



New Hampshire ESEA Flexibility Request for Window 3

September 6, 2012

New Hampshire Department of Education
101 Pleasant Street
Concord, NH 03301-3494

Commissioner: Virginia M. Barry, Ph.D

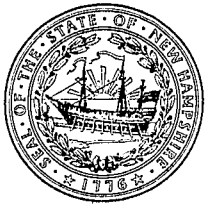
Vision Statement

The vision of the New Hampshire State Board of Education is to harness community resources and technology to provide a world class, personalized, student-centered education in a flexible, innovative learning environment that promotes active engagement to maximize the potential in every individual.

Mission Statement

The mission of the New Hampshire State Board of Education is to provide leadership, support, and oversight of the state's education system to ensure that every individual acquires the skills and knowledge to succeed in a competitive global economy and thrive as a 21st century citizen.

This page was intentionally left blank.



JOHN H. LYNCH
Governor

State of New Hampshire

OFFICE OF THE GOVERNOR

107 North Main Street, State House - Rm 208

Concord, New Hampshire 03301

Telephone (603) 271-2121

www.nh.gov/governor

governorlynch@nh.gov

September 6, 2012

Secretary Arne Duncan
Lyndon Baines Johnson
Department of Education Building
400 Maryland Ave, SW
Washington, DC 20202

Dear Secretary Duncan:

In your letter of September 23, 2011, inviting states to submit waiver requests from major provisions of the No Child Left Behind Act, you noted, "Over the past few years, States and districts have initiated groundbreaking reforms and innovations to increase the quality of instruction and improve academic achievement for all students." This has certainly been the case here in New Hampshire. During the past eight years, New Hampshire has lowered the high school dropout rate to less than one percent, while continuing to maintain some of the very highest standards for our students. New Hampshire's innovation and progress in reducing dropouts and implementing a student-centered, competency education system has been recognized as a model for other states across the nation.

Despite this progress, New Hampshire school districts are increasingly hampered by inflexible provisions of the No Child Left Behind Act. For this reason, I heartily endorse Commissioner Virginia Barry's waiver request on behalf of New Hampshire. We believe that New Hampshire has developed a ground-breaking waiver application, with an approach that will support our students, parents, and schools, over the next decade, with particular emphasis on schools with the greatest needs. The design of our new accountability system is transformative, with an aim to prepare all our students for college or a career once they leave high school.

This waiver request has been developed collaboratively, and has broad support from educators and education stakeholders across our state. We appreciate your review of New Hampshire's waiver request, and look forward to a favorable response. Please do not hesitate to contact me if you have any questions.

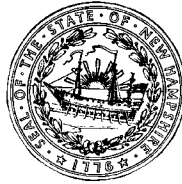
Sincerely,

A handwritten signature in black ink, appearing to read "John H. Lynch".

John H. Lynch
Governor

This page was intentionally left blank.

Virginia M. Barry, Ph.D.
Commissioner of Education
Tel. 603-271-3144



Paul K. Leather
Deputy Commissioner of Education
Tel. 603-271-3801

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
101 Pleasant Street
Concord, N.H. 03301
FAX 603-271-1953
Citizens Services Line 1-800-339-9900**

September 6, 2012

The Honorable Arne Duncan
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan:

The State of New Hampshire is pleased to present this flexibility request describing its vision for innovative approaches to improve student learning outcomes. Because of dedicated leaders and teachers, New Hampshire has a long history of education excellence and this excellence is derived from a strong commitment to a shared vision for student achievement. We appreciate this opportunity to accelerate our reform efforts.

The NHDOE has received widespread support of the waiver application, working extensively with multiple stakeholders, including educators, local and state policymakers, business leaders, and representatives from higher education and the community. Here in New Hampshire, we have approached the waiver process from the perspective that anything we do must be consistent with our collaborative efforts to enhance student learning at all levels. A competency education system, to which New Hampshire aspires, starts with a system of true college- and career-ready standards. These standards are implemented through a comprehensive networked strategy which connects and uses educator, school, and district development and supports as the foundation for our accountability system. The NHDOE networked system will have all stakeholders – teachers, leaders and the community – engaged and sharing the intention and desire to help every student reach proficiency – a theory of positive intent.

We look forward to hearing your feedback and providing any additional information that would be helpful.

Sincerely

A handwritten signature in cursive script that reads "Virginia M. Barry".

Virginia M. Barry, Ph.D.
Commissioner of Education

This page was intentionally left blank.

TABLE OF CONTENTS

CONTENTS		PAGE
Cover Sheet for ESEA Flexibility Request for Window 3		9
Waivers		10
Assurances		13
Consultation		15
Evaluation		17
Overview of SEA's Request for the ESEA Flexibility		19
Principle 1: College- and Career-Ready Expectations for All Students		23
1.A	Adopt college- and career-ready standards	23
1.B	Transition to college- and career-ready standards	23
1.C	Develop and administer annual, statewide, aligned, high-quality assessments that measure student growth	37
Principle 2: State-Developed Differentiated Recognition, Accountability, and Support		44
2.A	Develop and implement a State-based system of differentiated recognition, accountability, and support	44
2.B	Set ambitious but achievable annual measurable objectives	49
2.C	Reward schools	54
2.D	Priority schools	56
2.E	Focus schools	62
2.F	Provide incentives and supports for other Title I schools	68
2.G	Build SEA, LEA, and school capacity to improve student learning	73
Principle 3: Supporting Effective Instruction and Leadership		76
3.A	Develop and adopt guidelines for local teacher and principal evaluation and support systems	76
3.B	Ensure LEAs implement teacher and principal evaluation and support systems	97
Principle 4: Reducing Duplication and Unnecessary Burden		99

