



Department of Education

# FY27 Ed-Flex Waiver Request

Technical Assistance Guide | July 2026



| July 2026

Division of Federal Programs and Oversight  
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[tn.gov/education](https://tn.gov/education)

# Overview

## Background

The Educational Flexibility (Ed-Flex) Program is a federal initiative authorized by Congress through the Education Flexibility Partnership Act of 1999 and later reauthorized under the Every Student Succeeds Act (ESSA). The program was designed to provide states with greater flexibility in administering certain federal education programs, while maintaining strong accountability for results.

Under Ed-Flex, the U.S. Department of Education (ED) may grant a state educational agency (SEA) the authority to waive specific statutory or regulatory requirements that apply to certain federal formula grant programs. Once approved as an Ed-Flex Partnership State, the state can, in turn, review and approve waiver requests from local educational agencies (LEAs) without needing to seek federal approval for each individual waiver.

The Tennessee Department of Education (department) was approved as an Ed-Flex Partnership State in June 2026. The [approved application](#) may be accessed on [ED's website](#).

## Program Intent

The intent of the Ed-Flex program is to reduce unnecessary administrative barriers that may limit a LEA's ability to respond to local needs, implement innovative strategies, and improve outcomes for students. By allowing for targeted flexibility, Ed-Flex supports more effective use of federal funds and encourages locally driven decision-making.

At the same time, Ed-Flex is not intended to remove accountability or program purpose. States must ensure that any waivers granted continue to meet the underlying goals of the federal programs involved and result in improved student performance. All core protections, including those related to civil rights, fiscal responsibility, and equitable access, remain in place.

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Through Ed-Flex, Tennessee is able to offer LEAs additional flexibility in how they implement certain ESSA requirements, while continuing to ensure that federal funds are used strategically, transparently, and in ways that support student success.

### Available Waivers for FY27

For the 2026-27 (FY27) school year, the department is making available the following waivers under the Elementary and Secondary Education Act (ESEA) Title IV, Part A Student Support and Academic Enrichment (SSAE) program:

- The requirement to spend specific percentages across well rounded education, safe and healthy students, and technology integration (ESEA §4106(e)(2)(C)–(E))
- The restriction that no more than 15 percent of funds in the Effective Use of Technology focus area may be used for technology infrastructure (ESEA §4109(b))

### Important Considerations

Tennessee's Ed-Flex authority is intended to provide additional flexibility to better meet local needs. However, approval of a waiver does not remove the core requirements of Title IV, Part A. LEAs should carefully consider the following before applying.

#### **Ed-Flex Is a Support Tool - Not a Free Pass**

Receiving an Ed-Flex waiver does not allow LEAs to use Title IV, Part A funds for any purpose. All expenditures must remain allowable under federal law and must align with the overall purposes of Title IV, Part A. The waiver removes specific constraints, but it does not expand allowable uses of funds.

#### **Supplement Not Supplant Still Applies**

Title IV, Part A funds must continue to supplement, and not replace, state or local funds. Approval of a waiver does not allow LEAs to shift costs that were previously paid with state or local funds onto Title IV, Part A.

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For example, an LEA may not begin using Title IV funds to purchase devices or services that were previously funded with local funds unless it can clearly demonstrate that the use of federal funds is supplemental and does not replace existing obligations.

### **Title IV-A and Focus Areas Purpose Still Apply**

Even if the required spending percentages no longer apply, LEAs must still use funds in ways that support the intent of Title IV, Part A. Activities must continue to align with:

- Well-rounded Educational Opportunities (WR)
- Safe and Healthy Students (SH)
- Effective Use of Technology (ET)<sup>1</sup>

Waivers allow flexibility in how funds are distributed, not whether these purposes are addressed.

### **Planning and Stakeholder Engagement Requirements Still Apply**

All Title IV, Part A planning requirements remain in effect. LEAs must continue to:

- base funding decisions on a comprehensive needs assessment
- document needs and priorities in the District Plan
- engage stakeholders in planning and decision-making

A waiver request must be clearly supported by the LEA's planning process, not developed separately from it.

### **Budget Approval Is Still Required**

LEAs should not make any changes to their Title IV, Part A budget, until they have received official waiver approval. Additionally, approval of an Ed-Flex waiver does not constitute approval of specific expenditures. LEAs must still submit any budget revisions through the normal process, and all changes are subject to review and approval by the department.

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<sup>1</sup> Refer to [Appendices B-D](#) for more information on the allowable uses of funds for the three Title IV, Part A focus areas.

### Waiver Approval Is Not Guaranteed

Submission of an Ed-Flex waiver request does not guarantee approval. All requests will be carefully reviewed by the department to ensure they meet federal and state requirements and demonstrate a clear benefit to students.

Approval will be based on the overall strength and completeness of the *Ed-Flex Waiver Request*, including:

- how clearly the request is justified by the LEA's needs assessment and District Plan;
- how well the LEA explains the limitation of the current requirement and the benefit of the requested flexibility;
- the strength and clarity of the proposed outcomes;
- the quality of the evaluation plan, including how the LEA will measure effectiveness; and
- alignment to the purposes of Title IV, Part A.

Incomplete, unclear, or poorly justified requests will be denied or returned for revision.

