

Notice of Public Comment

Nevada Department of Education (NDE)

Elementary and Secondary Education Act of 1965 (ESEA) 2020-2021 Fiscal Waiver

August 31, 2021

This is a public notice for the following waiver request from the Nevada Department of Education (NDE) to the U.S. Department of Education (USED).

NDE plans to submit a waiver request that will afford additional fiscal flexibilities for certain funds under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by every Student Succeeds Act (ESSA) on behalf of Nevada's local educational agencies (LEAs). This waiver has been offered by USED to state educational agencies (SEAs) due to the continued extraordinary circumstances created by the COVID-19 pandemic and unprecedented challenges students, educators, staff, and schools faced during the 2020-2021 school year.

Pursuant to the authority under section 8401 of the ESEA, the flexibilities requested in this waiver include the following provisions:

- Section 1127(b) of Title I, Part A of the ESEA so that NDE may waive, more than once every three years, if necessary, the 15 percent carryover limitation in ESEA section 1127(a) for federal FY 2020/2020-2021 school year Title I, Part A funds. These funds provide financial assistance to (LEAs) and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards.
- Section 421(b) of the General Education Provisions Act (GEPA) to extend the period of availability of FY 2019/2019-2020 funds for programs in which NDE participates under its approved consolidated State plan until September 30, 2022.

These flexibilities will allow LEAs to strategically plan for these funds and thus more effectively provide the supports needed by schools and students in these challenging times as schools continue to navigate onsite, virtual, and hybrid structures as a result of the pandemic.

Please submit public comment regarding this waiver via the following link: [Nevada Federal ESEA 2020-2021 Fiscal Waiver Public Comment Form](#).

Public comment will be accepted for seven (7) days following the date of release of this notification.