TABLE OF CONTENTS, CONTINUED

LABEL	LIST OF ATTACHMENTS	PAGE
1	Notice to LEAs	2
2	Comments on request received from LEAs (N/A), Letters of Support and Committee of Practitioners Q&A	3
3	Notice and information provided to the public regarding the request	26
4	Evidence that the State has formally adopted college- and career-ready content standards consistent with the State’s standards adoption process	27
5	Memorandum of understanding or letter from a State network of institutions of higher education (IHEs) certifying that meeting the State’s standards corresponds to being college- and career-ready without the need for remedial coursework at the postsecondary level (if applicable)	N/A
6	State’s Race to the Top Assessment Memorandum of Understanding (MOU) (if applicable)	35
7	Evidence that the SEA has submitted high-quality assessments and academic achievement standards to the Department for peer review, or a timeline of when the SEA will submit the assessments and academic achievement standards to the Department for peer review (if applicable)	N/A
8	A copy of the average statewide proficiency based on assessments administered in the 2011–2012 school year in reading/language arts and mathematics for the “all students” group and all subgroups (if applicable)	N/A
9	Table 2: Reward, Priority, and Focus Schools (redacted list)	36
10	A copy of the guidelines that the SEA has developed and adopted for local teacher and principal evaluation and support systems (if applicable)	N/A
11	Evidence that the SEA has adopted all of the guidelines for local teacher and principal evaluation and support systems	N/A
LABEL	LIST OF SUPPLEMENTAL ATTACHMENTS	PAGE
A	ESEA Waiver Working Teams and Other Relevant Task Force Members	38
B	CCSS Implementation Framework	49
C	Competency Validation Rubric	50
D	Conference Brochure: <i>The Changing World of Teaching and Learning</i>	53
E	White Paper: <i>Application to Students with Disabilities</i>	54
F	Wish List for CCSS Technical Assistance Networks	56
G	NECAP During the Transition to CCSS	59
H	Performance-Based Assessment Proposal with the CCE	60
I	New Hampshire’s Response to Instruction – Strategic Plan	72
J	State Summary of Evaluations Used by LEAs	84
K	Principal Evaluation Rubrics	87
L	State and Federal Reporting Requirements	96

COVER SHEET FOR ESEA FLEXIBILITY REQUEST

Legal Name of Requester:	Requester's Mailing Addr
<p>State Contact for the ESEA Flexibility Request:</p> <p>Name</p> <p>Position and Office:</p> <p>Contact's Mailing Address</p> <p>Telephone</p> <p>Fax</p> <p>Email address</p>	
Signature of State Representative (Printed Name):	Telephone
Signature of State Representative (Signature): <i>Virginia M. Barry</i>	Date
<p>The State, through its authorized representative, agrees to meet all principles of the ESEA Flexibility.</p>	

WAIVERS

By submitting this flexibility request, the SEA requests flexibility through waivers of the ten ESEA requirements listed below and their associated regulatory, administrative, and reporting requirements by checking each of the boxes below. The provisions below represent the general areas of flexibility requested; a chart appended to the document titled *ESEA Flexibility Frequently Asked Questions* enumerates each specific provision of which the SEA requests a waiver, which the SEA incorporates into its request by reference.

- 1. The requirements in ESEA section 1111(b)(2)(E)-(H) that prescribe how an SEA must establish annual measurable objectives (AMOs) for determining adequate yearly progress (AYP) to ensure that all students meet or exceed the State's proficient level of academic achievement on the State's assessments in reading/language arts and mathematics no later than the end of the 2013–2014 school year. The SEA requests this waiver to develop new ambitious but achievable AMOs in reading/language arts and mathematics in order to provide meaningful goals that are used to guide support and improvement efforts for the State, LEAs, schools, and student subgroups.
- 2. The requirements in ESEA section 1116(b) for an LEA to identify for improvement, corrective action, or restructuring, as appropriate, a Title I school that fails, for two consecutive years or more, to make AYP, and for a school so identified and its LEA to take certain improvement actions. The SEA requests this waiver so that an LEA and its Title I schools need not comply with these requirements.
- 3. The requirements in ESEA section 1116(c) for an SEA to identify for improvement or corrective action, as appropriate, an LEA that, for two consecutive years or more, fails to make AYP, and for an LEA so identified and its SEA to take certain improvement actions. The SEA requests this waiver so that it need not comply with these requirements with respect to its LEAs.
- 4. The requirements in ESEA sections 6213(b) and 6224(e) that limit participation in, and use of funds under the Small, Rural School Achievement (SRSA) and Rural and Low-Income School (RLIS) programs based on whether an LEA has made AYP and is complying with the requirements in ESEA section 1116. The SEA requests this waiver so that an LEA that receives SRSA or RLIS funds may use those funds for any authorized purpose regardless of whether the LEA makes AYP.
- 5. The requirement in ESEA section 1114(a)(1) that a school have a poverty percentage of 40 percent or more in order to operate a schoolwide program. The SEA requests this waiver so that an LEA may implement interventions consistent with the turnaround principles or interventions that are based on the needs of the students in the school and designed to enhance the entire educational program in a school in any of its priority and focus schools that meet the definitions of "priority schools" and "focus schools," respectively, set forth in the document titled *ESEA Flexibility*, as appropriate, even if those schools do not have a poverty percentage of 40 percent or more.

- 6. The requirement in ESEA section 1003(a) for an SEA to distribute funds reserved under that section only to LEAs with schools identified for improvement, corrective action, or restructuring. The SEA requests this waiver so that it may allocate section 1003(a) funds to its LEAs in order to serve any of the State’s priority and focus schools that meet the definitions of “priority schools” and “focus schools,” respectively, set forth in the document titled *ESEA Flexibility*.
- 7. The provision in ESEA section 1117(c)(2)(A) that authorizes an SEA to reserve Title I, Part A funds to reward a Title I school that (1) significantly closed the achievement gap between subgroups in the school; or (2) has exceeded AYP for two or more consecutive years. The SEA requests this waiver so that it may use funds reserved under ESEA section 1117(c)(2)(A) for any of the State’s reward schools that meet the definition of “reward schools” set forth in the document titled *ESEA Flexibility*.
- 8. The requirements in ESEA section 2141(a), (b), and (c) for an LEA and SEA to comply with certain requirements for improvement plans regarding highly qualified teachers. The SEA requests this waiver to allow the SEA and its LEAs to focus on developing and implementing more meaningful evaluation and support systems.
- 9. The limitations in ESEA section 6123 that limit the amount of funds an SEA or LEA may transfer from certain ESEA programs to other ESEA programs. The SEA requests this waiver so that it and its LEAs may transfer up to 100 percent of the funds it receives under the authorized programs among those programs and into Title I, Part A.
- 10. The requirements in ESEA section 1003(g)(4) and the definition of a Tier I school in Section I.A.3 of the School Improvement Grants (SIG) final requirements. The SEA requests this waiver so that it may award SIG funds to an LEA to implement one of the four SIG models in any of the State’s priority schools that meet the definition of “priority schools” set forth in the document titled *ESEA Flexibility*.

