



STATE OF ALABAMA  
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.  
State Superintendent of Education

**FOR IMMEDIATE RELEASE**  
February 10, 2026

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Alabama  
State Board  
of Education

## Notice of Intent to Submit Federal Ed-Flex Waiver Requests

Governor Kay Ivey  
President

**Montgomery, AL-** The Alabama State Department of Education (ALSDE) hereby provides public notice of its intent to submit a request to the U.S. Department of Education for authority under the Educational Flexibility (Ed-Flex) Program, as authorized by the *Every Student Succeeds Act* (ESSA).

Jackie Zeigler  
District I

The purpose of these waivers is to remove administrative and regulatory barriers, allowing local educational agencies (LEAs) to better align federal resources with student needs and the state's strategic plan, *Alabama Achieves*. ALSDE is seeking flexibility in the following eight (8) areas to improve educational outcomes across the state:

Tracie West  
District II

Kelly Mooney  
District III  
President Pro Tem

| Provision / Current Rule  | Requested Waiver   | Objective   |
|---|--|---|
| Title I Carryover Limits: 15% limit once every 3 years.   | Allow up to 50% carryover every Federal fiscal year.   | Provide fiscal stability for high-impact, multi-year school improvement investments.                          |
| Title I School Eligibility: Only one (1) year of service for schools that become ineligible.              | Extend eligibility for schools that drop below the poverty threshold for more than one year.       | Ensure continuity of services for students transitioning out of high-poverty status.                          |
| Schoolwide Programs: Requires 40% poverty threshold to consolidate funds.                                 | Allow any Title I-eligible school to implement a schoolwide program regardless of poverty percent. | Flexibility for "Targeted Assistance" schools to upgrade the entire instructional program.                    |
| Paraprofessional Requirements: Dictated by outdated <i>No Child Left Behind</i> (NCLB)-era federal rules. | Allow Alabama to formally set its own qualification requirements via state rulemaking.             | Address staffing shortages and grant state autonomy in defining "high-quality" staff.                         |
| Title I, Part D Transition: Transition funds capped at 30% for delinquent youth.                          | Increase the upper limit for transition services to 65%.   | Support students returning from juvenile facilities to their local districts more effectively.                |
| Title IV, Part A Spending: 20/20/Portion rule for awards over \$30,000.                                   | Remove the percentage requirements for the three content areas.                                    | Allow districts to direct funds toward a singular high-need area (while maintaining the 15% technology cap).  |
| State Admin Consolidation: Limited to specific programs.  | Expand consolidation to include state-level activities for Title II-A, III-A, IV-A, and IV-B.      | Create a more efficient, unified state-level support system aligned with strategic goals.                     |
| High School Academic Achievement: Measured by a single statewide assessment (ACT).                        | Integrate National Career Readiness (NCRC/WorkKeys) into the Academic Achievement indicator.       | Provide a clear picture of post-secondary readiness by valuing both college and career pathways for students. |

Yvette M. Richardson, Ed.D.  
District IV

Tonya S. Chestnut, Ed.D.  
District V

Marie Manning  
District VI  
Vice President

Allen Long, M.D.  
District VII

Wayne Reynolds, Ed.D.  
District VIII

Eric G. Mackey, Ed.D.  
Secretary and  
Executive Officer

The ALSDE invites stakeholders- including students, educators, parents, community members, and local officials to review the full waiver application. The complete waiver proposal is available on the ALSDE website at [Alabama Achieves | Public Comment Page](#)

A PDF copy of this information [Application for the Education Flexibility Program](#)

Please submit written comments via email to [edflexwaiver@alsde.edu](mailto:edflexwaiver@alsde.edu).

**All comments must be received by 5:00 PM on Tuesday, March 10, 2026,** for consideration.

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