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August 5<sup>th</sup>, 2024 (sent via email only)

Secretary Cardona  
U.S. Department of Education  
Lyndon Baines Johnson Department of Education Building  
400 Maryland Ave, SW  
Washington, D.C. 20202

RE: Tydings waiver under Section 421(b) of the General Education Provisions Act

Secretary Cardona:

The New Hampshire Department of Education (NHED) hereby submits this letter to formally request a Tydings waiver under Section 421(b) of the General Education Provisions Act to extend the availability of fiscal year 2023 Title I B funds (84.369A) under which the NHED is the participating eligible agency. The NHED understands that the period of availability for this extension would cover 7/1/2023 through 9/30/2025 and that all funds must be obligated during this period.

The NHED has specific needs related to the implementation and on-going operation of its federal assessment and accountability program and plans to use the current fund balance under this waiver request in the federal FY23 grant to accomplish the following key projects:

- NHED is engaged in building out its assessment item bank and will be engaged in expanding new item development that was started in FY23. The new item development during the most recent fiscal year included science items only. In the coming fiscal year, NHED plans to add Reading/Writing and Mathematics item development in addition to increasing the science item development. This work will benefit New Hampshire schools by introducing new quality items to the statewide assessment while simultaneously involving New Hampshire teachers in the assessment development process.
- NHED formally created a new Bureau of Assessment and Accountability in FY23 (previously assessment and accountability offices were in different Divisions within the Department). The Bureau spent significant time and planning to organize resources this past year, identify necessary policies and procedures, and build out the structure of the new Bureau, including hiring on additional staff and positions. With new staff and positions comes new training, support, and technical assistance. This work will allow all members of the NHED assessment and accountability bureau to provide the highest level of services to schools and districts.
- NHED remains committed to enhancing its statewide longitudinal data systems in collaboration with the Institute of Education Sciences (IES). Work continues in partnership with the SLDS grant that the state was awarded in FY19. The allocated resources in Title I B from FY23 will

play a pivotal role in continuing to furnish NHED with the essential support, time, and workforce required to seamlessly integrate assessment and accountability data systems into the comprehensive statewide data system revamp. This endeavor will additionally enhance the state's capacity to assemble, validate, and transmit EdFacts data submissions, encompassing data elements procured from assessment and accountability initiatives.

- NHED conducted a new cycle of designations in the Fall of 2023. This new designation was based upon an updated set of criteria approved through an amendment to the NH state ESSA plan and schools and districts are receiving training and technical assistance in using and understanding assessment data and school improvement criteria. Funds from FY23 will continue to support these efforts through personnel expenditures, training, technical assistance to the field, and data systems collection and analysis.
- The state continues to provide resources to local schools and districts in understanding, interpreting, and using assessment and accountability data, and the funds in this Tydings waiver will continue to support the state level work involved in supporting local schools and districts in the appropriate use, access, and interpretation of summative assessment data and accountability indicators.
- NHED was recently selected to receive an audit of its state and local report cards. While NHED is waiting for the final report, there were several areas identified during the desk monitoring that will need to be corrected or expanded. The state will continue to update and improve the functionality of the state and local report cards, as required under ESEA, ensuring that all elements identified in this recent audit are corrected. Funds from FY21 will be used to support this work.
- NHED is rolling out an updated version of the Family Portal for New Hampshire parents and guardians to interact with their student's assessment results in a more parent friendly manner, including new translations in the top 3 languages spoken by multilingual families in New Hampshire. Funds will support the build out of this expanded and enhanced Family Portal.
- Continue to administer and oversee the state assessment and related federal accountability systems.

The process by which the state of New Hampshire approves fiscal expenditures is a unique method at the state level through a process that goes to the Governor and Executive Council (G & C). This can take anywhere from 3 to 5 months to secure an approval of expenditure. The projects described above utilizing FY23 funds require approval through G & C to fully encumber the funds, however, it is not possible to do so by the September 30 deadline.

If the waiver request is granted, the NHED assures that it will (1) use funds under the respective program in accordance with the provisions of all applicable statutes, regulations, program plans, and applications not subject to these waivers; and (2) work to mitigate any negative effects that may occur as a result of the requested waiver.

The NHED is seeking the extension of fund availability to ensure that federal assessment and accountability programs continue to meet the state's standards for high-quality and benefit New Hampshire's schools and students.

Sincerely,

Nate Greene, Ed. D.  
Bureau Administrator  
Assessment and Accountability