



PROPOSED AGENDA ITEM RATIONALE

DATE: September 16, 2026

TO: Dr. Brian L. Maher
Commissioner of Education

FROM: Amy Rhone, Administrator – The Office of Special Education

PROPOSED AGENDA ITEM: Action Item: Subaward to carry out the Federal IDEA Part D -SPDG grant activities. (BF.082026.002)

AGENDA ITEM TYPE (contract/grant/rule/program/other): Grant

RATIONALE/BACKGROUND INFORMATION:

Pursuant to the requirements of the federal Individuals with Disabilities Education Act, Part D, State Personnel Development Grant funds must be used by states to carry out activities identified within the federally approved State Personnel Development Grant. The Office of Special Education is requesting approval to use Part B discretionary grant funds to establish a special project with Educational Service Unit 6 to provide additional professional learning, technical assistance, coaching support, and resource development necessary to complete the remaining objectives and deliverables of Nebraska's current State Personnel Development Grant, which is scheduled to end in October 2027.

The proposed special project meets the federal subgranting requirements contained in 2 C.F.R. § 200.331 because ESU 6 will carry out a portion of the federal award for the public purpose identified in the approved grant. ESU 6 will work in partnership with the Nebraska Department of Education, Office of Special Education, to expand the availability of training and implementation resources, strengthen statewide and regional capacity, and ensure that the products and professional learning developed through the grant remain available to Nebraska schools beyond the conclusion of the federal award.

Nebraska students and educators have benefited from the opportunities, training, coaching, and resources supported through the State Personnel Development Grant. For more than a decade, Nebraska has used successive SPDG awards to strengthen educator capacity and improve student outcomes through the implementation of Positive Behavioral Interventions and Supports within a multitiered system of support. Earlier grant activities focused largely on schoolwide and classroom-level Tier 1 practices. In recent years, Nebraska has experienced increased demand from educators and school systems for additional training and support related to more intensive Tier 2 and Tier 3 behavioral interventions.

Nebraska schools continue to experience significant implementation challenges, including educator turnover, changes in district and school leadership, increasing student social-emotional and behavioral needs, and the

need for more consistent access to evidence-based behavioral supports. These conditions make it important to use the remaining grant period to strengthen the training infrastructure, finalize high-quality resources, and build the capacity of state, regional, and local personnel to sustain the work after the federal grant ends. In October 2022, the Nebraska Department of Education, Office of Special Education, was awarded a five-year State Personnel Development Grant. The award continues work that began with Nebraska's original SPDG award in 2011 and supports a comprehensive plan to improve the social, emotional, and behavioral outcomes of students with disabilities. The grant promotes the implementation of developmentally appropriate, evidence-based behavioral interventions and the long-term sustainability of those practices within an integrated multitiered system of support.

The current grant is organized around four objectives:

1. Increase access to professional development opportunities that support Nebraska schools in implementing PBIS as a multitiered system of support for behavior with fidelity.
2. Provide tailored implementation and coaching support to participating districts to strengthen leadership-team capacity and sustain research-based practices.
3. Increase the capacity of state and district personnel to train educators and support the implementation of PBIS research-based practices.
4. Increase educator awareness of inclusive practices and reduce the use of exclusionary practices for students with disabilities.
- 5.

The State Board of Education accepted the current SPDG award in October 2022. As the grant enters its final phase, the Office of Special Education proposes establishing a special project with ESU 6 to support the successful completion and sustainability of the grant's approved activities.

Through this special project, ESU 6 will support work that may include:

- Developing and delivering additional professional learning related to Tier 2 and Tier 3 PBIS practices;
- Expanding training and coaching resources for school and district leadership teams;
- Creating facilitator guides, implementation tools, training materials, and other resources that can be used statewide;
- Supporting the development of state, regional, and local trainer and coaching capacity;
- Organizing and refining existing SPDG resources into an accessible and sustainable statewide collection;
- Assisting with implementation support for participating districts and schools;
- Supporting professional learning related to inclusive practices and the reduction of exclusionary discipline;
- Assisting with dissemination and transition planning as the federal grant approaches its conclusion; and
- Completing other approved SPDG activities necessary to meet the objectives, performance measures, and deliverables contained in Nebraska's federal grant award.

This special project will allow Nebraska to maximize the remaining federal award, respond to identified district and educator needs, and ensure that the knowledge, tools, training materials, and implementation supports developed through the SPDG are sustained after the grant ends in October 2027. The project will also strengthen Nebraska's statewide infrastructure for supporting positive behavioral interventions, inclusive practices, and improved outcomes for students with disabilities.

