



UNITED STATES DEPARTMENT OF EDUCATION
Office of Elementary and Secondary Education

ED-FLEX 2010-11 ANNUAL PERFORMANCE REPORT INSTRUCTIONS

INTRODUCTION

Under the Education Flexibility Partnership Act of 1999 (Ed-Flex) each participating State must monitor the activities of school districts and schools receiving waivers and submit to the Secretary an annual report based on its monitoring activities. (See Section 4(a)(5) of the Education Flexibility Partnership Act of 1999.) The reports will assist the Department of Education (ED), Congress, and States in evaluating the effectiveness of the Ed-Flex program in improving teaching and learning for all students. In this report, you will provide information on three categories of waivers: new, ongoing, and extension waivers, as defined below.

REPORT FORMAT AND INSTRUCTIONS

The annual report shall contain two sections: (1) a narrative that discusses, in detail, waiver activity for new, ongoing, and extension waivers as well as the State's Ed-Flex oversight activities; and (2) a table that displays waiver and performance data on all Ed-Flex waivers. In preparing the report, please follow the format provided below and completely respond to each applicable element. Your responses will be made available to Congress and the public online via ED's Web site.

If a narrative question is not applicable, please indicate with the symbol "N/A" and supply a brief explanation as to why the question is not applicable. Responses should address the questions completely and provide detailed information. For each item, you are encouraged to provide specific examples of districts' Ed-Flex efforts and strategies. Lastly, feel free to include supplemental information or materials that provide additional Ed-Flex program information.

(1) Report Narrative

Waivers Granted

*In this portion of the report narrative, provide waiver information for new, extension and ongoing Ed-Flex waivers active during school year (SY) 2010-11. A **new waiver** is a waiver that was granted for the first time during SY 2010-11 and had not been in effect prior to SY 2010-11. An **extension waiver** is a previously granted waiver that was active in SY 2010-11 because the effective period was extended beyond the original expiration date. An **ongoing waiver** is*

a waiver that was granted prior to SY 2010-11, but remained in effect during SY 2010-11.

- a) Describe what new Ed-Flex waivers were granted and provide a description of the activities permitted as a result of the waivers and the results you expect to achieve;

North Carolina offered statewide waivers to Section 1127(a) to exceed the carryover cap of 15% on Title I, Part A funds due to the significant one-time increase provided through the American Recovery and Reinvestment Act (ARRA). Districts reserved a portion of FY09 funds to continue efforts in FY10 with ARRA funds and reduce the potential effects of a funding cliff.

The results expected from the waivers were continued increase in student academic achievement.

The NCDPI exercised its right to waive the Tidings Amendment in 2009-2010 for previous fiscal year funds. Funds spent during this extension were used to impact teacher performance and student achievement by providing formative and summative feedback to the IMPACT Model School initiative.

- b) Describe what extension Ed-Flex waivers were granted and provide a description of the activities permitted as a result of the waivers and the results you expect to achieve;

In 2010-11, there were no extensions of waivers granted in North Carolina.

- c) Describe what ongoing Ed-Flex waivers were in effect and provide a description of the activities permitted as a result of the waivers and the results you expect to achieve.

For 2010-11, section 1114 of the Elementary and Secondary Education Act (ESEA) was an ongoing waiver. The waiver allowed schools with less than 40% of their student population receiving free and reduced lunch to operate school wide program models in their Title I schools. This permitted the schools to address overall school reforms efforts by implementing activities such as:

- High quality and ongoing professional development for the entire staff based on the comprehensive needs assessment;
- Effective and timely remediation and enrichment services for all students at risk of failing state standards;
- Accountability for results shared throughout the school;
- Parent involvement to increase participation in school decision making; and
- Effective coordination and integration of federal, state, and local service and programs.

The expected results from the ongoing waiver were continued increase in student academic achievement.

Please be mindful to submit a detailed narrative about each type of waiver your State has issued (e.g., Why did the LEA request the waiver? Does the waiver address any unique issues or challenges at this LEA? Is the waiver effective?). Please also double check any information that you may have pasted from other documents or previous years' reports.

(Note: Although SY 2011-12 has already begun, and although your State may have already granted SY 2011-12 waivers, please do not include SY 2011-12 waivers in submissions. This report is, by law, only for SY 2010-11 waivers. States should report SY 2011-12 waivers at the time of the SY 2011-12 Report, next year.)

State Oversight

In this portion of the report narrative, please address the oversight activities the State conducted to implement, manage and oversee the Ed-Flex program.

