

**School Improvement Grant (SIG) Waiver Notice**  
**2016-04-12**

The Nebraska Dept. of Education (NDE) will be submitting to USDE (United States Department of Education) a request for the following waivers regarding the FY2015 School Improvement Grants (SIG). NDE believes that the requested waivers will increase the ability to implement the SIG program effectively in eligible schools in the State in order to improve the quality of instruction and raise the academic achievement of students in Tier I, Tier II, and Tier III schools, or will allow any District in the state that received a School Improvement Grant to use those funds in accordance with the final requirements for School Improvement Grants and the District's application for a grant.

**Comments regarding the intended waiver requests are encouraged (but not required) and should be submitted via email to [diane.stuehmer@nebraska.gov](mailto:diane.stuehmer@nebraska.gov) by 5:00 p.m. Wednesday, April 20, 2016.**

**Waiver 1: Period of Availability of FY 2015 Funds**

In order to extend the period of availability beyond September 30, 2016, waive section 421(b) of the General Education Provisions Act (20 U.S.C § 1225(b)) to extend the period of availability of FY 2015 SIG funds for the SEA and all of its LEAs to September 30, 2021. This waiver is for the purpose of making five-year awards to eligible LEAs.

**Waiver 2: Tier II Waiver**

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2015 competition, waive paragraph (a)(2) of the definition of "persistently lowest-achieving schools" in Section I.A.3 of the SIG final requirements and incorporation of that definition in identifying Tier II schools under Section I.A.1(b) of those requirements to permit the State to include, in the pool of secondary schools from which it determines those that are the persistently lowest-achieving schools in the State, secondary schools participating under Title I, Part A of the ESEA that have not made adequate yearly progress (AYP) for at least two consecutive years or are in the State's lowest quintile of performance based on proficiency rates on the State's assessments in reading/language arts and mathematics combined.

Assurance

The State assures that it will include in the pool of schools from which it identifies its Tier II schools all Title I secondary schools not identified in Tier I that either (1) have not made AYP for at least two consecutive years; or (2) are in the State's lowest quintile of performance based on proficiency rates on the State's assessments in reading/language arts and mathematics combined. Within that pool, the State assures that it will identify as Tier II schools the persistently lowest-achieving schools in accordance with its approved definition. The State assures that it will ensure that any LEA that chooses to use SIG funds in a Title I secondary school that becomes an eligible Tier II school based on this waiver will comply with the SIG final requirements for serving that school.

**Waiver 3: n-Size Waiver**

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2015 competition, waive the definition of "persistently lowest-achieving schools" in Section I.A.3 of the SIG final requirements and the use of that definition in Section I.A.1(a) and (b) of those requirements to permit the State to exclude, from the pool of schools from which it identifies the persistently lowest-achieving schools for Tier I and Tier II, any school in which the total number of students in the "all students" group in the grades assessed is less 30.

Assurance

The State assures that it determined whether it needs to identify five percent of schools or five schools in each tier prior to excluding small schools below its "minimum n." The State will include its "minimum n" in its definition of "persistently lowest-achieving schools." In addition, the State will include in its list of Tier III schools any schools

excluded from the pool of schools from which it identified the persistently lowest-achieving schools in accordance with this waiver.

**Waiver 4: School Improvement Timeline Waiver**

Waive section 1116(b)(12) of the ESEA to permit LEAs to allow their Tier I or Tier II Title I participating schools that will fully implement a SIG model beginning in the 2016-17 school year to “start over” in the school improvement timeline.

**Assurances**

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests the waiver in its application as part of a plan to implement a SIG model beginning in the 2016-17 school year in a school that the SEA has approved it to serve. As such, the LEA may only implement the waiver in Tier I and Tier II schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.

**Waiver 5: Schoolwide Program Waiver**

Waive the 40 percent poverty eligibility threshold in section 1114(a)(1) of the ESEA to permit LEAs to implement a schoolwide program in a Tier I or Tier II Title I participating school that does not meet the poverty threshold and is fully implementing one of the seven school intervention models.

**Assurances**

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests to implement the waiver in its application. As such, the LEA may only implement the waiver in Tier I and Tier II schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.