In addition, TDOE may consider the LEA's overall readiness and past performance, including compliance with federal requirements, monitoring results, and effective management of federal funds.

### Approval Is Based on What is Proposed

Waivers are approved based on the description of intended use provided within the *Ed-Flex Waiver Request*. Significant changes to how funds will be used after approval may require additional review or a revised waiver request.

### Documentation, Monitoring, and Reporting Are Required

LEAs must maintain documentation demonstrating:

- alignment to the needs assessment
- allowability of expenditures
- compliance with supplement not supplant
- implementation of planned activities
- evaluation of waiver effectiveness

This documentation must be available upon request for monitoring or audit purposes.

In addition, LEAs with an approved waiver will be required to complete an end-of-year waiver report. This report will require the LEA to review the outcomes identified in the waiver request, assess progress made, and evaluate whether the flexibility improved program implementation and student supports.

Completion of this report is required for all LEAs operating under an Ed-Flex waiver. LEAs should expect to demonstrate meaningful progress toward their stated outcomes. This information will be used by the department to evaluate the effectiveness of the waiver and to inform decisions about future waiver requests. LEAs seeking to renew a waiver in a subsequent year should be prepared to show that the flexibility resulted in positive impact and was implemented as intended.

### **Equitable Services Requirements Still Apply**

Approval of a waiver does not change equitable services requirements for eligible private school students and educators. LEAs must continue to conduct timely and meaningful consultation and provide equitable services consistent with federal requirements.<sup>2</sup>

### **Important: Reminders About Technology Purchases**

The purchase of technological devices and equipment (e.g., laptops, computers, interactive panels, etc.) may be allowable under Title IV, Part A under the following conditions:

- The purchases are **reasonable, necessary, and allocable**. LEAs should be able to clearly justify why the purchase is appropriate and how it directly supports program goals.
  - *Ask yourself:* Would a reasonable person determine that this purchase is necessary to support the intended activity?

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<sup>2</sup> More information about Title IV, Part A equitable services can be found in the [ESSA Equitable Services Toolkit](#).

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- The purchases are **supplemental**. Title IV, Part A funds must supplement, and not replace, state or local funding. LEAs may not shift costs that were previously covered with general purpose or other non-federal funds onto Title IV, Part A.
  - *Ask yourself:* How has the LEA paid for these devices in the past?
- The purchases are supplemental in that they **cannot be for basic operational needs**. Federal funds may not be used for items required for routine operations or basic instructional delivery that the LEA would normally fund with state or local funds.
  - *Ask yourself:* Is this something the LEA would have to purchase even if no federal funds were available?
- The purchases must **support a defined program or initiative**. Devices and equipment must be tied to a specific, documented program or strategy that aligns with the chosen Title IV, Part A focus area. Standalone purchases without a programmatic purpose are not allowable.
  - *Ask yourself:* What program or initiative is this purchase supporting, and how does it align to my identified needs?
- The purchases must be **integral** to implementation. Devices and equipment must be essential to carrying out the planned activity or program, not incidental or optional.
  - *Ask yourself:* Can the program be effectively implemented without these devices or equipment?
- When purchasing devices or equipment under the **Effective Use of Technology** area, the activity must support the broader goal of improving the use of technology to enhance teaching and learning and improve student academic outcomes. Allowable uses may include supporting activities such as personalized learning, blended learning, data-informed instruction, digital content access, and professional learning for educators.
  - *Ask yourself:* Does this purchase improve how technology is used to support instruction and student achievement, **not just increase access to devices?**

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See the table below for a summary of considerations for technology purchases.

| Allowable                                                                                                                                                                           | Not Allowable                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| Devices purchased as part of a clearly defined program or initiative (e.g., blended learning, digital literacy initiative)                                                          | Purchasing devices with no clear programmatic purpose or simply to distribute devices to all students |
| Supplemental purchases that enhance or expand existing services                                                                                                                     | Replacing devices previously funded with state or local (GP) funds                                    |
| Technology needed to implement a specific Title IV, Part A activity or strategy                                                                                                     | Routine or baseline equipment required for normal school operations                                   |
| Devices tied to improving instruction, engagement, or student outcomes                                                                                                              | Purchases that increase access to devices but do not improve how technology is used                   |
| Purchases aligned to a documented need in the District Plan and needs assessment                                                                                                    | Purchases not supported by data or planning documents                                                 |
| Devices that are essential to run a program (e.g., required for a specific instructional model)                                                                                     | Devices that are optional or “nice to have” rather than necessary                                     |
| Technology used to support allowable activities in the Effective Use of Technology focus area (e.g., personalized learning, data-informed instruction, teacher collaboration tools) | Purchases justified only by convenience, preference, or general interest in upgrading equipment       |

|                                                                                                          |                                                                                       |
|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Professional learning tools, platforms, or resources that help educators use technology more effectively | Purchases with no connection to improving educator practice or instructional delivery |
|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|

# Application Process

## Step 1: Planning and the Title IV Needs Assessment

Applying for an Ed-Flex waiver is more than completing an application. The process begins with thoughtful planning and a clear understanding of local needs. A strong planning process helps ensure that any requested flexibility is purposeful, justified, and aligned to improved student outcomes.