- (a) Describe the Ed-Flex waiver application, review and approval process in detail; specify timelines and other relevant information (**optional: attach Ed-Flex applications, guidance, etc.**);

North Carolina's Ed-Flex Waiver Process includes maintaining and updating the State Agency's Ed-Flex web site at: <http://www.ncpublicschools.org/federalprograms/reports/edflex/>. This site is annually updated with relevant programmatic descriptions, news releases, annual performance reports, and processing materials related to the Ed-Flex waiver authority. Applications for Ed-Flex were available on the site, as well as short descriptions of what could and could not be waived under this authority.

The Section Chief for Federal Program monitoring is responsible for overseeing the application, approval, and monitoring process for Ed-Flex waivers in 2010-11.

Any district seeking an Ed-Flex waiver must complete and submit an Ed-Flex Waiver Application to the North Carolina Department of Public Instruction, Program Monitoring and Support Services 6351 Mail Service Center Raleigh, NC 27699-6351. NCDPI accepts applications from the district. The district application may involve several schools and programs.

Ed-Flex Waiver Applications may be submitted at any time. The time from submission to NCDPI to final action takes approximately three weeks.

The Ed-Flex Consultant for the state of North Carolina screens the Ed-Flex Waiver Applications for completeness and appropriateness.

Applications passing the initial screening were submitted to the Ed-Flex Waiver Committee for review and approval. The Waiver Committee, which met as necessary, considered the following criteria when reviewing an Ed-Flex waiver request:

- 1) The specific needs to address through the waiver and the reasons why these needs cannot be met without the waiver;
- 2) The link(s) between the waiver request and the School Improvement Plan;
- 3) The link(s) between the waiver request and any possible waivers of state statutes and the regulations that are already in place or that are to be submitted;
- 4) The specific changes to be made if the waiver is approved (e.g., instructional delivery, curriculum offerings, professional development, parental involvement, support services, school governance, school climate, etc.);
- 5) The possible negative impact on schools not included in the waiver if the waiver is approved (e.g., the impact on the schools in the LEA if a school no longer eligible under Title I was to retain eligibility and funding resulting in other Title I schools receiving less funding than if the waiver wasn't approved);
- 6) The steps that will be taken to ensure that the needs of the intended beneficiaries of the program to be waived continue to be met;
- 7) How the educational goals measurable and specific for the schools and for the students are affected by the waiver and if the waiver requested will assist in meeting those educational goals; and
- 8) If the applicant sufficiently addresses each of the Ed-Flex application requirements.

Districts were notified of the approval or denial of their waiver request(s) based upon the decision of the Ed-Flex Waiver Committee.

- (b) Describe how the State monitors districts and schools receiving waivers, and how that oversight is used to provide feedback to districts and schools on their waiver activities; reference specific documents that the State uses to conduct these monitoring activities;

The steps that North Carolina has taken to monitor and provide oversight to districts and schools on their waiver implementation activities and to allow LEAs to provide continuous and constructive feedback to the SEA include:

- 1) An annual review of the LEA's Title I application;

- 2) Ongoing discussions and feedback about compliance and waiver implementation at regional directors meetings;
- 3) Compliance monitoring and program quality reviews; and
- 4) Individual technical assistance to LEAs.

Much of the oversight occurs prior to the approval of school wide waivers. In addition, the state reports its performance to the U.S. Department of Education on an annual basis.

- (c) Describe State efforts to ensure that Ed-Flex schools are meeting annual, measurable goals and explain how they are determined;

One of the state's most effective forms of oversight is the state's continued strong accountability program. The ABCs of Public Education holds all schools in the state accountable for growth and performance. Under the state's ABCs program, schools are held accountable for academic growth (computed at the student level and presented as an overall growth status for the school) of individual students and student achievement measured as the percent proficient (at or above grade level), presented as a composite score.

Schools are accountable under the Elementary and Secondary Education Act (ESEA) for making Adequate Yearly Progress (AYP) as well. Accountability data from each school district in the state were submitted to the state agency from June, 2011 through July, 2011 to determine the school status for the 2010-11 school year. Performance results for the 2010-11 school year are posted on the ABCs/AYP website at <http://accrpt.ncpublicschools.org/docs/>.

- (d) Indicate what actions were taken to address any Ed-Flex schools or districts not meeting the specific, measurable educational goals established in the Ed-Flex waiver applications, and specify whether any waivers were identified for termination;

The agency did not find any schools and districts not in compliance in meeting their specific, measurable educational goals for the 2010-11 school year. Although all schools did not meet adequate yearly progress for all subgroups and subjects, school outcomes demonstrated progress toward increasing proficiency rates for identified subgroups. No waivers were identified for termination.