Optional Flexibilities:

If an SEA chooses to request waivers of any of the following requirements, it should check the corresponding box(es) below:

- 11. The requirements in ESEA sections 4201(b)(1)(A) and 4204(b)(2)(A) that restrict the activities provided by a community learning center under the Twenty-First Century Community Learning Centers (21st CCLC) program to activities provided only during non-school hours or periods when school is not in session (*i.e.*, before and after school or during summer recess). The SEA requests this waiver so that 21st CCLC funds may be used to support expanded learning time during the school day in addition to activities during non-school hours or periods when school is not in session.

- 12. The requirements in ESEA sections 1116(a)(1)(A)-(B) and 1116(c)(1)(A) that require LEAs and SEAs to make determinations of adequate yearly progress (AYP) for schools and LEAs, respectively. The SEA requests this waiver because continuing to determine whether an LEA and its schools make AYP is inconsistent with the SEA's State-developed differentiated recognition, accountability, and support system included in its ESEA flexibility request. The SEA and its LEAs must report on their report cards performance against the AMOs for all subgroups identified in ESEA section 1111(b)(2)(C)(v), and use performance against the AMOs to support continuous improvement in Title I schools.
- 13. The requirements in ESEA section 1113(a)(3)-(4) and (c)(1) that require an LEA to serve eligible schools under Title I in rank order of poverty and to allocate Title I, Part A funds based on that rank ordering. The SEA requests this waiver in order to permit its LEAs to serve a Title I-eligible high school with a graduation rate below 60 percent that the SEA has identified as a priority school even if that school does not otherwise rank sufficiently high to be served under ESEA section 1113.

ASSURANCES

By submitting this request, the SEA assures that:

- 1. It requests waivers of the above-referenced requirements based on its agreement to meet Principles 1 through 4 of the flexibility, as described throughout the remainder of this request.
- 2. It will adopt English language proficiency (ELP) standards that correspond to the State's college- and career-ready standards, consistent with the requirement in ESEA section 3113(b)(2), and that reflect the academic language skills necessary to access and meet the new college- and career-ready standards, no later than the 2013–2014 school year. (Principle 1)
- 3. It will develop and administer no later than the 2014–2015 school year alternate assessments based on grade-level academic achievement standards or alternate assessments based on alternate academic achievement standards for students with the most significant cognitive disabilities that are consistent with 34 C.F.R. § 200.6(a)(2) and are aligned with the State's college- and career-ready standards. (Principle 1)
- 4. It will develop and administer ELP assessments aligned with the State's ELP standards, consistent with the requirements in ESEA sections 1111(b)(7), 3113(b)(2), and 3122(a)(3)(A)(ii). (Principle 1)
- 5. It will report annually to the public on college-going and college credit-accumulation rates for all students and subgroups of students in each LEA and each public high school in the State. (Principle 1)
- 6. If the SEA includes student achievement on assessments in addition to reading/language arts and mathematics in its differentiated recognition, accountability, and support system and uses achievement on those assessments to identify priority and focus schools, it has technical documentation, which can be made available to the Department upon request, demonstrating that the assessments are administered statewide; include all students, including by providing appropriate accommodations for English Learners and students with disabilities, as well as alternate assessments based on grade-level academic achievement standards or alternate assessments based on alternate academic achievement standards for students with the most significant cognitive disabilities, consistent with 34 C.F.R. § 200.6(a)(2); and are valid and reliable for use in the SEA's differentiated recognition, accountability, and support system. (Principle 2)
- 7. It will report to the public its lists of reward schools, priority schools, and focus schools at the time the SEA is approved to implement the flexibility, and annually thereafter, it will publicly recognize its reward schools as well as make public its lists of priority and focus schools if it chooses to update those lists. (Principle 2)
- 8. Prior to submitting this request, it provided student growth data on their current students and the students they taught in the previous year to, at a minimum, all teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects in a manner that is timely and informs instructional programs, or it will do so no later than the deadline required under the State Fiscal Stabilization Fund. (Principle 3)

- 9. It will evaluate and, based on that evaluation, revise its own administrative requirements to reduce duplication and unnecessary burden on LEAs and schools. (Principle 4)
- 10. It has consulted with its Committee of Practitioners regarding the information set forth in its request.
- 11. Prior to submitting this request, it provided all LEAs with notice and a reasonable opportunity to comment on the request and has attached a copy of that notice (Attachment 1) as well as copies of any comments it received from LEAs (Attachment 2).
- 12. Prior to submitting this request, it provided notice and information regarding the request to the public in the manner in which the State customarily provides such notice and information to the public (*e.g.*, by publishing a notice in the newspaper; by posting information on its website) and has attached a copy of, or link to, that notice (Attachment 3).
- 13. It will provide to the Department, in a timely manner, all required reports, data, and evidence regarding its progress in implementing the plans contained throughout this request.
- 14. It will report annually on its State report card, and will ensure that its LEAs annually report on their local report cards, for the “all students” group and for each subgroup described in ESEA section 1111(b)(2)(C)(v)(II): information on student achievement at each proficiency level; data comparing actual achievement levels to the State’s annual measurable objectives; the percentage of students not tested; performance on the other academic indicator for elementary and middle schools; and graduation rates for high schools. It will also annually report, and will ensure that its LEAs annually report, all other information and data required by ESEA section 1111(h)(1)(C) and 1111(h)(2)(B), respectively.

