



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

October 27, 2017

The Honorable Frank Edelblut
Commissioner of Education
New Hampshire Department of Education
101 Pleasant Street
Concord, NH 03301

Dear Commissioner Edelblut:

I am writing in response to the New Hampshire Department of Education's (NHDOE) request to the U.S. Department of Education (the Department) on August 4, 2017 along with supplemental information submitted on August 6, August 13 and September 8, 2017 to extend the waiver allowing implementation of the New Hampshire Performance Assessment of Competency Education (PACE) Pilot. As you know, the Department originally approved this waiver on March 5, 2015 for the 2014-2015 and 2015-2016 school years, and extended the waiver on October 6, 2016 for the 2016-2017 school year. Through this waiver, subject to certain conditions, NHDOE was approved to pilot the PACE assessment system, a new system of locally developed, competency-based assessments in a small number of local educational agencies (LEAs) in some grades, in place of the Statewide assessments and to use the results in the State's accountability system.

After considering NHDOE's request, I am granting, pursuant to my authority under section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), a one-year extension of the waiver for the 2017-2018 school year for implementation in 14 LEAs and 45 schools within those LEAs. In granting this extension, I am waiving the following statutory requirements under Title I, Part A of the ESEA and their associated regulatory provisions: ESEA sections 1111(b)(1)(B) and 1111(b)(2)(B)(i), as amended by ESSA, which require a State educational agency to use the same academic achievement standards and assessments, respectively, for all public school children in the State. Each LEA implementing PACE will administer the NHDOE State assessments in reading/language arts and mathematics once each in elementary, middle, and high school and will administer PACE Pilot assessments in every other grade in which assessments are required under Title I and will use the results of all of the assessments administered in the State's accountability system. This waiver extension is granted because NHDOE sufficiently demonstrated that the innovative assessment system being developed will advance student academic achievement, continue to provide assistance to the populations participating in the PACE Pilot, and maintain or improve transparency in reporting to parents and the public on student achievement and school performance, as required in section 8401(b)(1) of the ESEA.

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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.

This waiver is granted to NHDOE subject to the following conditions:

1. NHDOE must submit the report required by the Department on October 6, 2016 regarding the PACE Pilot implementation during the 2016-2017 school year.
2. NHDOE must submit a report by October 31, 2018 on implementation of the PACE Pilot during the 2017-2018 school year that includes:
 - Description of how NHDOE addressed the recommendations in the State’s external evaluation of PACE, *The Formative Evaluation of New Hampshire’s Performance Assessment of Competency Education (PACE) Final Report*. Specifically, the report to the Department should include updates on:
 - Recommendation 2: Evaluate Effectiveness of Collaboration Methods
 - Recommendation 4: Infuse Equity and Accommodations Training into PACE Activities
 - Recommendation 6: Routinize Timely Reviews of Local Performance Tasks
 - Recommendation 10: Begin Tracking Performance from Year to Year
 - Updates for the 2017-2018 school year to information noted in the Department’s letter on October 6, 2016, specifically:
 - Summary of implementation during the 2017-2018 school year addressing the PACE Pilot overall and components, including PACE Common Performance Assessment, local performance assessments, and non-performance-based summative local assessments;
 - Achievement results and participation rates for the 2017-2018 school year;
 - Technical report for the 2017-2018 school year that updates completed and pending analyses in the comparability section of the technical report for the 2016-2017 school year and includes:
 - Findings and analysis from the review of local assessment maps;
 - Summary of the review of the technical quality of the common performance tasks;
 - Findings and analyses from the audit of local assessments (including local performance assessments and non-performance-based summative local assessments);
 - Summary and results of the review of local performance tasks for which all PACE Pilot LEAs will submit their summative non-“common” locally developed performance tasks for review;
 - Results of other planned implementation and technical analyses NHDOE identified in its extension request and attachments.

As you know, section 1204 of the ESEA, as amended by the ESSA, includes a new innovative assessment demonstration authority. On December 8, 2016 the Department published a notice of final rulemaking regarding this new authority. In the near future, the Department expects to release information about applying for that authority and the Department expects that future implementation of PACE will be contingent upon the State being approved under that authority.

This letter and the NHDOE’s waiver extension request will be posted on our website. Thank you for your continued commitment to enhancing education in New Hampshire, including your focus on developing new and innovative assessments to improve outcomes for New Hampshire’s students.

Page 3 – The Honorable Frank Edelblut

If you have questions or we can provide any further assistance as you implement PACE in 2017-2018, please contact Collette Roney or Tawanda Avery of my staff at: OSS.NewHampshire@ed.gov.

Sincerely,

/s/

Jason Botel
Acting Assistant Secretary

cc: Mariane Gfroerer, State Director