



## FACT SHEET

### REPORTING & RECORDING FEDERAL INTEREST



As a pass-through entity for Federal Education funds, the Nebraska Department of Education (NDE) is providing this fact sheet to assist Federal program subrecipients.

This information is being provided by the NDE as general compliance guidance only. Subrecipients of Federal funds should refer to the full text of the regulations which can be found at [Electronic Code of Federal Regulations \(eCFR\)](#) when developing and implementing policies.

Subrecipients of Federal funds are solely responsible for meeting all applicable Federal regulations.

**This document is not a substitute for the advice of your own attorney and/or law firm licensed to practice law in the state of Nebraska. In reading and applying Federal law, the NDE recommends LEAs seek and obtain the advice of counsel with questions of application, interpretation, and/or to ensure that use of this information is appropriate to your particular situation.**

## Federal Guidance

[United States Department of Education Federal Interest Notice & FAQ](#)

## Reporting & Recording Federal Property Interest

### Annual Real Property Reporting Requirement

The requirement to report a real property interest due to a renovation, major remodeling, construction, or real property project must be submitted annually to the SEA in the form of a Real Property Status Report applicable to each parcel of real property acquired or improved by Federal funds. ED states that OMB regulations require all recipients of federal funding to report annually, for at least the first 15 years, on the status of the real property in which the Federal government has made a monetary investment and therefore has an ongoing interest. There is no minimum amount for this threshold to warrant a report.

### **Real Property Status Report Forms**

(Cover Page) (SF-429) and other applicable Standard Form 429 Attachments (A or C). A grantee will submit the cover page form and Attachment A or Attachment C to: [nde.bgmhelp@nebraska.gov](mailto:nde.bgmhelp@nebraska.gov). Attachment C is used when there is a real property disposition (see 2 CFR 200.310-200.330).

Forms available at: [Grants.gov](#) > Forms > Forms Repository > Post-Award Reporting Forms

**Reporting is required to the NDE Program 90 days after the end of the program year. Subsequent reporting required annually for a minimum of 15 years. The deadline for reporting is December 30, 2024.**



## Notice of Federal Interest Requirement

Subgrantees with a renovation, major remodeling, construction, or real property project where the Federal interest is significant— typically, that use more than \$1 million in COVID-19 relief funds—must record the notice of Federal interest (NFI) in the official real property records for the jurisdiction in which the improved or purchased property is located. For specific examples of the types of case-by-case situations where the Department may yet require recording even though a project is under \$1 million or may not require recording, please see USED’s resource below. **All grantees and subgrantees that have a renovation, major remodeling, construction, or real property project of \$1 million or more in funds from these programs must record all NFIs by January 28, 2025.**

Date	Task	Contact/Resource
By December 30, 2024	Real Property Status Report – Submit report (SF 429 and Attachment A or C)	<a href="mailto:nde.bgmhelp@nebraska.gov">nde.bgmhelp@nebraska.gov</a>
By January 28, 2025	Notice of Federal Interest (NFI) – For ESSER projects of \$1 million and more in ESSER funds must record all NFIs.	<a href="mailto:nde.bgmhelp@nebraska.gov">nde.bgmhelp@nebraska.gov</a>

## Federal Interest Reporting Steps

**Step One:** Complete the Cover Page form. Refer to question and answer document for assistance completing the form.

**Step Two:**

- **If no Federal funding was used** on a renovation, major remodeling, construction, or real property (building, land, or land improvements)
  - On line 9 comments enter no real property.
  - Return the form to NDE by December 30, 2024 to [nde.bgmhelp@nebraska.gov](mailto:nde.bgmhelp@nebraska.gov)
  - This completes your requirement for reporting, not additional steps needed.
- **If Federal funding was used** on a renovation, major remodeling, construction, or real property (building, land, or land improvements)
  - Move to Step Three.

**Step Three:** Reporting Real Property

- Fill out a separate Form A for each real property being reported.
- Return each Form A with your Cover Page by December 30, 2024, to [nde.bgmhelp@nebraska.gov](mailto:nde.bgmhelp@nebraska.gov)
- **Note:** Review instructions in Section B for assistance.
- **Annual requirement:** you are required to complete a separate Form A for each real property being reported and note if any changes in status of property.
- If reporting real property on Form A that is one million or greater or a significant interest.
  - **Note:** Review question 1 on Q&A that defines significant interest for assistance.
  - Move to Step Four.



**Step Four: Reporting Real Property One Million Dollars or Greater**

- You must record the notice of Federal Interest in the official real property records for the jurisdiction in which the improved or purchased property is located.
- Once published send documentation of publishing by January 28, 2025, to [nde.bgmhelp@nebraska.gov](mailto:nde.bgmhelp@nebraska.gov)
- **Note:** This is a one-time reporting requirement.

**Note:** Noncompliance could result in a reduction in funding or other actions per 2 CFR 200.339 should reporting not occur.

## Federal Compliance Monitoring

As part of NDE's annual Federal Compliance Monitoring program, NDE staff will review agency policy and procedure records. Grant Compliance Auditors will conduct these reviews using the requirements outlined in 2 CFR Part 200, along with other applicable federal regulations and guidelines.

## Technical Assistance

Any questions relative to the contents of this document, please contact: [nde.bgmhelp@nebraska.gov](mailto:nde.bgmhelp@nebraska.gov).

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