



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

September 15, 2022

The Honorable Matt Blomstedt
Commissioner of Education
Nebraska Department of Education
301 Centennial Mall South
Lincoln, NE 68509-4987

Dear Commissioner Blomstedt:

I am writing in response to Nebraska's August 15, 2022, request that the U.S. Department of Education (Department) waive, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), the requirements enumerated below on behalf of Nebraska and its subgrantees (e.g., local educational agencies (LEAs)) as a result of ongoing challenges related systems transition to the State's new electronic grants management platform:

- Carryover limitation in section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESEA) for Federal fiscal year (FY) 2021 Title I, Part A funds (i.e., the Title I, Part A funds that will become carryover funds on October 1, 2022): to waive the requirement that limits an SEA's ability to grant to its LEAs a waiver of the 15 percent Title I, Part A carryover limitation in section 1127(a) to once every three years.
- Period of availability of funds in section 421(b) of the General Education Provisions Act (GEPA): to extend the period of availability of FY 2020 funds for programs in which Nebraska participates under its approved consolidated ESEA State plan until September 30, 2023. The programs are:
 - Title I, Part A of the ESEA (Improving Basic Programs Operated by LEAs), including the portions of the SEA's Title I, Part A award used to carry out section 1003 school improvement, section 1003A direct student services, if applicable, and Title I, Part D, Subpart 2
 - Title I, Part B of the ESEA (State Assessment Formula Grants)
 - Title I, Part C of the ESEA (Education of Migratory Children)
 - Title I, Part D, Subpart 1 of the ESEA (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk)
 - Title II, Part A of the ESEA (Supporting Effective Instruction)
 - Title III, Part A of the ESEA (English Language Acquisition, Language Enhancement, and Academic Achievement)
 - Title IV, Part A of the ESEA (Student Support and Academic Enrichment Grants)
 - Title V, Part B, Subpart 2 of the ESEA (Rural and Low-Income School Program)
 - McKinney-Vento Education for Homeless Children and Youth Program

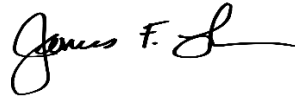
After reviewing Nebraska's request, I am pleased to approve a waiver of the requirements listed above.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

I appreciate the work you and your staff are doing to help support students and schools in Nebraska. The Department is committed to supporting you and your subgrantees. If you have any questions about this waiver, please contact my staff at OESE.TitleI-a@ed.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "James F. Lane". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James F. Lane, Ed.D.
Senior Advisor, Office of the Secretary
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

cc: Beth Wooster, Nebraska Department of Education