**Ed-Flex Waiver Request**

| **District Requesting Waiver:** |  | |
| --- | --- | --- |
| **School(s) Waiver is Requested For:** |  | |
| **Contact Person/Title:** |  | |
| **Address:** |  | |
| **Telephone:** |  | |
| **Email:** |  | |
|  |  | |
| **Signature of Superintendent or of Collaborative or Private School Executive Director:** |  | Date: |
| **Typed name:** |  | |

| **District Requesting Waiver:** |  |
| --- | --- |
| **Proposed Effective Date/School Year:** |  |

The above school district requests a waiver under the Education Flexibility Partnership. The district seeks a waiver for the following federal program:

| **Federal Program Name:** |  |
| --- | --- |

**Please email signed PDF of completed form to:** [**federalgrantprograms@mass.gov**](mailto:federalgrantprograms@mass.gov)

**Please respond to each of the following: (Attach additional information as needed.)**

**1. REQUIREMENT:**

State the specific federal statutory or regulatory requirement you are requesting be waived.

**2. RATIONALE:**

Explain what you want to do and how a waiver will help you achieve measurable goals that are linked to state and/or local assessments for each school year. Explain how the waiver’s overall intent fits into the school and district improvement plans.

**3. IMPACT:**

Explain how both the specific population of students and all other students will be affected by the waiver. Describe how you will ensure that students at risk are benefiting from the waiver.

**4. ASSESSMENT:**

Explain how you will annually monitor the effect of the waiver on student learning. Provide the major indicators of student learning and educational performance that you will use.

**5. PUBLIC NOTICE AND COMMENT:**

In accordance with federal requirements, districts applying for an Ed Flex waiver must: (a) provide the public with adequate notice of the proposed waiver, including a description of any improved student performance that is expected to result from the waiver, in a widely read or distributed medium; (b) provide the opportunity for parents, educators, and all other interested members of the community to comment on the proposed waiver; (c) provide the opportunity for the comments to be reviewed by any member of the public; and (d) submit the comments received with the agency’s application to the Department of Elementary and Secondary Education, as appropriate. Describe how the requirement for public notice will be met.

**WAIVERS NOT AUTHORIZED**

Some federal requirements do not fall under the authority of Ed-Flex. Waivers may not be granted for requirements related to:

* Maintenance of effort;
* Comparability of services;
* Equitable participation of students and professional staff in private schools;
* Parental participation and involvement;
* Distribution of funds to states or to local educational agencies;
* Applicable civil rights requirements;
* Serving eligible school attendance areas in rank order under section 1113(a)(3) of the Elementary and Secondary Act of 1965;
* the selection of a school attendance area or school under subsections (a) and (b) of section 1113 of ESSA, except that DESE may grant a waiver to allow a school attendance area or school to participate in activities under Title I, Part A if the percentage of children from low-income families in the school attendance area of such school or who attend such school is not less than 10 percentage points below the lowest percentage of such children for any school attendance area or school of the LEA that meets the requirements of such subsections; and,
* Use of federal funds to supplement, not supplant, non-federal funds.

In addition, waivers may not be granted unless the underlying purposes of the statutory requirements of the program for which a waiver is granted continue to be met.

**ACCOUNTABILITY**

Ed-Flex law requires the Department to monitor the progress of districts/schools receiving waivers. MCAS scores, accountability and assistance levels, and other sources of evidence determined by the district will be used for this purpose. The Department will review all waiver requests and all districts receiving a waiver(s) will be required to complete and submit to the Department an annual evaluation of the impact of the waiver(s) on instructional services and academic achievement.