If the SEA selects Option A in section 3.A of its request, indicating that it has not yet developed and adopted all the guidelines for teacher and principal evaluation and support systems, it must also assure that:

- 15. It will submit to the Department for peer review and approval a copy of the guidelines that it will adopt by the end of the 2012–2013 school year. (Principle 3)

CONSULTATION

An SEA must meaningfully engage and solicit input from diverse stakeholders and communities in the development of its request. To demonstrate that an SEA has done so, the SEA must provide an assurance that it has consulted with the State’s Committee of Practitioners regarding the information set forth in the request and provide the following:

1. A description of how the SEA meaningfully engaged and solicited input on its request from teachers and their representatives.
2. A description of how the SEA meaningfully engaged and solicited input on its request from other diverse communities, such as students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes.

OVERVIEW

The New Hampshire Department of Education (NHDOE) believes that people will support what they help to create and that the only effective way to implement education reform is to ensure that the entire range of stakeholders are directly involved in its complex development. This has been NHDOE’s approach to many past education reforms, as well as those proposed in this waiver request. In fact, some of the ideas reflected in this document began to be formed several years ago and have continued to be developed with the robust input of various stakeholders at each phase of the process. This experience, along with the NHDOE’s deepening understanding of professional learning communities, has served as an important foundation for this waiver request and for launching a statewide “networked” strategy.

Since the beginning of her tenure as Commissioner of Education in June 2009, Virginia M. Barry, Ph.D, has made the involvement of various stakeholders in the creation of a comprehensive system of school reform the number one priority of her administration. In July 2009, Commissioner Barry formed cross-departmental and external stakeholder working committees addressing: 1) rigorous standards and accompanying assessments; 2) a comprehensive data support system; 3) teacher and leader systems of support; and 4) support to the lowest-achieving schools. Those involved in these efforts include leaders from the state teachers associations (NEA-NH; AFT-NH), principals’ and superintendents’ associations, current teachers, principals, special education administrators and other administrators, instructional leaders, parents, representatives from the Governor’s Office, state and local policymakers, and representatives from higher education and community organizations.

Task forces have been formed over recent years on a variety of the reforms that the NHDOE has embarked upon, including:

- the development of a state accountability system;
- implementation of the Common Core State Standards (CCSS);
- principal effectiveness; and
- effective teaching.

To prepare this waiver request, work teams were formed to review the waiver requirements and guidance and to provide concrete input into its contents. These teams included teacher and principal association leaders, superintendents, special education administrators and other administrators, internal NHDOE staff, and higher education and community organization representatives. A list of work team members, along with members of each task force that has been meeting to build the elements included in the waiver request can be found in **Supplemental Attachment A**.

The process of creating this waiver, along with thoughtful discourse on the future of education for New Hampshire, has led to the design and development of a networked strategy. This strategy, based on collaboration between the NHDOE and an array of key stakeholders, serves as the method by which the state will provide ongoing, rigorous supports to schools and districts. The strategy's design is built on a multi-tiered set of professional learning networks created to better connect educators and stakeholders to one another, to high quality, relevant information resources, and to an array of supports and expertise, with the collaborative goal of improving student achievement across the state.

The following input and feedback meetings have been held concerning the waiver and its elements over the last year:

Stakeholder Groups

Educators:

- Superintendents ~ 9/30/11; 10/7/11; 10/14/11; 11/4/11; 11/18/11; 12/9/11; 1/6/12; 2/3/12; 3/4/12; 3/30/12; 4/6/12; 5/10/12; 6/1/12; 6/8/12; 6/26/12; 7/6/12; 8/3/12
- North Country Superintendents ~ 8/20/12

Education Associations:

- NEA-New Hampshire ~ 10/7/11
- New Hampshire Association of School Principals ~ 6/26-27/12
- New Hampshire School Boards Association ~ 8/24/12
- New Hampshire School Administrators Association ~ 9/7/12
- Special Education Directors Association, Advocacy Groups, and Parents ~ 9/4/12

State Policymakers:

- Joint Meeting of the Commissioner's Accountability and AYP Task Forces ~ 9/29/11; 10/28/11; 12/9/11
- Governor's Office ~ 10/10/11; 11/28/11; 3/15/12; 7/24/12, 8/16/12, 8/20/12, 8/29/12
- State Board of Education ~ 10/12/11; 10/9/11; 12/14/11; 1/11/12; 2/15/12; 3/21/12; 4/18/12; 5/16/12; 6/20/12; 7/18/12
- Senate Education Committee ~ 1/26/12; 8/28/2012
- House Education Committee ~ 2/13/12; 8/28/2012

Business Leaders:

- New Hampshire Business Roundtable ~ 9/29/11; 5/14/12; 7/19/12

Higher Education

- Higher Education College and Career Ready Summit ~ 11/16/11

Task Forces and Work Teams: (includes teachers, principals, superintendents and other administrators, higher education representatives, association leadership, community organization and others)

- ESEA Flexibility Waiver Task Force ~ 11/8/11; 11/21/11; 12/20/11; 4/11/12; 5/15/12; 5/29/12; 5/30/12; 7/30/12; 7/31/12
- ESEA Flexibility Task Force, Principle 1 ~ 8/13/12
- ESEA Flexibility Task Force, Principle 2 ~ 7/30/12; 8/17/12; 8/24/12
- Educator Effectiveness Task Force ~ 11/8/11; 1/2/12; 1/5/12; 2/21/12; 3/27/12; 4/10/12; 5/1/12; 5/21/12; 6/19/12
- **Committee of Practitioners, Title I ~ 2/15/12; 8/23/12**

Other Outreach Efforts

- CCSSO (Dallas Meeting) ~ 1/22-25/12
- Arne Duncan and Staff ~ 3/26/12, 7/18/12
- CCSSO in New Hampshire ~ 4/25/12
- USED Under Assistant Secretary (in Concord) ~ 5/1/12
- New Hampshire Charitable Foundation ~ 5/11/12
- SPARK New Hampshire – Early Childhood Advisory Council ~ 8/23/12
- New Hampshire Emerging Leaders of Diversity ~ 9/4/12

FEEDBACK ON THE WAIVER APPLICATION

The NHDOE reached out to its Committee of Practitioners through an in-person meeting on August 23, 2012 to review the draft application and gather feedback. The comments, questions and response to the comments are included in **Attachment 2**. The NHDOE has also received 13 letters of support from a variety of stakeholders from around the state, including the Mayor and Superintendent of Manchester, our largest district, for the work described in the four principles that follow. These letters can also be found in **Attachment 2**.

