

Archived Information

Objective 4.2: Our partners have the support and flexibility they need without diminishing accountability for results.

Our Role. The Education Department administers the Education Flexibility Partnership Program (Ed-Flex), through which it grants Federal waiver authority to state education agencies (SEAs). This program is intended to allow states to waive certain Federal regulations or requirements, which may otherwise impede state efforts at comprehensive education reform. At the same time, Ed-Flex necessitates that strong accountability mechanisms are in place in order to ensure that the state be able to track and act upon the results and impacts of its reform efforts.

The Cooperative Audit Resolution and Oversight Initiative (CAROI) has successfully established networks of important Federal and state contacts to address issues and concerns in a flexible environment, strengthened state understanding of the Education Department's responsibilities, and avoided traditional time-consuming and resource-intensive audit resolution procedures.

The Office for Civil Rights (OCR) has established constructive and collaborative relationships with state and local education agencies to achieve the shared objectives of civil rights compliance and securing timely improvements for students. This too avoids the traditional and unproductive adversarial approach to addressing potential problems with states and local agencies.

Our Performance

How We Measure. The following indicators measure the Education Department's progress in providing the support and flexibility customers need. Collectively the indicators show progress at varying levels in the areas of granting flexibility and increasing understanding of program rules and requirements, issuing grants on a timely basis, resolving audit issues with states, and dealing with affected agencies in civil rights cases.

Indicator 4.2.a. Customers will increasingly report that they have greater flexibility and better understanding of the rules and requirements of education programs.

Assessment of Progress. Progress towards goal is likely. In 1998, 72 percent of Title I districts surveyed reported that their flexibility in using Title I funds had increased since the 1994 reauthorization of Elementary and Secondary Education Act (ESEA). Figure 4.2.a.1 provides information on the impact of specific changes on flexibility. The data for 2000 are not available.

Figure 4.2.a.1

Extent to Which Districts Believe that Various 1994 Reauthorization Changes Increased Their Flexibility in Using Federal Funds (1997-1998)

	Not at All	Moderately	A Great Deal
Title I school-wide programs	39%	14%	47%
Waiver of Federal education provisions	61%	31%	8%
Consolidation of Federal administrative funds	49%	46%	5%
Shift in accountability emphasis from procedural compliance to student performance	12%	32%	56%

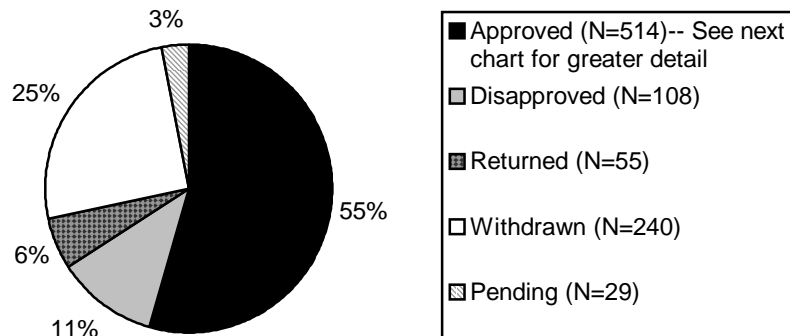
Source: Study of Education Resources and Federal Funding, Planning and Evaluation Service, 2000 *Frequency:* One time. *Next Update:* N/A. **Validation procedure:** Data gathered by professional survey research firm. **Limitation of data and planned improvements:** None noted.

Fewer than three percent of all districts have requested or been granted waivers, and few requirements have been made. Although the waiver authorities permit districts and schools to waive many federal requirements, actual waiver use does not diverge significantly from extant federal law. 4.2.a.2 shows the number of decisions made on all waiver requests from the inception of the waiver authorities through September 30, 2000, by type of decision.

The focus of waivers granted has shifted from waivers of within-LEA targeting requirements to waivers of the minimum poverty threshold for implementing a schoolwide program. New types of waivers also have been granted. During 1998 and 1999, as shown in 4.2.a.3, the Department granted 57 one-year waivers of standards deadlines. However, no state requested or received a waiver of this requirement in 2000.

