform and improve education.

The State of Georgia is eligible.

PROGRAM ELIGIBILITY: The ED-Flex Waiver authority applies to the following federal programs:

- Title I, Part A—Everything but Section IIII (standards, assessment, and accountability requirements)
- Title I, Part C—Migrant Education
- Title I, Part D—Neglected and Delinquent
- Title II, Part A—Supporting Effective Instruction
- Title IV, Part A—Student Support and Academic Enrichment

EXEMPTIONS: The state cannot grant any waiver that would undermine the underlying purposes of the statutory requirements of the program. Ed-Flex does not authorize states to waive the following statutory or regulatory requirements:

- ESEA Section 1111 (including standards, assessments, and accountability requirements)
- Maintenance of Effort
- Comparability
- Equitable Services
- Distribution of funds to LEAs (School Systems)
- Serving eligible schools in rank order (ESEA 1113(a)(3)
- The use of federal funds to supplement, not supplant, state and local funds
- Applicable parental involvement or civil rights requirements
- IDEA—Individuals with Disabilities Education Act requirements
TYPES OF WAIVERS:

1. **Statewide Waiver Request**—Includes GaDOE’s pre-identified waivers for usage statewide.
2. **Local Waiver Request**—the school system has the capability to identify a specific local need relative to one of the five impacted federal programs. (Title I, Part A; Title I, Part C; Title I, Part D; Title II, Part A; and Title IV, Part A).

DOUGLAS COUNTY SCHOOL SYSTEM: The Douglas County School System is requesting the Statewide Waiver Request that includes the following three GaDOE pre-identified waivers:

- Waiver of Title I, Part A Limitation on Carryover—ESSA Section 11237 (a) (Unspent Title I, Parr 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).

CONTACT INFORMATION: For questions, concerns, or input regarding our waiver selection, please contact the following DCSS Representative:

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