In Tennessee, all LEAs are required to develop and submit a District Plan through ePlan every three years. FY27 marks the first year of the current planning cycle. This plan serves as the foundation for both state and federal requirements, including those under Title IV, Part A.

Under Title IV, Part A, any LEA receiving an allocation of \$30,000 or more must conduct a comprehensive needs assessment at least once every three years. In Tennessee, the District Plan within ePlan is designed to meet both state planning requirements and federal expectations. Specifically, the *Prepare and Reflect to Plan* section ensures that LEAs document stakeholder engagement, identify program-specific needs, and align funding decisions to those needs. The Title IV, Part A specific questions in this section include one for each of the three program focus areas:

| Description ( <a href="#">View Sections Only</a> <a href="#">View All Pages</a> )                 |                                                       |
|---------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| All                                                                                               |                                                       |
|  History Log |                                                       |
|                                                                                                   | <a href="#">History Log</a>                           |
|                                                                                                   | <a href="#">Create Comment</a>                        |
|  LEA Plans   |                                                       |
|                                                                                                   | <a href="#">Overview</a>                              |
|                                                                                                   | <a href="#">Cover Page</a>                            |
|                                                                                                   | <a href="#">Prepare and Reflect to Plan</a>           |
|                                                                                                   | <a href="#">TSI, ATSI, and/or CSI School Supports</a> |
|                                                                                                   | <a href="#">Identify Priorities and Root Causes</a>   |
|                                                                                                   | <a href="#">Goal 1: Grade 3 ELA (Required)</a>        |
|                                                                                                   | <a href="#">Goal 2</a>                                |
|                                                                                                   | <a href="#">Goal 3</a>                                |
|                                                                                                   | <a href="#">Goal 4</a>                                |
|                                                                                                   | <a href="#">Goal 5</a>                                |
|                                                                                                   | <a href="#">Goal 6</a>                                |
|                                                                                                   | <a href="#">LEA Plan Related Documents</a>            |
|                                                                                                   | <a href="#">Assurances</a>                            |
|  Checklist   |                                                       |
|                                                                                                   | <a href="#">Checklist</a>                             |
| All                                                                                               |                                                       |

**1. Well-rounded Education:** As required under ESSA Title IV, Part A §4106(d)(1)(A), describe the district's vision of a well-rounded education and how it will ensure all students have access to those courses, activities, and programs. Districts who spend Title IV, Part A funds must specifically address this funding in the response. Include in the response:

- a detailed description of the district's vision for a well-rounded education and how that might evolve over the next three years;
- a description of the courses and opportunities (i.e., enrichment, foreign language, health & wellbeing, early post-secondary, etc.) that go beyond core subjects by grade band that support the district's vision;
- actions the district will take over the next three years to ensure all applicable subgroups, including students with disabilities, have access to courses and opportunities that support them in reaching the district's vision; and
- specific local, state, and federal funding sources (including Title IV, Part A program funds), that support the district's efforts.

**2. Safe, Supportive, and Healthy Environments:** As required under ESSA Title IV, Part A §4106(d)(1)(B), describe the priority needs for providing (1) safe, (2) supportive, and (3) healthy environments in all schools and how the district will meet those needs. Districts who spend Title IV, Part A funds must specifically address this funding in the response. Include in the response:

- a detailed description of the district's priority needs for providing (1) safe, (2) supportive, and (3) healthy environments and the strategies the district will implement to meet those needs over the next three years; and
- specific local, state, and federal funding sources (including Title IV, Part A) the district will utilize to provide safe, supportive, and healthy environments in Safe, Supportive, and Healthy Environments.

**3. Integration and Effective Use of Technology:** As required under ESSA Title IV, Part A §4106(d)(1)(C), describe the level of access that students have to technology as part of the instructional program and how the district ensures that technology is being utilized effectively by students and educators. Describe

the challenges faced in effectively integrating technology into the instructional program. What steps is the district taking to address these challenges? Districts who spend Title IV, Part A funds must specifically address this funding in the response. Include in the response:

- a detailed description of the level of access students have to technology across all grade bands and how the LEA intends to improve access over the next three years,
- a detailed description of how the district ensures technology is being utilized effectively by students and educators,
- a detailed description of the challenges in effectively integrating technology into the instructional program and steps being taken to address these challenges, and
- specific local, state, and federal funding sources (including Title IV, Part A) that support the integration and effective use of technology.

To be eligible for a Title IV, Part A Ed-Flex waiver, the LEA must clearly demonstrate a need for flexibility within its District Plan. The proposed waiver should not be an isolated request, but rather a direct result of the planning process.

For example, if a LEA is seeking flexibility to move away from required spending percentages, the District Plan must explain why those requirements limit the LEA's ability to address its highest priorities. Similarly, if a LEA intends to focus its Title IV, Part A funds on a specific area, such as student mental health, the plan must clearly document the need for that investment based on data and stakeholder input.

### LEA Actions for Step 1

- Revisit the LEA's current District Plan in ePlan, with particular attention to the *Prepare and Reflect to Plan* section.
- Convene the LEA's planning team that includes key stakeholders, such as district leaders, school staff, and other relevant partners.
- Review current data, including student performance, school climate, and program effectiveness, to confirm priority needs.

