



NEBRASKA

DEPARTMENT OF EDUCATION

April 23, 2020

To: Nebraska Public School Superintendents, Nebraska Nonpublic School Superintendents and ESU Administrators

CC: State Board of Education, Commissioner's Cabinet, and NDE Leadership

RE: Commissioner's Message Regarding ESEA Fiscal Waiver

Greetings,

This message serves to update you on some flexibilities that are now available to Districts due to a Fiscal Waiver Nebraska received from the US Department of Education (ED).

The process for waiving the carryover timelines, which would provide another year to LEAs of obligation and liquidation for most ESEA federal grants, and other programmatic and fiscal requirements was provided to NDE on Saturday, April 4, 2020. NDE applied for, and received approval of the waiver on Thursday, April 9, 2020 with the formal approval letter arriving on Tuesday, April 21st for the following items.

Waiver Item	Allowable Action
15 percent carryover limitation for Title I, A funds from 2019-2020	LEAs can carry over any Title I, A unspent funds into the 20-21 fiscal year, without the need for a carryover waiver
Obligation and liquidation deadlines for federal funds from 2018-2019	For Title I, A carryover from 2018-2019, as well as the original FFY 2018 allocations from Title II, Title III, Title IV, Title IC, Title ID Subpart 1 and 2, 21st Century CLC, RLIS, and McKinney-Vento all are available to obligate through September 30, 2021 and liquidate through December 15, 2021. IDEA Special Education funds were not allowed in this waiver request. The obligation and liquidation deadlines for funds from 2019-2020 are not extended at this time.
Title IV, A minimum thresholds for well-rounded education (20%), social-emotional (20%), and any figure on technology integration, and the 15% limit on technology infrastructure	LEAs may amend the FFY 2018 (2018-2019) or FFY 2019 (2019-2020) Title IV, A grants without the need to ensure the minimum or maximum thresholds are met.
Definition of professional development under 8101(42)	LEAs may utilize their applicable federal funds to conduct time-sensitive, one-time, or stand-alone professional development focused on supporting your educators to provide effective distance learning

Stakeholders have the opportunity to provide public comment regarding the waiver [HERE](#). It can also be found on the main page of the NDE website along with the approval letter.

Updated obligation and liquidation deadlines are below. In short, the carryover funds from 2018-2019, with an additional year extension, now have the same obligation and liquidation deadlines as the funds from 2019-2020. No action is needed from the LEA, as NDE is unilaterally extending these deadlines for all LEAs for the carryover funds from 2018-2019 and the carryover limitation from 2019-2020 for Title I-A. A waiver to extend funds from 2019-2020 was not provided at this time by ED.

Grant	Updated Obligation Deadline	Updated Liquidation Deadline
Title I, A carryover from 2018-2019	September 30, 2021	December 31, 2021
Title II, A from FFY 2018 (2018-2019)	September 30, 2021	December 31, 2021
Title III, A from FFY 2018 (2018-2019)	September 30, 2021	December 31, 2021
Title IV, A from FFY 2018 (2018-2019)	September 30, 2021	December 31, 2021
Title IV, B 21st Century Community Learning Centers	September 30, 2021	December 31, 2021
Title I, C Migrant from 2018-2019	September 30, 2021	December 31, 2021
Title I, D Delinquent for Subpart 1 (IDOC) and Subpart 2 (LEAs) from 2018-2019	September 30, 2021	December 31, 2021
RLIS from 2018-2019	September 30, 2021	December 31, 2021
Grant	Updated Obligation Deadline	Updated Liquidation Deadline
Title I, A 2019-2020	Remains the same as of now, September 30, 2021 (15% carryover limitation removed)	December 31, 2021
Title II, A from FFY 2019	September 30, 2021	December 31, 2021
Title III, A from FFY 2019	September 30, 2021	December 31, 2021
Title IV, A from FFY 2019	September 30, 2021	December 31, 2021
Title I, C Migrant from 2019-2020	September 30, 2021	December 31, 2021
Title I, D Delinquent for Subpart 1 (IDOC) and Subpart 2 (LEAs) from 2019-2020	September 30, 2021	December 31, 2021
RLIS from 2019-2020	September 30, 2021	December 31, 2021

Future guidance on the CARES Act will be shared when available.

If you have questions, please don't hesitate to contact your ESEA federal programs consultant or Beth Wooster, Administrator of the Office of ESEA Federal Programs, at 402-471-2452 or beth.wooster@nebraska.gov.

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Commissioner of Education