

Frank Edelblut
Commissioner



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September 8, 2021

The Honorable Miguel Cardona, Ed.D.
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Cardona:

The New Hampshire Department of Education (Department) hereby submits this letter to formally request a 2nd Tydings waiver under Section 421(b) of the General Education Provisions Act to extend the availability of fiscal year 2018 Title I B (CFDA 84.369A) under which the Department is the participating eligible agency. The Department understands that the period of availability for this extension would cover 7/1/2021 through 9/30/2022 and that all funds must be obligated during this period.

The state of New Hampshire entered a purchasing and hiring freeze during the state FY 20 and FY21 fiscal years (federal fiscal years FY18 and FY19), in response to the Covid pandemic. This occurred at the same time that there were key vacancies at the Department, including the Bureau of Educational Opportunities, Office of Accountability. Additionally, key aspects of the statewide assessment and accountability system did not occur during FY18, which resulted in available excess funds. The statewide purchasing freeze and extended vacancies and the limited assessment program implementation meant the state was unable to leverage all funds, which resulted in the excess balance reflected in the FY18 totals.

The Department has specific needs directly related to the implementation and on-going operation of its federal accountability program and plans to use the current fund balance under this waiver request in the federal FY18 grant to accomplish the following key projects:

The Department will be developing a comprehensive accountability procedures manual to serve multiple important goals including, 1) increased consistency and efficiency in process management, implementation, and staff training, 2) reduced risk of information loss due to staff transitions, and 3) improved internal and external transparency of accountability procedures and their uses. The project will be conducted in two general phases over the course of a year, including an audit of existing processes and procedures and the development and publication of the manual itself. The audit will be conducted primarily through staff interviews, shadowing, and document review. Audit results will be documented, and possible efficiencies identified. The accountability procedures manual will include comprehensive, step-by-step coverage of New Hampshire's accountability related processes and procedures, including relevant descriptions of their rationales, and schedules of critical path activities.

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The Department also plans to purchase a 3-year software license to the EScholar Matching program, which is designed to assist the state in identifying students who qualify for free and reduced lunch programs. Traditionally, the state has had high participation rates in the FFR program, however the pandemic resulted in a more than 25% reduction in participation efforts, which significantly impacted the state's ability to identify this particular at-risk sub-group of students for assessment and accountability efforts. It is extremely important to the Department that this sub-group of students be accurately and appropriately identified so that the accountability system captures the academic achievement and growth of this particular population of students that are most at-risk for educational disadvantage. The EScholar program will be used by the state in a pilot form to ensure that it meets the needs of capturing and verifying the appropriate student data.

Finally, the Department is continuing efforts to update its statewide longitudinal data systems through a partnership with the Institute of Education Sciences (IES), which awarded NH an SLDS grant this past year. The FY18 funds will assist the Department in providing the necessary resources, time and personnel to ensure that assessment and accountability data systems and collections are integrated with the statewide data system overhaul. This will also improve the ability of the state to collect, verify, and submit EdFacts data reporting, which includes data points gathered through the assessment and accountability programs.

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. This can take anywhere from 3 to 5 months to secure an approval of expenditure. The projects described above utilizing FY18 funds require approval through the Governor and Executive Council in order 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 Department 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; (2) work to mitigate any negative effects that may occur as a result of the requested waiver; and (3) provide the public and all subgrantees in the State with notice of, and the opportunity to comment on, this request by posting information regarding the waiver request and the process for commenting on the State website.

The projects stated above will vastly improve the state's ability to operate the accountability system in a more efficient manner. Given the yearlong state purchasing and hiring freeze and the necessity of approval through the Governor and Executive Council, the Department is seeking the extension of fund availability to ensure that these crucial programs are able to continue to benefit New Hampshire's schools and students.

Sincerely,



Frank Edelblut
Commissioner of Education

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