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- Ensure that stakeholder input has been meaningfully documented and reflected in the planning process.
- Identify whether current Title IV, Part A requirements limit the LEA's ability to address those needs.
- Clearly document the rationale for requesting flexibility within the District Plan, including how the waiver would better align resources to identified needs.
- Revise the *Prepare and Reflect to Plan* section of the District Plan, as needed, so that it explicitly supports and justifies the anticipated waiver request.
- Ensure that the District Plan provides a clear, data-driven foundation that can support review and approval of the waiver request.

### Step 2: Public Comment Period

Before submitting an Ed-Flex waiver request, LEAs must provide public notice of the proposed waiver and offer stakeholders an opportunity to provide feedback.

(ESEA§ 9207). This step is required under federal law and helps ensure transparency, community engagement, and alignment with local needs.

Public notice and comment should occur *after* planning is complete but *before* the waiver request is submitted. This allows the LEA to share its proposed approach, gather input, and make any appropriate adjustments. Stakeholders should have a meaningful opportunity to review the request and provide feedback, even if only a limited number of comments are received.

At a minimum, LEAs must inform parents, educators, school administrators, and other community members about the proposed waiver and how it may impact the use of Title IV, Part A funds. The process does not need to be complex, but it must be clear, accessible, and documented.

## LEA Actions for Step 2

- Prepare a brief, plain-language description of the proposed waiver, including what requirement is being waived and why the LEA is requesting flexibility.<sup>3</sup>
- Select one or more methods to provide public notice, such as posting on the district website, sharing through email communication, or presenting at a public meeting (e.g., school board meeting).
- Ensure the notice is accessible to key stakeholder groups, including parents and educators and contains clear and simple directions for how to submit comments.
- Begin consulting with any **private schools** that would be impacted by the waiver. Share the public notice and explain how an approved waiver would impact equitable services. Allow them to ask questions and provide feedback. Document all consultation efforts.
- Provide a defined window of time of at least two (2) weeks for stakeholders to review the proposal and submit comments.
- Receive and review any comments submitted during the comment period.
- Consider stakeholder feedback and, if necessary, refine the proposed waiver request before submitting it.
- Maintain documentation of the public notice process, including copies or screenshots of notices, timelines, and a summary of any comments received.
- Be prepared to describe the public notice process, certify that it was completed, and provide documentation as part of the waiver application.

## Step 3: Complete the Ed-Flex Application

Once planning is complete and public notice has been provided, the next step is to complete the *Ed-Flex Waiver Request* within the Consolidated Funding Application (CFA). This is where the LEA formally documents its request and demonstrates how the proposed flexibility aligns with identified needs and the purposes of Title IV, Part A.

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<sup>3</sup> Refer to [Appendix A](#) of this document for a public notice template.

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Typically, LEAs will apply for an Ed-Flex Waiver each spring in alignment with planning windows and the submission of the CFA. For FY27, because Tennessee did not become an Ed-Flex Partnership State until after the FY27 CFA was due, the Ed-Flex Waiver request application must be completed and submitted within the FY27 CFA by **Sept. 15, 2026**.

The waiver application is not simply a request for approval; it is a narrative explanation that connects the LEA's planning process, stakeholder input, and funding decisions. A strong application clearly explains why the waiver is needed, how it will improve implementation, and how the LEA will ensure continued compliance with all remaining federal requirements.

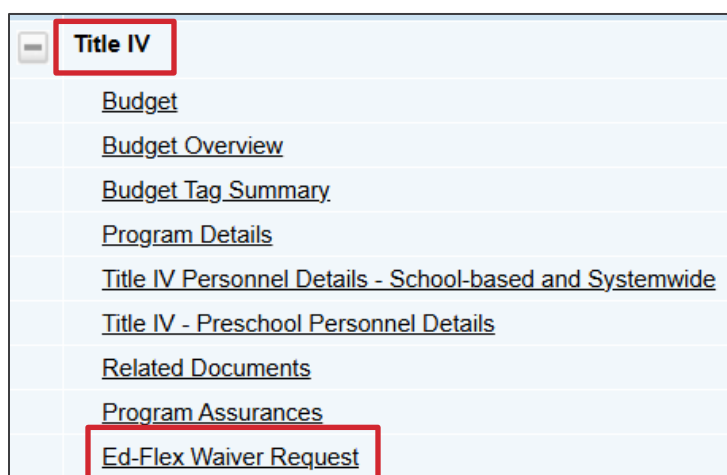
LEAs must ensure that all sections of the application are complete, accurate, and consistent with information included in the District Plan and the public notice. The application must present a clear, cohesive story that shows the waiver is necessary, purposeful, and aligned to student outcomes.

### LEA Actions for Step 3: Locate the Waiver Request Page

**Title IV, Part A LEAs:** LEAs who have Title IV, Part A funds budgeted in the FY27 CFA, will see a new page appear in the Title IV, Part A section. See further instructions to complete the *Ed-Flex Waiver Request Page* below.