- (e) Discuss any general conclusions regarding the impact of the Ed-Flex waivers, particularly with regard to improving student achievement; and

Given the multiple efforts of the districts and the State to support schools, it could not be concluded that the Ed-Flex waivers alone provided a significant impact on student achievement. In general, however, it may be noted that when properly implemented, schoolwide programs enable Title I schools with

high concentrations of poverty to improve the achievement of their lowest-performing students by redesigning their total educational program rather than merely adding on services for students identified as especially at-risk.

- (f) Provide any general comments or observations related to reviewing, managing and/or monitoring Ed-Flex waivers, or any other issues that have not been addressed previously.

In North Carolina, continuous review of the Ed-Flex process ensures quality reporting. One-page overviews have been provided to key staff as well as local education agency staff through conference presentations, regional meetings, and on-site technical assistance during monitoring and program quality reviews.

Ed-Flex authority is primarily utilized to allow targeted assistance under Title I programs to become school-wide programs. Being that the emphasis in schoolwide program schools is on serving all students, improving all structures that support student learning, and combining all resources, as allowed, to achieve a common goal, schoolwide programs maximize the impact of use of Title I funds. Implementing this type of program model allows for ongoing, comprehensive planning for school improvement that is owned by all stakeholders and focuses on specific needs of the school and community.

Ed-Flex authority allows States to provide increased flexibility for districts and schools in support of improving student achievement.

Please be mindful to submit a detailed narrative about your State's oversight, and to double check any information that you may have pasted from other documents or from previous years' reports.

(2) Report Data Table

In the table on the attached spreadsheet, please report waiver status data for all Federal waivers in effect during SY 2010-11. (Note: Please do not include new waivers that may have already been granted in SY 2011-12—although those waivers are technically new since the last report, this report is, by law, only for SY 2010-11 waivers. States should report SY 2011-12 waivers only at the time of the SY 2011-12 Report, next year.)

Report information for all of the following data elements:

1. The name of the local educational agency (LEA)
2. The specific Federal statutory provision waived
 - If schoolwide poverty requirements under ESEA section 1114 were waived, please include the lowest poverty percentage for schools participating in the schoolwide program.
3. New waivers granted during SY 2010-11
 - Duration of new waivers granted in SY 2010-11 (i.e., 1, 2, or 3 years)
 - Number of schools affected by the new waivers granted in SY 2010-11
4. Waiver extensions in SY 2010-11
 - Duration of extension waivers in SY 2010-11 (i.e., 1, 2, or 3 years)
 - Number of schools affected by the extension waivers in effect during SY 2010-11
5. Ongoing waivers active during the reporting period
 - School year in which ongoing waiver was originally granted
 - Duration of the waiver (i.e., 1, 2, or 3 years)
 - Number of schools affected by the ongoing waiver
6. Number of affected schools with extension and ongoing waivers not meeting Adequate Yearly Progress (AYP)
7. Number of affected schools with extensions and ongoing waivers meeting AYP
8. Number of affected schools with extension and ongoing waivers not meeting waiver goals
9. Number of affected schools with extension and ongoing waivers meeting waiver goals

When submitting the spreadsheet electronically, be sure to submit the file as a spreadsheet (e.g. Excel files); please do not submit scans or pdfs of the spreadsheet because such file versions cannot be read by ED's data software.

REPORTING DEADLINE AND SUBMITTAL INSTRUCTIONS

Please submit both a hard copy and an electronic copy of your report to ED by **Tuesday, November 1, 2011**. Mail the hard copy of your report, via express mail, FedEx or UPS, to:

Enid Marshall
OESE/School Support and Technology Programs
U.S. Department of Education
400 Maryland Avenue, SW, Room 3W103
Washington, DC 20202-6400

E-mail the electronic copy of your report to: enid.marshall@ed.gov and mark.bardwell@ed.gov

If you have any questions or concerns regarding these instructions, or any other aspect of the program, please contact Enid Marshall (202) 708-9499 enid.marshall@ed.gov, or Mark Bardwell mark.bardwell@ed.gov (202) 260-1335.

ASSURANCE OF DATA QUALITY

I assure that the data reported in this document is reliable, complete, and accurate.

Signature

date

Section Chief, Federal Program Monitoring

Title

NOTE: If there are problems with the reliability, completeness or accuracy of the data contained in this report, please describe those problems and provide a plan for addressing them.