



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

November 18, 2025

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 26, 2025, 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)):

- Period of availability of funds in section 421(b) of the General Education Provisions Act: to extend the period of availability of FY 2023 funds for programs in which the State participates under its approved consolidated ESEA State plan until September 30, 2026. 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 IV, Part A of the ESEA (Student Support and Academic Enrichment Grants)
 - Title IV, Part B of the ESEA (21st Century Community Learning Centers)

After reviewing Nebraska's request, I am approving a waiver of these requirements for the programs listed above. For the programs listed above, the approval extends the period of availability for obligation until September 30, 2026. The Department will carefully review any future request to an extension of the period of availability. I encourage you and your subgrantees to obligate and draw down funds by the established deadlines.

Thank you for the work you are doing to support students in Nebraska. If you have any questions about this waiver, please contact my staff at OESE.TitleI-a@ed.gov.

Sincerely,

Hayley B. Sanon
Principal Deputy Assistant Secretary and Acting
Assistant Secretary
Office of Elementary and Secondary Education

cc: Beth Wooster, Nebraska Department of Education

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
www.ed.gov

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