#### **Non-Title IV, Part A LEAs:**

If the LEA does not currently have Title IV, Part A funds budgeted in the FY27 CFA, the *Ed-Flex Waiver Request Page* will not be visible. To access the waiver page, **at least \$0.01 must be budgeted to Title IV, Part A**.



|                                                                          |
|--------------------------------------------------------------------------|
| <b>Title IV</b>                                                          |
| <a href="#">Budget</a>                                                   |
| <a href="#">Budget Overview</a>                                          |
| <a href="#">Budget Tag Summary</a>                                       |
| <a href="#">Program Details</a>                                          |
| <a href="#">Title IV Personnel Details - School-based and Systemwide</a> |
| <a href="#">Title IV - Preschool Personnel Details</a>                   |
| <a href="#">Related Documents</a>                                        |
| <a href="#">Program Assurances</a>                                       |
| <a href="#">Ed-Flex Waiver Request</a>                                   |

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If all Title IV, Part A funds have been transferred to other programs, the LEA must first return \$0.01 to Title IV, Part A by completing the appropriate steps in the *Allocations* section of the CFA. After transferring \$0.01 back to Title IV, Part A, the LEA must create a budget hold for that amount. To do this, select an account number, line item number, and Title IV budget tag, then enter \$0.01 as the cost and include a brief narrative description. Ensure that the *Remaining* amount at the bottom of the page is \$0.00. Before submitting, the LEA must also revise the budget of the program from which the \$0.01 was transferred to ensure all budgets remain accurate and balanced.

| Budget Detail                       |                                      | Narrative Description               |        |
|-------------------------------------|--------------------------------------|-------------------------------------|--------|
| Account Number:                     | 71100 - Regular Instruction Program  | <div>Hold for Ed-Flex</div>         |        |
| Line Item Number:                   | 599 - Other Charges                  |                                     |        |
| Title IV:                           | Well-rounded Educational Opportunity |                                     |        |
| Admin Costs:                        | Select Tag                           |                                     |        |
| Private School Instructional Funds: | Select Tag                           |                                     |        |
| Optional Program Code:              |                                      |                                     |        |
| Location Code:                      | Jackson County (440)                 |                                     |        |
| Quantity:                           | 1.00                                 |                                     |        |
| Cost:                               | \$0.01                               |                                     |        |
| Budget Detail Total:                | \$0.01                               |                                     |        |
|                                     |                                      | Total for all other Budget Details: | \$0.00 |
|                                     |                                      | Total for all Budget Details:       | \$0.01 |
|                                     |                                      | Adjusted Allocation:                | \$0.01 |
|                                     |                                      | Remaining:                          | \$0.00 |

Once the \$0.01 is successfully included in the Title IV, Part A budget, the *Ed-Flex Waiver Request* page will become visible within the Title IV, Part A section of the CFA. The LEA can then follow the instructions below to complete and submit the waiver request.

### LEA Actions for Step 3: Complete and Submit a Waiver Request

- The CFA must be in either *Revision Started* or *TDOE FPO Divisional Coordinator Returned – Revisions Needed* status to work on the *Ed-Flex Waiver Request*.
- Open the *Ed-Flex Waiver Request* within the Title IV, Part A section of the FY27 CFA.

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- Check the box if the LEA intends to request a waiver on one or more applicable Title IV, Part A statutory requirements, then check the box for the waiver(s) being requested.

|                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Check the box if the LEA intends to request a waiver on one or more applicable Title IV, Part A statutory requirements.                               |
| Select the statutory requirements the LEA requests to waive:                                                                                                                              |
| <input type="checkbox"/> The requirement to spend specific percentages across well rounded education, safe and healthy students, and technology integration ESEA §4106(e)(2)(C)-(E)       |
| <input type="checkbox"/> The restriction that no more than 15 percent of funds in the Effective Use of Technology area may be used for technology infrastructure purchases ESEA §4109(b). |

- For each waiver being requested, six (6) prompts will appear. Respond to the prompts in full.
1. Describe the process the LEA uses to plan for the use of Title IV, Part A funds, including how the LEA conducts its needs assessment, engages stakeholders, and determines funding priorities. The response should explain how this process led the LEA to determine compliance with the applicable Title IV, Part A requirements addressed by this waiver limits its ability to meet identified student or program needs.
  2. Describe how the current requirement constrains the LEA's ability to meet documented student or program needs. (ESEA §8401(b)(1))
  3. Describe how the LEA intends to use Title IV, Part A funds differently if the Ed-Flex waiver is approved. The response should include a clear, high-level description of the activities or priorities the LEA plans to fund and how funding will be shifted compared to standard Title IV, Part A requirements and what the LEA has done in the past.  
  
**NOTE:** The response should be specific enough to demonstrate how the waiver will support improved implementation or student outcomes but does not need to include detailed budget amounts or line items. All proposed uses must remain consistent with the allowable purposes of Title IV, Part A.
  4. Describe how the proposed use of funds better aligns with the purposes of Title IV, Part A (i.e., supporting well rounded education, improving school

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conditions for student learning, and improving the effective use of technology). (ESEA §9207)

5. Describe the expected **measurable** outcomes of the waiver, including how the LEA will measure whether the flexibility improves implementation or student supports. (ESEA §8401)

**NOTE:** If the outcomes provided are not measurable, the waiver request may be denied or returned to the LEA for revision. See the [Writing Title IV, Part A Outcomes and Objectives Guide](#) for assistance. LEAs will be required to report progress on outcomes to the department and must maintain documentation of evaluation activities for monitoring and audit purposes.