The NHDOE released a public notice in the state newspaper (**see Attachment 3**) on August 28, 2012 to inform the public about the state's waiver request. In addition, a notice (**see Attachment 1**) was sent to the LEAs in New Hampshire on the same day with a draft of the application available for comment on August 30. The state did not receive any written comment from LEAs at the time of application's submission.

When this waiver request is approved, the NHDOE will continue to work with the state's education associations, parents and parent groups – such as the New Hampshire Parent Information Center and the New Hampshire Parent Teacher Association – advocacy groups, policy makers, teachers, principals and other school and district administrators, higher education and business leaders to fully and effectively implement the new systems described within this waiver request.

EVALUATION

The Department encourages an SEA that receives approval to implement the flexibility to collaborate with the Department to evaluate at least one program, practice, or strategy the SEA or its LEAs implement under principle 1, 2, or 3. Upon receipt of approval of the flexibility, an interested SEA will need to nominate for evaluation a program, practice, or strategy the SEA or its LEAs will implement under principles 1, 2, or 3. The Department will work with the SEA to determine the feasibility and design of the evaluation and, if it is determined to be feasible and appropriate, will fund and conduct the evaluation in partnership with the SEA, ensuring that the implementation of the chosen program, practice, or strategy is consistent with the evaluation design.

Check here if you are interested in collaborating with the Department in this evaluation, if your request for the flexibility is approved.

OVERVIEW OF SEA'S REQUEST FOR THE ESEA FLEXIBILITY

Provide an overview of the SEA's request for the flexibility that:

1. explains the SEA's comprehensive approach to implement the waivers and principles and describes the SEA's strategy to ensure this approach is coherent within and across the principles; and
2. describes how the implementation of the waivers and principles will enhance the SEA's and its LEA's ability to increase the quality of instruction for students and improve student achievement.

A COMPREHENSIVE APPROACH AND SHARED VISION FOR STUDENT ACHIEVEMENT

The New Hampshire Department of Education (NHDOE) is pleased to present this flexibility request describing its vision for innovative approaches to improve student learning outcomes. Because of dedicated leaders and teachers, New Hampshire has a long history of education excellence. This excellence is derived from a strong commitment to a shared vision for student achievement and the state has been regularly recognized for its leadership and an overall quality education system. However, as times change New Hampshire's strategies need to evolve. The state must continually improve its system to ensure a better educational experience for all learners in a rapidly changing world – one that will result in more students reaching higher levels of learning, and being better equipped to succeed beyond high school.

The NHDOE and the districts of the state will continue to focus their efforts around four pillars of a high quality education system:

- Standards, Instruction and Assessments
- Data Collection and Use
- Teacher and Leader Effectiveness
- Transforming Struggling Schools

Through these pillars the state is committed to the following goals with student learning always at the center guiding the work:

The NHDOE believes that for too many years, New Hampshire, along with every other state, has had to operate pursuant to the provisions of an outdated federal education law that, while well

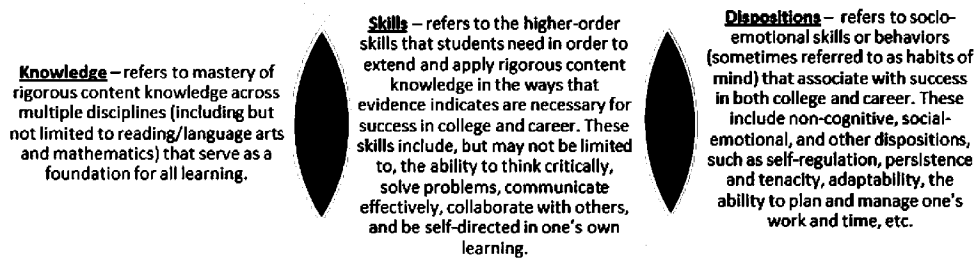
intentioned, does not support a holistic and a rational accountability structure or the focused and meaningful supports schools need. This request to the U.S. Department of Education (USED) to waive certain aspects of the Elementary and Secondary Education Act (ESEA) will allow for a more coherent overall approach thereby creating the conditions for achieving dramatic improvements in student performance.

The state's current situation creates unnecessary complexity and confusion for New Hampshire schools and parents because there is misalignment between the current state and federal accountability systems. In 2009, the legislature of the State of New Hampshire passed SB180, a bill establishing an accountability system to ensure students receive the opportunity for an adequate education. The legislation specified a two-part accountability system: one part is **input-based** and the second part is **performance-based**. The input based component assesses whether a school provides the necessary curriculum for an adequate education (as defined by state law) and sets appropriate expectations for completion of the academic program. The performance-based component assesses adequacy based on the school's demonstration of student achievement, engagement and persistence to graduation. However, in addition to these two, the state is also required to comply with the federal accountability system that does not support either the input-based or proficiency-based components specified by state law.

By requesting this waiver, the NHDOE believes that the state will be able to move toward a system that is better for all students, including students with disabilities (SWD) and English learners (ELs) – a system that is premised on supporting districts and schools in achieving excellence realized through a network of supports, rather than a system based solely on compliance. While a number of the strategies contained in this waiver request could and will be implemented without a waiver, the added flexibility and relief from mandates that result from the receipt of a waiver will allow the state to more quickly reach its goal. In the end, it will be the students of New Hampshire that benefit from a better, more rigorous, innovative, meaningful education that prepares them for success in college and careers.