Figure 4.2.a.2

Decisions on All Waiver Requests Through September 30, 2000, by Decision (N=946)



Source: Program files. *Frequency:* Continuous. *Next Update:* N/A. **Validation procedure:** Subject to internal controls. **Limitation of data and planned improvements:** None noted.

Figure 4.2.a.3

Number of Waivers Granted, by Year of Decision and Type of Waiver

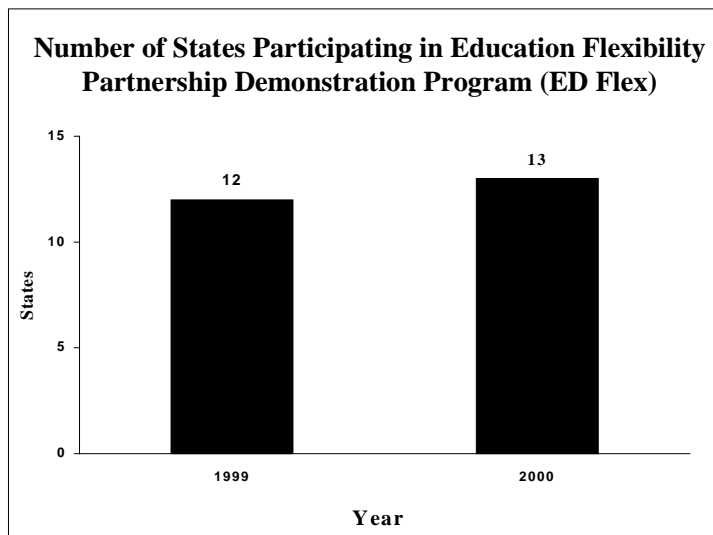
	Within-LEA Targeting	Schoolwide Program	Standards Deadlines	Class-Size Reduction	Other	Total
1995	52	2	0	0	5	59
1996	50	9	0	0	17	76
1997	27	38	0	0	8	73
1998	40	32	48	0	7	127
1999	18	22	9	56	10	115
2000	11	23	0	10	21	64
Total	198	126	57	66	68	514

Source: Program files. Frequency: Continuous. Next Update: N/A. Validation procedure: Subject to internal controls. Limitation of data and planned improvements: None noted.

Indicator 4.2.b. The number of states participating in Ed-Flex will increase.

Assessment of Progress: The 2000 goal has been met. The Education Flexibility Partnership Demonstration Program was originally established in 1994 as a part of the Goals 2000: Educate America Act. Initially, the Education Department was permitted to grant Ed-Flex authority to six state education agencies (SEAs) that met the eligibility requirements. In 1996, Ed-Flex, along with other parts of Goals 2000, was amended to allow the Department to grant such authority to six additional eligible SEAs, for a total of 12 states. At the end of calendar year 2000, 13 states had ED-Flex authority. The Education Department anticipates that an additional four states will be granted authority by the end of calendar year 2001. See Figure 4.2.b.1.

Figure 4.2.b.1



Source: Program files. Frequency: Continuous. Next Update: N/A. Validation procedure: Subject to internal controls. Limitation of data and planned improvements: None noted.

In 1999, Congress enacted the Education Flexibility Partnership Act of 1999. The new Ed-Flex eligibility requirements are now extended to all states and are closely linked to the standards, assessment, and accountability requirements outlined in Title I of the ESEA of 1994. Under the Ed-Flex program, the SEA, rather than the Education Department, has the authority to make decisions on whether particular school districts and schools should be granted waivers of certain Federal education requirements.

For those states that already have Ed-Flex status, the overwhelming majority of waivers have been used to permit otherwise ineligible Title I schools to implement school-wide programs. States have also used these Ed-Flex waivers to waive certain Title I targeting provisions. The Education Department has published guidance to assist states in preparation of applications for Ed-Flex. Nine states have applied for Ed-Flex status, and eight states have been approved but have not yet applied.

