

DEPARTMENT OF EDUCATION

Notice of Waivers Granted by the U.S. Secretary of Education Under the General Waiver Authority, the Title I Desegregation Waiver Authority, and the Maintenance of Effort Waiver Authority in the Elementary and Secondary Education Act and of States Selected for Participation in the Education Flexibility Partnership Demonstration Program (Ed-Flex) Under the Goals 2000: Educate America Act

SUMMARY: Three major education laws, the Improving America's Schools Act (Pub. L. 103-382) (which reauthorized the Elementary and Secondary Education Act (ESEA)), the Goals 2000: Educate America Act (Pub. L. 103-227) (Goals 2000), and the School-to-Work Opportunities Act (Pub. L. 103-239) provide States, school districts, and schools with expanded opportunities to use Federal education funds in order to improve school effectiveness and academic achievement. These acts allow the Secretary of Education to grant waivers of certain requirements of Federal education programs in cases where a waiver will likely contribute to improved teaching and learning.

As of June 30, 1996, 116 waiver requests had been approved by the U.S. Department of Education (Department) under the waiver authorities identified above. This notice identifies the 31 waiver requests approved by the Department from January 1, 1996 through June 30, 1996. The notice also identifies the three States selected for participation in the Education Flexibility Partnership Demonstration Program (Ed-Flex) of Goals 2000.

This notice includes, among others, waivers regarding provisions governing the statutory poverty threshold for implementing schoolwide programs under Title I of the ESEA, the proportion of funds devoted to professional development in mathematics and science and other core subject areas under Title II of the ESEA, and the consolidation of funds under Title XIV of the ESEA. The Department's Waiver Guidance, which provides examples of waivers, explains the waiver authorities in detail, and discusses how to apply for a waiver, is available from the Department at (202) 401-7801.

APPLICATION APPROVALS: From January 1, 1996 through June 30, 1996, the Secretary approved 31 applications for waivers and three applications for the Education Flexibility Partnership Demonstration Program (Ed-Flex). Each waiver application is reviewed and

evaluated based on its individual merits in accordance with the statutory criteria.

(A) Waivers Approved Under the General Waiver Authority in Section 14401 of the ESEA

- (1) *Name of Applicant:* Vermont Department of Education, Montpelier, VT.
Requirement Waived: Section 2206(b) of the ESEA.
Duration of Waiver: Three years.
Date Granted: January 19, 1996.
- (2) *Name of Applicant:* South Whittier School District, Whittier, CA.
Requirement Waived: Section 1113(a)(3)(B) of the ESEA.
Duration of Waiver: One year.
Date Granted: January 31, 1996.
- (3) *Name of Applicant:* Consolidated High School District, No. 230, Orland Park, IL.
Requirements Waived: Sections 1113(a)(2)(B) and 1113(c)(2) of the ESEA.
Duration of Waiver: Three years.
Date Granted: February 1, 1996.
- (4) *Name of Applicant:* Mount Pleasant Area School District, Mount Pleasant, PA.
Requirement Waived: Section 1113(a)(2)(B) of the ESEA.
Duration of Waiver: Three years.
Date Granted: February 8, 1996.
- (5) *Name of Applicant:* Preble Shawnee Local Schools, Camden, OH.
Requirements Waived: Sections 1113(a)(2)(B) and 1113(c)(2) of the ESEA.
Duration of Waiver: One year.
Date Granted: February 8, 1996.
- (6) *Name of Applicant:* Minnesota Department of Children, Families, and Learning, St. Paul, MN.
Requirements Waived: Sections 7302 and 7134(c) of the ESEA.
Duration of Waiver: Three Years.
Date Granted: February 16, 1996.
- (7) *Name of Applicant:* Wyoming Department of Education, Cheyenne, WY.
Requirement Waived: Section 2206(b) of the ESEA.
Duration of Waiver: One year.
Date Granted: February 27, 1996.
- (8) *Name of Applicant:* Indian Springs School District, No. 109, Justice, IL.
Requirements Waived: Sections 1113(a)(2)(B) and 1113(c)(2) of the ESEA.
Duration of Waiver: One year.
Date Granted: March 10, 1996.
- (9) *Name of Applicant:* Cahokia Unit School District, No. 187, Springfield, IL.
Requirement Waived: Section 1113(c)(1) of the ESEA.
Duration of Waiver: Two years.
Date Granted: March 15, 1996.