A NEW THEORY OF ACTION

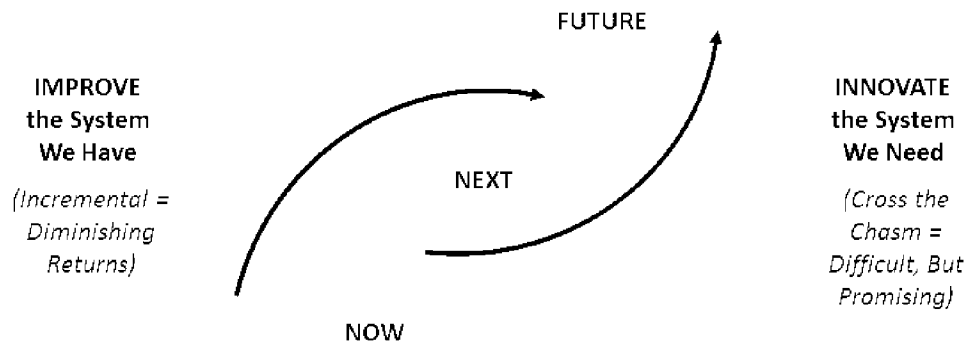
New Hampshire believes that all students must be college- and career-ready by the time they complete high school. This means not only meeting the content knowledge expectations of the CCSS in English Language Arts and Mathematics, but also demonstrating necessary college- and career-ready knowledge, skills and dispositions. New Hampshire's system must show that students are advancing not just by demonstrating growth in learning, but by demonstrating competency in the understanding and application of content knowledge.



A competency education system, to which New Hampshire aspires, starts with a system of college- and career-ready standards. These standards are implemented through a comprehensive networked strategy which connects and uses educator, school, and district development and supports. The NHDOE networked system will have all stakeholders – teachers, leaders and the community – engaged and sharing the intention and desire to help every student reach proficiency – a theory of positive intent.

New Hampshire rejects the idea of a deficit model where schools and districts are identified as failing and where “shaming by naming” is used as a method to increase student achievement. New Hampshire’s networked system will work on an “improvement-to-innovation” continuum to advance educator practice and better support student learning. This work will plant the seeds of transformation and create the future of learning for New Hampshire students. *Figure 1* below illustrates this improvement to innovation continuum.

Figure 1- Improvement to Innovation Continuum



Therefore, in New Hampshire:



If we believe that "all" students must be college- and/or career-ready...

then our system must advance students as they demonstrate mastery of content, skills and dispositions...

which requires a comprehensive system of educator and school supports.

- All graduating students will demonstrate college and/or career readiness based on an expanded definition of rigorous content and knowledge, higher-order skills, and critical dispositions by

2017. The state will also define ambitious but achievable annual measurable objectives (AMOs) that move beyond an accountability system based on a pure status model to one that fully includes a competency-based¹ learning model.

- The state will adopt a balanced system of assessments (formative, interim, and summative) to assess student competency along learning progressions. Performance-based assessments will be administered when students are ready to demonstrate competency as opposed to waiting for an arbitrary date on a calendar.
- The state will set its ambitious annual measurable objectives (AMOs) with the intent of closing the gap of achievement in every subgroup by 50 percent by 2017 based on multiple measures.
- The state will provide a broad set of supports through a networked strategy so that educators will be engaged in continuous, research-based improvement processes and identifying and implementing cutting-edge, innovative approaches that rethink the structure of school practice and the use of technology. These technical assistance, knowledge and innovation networks will be the methodology for reaching the state’s goals towards learning, innovation, and improvement.
- The state will implement an educator effectiveness system connected to student performance, including competency attainment. It will address areas of preparation, selection, induction, mentoring and evaluation of teachers and principals.

This new theory of action identifies areas of need and builds capacity for progress required to move New Hampshire forward. Moving from a compliance driven accountability system and evolving toward a supportive structure and culture will accelerate the implementation of reforms, which in turn will remove obstacles and promote better outcomes for all students.

Compliance	Support
Punishments	Rewards
Hierarchy	Flexible Networks
Test-based Accountability	Professional Responsibility
Standardized	Personalized
Reactive	Proactive
Static	Dynamic
Supply “push”	Demand “pull”

¹ Competency-based and performance based learning and assessments are used interchangeably in this document.

PRINCIPLE 1: COLLEGE- AND CAREER-READY EXPECTATIONS FOR ALL STUDENTS

1.A ADOPT COLLEGE- AND CAREER-READY STANDARDS

Select the option that pertains to the SEA and provide evidence corresponding to the option selected.

<p>Option A</p> <p><input checked="" type="checkbox"/> The State has adopted college- and career-ready standards in at least reading/language arts and mathematics that are common to a significant number of States, consistent with part (1) of the definition of college- and career-ready standards.</p> <p>i. Attach evidence that the State has adopted the standards, consistent with the State’s standards adoption process. (Attachment 4)</p>	<p>Option B</p> <p><input type="checkbox"/> The State has adopted college- and career-ready standards in at least reading/language arts and mathematics that have been approved and certified by a State network of institutions of higher education (IHEs), consistent with part (2) of the definition of college- and career-ready standards.</p> <p>i. Attach evidence that the State has adopted the standards, consistent with the State’s standards adoption process. (Attachment 4)</p> <p>ii. Attach a copy of the memorandum of understanding or letter from a State network of IHEs certifying that students who meet these standards will not need remedial coursework at the postsecondary level. (Attachment 5)</p>
--	---

1.B TRANSITION TO COLLEGE- AND CAREER-READY STANDARDS

Provide the SEA’s plan to transition to and implement no later than the 2013–2014 school year college- and career-ready standards statewide in at least reading/language arts and mathematics for all students and schools and include an explanation of how this transition plan is likely to lead to all students, including English Learners, students with disabilities, and low-achieving students, gaining access to and learning content aligned with such standards. The Department encourages an SEA to include in its plan activities related to each of the italicized questions in the corresponding section of the document titled *ESEA Flexibility Review Guidance for Window 3*, or to explain why one or more of those activities is not necessary to its plan.

NEW HAMPSHIRE’S FOCUS ON HIGH STANDARDS AND PERSONALIZED LEARNING

The New Hampshire Department of Education (NHDOE) is committed to setting high expectations for what students must know and be able to do. Through its involvement and

leadership in the Council of Chief State School Officer's Innovation Lab Network (ILN), the state is focused on student-centered and competency-based approaches to learning. This focus emphasizes attainment of world-class knowledge and skills through multiple pathways, based on acquiring and applying knowledge in novel situations and building a repertoire of experience.

