



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUL 18 2014

The Honorable Lillian Lowery
State Superintendent of Schools
Maryland State Department of Education
200 West Baltimore Street
Baltimore, Maryland 21201

Dear Superintendent Lowery:

This letter is a response to Maryland's March 25, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Maryland may continue to implement ESEA flexibility through the end of the 2014–2015 school year.

Our team has reviewed Maryland's request and, pursuant to section 9401(d)(2) of the ESEA, I am pleased to extend Maryland's ESEA flexibility request for one year, through the end of the 2014–2015 school year. My decision to extend Maryland's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Maryland to carry out important reforms to improve student achievement and that this extension is in the public interest. This letter also marks my approval of Maryland's proposed amendments to Principle 2 of its ESEA flexibility request. A summary of Maryland's approved amendments is enclosed with this letter, and Maryland's approved request will be posted on the U.S. Department of Education's (ED) website.

This extension is subject to Maryland's commitment to continue working with ED on Maryland's requested amendments to its teacher and principal evaluation and support systems, which may require additional flexibility. Maryland's continued work with ED on its requested amendments to Principle 3 will inform ED's decision regarding renewal of Maryland's ESEA flexibility after the 2014–2015 school year.

Maryland continues to have an affirmative responsibility to ensure that it and its districts are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of ESEA flexibility. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

I am confident that Maryland will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and school districts accountable for the achievement of all students. If you need any additional assistance to implement your ESEA flexibility request, please do not hesitate to contact Victoria Hammer at: victoria.hammer@ed.gov or Tanesha Hembrey at: tanisha.hembrey@ed.gov.

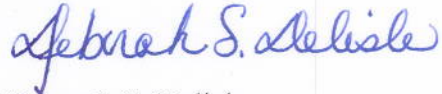
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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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Thank you for your commitment and continued focus on enhancing education for all of Maryland's students.

Sincerely,



Deborah S. Delisle
Assistant Secretary

Enclosure

cc: Mary Gable, Assistant State Superintendent

Approved Amendments to Maryland's ESEA Flexibility Request

The following is a summary of amendments to Maryland Department of Education's (MSDE) approved ESEA flexibility request. The U.S. Department of Education (ED) approves the following amendments because MSDE's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility.

Please refer to ED's website: (www.ed.gov/admins/lead/account/stateplans03/index.html) for MSDE's complete ESEA flexibility request.

▪ **Reward Schools (Element 2.C)**

Revision: MSDE revised its criteria for identifying highest-performing reward schools as a result of no longer making adequate yearly progress (AYP) determinations. Specifically, rather than the "all students" subgroup and all relevant Elementary and Secondary Education Act of 1965 (ESEA) subgroups making AYP, all of these subgroups must meet their respective annual measurable objectives. Further, a school must be designated in one of the two highest "strands" on the State's new five-strand school progress index for two consecutive years. Finally, the State removed reference to the specific years of assessment data upon which a school's identification as a reward school would be based because those years will be updated annually.

Revision: MSDE clarified that schools in a subset of its highest-performing reward schools (Superlative Highest Performing Reward Schools) will be recognized by the Maryland State Board of Education as time permits and that a select group of these schools will be featured and provided an opportunity to present at the State's annual Title I conference.

▪ **Priority Schools (Element 2.D)**

Revision: MSDE clarified the criteria by which a school would exit priority school status to indicate that a school must improve by two "strands" or be designated as a "Strand 2" school for two consecutive years on the State's new five-strand school progress index, in addition to no longer appearing in the bottom five percent of Title I schools or being identified as either a Title I-eligible high school or a School Improvement Grant (SIG) Tier II school. Further, a school will not maintain the status of priority school if it is no longer a Title I elementary or middle school.

▪ **Focus Schools (Element 2.E)**

Revision: MSDE clarified the criteria by which a school would exit focus school status to indicate that a school must improve by two "strands" or be designated as a "Strand 2" school for two consecutive years on the State's new five-strand school progress index, in addition to improving the performance of the subgroup(s) of students that led the school to being identified as a focus school. Further, a school will not maintain the status of focus school if it is no longer a Title I school.