6. Briefly describe how the LEA provided public notice of this proposed Ed-Flex waiver and offered parents, educators, administrators, and other community members an opportunity to comment. The response must describe:
  - the method(s) used to provide notice;
  - the dates the waiver was available for public review, and
  - how comments were received and considered, consistent with ESEA §8401(b)(3) and §9207.

Documentation must be uploaded to the Title IV, Part A *Related Documents* page and must include:

- evidence of the public notice (i.e., website posting screenshot, link to posting, etc.) and
  - a summary of any comments received.
- At the bottom of the page, read over and check the box to agree with the assurances. The LEA assures:
    1. The requested waiver is consistent with and will continue to meet the underlying purposes of Title IV, Part A, including supporting a well-rounded education, safe and healthy students, and the effective use of technology to improve academic achievement.

2. All Title IV, Part A funds used under the waiver will remain allowable, reasonable, necessary, and allocable, and will be used solely for activities that support students and educational improvement in accordance with federal cost principles.
  3. The waiver will not reduce or alter equitable participation requirements for eligible private school students and educators, and that all consultation and service delivery obligations will continue to be met.
  4. Title IV, Part A funds used under the waiver will continue to supplement, and not supplant, non-federal funds that would otherwise be available for similar activities.
  5. Implementation of the requested Ed-Flex waiver will not reduce equitable access to Title IV, Part A services for any student group and will not violate or diminish protections under applicable federal or state civil rights laws, including requirements related to nondiscrimination, accessibility, and educational equity.
  6. It will monitor implementation of activities funded under the waiver and will collect and maintain documentation necessary to demonstrate use of funds and progress toward stated objectives and will make such documentation available to the Tennessee Department of Education upon request.
  7. It provided public notice and an opportunity for comment on this proposed Ed Flex waiver prior to submission, consistent with ESEA §§8401(b)(3) and 9207. Documentation will be maintained locally and provided to the Tennessee Department of Education upon request.
- At the bottom of the *ED-Flex Waiver Request* page, there will be a *TDOE Approval* section. This is for department use only. Once final approval

decisions are made, this section will be marked as either approved or unapproved, and a corresponding email will be sent to LEA contacts.

|                                              |                                                                                               |                                          |
|----------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------------------|
| <b>TDOE Approval</b><br><div>Select...</div> | <b>TDOE Comments</b><br><div></div> <div>Check Spelling</div> <div>0 of 8000 characters</div> | <b>TDOE Reviewer Name</b><br><div></div> |
|----------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------------------|

- Once the *ED-Flex Waiver Request* page is complete, navigate back to the *Sections* page and follow the typical steps to submit the CFA by **Sept. 15, 2027**. Waiver requests will only be reviewed when the CFA is in *LEA Authorized Representative Approved* status.

## Step 4: Department Waiver Request Review and Approval

All waiver requests submitted by **Sept. 15, 2026**, will undergo a two-level review process. Requests will first be reviewed by the Division of Federal Programs and Oversight (FPO) for completeness, allowability, and alignment to program requirements. Final approval decisions will be issued by the Commissioner of Education.

LEAs will receive notification of approval or denial through the *Ed-Flex Waiver Request* page in ePlan, as well as via email to the LEA Director of Schools and ESSA Director.

## LEA Actions for Step 4

- Await notification from the department of waiver request approval or denial.

## Step 5: Title IV, Part A Budget Adjustments

If the LEA's waiver request is not approved, no changes should be made to the Title IV, Part A budget. However, if the LEA previously transferred \$0.01 into Title IV, Part

A to access the waiver request page, that amount should be transferred back during the next CFA revision.

If the LEA's waiver request is approved, the next step is to revise the Title IV, Part A section of the CFA to reflect the approved use of funds. Budget revisions must align with the intent described in the waiver request and must follow all standard program and fiscal requirements. As applicable, LEAs must review and update the following Title IV, Part A pages in the CFA:

- Budget
- Program Details
- Title IV Personnel Details - School-based and Systemwide
- Title IV - Preschool Personnel Details

### Title IV, Part A Application Reminders

- Within the *Budget*:
  - Use the required Title IV, Part A budget tags to identify the appropriate focus area for each expenditure.
  - For professional development costs, include sufficient details to determine allowability, such as the topic, participants, and type of expense (e.g., registration, travel, speakers, stipends).
  - Ensure all budgeted items align with the information provided in the Program Details and Personnel sections.
- Within the *Program Details* page:
  - Fully address all prompts for each focus area where funds are allocated. Narratives should clearly describe all planned activities and purchases.
  - Remove any narrative sections for focus areas where funds are no longer being used.
- Within the *Equitable Services* page(s):
  - Be aware that changes to funding allocations may affect proportionate share amounts for participating private schools.
  - Update equitable services calculations and related pages as needed.