The New Hampshire State Board of Education adopted the Common Core State Standards (CCSS) in July 2010 (**see evidence in Attachment 4**). Since adoption, the NHDOE has conducted many meetings across the state to raise awareness of the CCSS and has also provided multiple professional development opportunities for educators to further expand understanding of the standards and engage educators in the work of implementation. To ensure consistency in messaging and to encourage a seamless transition, NHDOE developed an implementation framework (**see Supplemental Attachment B**) to help districts and schools guide their implementation work. Training has occurred throughout the state on the Framework and included professional development for teacher of students with disabilities and ESOL teachers. The next step for the state will be to focus its implementation efforts partnering and providing distinct and focused learning opportunities for the specific needs of district and school leaders, teachers, parents and students. New Hampshire schools will transition to and fully implement CCSS in English language arts (ELA)/literacy and mathematics no later than the 2013-2014 school year.

However, explaining the New Hampshire context is important to understand before reviewing the state's plan for CCSS implementation. The NHDOE has been working on high school redesign prior to 2004 with innovative practices and in 2005 New Hampshire was the first state to eliminate the Carnegie unit through updated Minimum Standards for School Approval Rules (306-27) changes. This allowed for three policy goals to converge, change expectations for education and create a shared vision by: 1) creating real-world learning opportunities and anytime, everywhere learning, 2) meeting the Governor's challenge to improve high school graduation rates and have zero drop-outs by 2012, and 3) raising the compulsory age for attending school from sixteen to eighteen. New Hampshire's elimination of the the Carnegie unit has been replaced with a competency-based system that allows students to earn credit toward graduation outside of traditional classrooms.

Because course competencies are developed locally by each high school, there was a desire to create a tool whereby educators could assess the quality of competency statements in all courses. In a project sponsored by the NHDOE and funded by the Nellie Mae Education Foundation, a Competency Validation Rubric was developed to guide educators in designing high quality competency statements. Each district can apply the competency validation rubric to its own district course content. This rubric can be found in **Supplemental Attachment C**.

Next Generation Learning

The state's competency work has been advanced by the partnership with the Council of Chief State School Officers (CCSSO), the Stupski Foundation, the Hewlett Foundation and the Nellie Mae Education Foundation their innovative approaches to K-12 learning known as "Next Generation Learning," or NxGL. The critical attributes of Next Generation Learning are characterized as:

- **Personalizing learning**, which calls for a data-driven framework to set goals, assess progress, and ensure students receive the academic and developmental supports they need;
- **Comprehensive systems of learning supports**, which address social, emotional, physical, and cognitive development along a continuum of services to ensure the success of all students;
- **World-class knowledge and skills**, which require achievement goals to sufficiently encompass the content knowledge and skills required for success in a globally-oriented world;
- **Performance-based learning**, which puts students at the center of the learning process by enabling the demonstration of mastery based on high, clear, and commonly-shared expectations;
- **Anytime, everywhere opportunities**, which provide constructive learning experiences in all aspects of a child’s life, through both the geographic and the Internet-connected community; and
- **Authentic student voice**, which is the deep engagement of students in directing and owning their individual learning and shaping the nature of the education experience among their peers.

New Hampshire is one of eight states brought together to advance this set of design principles including Kentucky, Maine, New York, Ohio, Oregon, West Virginia and Wisconsin.

In October 2011, districts, Institutions of Higher Education (IHEs), and others who have indicated interest in the New Hampshire Partnership for Next Generation Learning came together to learn more about Learning Studios - an emerging New Hampshire Network. Workshops engaged teams in what a Learning Studio might look like in a given school and community. Learning Studios create a scenario where a series of learning challenges are offered, for students, teachers, and community members. Within a Learning Studio, teams of students and adults work together to address the learning challenges. Learning Studios are seen as an excellent entry point to begin the transition to a more personalized, student-centered learning environment, discussed further within the Partnership for Next Generation Learning.

The NHDOE has received a grant from the Nellie Mae Education Foundation to help coordinate this effort and to engage the National Commission on Teaching and America’s Future, (NCTAF), in this work. Recently, the Stupski Foundation designated Manchester School of Technology (MST) as one of a select group of initial high schools nationwide to join a newly launched Learning Lab Network. Through this new initiative, Manchester School District students, educators, and administrators will be connected to their peers nationwide, sharing lessons and building a body of evidence demonstrating the effectiveness of the student centered approach. MST is meanwhile transforming from a regional two year career and technical center to a state of the art NxGL school, offering personalized secondary learning through a blended one-on-one model, in consultation with 2Revolutions, a national transformation consulting firm. All of these initiatives have been the fertile ground upon which the NHDOE, with our thought partners, including 2Revolutions, CCSSO, and Education First, has conceptualized the New Hampshire “networked” strategy contained within this application (see Principle 2A).

Extended Learning Opportunities

In addition to the Next Generation Learning work, the NHDOE supports and encourages local school districts to adopt policies that encourage “extended learning.” New Hampshire defines extended learning as the primary acquisition of knowledge and skills through instruction or study outside of the traditional classroom, including, but not limited, to: apprenticeships and internships, community service, private instruction, independent study, online courses and performing groups.

The local school boards of the state are required to adopt and implement written policies and procedures relative to extended learning opportunities. The local district’s policy defines whether extended learning opportunities are offered in wide variety, in limited options, or not at all. The design of these rules gives school boards and district leadership flexibility to create meaningful learning experiences in the way schools award credits to students for learning in a variety of settings.

All of this work is presented to show that New Hampshire has expanded the definition of college and career readiness to go beyond the CCSS and include multiple dimensions (see *Table 1* below). These dimensions include the knowledge, skills and dispositions (see the definitions in the overview section of this request) students need to succeed beyond high school. Readiness requires more than students reaching higher levels of learning (as specified by the content standards). New Hampshire’s dimensional elements of college and career readiness serve as a guidepost for dramatic reforms in education policy and practice. The elements represent the belief that New Hampshire must deliver on the development of both cognitive and non-cognitive skills for all students as part of a moral, economic, and civic imperative to reduce inequities and advance excellence.

