

# Public comment sought on Nebraska waivers for flexibility on K-12 Title IV, Part A education funding

The Nebraska Department of Education (NDE) is accepting public comments for Nebraska Title IV, Part A waivers for flexibility under the Student Support and Academic Enrichment Grant Program – Title IV, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) – in light of the continued disruption to learning caused by COVID-19.

Pursuant to the authority under section 8401(b) of the ESEA, the U.S. Department of Education (USED) is inviting Nebraska to request a waiver, on behalf of local educational agencies (LEAs), of one or more of the following requirements in Title IV, Part A of the ESEA:

- Section 4106(d) of Title IV, Part A of the ESEA, related to LEA needs assessments for the 2020-2021 school year;
- Section 4106(e)(2)(C), (D), and (E) of Title IV, Part A of the ESEA, with respect to content-area spending requirements for federal fiscal year (FY) 2020 Title IV, Part A funds; and
- Section 4109(b) of Title IV, Part A of the ESEA, with respect to the 15% spending limitation for technology infrastructure for FY 2020 Title IV, Part A funds.

Please note that all other requirements in Title IV, Part A of the ESEA would continue to apply.

NDE previously requested and received a waiver of these provisions for the 2019-2020 school year and FYs 2018 and 2019 Title IV, Part A funds under the waiver authority of section 3511 of the Coronavirus Aid, Relief and Economic Security Act. However, that act did not provide authority to extend the waiver.

USED is inviting a similar waiver under ESEA section 8401 for the 2020-2021 school year and FY 2020 Title IV, Part A funds. If approved, NDE would be able to permit a district or consortium of LEAs to use Title IV, Part A funds to best meet its needs without regard to content-area spending requirements, spending limits on technology infrastructure, or completing a needs assessment.

Public comment in regard to this must be received by 5 p.m. CT on January 7, 2021.

Comments may be emailed to Dottie Heusman at [dottie.heusman@nebraska.gov](mailto:dottie.heusman@nebraska.gov) or submitted to Dottie Heusman, Education Specialist III, Nebraska Department of Education, ESEA Programs, 301 Centennial Mall South, Lincoln, NE 68508.