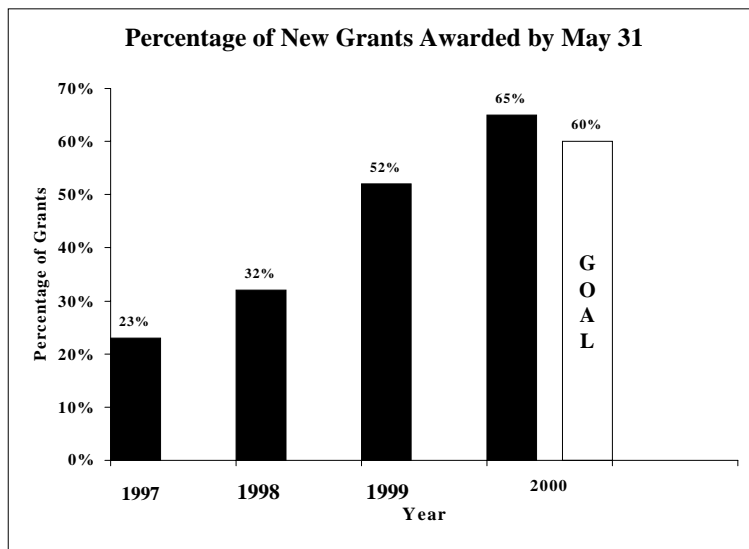
Indicator 4.2.c. Timely review and award of grants will give greater support and flexibility to our partners' administration of their grant projects.

Assessment of Progress. The 2000 goal has been met and exceeded. The Education Department is committed to making new grant awards in a timely fashion so that grantees can plan for successful implementation of their programs. The Education Department's goal is to award the majority of grants by May 31 each year, through reengineering the grant-making process. Figure 4.2.c.1 shows that 65 percent of new grants were awarded by May 31.

A significant achievement in speeding the grant-making process occurred through a successful collaborative effort between the Education Department and the Office of Management and Budget (OMB). Before any information-gathering application is released to the public, it must be cleared by OMB. The Education Department and OMB worked together to streamline and shorten the clearance process, with the goal of getting application packages to prospective recipients sooner.

The Education Department's reengineered grant-making process cut the average review and award time from 26 weeks to 11.5 weeks. During the past two years, a substantial improvement in the ability of grantees to administer their projects more effectively was made possible through the Education Department's regulatory amendments. These amendments provide grantees much greater flexibility in areas of post-award administration, such as the determination of project length and control of necessary revision in their project budget.

Figure 4.2.c.1



Source: Self-reports from Principal Offices. Grants Administration Payment System Reports. *Frequency:* Monthly. *Next Update:* N/A. **Validation procedure:** Data are validated against data runs done by the Grants Policy and Oversight Staff from the Grants Administration and Payment System. **Limitations of data and planned improvements:** No significant limitations.

Indicator 4.2.d. Recurring findings in statewide single audits and program review reports will decrease as the number of Cooperative Audit Resolution and Oversight Initiative (CAROI) projects increases with the Education Department's state partners.

Assessment of Progress. The 2000 goal has been met. In 2000, the cumulative number of CAROI projects totaled 39 (goal was 33) in 25 states. The data show that, overall, the Education Department is experiencing a reduction in recurring findings. Since 1995, there has been a 72 percent reduction in the number of repeat findings in the statewide single audits. The steady increase in CAROI projects and the related decrease in statewide audit recurring findings are positive indicators of how well the process is working.

In 1993, there were approximately 22 state audits under appeal and only four in March 2001. This translates into a substantial cost reduction benefit for both state and Federal governments, because cooperation replaces litigation. These reductions in recurring findings and statewide single audits under appeal were realized without compromising integrity, accountability, or the purposes of the funds. To put it simply, students receive the maximum benefit of Federal education dollars.