



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

September 24, 2019

The Honorable Matthew Blomstedt
Commissioner of Education
Nebraska Department of Education
P.O. Box 94987
Lincoln, NE 68509-4987

Dear Commissioner Blomstedt:

I am writing because the Nebraska Department of Education (NDE) recently clarified to the U.S. Department of Education (Department) that it did not identify schools in which any subgroup of students, on its own, performed as poorly as the lowest-performing five percent of Title I, Part A schools identified for comprehensive support and improvement (i.e., NDE did not identify schools for additional targeted support and improvement (ATSI)) during the 2018-2019 school year as required by the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESEA). Each State educational agency (SEA) was required to notify local educational agencies (LEAs) of any schools that were identified as ATSI in the beginning of the 2018-2019 school year and require those schools to develop and implement school-level targeted support and improvement plans. (ESEA sections 1111(d)(2)(C), 1111(d)(2)(D); dear colleague letter dated April 10, 2017, available at: www2.ed.gov/policy/elsec/leg/essa/dcltr410207.pdf).

Because NDE did not identify schools for ATSI in the 2018-2019 school year, pursuant to the authority in 2 C.F.R. §§ 200.207 and 3474.10, I am placing NDE's fiscal year 2019 Title I, Part A grant award on "high-risk" status. In order to remove the high-risk status for its Title I, Part A grant award, NDE must provide evidence that it identified ATSI schools consistent with ESEA section 1111(d)(2)(C) and the State's approved consolidated State plan as soon as possible, but no later than October 31, 2019, using the most recently available data (i.e., from either the 2017-2018 or the 2018-2019 school year). If NDE fails to meet this requirement, the Department may take additional enforcement action, including withholding a portion of the State's Title I, Part A administrative funds, consistent with section 1111(a)(7) of the ESEA.

NDE may request reconsideration of its "high-risk" designation for Title I, Part A by submitting to me in writing, no later than 10 business days from the date of this letter, a detailed description setting forth the basis for its belief that this designation is improper, including the specific facts that support its position. If NDE chooses to request such reconsideration, that request must be submitted via e-mail to: OESE.titlei-a@ed.gov. If I do not receive a request for reconsideration within 10 business days, NDE's "high-risk" status for Title I, Part A will be considered final, and will be lifted only upon evidence of its completion of the action set forth above.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

In addition, because NDE did not require any supports or interventions be provided to identified schools in the 2018-2019 school year, I am placing a condition on NDE's Title I, Part A grant. In order to remove the condition, NDE must provide evidence, by no later than March 1, 2020, that ATSI schools in the State are implementing support and improvement plans consistent with the requirements in ESEA section 1111(d)(2) (e.g., including evidence-based interventions and resource inequity reviews) in the 2019-2020 school year (i.e., schools identified for the 2019-2020 school year are not permitted to have a planning year).

If you have any questions regarding this letter, or the implementation of NDE's Title I, Part A program, please contact my staff at: OESE.titlei-a@ed.gov.

Finally, thank you for your commitment and continued focus on enhancing education for all of Nebraska's students.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

cc: Beth Wooster, Administrator of Federal Program