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- If funding changes impact participating private schools, ensure timely consultation occurs and affirmation forms are updated accordingly. Consultation should begin during the LEA's public comment period and continue through budget and program adjustments. Document all consultation efforts.
- For questions regarding equitable services, contact [Michelle.Harless@tn.gov](mailto:Michelle.Harless@tn.gov)
- Once all revisions have been completed, submit the CFA following standard procedures. The division of Federal Programs and Oversight (FPO) will review all changes and provide feedback through the *Consolidated Checklist* in ePlan. If the application is returned for revisions, review the feedback provided in the checklist and make the necessary updates before resubmitting.
- Remember that approval of an Ed-Flex waiver does not constitute approval of specific expenditures. All budget revisions remain subject to programmatic and fiscal review.

### LEA Actions for Step 5

- If the waiver was approved, follow the typical steps to revise and submit the FY27 CFA as needed in alignment with the approved waiver.

## Step 6: Implement Your Approved Plan

Once the waiver and associated budget have been approved, the LEA must implement the Title IV, Part A program in alignment with the approved Ed-Flex waiver request and final approved budget. Waiver approval is based on the specific needs, activities, and outcomes described in the *Ed-Flex Waiver Request* page, and implementation should reflect what was proposed.

LEAs should use the approved plan as the guiding document for implementation and ensure that all activities, expenditures, and priorities remain consistent with the original intent of the waiver. Significant changes to how funds are used after approval may require additional review and could necessitate submission of a revised waiver request. LEAs should not make major programmatic or funding shifts without first consulting with the department.

## **LEA Actions for Step 6**

- Implement activities as described in the approved waiver request and budget.
- Ensure all expenditures remain allowable, supplemental, and aligned to the purposes of Title IV, Part A.
- Maintain alignment between implementation, the District Plan, and the needs identified during planning.
- Monitor progress toward the outcomes identified in the waiver request throughout the year, not just at the end.
- Collect and maintain documentation demonstrating implementation, use of funds, and progress toward goals.
- Ensure that all stakeholder engagement, equitable services, and program requirements continue to be met during implementation.
- Communicate with appropriate district staff to ensure everyone involved understands the approved plan and their responsibilities.
- Consult with TDOE prior to making any significant changes to activities or funding priorities.

## **Ongoing Expectations**

Implementation should be an active and monitored process. LEAs are expected to regularly review progress, make adjustments within the scope of the approved plan, and ensure that the flexibility provided through Ed-Flex is being used to improve program effectiveness and student outcomes.

LEAs will also be required to evaluate the effectiveness of the waiver at the end of the year and demonstrate progress toward the outcomes identified in the waiver request, particularly if seeking renewal in a future year. More information about that process will be shared as soon as it becomes available.

# Resources and Contacts

## Office Hours

The department will host a series of **Ed-Flex Office Hours** to provide direct support to LEAs during the application window. No new content will be shared in these sessions, but members of the FPO team will be available to answer questions. Office hour dates, times, and log-in information can be found below.

- **Thurs., July 23:** 1 – 2 p.m. CT / 2 -3 p.m. ET
- **Fri., July 31:** 10 – 11 a.m. CT / 11 a.m. – 12 p.m. ET
- **Mon., Aug. 10:** 11 – 11:30 a.m. CT / 12 – 12:30 p.m. ET
- **Tues., Aug. 18:** 1 – 1:30 p.m. CT / 2 – 2:30 p.m. ET
- **Fri., Aug. 28:** 10 – 10:30 a.m. CT / 11-11:30 a.m. ET

### [Click to join the Microsoft Teams meeting](#)

Meeting ID: 235 682 581 494 312

Passcode: U4MS3VV2

## Contacts

- Title IV, Part A or Ed-Flex waiver questions: [Brinn.Obermiller@tn.gov](mailto:Brinn.Obermiller@tn.gov)
- Equitable Services: [Michelle.Harless@tn.gov](mailto:Michelle.Harless@tn.gov)

## Resources

- [Tennessee's Approved Ed-Flex Application](#)
- [Ed-Flex Public Comment Template](#)
- [FY27 Ed-Flex Webinar Slides](#)
- [Title IV, Part A Overview Slide Deck](#)
- [Optional Title IV Activity Evaluation Form](#)
- [Title IV, Part A Writing Outcomes and Objectives Guide](#)
- [ESSA Equitable Services Toolkit](#)

# Appendix A: Template for Ed-Flex Waiver Request Public Notice

**Instructions:** LEAs may customize the template below and place it on district letterhead to provide public notice of a proposed Ed-Flex waiver request. Text shown in red should be edited to include LEA specific information prior to posting.

[Insert LEA Name] is providing public notice of its intent to request a waiver under the Educational Flexibility (Ed-Flex) Program.

The Ed-Flex Program allows states, and in turn local districts, to request flexibility from certain federal requirements to better meet local needs while continuing to support student success.

The [Insert LEA Name] intends to request a waiver of the following Title IV, Part A requirement(s):

- [Insert requirement as applicable]
- [Insert requirement as applicable]

## Purpose of the Waiver:

The district is requesting this waiver to allow greater flexibility in how Title IV, Part A funds are used to address identified local needs. Specifically, this flexibility would allow the district to [Insert brief description of proposed use of funds, e.g., prioritize student mental health services, expand technology infrastructure, etc.], based on findings from the district's needs assessment and planning process.

All funds will continue to be used in alignment with the purposes of Title IV, Part A, including supporting a well-rounded education, improving school conditions for student learning, and enhancing the effective use of technology.

