



DEPARTMENT OF EDUCATION

[Docket No.: ED-2023-SCC-0184]

**Agency Information Collection Activities; Comment Request; Application for the
Educational Flexibility (Ed-Flex) Program**

AGENCY: Office of Elementary and Secondary Education (OESE), Department of
Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the
Department is proposing a revision of a currently approved information collection request
(ICR).

DATES: Interested persons are invited to submit comments on or before **[INSERT
DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL
REGISTER]**.

ADDRESSES: To access and review all the documents related to the information
collection listed in this notice, please use <http://www.regulations.gov> by searching the
Docket ID number ED-2023-SCC-0184. Comments submitted in response to this notice
should be submitted electronically through the Federal eRulemaking Portal at
<http://www.regulations.gov> by selecting the Docket ID number or via postal mail,
commercial delivery, or hand delivery. If the www.regulations.gov site is not available to the
public for any reason, the Department will temporarily accept comments at
ICDocketMgr@ed.gov. Please include the docket ID number and the title of the
information collection request when requesting documents or submitting comments.
Please note that comments submitted after the comment period will not be accepted.
Written requests for information or comments submitted by postal mail or delivery
should be addressed to the Manager of the Strategic Collections and Clearance

Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave, SW, LBJ, Room 6W203, Washington, D.C. 20202-8240.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Evan Skloot, 202-453-6515.

SUPPLEMENTARY INFORMATION: The Department, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Application for the Educational Flexibility (Ed-Flex) Program

OMB Control Number: 1810-0737

Type of Review: A revision of a currently approved ICR

Respondents / Affected Public: State, Local, and Tribal governments

Total Estimated Number of Annual Responses: 32

Total Estimated Number of Annual Burden Hours: 620

Abstract: This is a request for a revision to the Educational Flexibility program application to include the annual reporting template. The Educational Flexibility (Ed-Flex) program is authorized under the Education Flexibility Partnership Act of 1999 and was reauthorized by section 9207 of the Every Student Succeeds Act (ESSA). The Ed-Flex program allows the Secretary to authorize a State educational agency (SEA) that serves an eligible State to waive statutory or regulatory requirements applicable to one or more the included programs for any local educational agency (LEAs), educational service agency, or school within the State. Section 4(a)(3) of the Education Flexibility Partnership Act of 1999 requires each SEA desiring to participate in the education flexibility program to submit an application detailing that SEAs education flexibility plan. Section 4(a)(5)(B) requires each SEA that is authorized to become an Ed-Flex Partnership State to submit an annual report on the results of its oversight and the impact of the waivers on school and student performance. Previously, the annual reporting requirement instructions and burden hours were included as part of the application. In order to standardize reporting, we have created an annual reporting template and are increasing the burden hours related to the annual reporting based on feedback from the field. However, overall, there is a decrease in burden due to a change in the estimated number of responses based on past experience with the program.

Dated: October 25, 2023.

Kun Mullan,

PRA Coordinator,

Strategic Collections and Clearance,

Governance and Strategy Division,

Office of Chief Data Officer,

Office of Planning, Evaluation and Policy Development.