



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

October 18, 2023

The Honorable Brian Maher
Commissioner
Nebraska Department of Education
P.O. Box 94987
Lincoln, NE 68509-4987

Dear Commissioner Maher:

I am writing in response to Nebraska's request on September 29, 2023, that the U.S. Department of Education (Department) waive, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), the requirement enumerated below on behalf of Nebraska and its subgrantees (e.g., local educational agencies (LEAs)):

- Period of availability of funds in section 421(b) of the General Education Provisions Act: to extend the period of availability of FY 2021 funds for programs in which the State participates under its approved consolidated ESEA State plan until September 30, 2024. 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 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)

After reviewing Nebraska's request, I am approving a waiver of these requirements for the programs listed above. 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,

Adam Schott
Deputy Assistant Secretary for Policy and Programs
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

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