- (10) *Name of Applicant:* Lampeter Strasburg School District, Lampeter, PA.
Requirement Waived: Section 1113(a)(2)(B) of the ESEA.
Duration of Waiver: One year.
Date Granted: March 18, 1996.
- (11) *Name of Applicant:* Texas Education Agency, Austin, TX.
Requirements Waived: Sections 1112(a)(1) and 14305 of the ESEA with respect to requirements regarding State review of changes to LEA Title I plans and consolidated local plans.
Duration of Waiver: Three years.
Date Granted: March 22, 1996.
- (12) *Name of Applicant:* Delavan-Darien School District, Delavan, WI.
Requirements Waived: Sections 1113(a)(2)(B) and 1113(c)(1) of the ESEA.
Duration of Waiver: One year.
Date Granted: March 27, 1996.
- (13) *Name of Applicant:* New Jersey Department of Education, Trenton, NJ.
Requirement Waived: Section 2209(b) of the ESEA.
Duration of Waiver: Three years.
Date Granted: April 18, 1996.
- (14) *Name of Applicant:* Skokie School District, No. 68, Skokie, IL.
Requirement Waived: Section 1113(a)(2)(B) of the ESEA.
Duration of Waiver: One year.
Date Granted: April 19, 1996.
- (15) *Name of Applicant:* Lower Kuskokwim School District, Bethel, AK.
Requirement Waived: Section 1113(a)(3)(B) of the ESEA.
Duration of Waiver: Three years.
Date Granted: April 26, 1996.
- (16) *Name of Applicant:* Puerto Rico Department of Education, San Juan, PR.
Requirements Waived: Sections 2207 and 2210(b) of the ESEA.
Duration of Waiver: One year.
Date Granted: April 26, 1996.
- (17) *Name of Applicant:* California Department of Education, Sacramento, CA.
Requirement Waived: Section 14201(a) of the ESEA.
Duration of Waiver: Three years.
Date Granted: May 2, 1996.
- (18) *Name of Applicant:* White Plains Public Schools, White Plains, NY.
Requirements Waived: Sections 1113(a)(2)(B) and 1113(c)(2) of the ESEA.
Duration of Waiver: Three years.
Date Granted: May 3, 1996.
- (19) *Name of Applicant:* Christian County Public Schools, Hopkinsville, KY.
Requirement Waived: Section

- 1114(a)(1)(B) of the ESEA.
Duration of Waiver: Three years.
Date Granted: May 4, 1996.
- (20) *Name of Applicant:* Clinton Community School District, No. 15, Clinton, IL.
Requirement Waived: Section 1113(a)(2)(B) of the ESEA.
Duration of Waiver: One year.
Date Granted: May 16, 1996.
- (21) *Name of Applicant:* Kentucky Department of Education, Frankfort, KY.
Requirements Waived: Sections 1116(c)(1)(C) and 1116(d)(3)(A)(ii) of the ESEA.
Duration of Waiver: Three years.
Date Granted: May 17, 1996.
- (22) *Name of Applicant:* Missouri Department of Elementary and Secondary Education, Jefferson City, MO.
Requirement Waived: Section 2206(b) of the ESEA.
Duration of Waiver: Three years.
Date Granted: May 23, 1996.
- (23) *Name of Applicant:* Beach Public School District, Beach, ND.
Requirement Waived: Section 1114(a)(1)(B) of the ESEA.
Duration: Three years.
Date Granted: June 10, 1996.
- (24) *Name of Applicant:* Montgomery County Schools, Troy, NC.
Requirement Waived: Section 1114(a)(1)(B) of the ESEA.
Duration of Waiver: Three years.
Date Granted: June 10, 1996.

(B) Waivers Approved Under the Desegregation Waiver Authority in Section 1113(a)(7) of the ESEA

- (1) *Name of Applicant:* Amherst County Schools, Amherst, VA.
Requirements Waived: Sections

- 1113(c)(1) and 1113(c)(2) of the ESEA.
Duration of Waiver: Three years.
Date Granted: March 26, 1996.
- (2) *Name of Applicant:* Alton Community Unit School District, No. 11, Alton, IL.
Requirements Waived: Sections 1113(a)(2)(B), 1113(c)(1), and 1113(c)(2) of the ESEA.
Duration of Waiver: One year.
Date Granted: April 26, 1996.
- (3) *Name of Applicant:* Pulaski County Special School District, Little Rock, AR.
Requirement waived: Section 1113(a)(2)(B) of the ESEA.
Duration of the waiver: Three years.
Date granted: May 23, 1996.

(C) Waivers Approved Under the Maintenance of Effort Waiver Authority in Section 14501(c) of the ESEA

- (1) *Name of Applicant:* Butner Public Schools, Cromwell, OK.
Requirements Waived: Sections 1120A(a) and 14501(a) of the ESEA.
Duration of Waiver: One year.
Date Granted: February 3, 1996.
- (2) *Name of Applicant:* Gosnell School District, No. 6, Gosnell, AR.
Requirements Waived: Sections 1120A(a) and 14501(a) of the ESEA.
Duration of Waiver: One year.
Date Granted: February 3, 1996.
- (3) *Name of Applicant:* Midland School District, Midland, PA.
Requirement Waived: Section 14501(a) of the ESEA.
Duration of Waiver: One year.
Date Granted: February 29, 1996.
- (4) *Name of Applicant:* Union Independent School District, Brownfield, TX.
Requirements Waived: Sections

- 1120A(a) and 14501(a) of the ESEA.
Duration of Waiver: One year.
Date Granted: March 1, 1996.
- (D) States Designated Ed-Flex States Under the Education Flexibility Partnership Demonstration Program in Section 311(e) of the Goals 2000: Educate America Act*
- (1) *Name of Applicant:* Texas.
Duration of Ed-Flex Authority: Five years.
Date Granted: January 26, 1996.
- (2) *Name of Applicant:* Vermont.
Duration of Ed-Flex Authority: Five years.
Date Granted: March 13, 1996.
- (3) *Name of Applicant:* Maryland.
Duration of Ed-Flex Authority: Five years.
Date Granted: May 8, 1996.

FOR FURTHER INFORMATION CONTACT: Collette Roney on the Department's Waiver Assistance Line, (202) 401-7801. Copies of the Department's Waiver Guidance are also available at this number. The guidance and other information on flexibility is available at the Department of Education's World Wide Web site at <http://www.ed.gov/flexibility>.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Dated: August 2, 1996.
Marshall S. Smith,
Under Secretary.
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