Table 1

- Students should graduate fully prepared to pursue the college and career *options of their choice*.
- *College* ready refers to the full range of programs leading to valuable, recognized degrees, including community colleges and four-year colleges.
- *Career* ready refers to employment opportunities with meaningful opportunities for advancement as well as career training programs that offer technical certification or other marketable skills.
- Evidence and experience indicate that the knowledge and skills needed to succeed in college and career are *greatly similar*, and that all graduates will need some form of postsecondary education or training to succeed during their careers.

- Knowledge, skills and dispositions are mutually reinforcing, and not contradictory. That is, evidence and experience confirm that education that advances application of knowledge through skills is more likely to result in student competency of the underlying, rigorous content knowledge.
- The knowledge, skills and dispositions have concrete meaning and can be expressly taught, learned, and measured. This will require multiple, robust measures of evaluation and assessment.
- This same set of knowledge, skills and dispositions is also vital for student success in terms of citizenship, in addition to college and career readiness, including the ability to contribute and succeed in our increasingly diverse, democratic, global society.

All of this work is grounded in the belief that deeper learning outcomes are required to be college- and career-ready. The state will continue to encourage local districts to provide courses and programs that inspire higher learning for students in academic, vocational, career and technical, and innovations of learning.

CCSS IMPLEMENTATION HISTORY

Upon the adoption of the CCSS by the State Board in July 2010, the work to build awareness and help educators and other stakeholders gain a deeper understanding of the standards began. An analysis was undertaken to determine the extent of alignment between the current content standards and the CCSS (English/language arts and mathematics). This side-by-side alignment study helped the state to identify the similarities and differences between the two sets of standards, and provided guidance to the work of implementation. As alignment of this work progressed, a state team was established to begin planning the implementation of the CCSS and give voice to key stakeholders in the implementation process. Originally, this team was only comprised of literacy, mathematics and assessment specialists and a representative from higher education. It later evolved to also include cross content curriculum specialists, faculty from K-12, administrative and instructional leaders, as well as communications personnel.

The implementation team created documents, talking points, templates and tool kits for districts to voluntarily use to assist them with their own implementation planning and in meeting their specific implementation needs. A survey of districts was conducted in fall 2011 to further assess their needs for technical assistance and support. The results of this survey led to the creation of a demand-driven set of tools that could be easily customized to efficiently meet the specific needs of diverse audiences. The strategy became to build tools that could be adopted by LEA leadership personnel, customized to address each unique need and then tailored to the needs of a grade level or classroom.

From December 2011 to July 2012, the implementation team worked to create the CCSS Implementation Framework (**see Supplemental Attachment B**) based on the identified needs of the field. The framework specifically addresses four critical elements of implementation: leadership, instruction, assessment and technology preparedness. The framework sets high expectations in that a shared vision must be the first step to success for every district.

During this time, the NHDOE hired a local consultant with deep mathematics, curriculum and standards experience, to focus exclusively on building awareness and providing initial professional development of the CCSS implementation at the district and building level statewide. These meetings reached approximately 4,000 educators in every capacity – general and special education teachers, ESOL teachers, curriculum specialists, administrators, parents and more. The workshops were scheduled regionally throughout the state and all were filled to capacity. Membership organizations were encouraged to feature the CCSS in their statewide conferences during the year. All of these initial outreach efforts reached about 20 percent of the professional educators and then participating educators were asked to share the information they learned, and build greater awareness in their districts. This has provided the educators in the state with a foundation of awareness and an understanding of CCSS, as well as a pathway to carrying out the next phase of implementation over the next two years.

In July 2012, a statewide conference brought together over 600 educators from K-12 and higher education to engage in a technology-embedded three day training conference (**see Supplemental Attachment D**). The conference, *The Changing World of Teaching and Learning*, featured three national speakers: Linda Darling-Hammond spoke on CCSS; David Conley spoke on college- and career-ready standards; and Scott Marion spoke on educator effectiveness in a student-centered, competency based teaching and learning environment. Breakout sessions required the use of iPads (provided to all registered participants) in order to have technology embedded professional development that would serve as a model for technology embedded instruction. Low performing schools, that are likely to be designated as focus and priority schools, sent teams to the conference and were required to attend all three days. These teams were paired with a faculty member from a higher education institution to promote shared learning and planning for CCSS implementation within the district. The teams were also provided with a facilitator for their team time and were instructed in a facilitation model that they could use while continuing their work in their district. This pairing also served to raise the awareness of the higher education faculty on the skills and knowledge necessary to transition from pre-service teacher to in-service teacher.

The first post-conference professional development session took place on August 16 and 17. Twenty faculty members from public and private higher education institutions in New Hampshire were trained by Winsome Waite, Ph.D. from the American Institute for Research. The purpose of the two day training was to provide an overview on the CCSS, and the state's Response to Instruction (RTI) initiative, to illustrate how the two initiatives blend to establish best practices within the Multi-Tiered System of Support (discussed in more detail in Principle 2F). Each higher education participant is expected to use the training to conduct workshops for principals at the six regional professional development centers. Using a train the trainer model, the Higher Education faculty will be trained on six specific modules:

1. Introduction of the Components of the New Hampshire CCSS RTI Implementation Plan with a focus on the Multi-Tiered System of Support
2. Leadership and Infrastructure Development for Implementation of the CCSS RTI Framework
3. Types of Data and Universal Screening to Support the CCSS
4. Progress Monitoring Student's RTI in the CCSS
5. Implementing a Multi-Tiered System of Support to Provide all Students Access to the CCSS
6. Assessment and Data-Based Decision Making in the CCSS

All principals will be invited and encouraged to attend but our SIG principals will be required to attend the workshops. The workshops will be conducted statewide through September and October.

ALIGNMENT TO CCSS: GENERAL SIMILARITIES AND DIFFERENCES

In 2011, New Hampshire conducted an analysis of the extent of alignment between the state's Grade-Level Expectations (GLE)/Grade-Span Expectations (GSE) and the CCSS (English language arts/literacy and mathematics). This side-by-side alignment study helped the state to identify the similarities and differences between the two sets of standards, and provided guidance to the work of implementation (see side-by-side alignment studies at

