



Lillian M. Lowery, Ed.D.
State Superintendent of Schools

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March 21, 2014

Deborah S. Delisle
Assistant Secretary for the
Office of Elementary and Secondary Education
400 Maryland Avenue, SW
Washington, District of Columbia 20202

Dear Assistant Secretary Delisle:

The Maryland State Department of Education (MSDE) is requesting a three-year waiver of the requirements in the Elementary and Secondary Education Act (ESEA) Section 1113(a)(3)-(4) and (c)(1) that requires a Local Education Agency (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.

Maryland is making this request to allow Local Education Agencies (LEAs) within Maryland with Title I-eligible School Improvement Grant 1003(g) (SIG) funded Tier II middle and/or high schools, which are now identified by the State Educational Agency (SEA) as Priority schools, to be served with Title I, Part A funds at the conclusion of their SIG 1003(g) grant periods even if the school does not rank sufficiently high to be served. In the absence of this waiver, a LEA with schools currently being served with SIG 1003(g) funds would no longer be able to use federal funds to support their Priority schools' reform initiatives under Maryland's approved ESEA Flexibility Plan.

Maryland believes that the requested waiver will allow the LEAs to access Title I, Part A funding and Title I, 1003(a) funding to provide financial support to continue the interventions and school reform initiatives initiated with SIG 1003(g) funds that will result in an increase in the quality of instruction for students and improved academic achievement so that Priority schools can reduce their percentage of non-proficient students for each of their subgroups, and overall, by half in the upcoming three years (2017).

Maryland has identified the following schools for which this waiver will apply:

Local Education Agency	School Name	School NCES ID #	Priority SIG I or II
Baltimore City	Augusta Fells Savage Institute Of Visual Arts	240009001387	Priority SIG I
Baltimore City	Frederick Douglass High	240009000209	Priority SIG II
Baltimore City	Benjamin Franklin High School @ Masonville Cove	240009000157	Priority SIG II

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Local Education Agency	School Name	School NCES ID #	Priority SIG I or II
Prince George's County	Oxon Hill MS	240051001471	Priority SIG II
Prince George's County	Thomas Johnson MS	240051001175	Priority SIG II
Prince George's County	Thurgood Marshall MS	240051001465	Priority SIG I

Maryland hereby assures that, if it is granted the requested waiver, Maryland will implement the waiver only with respect to those LEAs that have Tier II, SIG I or SIG II high schools or middle schools that are Title I-eligible who request this waiver in writing, and provide an assurance that they will meet all statutory and regulatory requirements related to Maryland's ESEA Flexibility Plan, Title I, Part A, and Title I, 1003(a) Grant requirements.

Maryland is currently providing all LEAs in the State with notice and a reasonable opportunity to comment on this request. The SEA has sent a letter to each local superintendent via email on March 14, 2014. Maryland will accept comment from LEA superintendents until close of business on March 28, 2014. A copy of the letter is attached. Maryland will forward to the attention of the United States Department Education (USDE) any comments received from March 14 through March 28.

Maryland has also provided notice and information [regarding this waiver request] to the public by posting information [regarding the waiver request] on its website, www.marylandpublicschools.org from March 14, 2014 to March 28, 2014. A copy of the notice is attached. To comment, the public is requested to contact Tina McKnight, Interim Director, Program Improvement and Family Support Branch, via email to tmcknight@msde.state.md.us or via US Postal Service to Tina McKnight, Maryland State Department of Education, Nancy S. Grasmick State Education Building, 200 West Baltimore Street, 4th Floor, Baltimore, Maryland 21201. Copies of all comments that Maryland receives from the public in response to the notice will be forward to the attention of USDE.

Please feel free to contact Ms. McKnight by phone or email if you have any questions regarding this request. Thank you for your consideration.

Sincerely,



Lillian M. Lowery, Ed.D.
State Superintendent of Schools

LML/TM

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c: Tisha Edwards, BCPSS
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