| Provisions Waived Through Approval of Ohio's Request for ESEA Flexibility | | |
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| **ESEA SECTION**[1] | **DESCRIPTION** | **NOTES** |
| **STATE-LEVEL RESERVATION FOR SCHOOL IMPROVEMENT** | | |
| 1003(a) | Requires State educational agency (SEA) to reserve 4 percent of its Title I, Part A allocation for school improvement activities and to distribute at least 95 percent to local educational agencies (LEAs) for use in Title I schools in improvement, corrective action, and restructuring | The reservation is not waived; SEA may distribute section 1003(a) funds to LEAs for use in priority and focus schools |
| **SCHOOL IMPROVEMENT GRANTS** | | |
| 1003(g) | Requires SEA to award School Improvement Grant (SIG) funds to LEAs with Title I schools in improvement, corrective action, or restructuring | Waiver permits SEA to award SIG funds to an LEA to implement one of the four SIG models in any priority school |
| **2013–2014 TIMELINE** | | |
| 1111(b)(2)(E) - (H) | Establishes requirements for setting annual measurable objectives (AMOs) | Waiver permits SEA to set new ambitious but achievable AMOs |
| **ADEQUATE YEARLY PROGRESS (AYP) DETERMINATIONS** | | |
| 1116(a)(1)(A)-(B) and 1116(c)(1)(A) | Requires SEA and its LEAs to make AYP determinations for LEAs and schools, respectively | |
| **WITHIN-DISTRICT ALLOCATIONS** | | |
| 1113(a)(3)-(4) and (c)(1) | Requires LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty | Waiver permits LEA to serve with Title I funds a Title I-eligible high school with a graduation rate below 60 percent that the SEA identified as a priority school even if that school does not rank sufficiently high to be served based solely on the school's poverty rate |
| **SCHOOLWIDE POVERTY THRESHOLD** | | |
| 1114(a)(1) | Requires 40 percent poverty threshold to be eligible to operate a schoolwide program | Waiver permits LEA with less than 40 percent poverty to operate a schoolwide program in a priority school or a focus school that is implementing a schoolwide intervention |

[1] The corresponding regulations that implement these statutory provisions are also waived. Any ESEA statutory provision not listed in this table is not waived.

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| **SCHOOL IMPROVEMENT REQUIREMENTS** | | |
| 1116(b) (except (b)(13)) | Requires LEA to identify schools for improvement, corrective action, and restructuring with corresponding requirements | 1116(b)(13), which requires LEA to permit a child who has transferred to remain in the choice school through the highest grade in the school, is not waived |
| **LEA IMPROVEMENT REQUIREMENTS** | | |
| 1116(c)(3) and (5) – (11) | Requires SEA to identify LEAs for improvement and corrective action with corresponding requirements | |
| 1116(e) | Requires SEA and LEAs to take a variety of actions to offer supplemental educational services to eligible students in schools in improvement, corrective action, restructuring | |
| **RESERVATION FOR STATE ACADEMIC ACHIEVEMENT AWARDS PROGRAM** | | |
| 1117(b)(1)(B) | Limits the schools that can receive Title I, Part A funds reserved for State awards program | Waiver allows funds reserved for State awards program to go to any reward school |
| **HIGHLY QUALIFIED TEACHER PLAN ACCOUNTABILITY AGREEMENT REQUIREMENT** | | |
| 2141(c) | Requires SEA/LEA agreement on use of Title II, Part A funds for LEAs that miss AYP for three years and fail to make progress toward reaching annual objectives for highly qualified teachers | Waiver includes existing agreements and applies to restrictions on hiring paraprofessionals under Title I, Part A |
| **LIMITATIONS ON TRANSFERABILITY OF FUNDS** | | |
| 6123(a) | Limits to 50 percent the amount an SEA may transfer from a covered program into another covered program or into Title I, Part A | Waiver applies to the percentage limitation, thereby permitting SEA to transfer up to 100 percent from a covered program |
| 6123(b)(1) | Limits to 50 percent or 30 percent the amount an LEA may transfer from a covered program into another covered program or into Title I, Part A | Waiver applies to the percentage limitations as well as to the restrictions on the use of transferred funds |
| 6123(d) | Requires modification of plans and notice of transfer | |
| 6123(e)(1) | Transferred funds are subject to the requirements of the program to which they are transferred | Waiver permits an LEA to exclude funds transferred into Title I, Part A from the base in calculating any set-aside percentages |

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| **RURAL SCHOOLS** | | |
| 6213(b) | Requires LEAs that fail to make AYP to use funds to carry out the requirements under ESEA section 1116 | |
| 6224(e) | Requires SEA to permit LEAs that fail to make AYP to continue to receive a Small, Rural School Achievement grant only if LEA uses funds to carry out ESEA section 1116 | |
| **21ST CENTURY COMMUNITY LEARNING CENTERS (CCLC)** | | |
| 4201(b)(1)(A), 4204(b)(2)(A) | Requires a community learning center to provide activities during non-school hours or periods when school is not in session | Waiver permits an eligible entity to provide 21st CCLC activities to support expanded learning time during an expanded school day, week, or year in addition to activities during non-school hours or periods when school is not in session |