Ohio's ESSA Waiver Request and What Proposed Changes Could Mean for Ohio School Districts

Ohio is seeking greater flexibility in how federal education funds are carried over, allocated and consolidated—changes that could give districts more discretion while keeping compliance obligations in place.

By Megan E. Greulich | October 7, 2026

On July 30, 2026, Ohio's Department of Education and Workforce (DEW) updated its waiver requests and submissions to the United States Department of Education (USDOE) seeking additional waivers related to the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). In its submission, DEW emphasized its commitment to four core principles, which include literacy, accelerating learning, student wellness, and workforce readiness. DEW's request further emphasized that the waivers and ESEA plan amendments will support the state's student-centered focus by increasing funding flexibility to focus on priority areas, leveraging school improvement structures to prioritize evidence-based practices, and reducing bureaucracy by allowing more timely and directed use of resources to support priority areas.

The waivers focus on increased flexibility in state-level funding, local-level funding, and direct student services through reducing limits on spending and consolidating certain programs. More specifically, Ohio requested waivers for one year that would provide additional flexibility for a variety of federal funds and indicated that it will seek additional years of flexibility pending Ed Flex applications. Included in these requests are waiving the statutory requirement that limits more than 15% carryover to once in three years. DEW noted that the waiver's purpose would be to allow for annual carryover as needed to reduce funds being returned from LEAs to the SEA to support expanded services for multi-year school improvement initiatives.

The Waivers

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annual carryover as needed to reduce funds being returned from LEAs to the SEA to support expanded services for multi-year school improvement initiatives.

DEW also seeks a waiver of the requirement that an LEA receiving more than $30,000 of Title IV-A funding must budget 20% on well-rounded education activities, 20% on safe and healthy schools, and a portion on technology. Here, DEW notes that the increased flexibility is intended to allow LEAs to leverage these funds in more innovative and effective ways, rather than being forced to spread allocation in this particular manner.

DEW further seeks waiver of the requirement that Title III-A funds be allocated across all three identified areas – academic supports, professional development, and parent engagement. This could potentially allow LEAs flexibility in focusing these funds on a combination of the three allowable areas as determined necessary by local need, given that LEAs still would be required to provide services in all these areas.

DEW further seeks waiver of the 30% maximum Title I-D reservation limit and seeks for the limit to be increased by an additional 15% to support transition services. DEW notes that this increase will improve the capacity of Ohio agencies to support students in transitioning from high school to postsecondary education and employment. DEW further indicates that, in implementing the requested waivers, it would update its system to reduce administrative burden while still maintaining integrity of compliance and monitoring.

As to state activities funds, DEW requests waivers to consolidate Title II-A, III-A, IV-A, and IV-B state activity funds under ESEA Section 8201 to target funds toward literacy, accelerating learning, workforce readiness, and student wellness and to shift focus away from fragmented, program-specific activities. DEW emphasizes that it would continue to support at-risk student populations served by these programs and maintain the integrity of required compliance and monitoring requirements. This waiver, however, would provide added flexibility to focus funds within the scope of the areas where they can be utilized most effectively.

With regard to direct student services, DEW requests a waiver from certain Section 1003A requirements to target funds based on need and state-approved tutoring requirements. DEW indicates that this waiver would allow the state to implement a more strategic and targeted approach to distributing funding based on identified need. In implementing the requested waiver, DEW would ensure that LEAs are meeting the requirements of ESEA Section 1003A.

What Districts Should Watch

Some groups have expressed concerns that the requested flexibility will increase the risk of funds being repurposed in a manner inconsistent with original intent. But, as noted above, DEW indicated its commitment to continual monitoring of use and expenditure of impacted funds to ensure they are utilized in the intended manner.

USDOE has 120 days from DEW's submission to respond, and USDOE may approve, deny, or request that DEW revise and resubmit waivers. In the meantime, it remains important for districts to stay aware of current legal standards and compliance measures to avoid loss of federal funding.

Federal Funding Key

Program	Purpose
Title I-D	Neglected, delinquent and at-risk students
Title II-A	Teacher and school leader effectiveness
Title III-A	English learners and immigrant students
Title IV-A	Student support and academic enrichment
Title IV-B	21st Century Community Learning Centers
Section 1003A	Direct student services
Section 8201	Consolidation of state-level federal program funds

About the Author



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