## Opportunity for Public Comment:

Parents, educators, school staff, and other interested members of the community are invited to review this proposed waiver request and provide feedback.

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Comments may be submitted by:

- Email: [Insert email address]; or
- Other method (if applicable): [Insert method, such as survey link or mailing address]

Comments will be accepted from **[Insert start date]** through **[Insert end date]**.

All comments received during this period will be reviewed and considered prior to submission of the waiver request to the Tennessee Department of Education.

For questions about this notice, please contact:

[Insert Contact Name and Title]

[Insert Email Address]

[Insert Phone Number]

## Appendix B: Allowable Uses of Funds Under Well-Rounded Educational Opportunities

The first purpose of Title IV, Part A, is to provide all students with a well-rounded education and access to an enriched curriculum and educational experiences. A well-rounded education:

- helps students make important connections among their studies, their curiosities, their passions, and the skills they need to become critical thinkers and productive members of society.
- promotes a diverse set of learning experiences that engage students across a variety of course activities and programs.

Programs, subjects, and activities that support a well-rounded education may include, but are not limited to:

- English
- Reading language arts
- Writing
- Science, technology, engineering, & math (STEM)
- Mathematics
- Civics and government
- Economics
- Geography
- Foreign languages
- Computer science
- Safe and Healthy Students
- Arts
- History
- Career and technical education (CTE)
- Music
- Health and physical education
- College and career counseling
- Social-emotional learning
- Environmental education

# Appendix C: Allowable Uses of Funds Under Safe & Healthy Students

The second purpose of Title IV, Part A, is to improve school conditions for student learning. Funds may be used for any program or activity that fosters safe, healthy, supportive, and drug-free school environments, including direct student services and professional development as well as training for school staff.

Programs, subjects, and activities that support safe and healthy students can be authorized by topic and may include, but are not limited to:

| Safe and Supportive Schools                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Student Physical and Mental Health                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Preventing bullying and harassment</li> <li>• Relationship-building skills</li> <li>• School dropout prevention</li> <li>• Re-entry programs &amp; transition services for justice-involved youth</li> <li>• School readiness and academic success</li> <li>• Child sexual abuse awareness and prevention</li> <li>• Reducing use of exclusionary discipline practices &amp; promoting supportive school discipline</li> <li>• Suicide prevention</li> <li>• Drug and violence prevention</li> <li>• School-based health and mental health services</li> <li>• Healthy, active lifestyle, nutritional education</li> <li>• Physical activities</li> <li>• Trauma-informed classroom management</li> <li>• Building school and community relationships</li> </ul> | <ul style="list-style-type: none"> <li>• Drug and violence prevention</li> <li>• Health and safety practices in school athletic programs</li> <li>• School-based health and mental health services</li> <li>• Healthy, active lifestyle, nutritional education</li> <li>• Physical activities</li> <li>• Trauma-informed classroom management</li> <li>• Building school and community relationships</li> <li>• Training on relationship-centered teaching practices and responsive classroom strategies</li> <li>• Preventing use of alcohol, tobacco, smokeless tobacco, and electronic cigarettes</li> <li>• Chronic disease management</li> </ul> |

## Appendix D: Allowable Uses Funds Under the Effective Use of Technology

The third purpose of Title IV, Part A, is to improve the use of technology and thus improve the academic achievement and digital literacy of all students. When carefully designed and thoughtfully applied, technology can accelerate, amplify, and expand the impact of effective practices that support student learning, increase community engagement, foster safe and healthy environments, and enable well-rounded educational opportunities.

Title IV, Part A program funds may be used to provide educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to do the following activities, among other allowable uses:

- provide personalized learning;
- discover, adapt, and share high-quality resources;
- implement blended learning strategies; and
- implement school-and district-wide approaches to inform instruction, support teacher collaboration, and personalize learning.
- help educators learn how to use technology to increase the engagement of English Learner (EL) students;
- develop or implement specialized or rigorous academic courses using technology, including assistive technology; and
- support professional learning for STEM, including computer science. (ESEA § 4109)

Examples of allowable purchases:<sup>4</sup>

- professional development to support educators in accessing needed technology, in learning how to use it effectively, and to provide continuous, just-in-time support that includes professional development, mentors, and informal collaborations.

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<sup>4</sup> Adapted from *Non-Regulatory Guidance Student Support and Academic Enrichment Grants*. [Web](#).

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- blended learning professional development program, including training sessions, blended learning mentors, and digital professional learning resources.
- professional learning platform or software that would support virtual coaching and/or provide just-in-time professional development that enabled educators to learn how to use technology more effectively.
- develop or implement specialized or rigorous academic courses using technology, including assistive technology.
- provide rural, remote, and underserved areas with resources to take advantage of high-quality digital learning experiences and digital resources and train educators on how to use them.
- virtual, blended, or face-to-face courses and workshops designed to increase educator capacity to offer high-quality STEM courses, such as computer science, engineering, game design, and/or other STEM-related courses.
- acquisition of content creation tools allowing staff to create digital texts, graphics, learning games, online courses and other resources that include accessibility features, to ensure educational materials, content, software and learning platforms including those that are openly licensed and are accessible to all students.

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