Approval of this special project will authorize the Nebraska Department of Education, Office of Special Education, to enter into an agreement with Educational Service Unit 6 and use available Part D grant funds for activities consistent with Nebraska's approved State Personnel Development Grant and applicable federal requirements.

STATUTORY/POLICY REFERENCE:

Individuals with Disabilities Education Act (IDEA), Part D, Subpart 2—State Personnel Development Grants, 20 U.S.C. §§ 1462–1465; 34 C.F.R. §§ 300.700–300.714; 2 C.F.R. § 200.331. Neb. Rev. Stat. §§ 79-3601 through 79-3606 (Behavioral Intervention Training and Teacher Support Act), requiring statewide behavioral awareness training, teacher support systems, and evidence-based training in positive behavior support, proactive teaching strategies, and de-escalation techniques.

STRATEGIC PLAN ALIGNMENT:

Strategic Priority 1: Accelerate Student Achievement

Strategic Outcome 1.1: Improved Student Achievement

This special project supports the implementation of evidence-based Positive Behavioral Interventions and Supports (PBIS), inclusive practices, and coaching systems that strengthen educators' ability to improve the social, emotional, behavioral, and academic outcomes of students with disabilities.

Strategic Priority 2: Grow the Educator Pipeline

Strategic Outcome 2.1: Increased Supply of Teachers

The project expands professional learning, coaching, and resource development that strengthens educator effectiveness, supports ongoing professional growth, and builds the capacity of school personnel to implement evidence-based behavioral practices with fidelity, contributing to educator retention and long-term workforce sustainability.

PROPOSED BOARD MEETING (MONTH/YEAR): August 2026

ESTIMATED COST: \$100,000.00

FOR CONTRACTS AND GRANTS:

- Indicate the Funding Source: Federal – Part D; State Personnel Development Grant
- New or Renewal: New
- If renewal, date of first approval:

FOR NEW CONTRACTS OR OTHER CONTRACTS REQUIRING PROCUREMENT:

- Indicate the method of procurement:
- Rationale for method of procurement:

- Rationale for contractor selection:

FOR GRANT SUBAWARDS:

- The Office of Special Education proposes entering into a subaward agreement with Educational Service Unit 6 (ESU 6) to carry out a portion of Nebraska's federally funded State Personnel Development Grant (SPDG) activities through the conclusion of the grant period in October 2027.

The selection of ESU 6 is based on its demonstrated expertise, statewide experience, and existing capacity to support the implementation of the approved objectives and activities contained within Nebraska's federally approved State Personnel Development Grant. ESU 6 has an established history of partnering with the Nebraska Department of Education to provide statewide professional learning, coaching, technical assistance, and resource development in support of evidence-based practices and has the infrastructure necessary to successfully complete the remaining grant deliverables within the required federal timelines.

Consistent with Neb. Rev. Stat. §§ 81-1712 through 81-1725 and Nebraska procurement requirements, this agreement is a subaward to an Educational Service Unit, which is a political subdivision of the State of Nebraska. As a result, the Office of Special Education is not required to conduct a competitive procurement process when entering into an intergovernmental agreement with an Educational Service Unit for the performance of public educational services authorized by law.

Additionally, this agreement is not a procurement contract for goods or services. Rather, it is a federal subaward governed by 2 C.F.R. § 200.331, under which ESU 6 will carry out a substantive portion of the federally approved State Personnel Development Grant for a public purpose identified in the grant award. As a subrecipient, ESU 6 will be responsible for implementing grant activities, meeting applicable federal program requirements, collecting and reporting required performance data, maintaining appropriate fiscal controls, and complying with all applicable federal and state grant requirements.

The proposed subaward is also consistent with the requirements of the Individuals with Disabilities Education Act (IDEA), Part D, Subpart 2—State Personnel Development Grants (20 U.S.C. §§ 1462–1465; 34 C.F.R. §§ 300.700–300.714), which require grant funds to be used to carry out the activities and objectives contained within Nebraska's approved State Personnel Development Grant. The activities supported through this agreement—including statewide professional learning, coaching, implementation support, resource development, and sustainability planning—directly advance the approved goals and performance measures of Nebraska's SPDG and are necessary to successfully complete the grant prior to its expiration in October 2027.

The Office of Special Education will maintain oversight of the subaward through established subrecipient monitoring procedures consistent with 2 C.F.R. §§ 200.331–200.333, including review of programmatic progress, fiscal accountability, performance reporting, and compliance with all applicable federal and state requirements.