



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

ASSISTANT SECRETARY

The Honorable Nancy Grasmick
State Superintendent of Schools
Maryland State Department of Education
200 West Baltimore Street
Baltimore, Maryland 21201

MAY 21 2010

Dear Superintendent Grasmick:

I am writing in response to Maryland's request to amend its state accountability plan under Title I of the Elementary and Secondary Education Act of 1965 (ESEA). Following discussions between the Department and your staff, Maryland made one change to its accountability plan, which is now included in the amended plan that Maryland submitted to the Department on April 27, 2010. I am pleased to approve Maryland's amended plan, which we will post on the Department's website. A summary of Maryland's requested amendment is enclosed with this letter. As you know, any further requests to amend Maryland's accountability plan must be submitted to the Department for review and approval as required by section 1111(f)(2) of Title I of the ESEA.

Please also be aware that approval of Maryland's accountability plan for Title I, including the amendment approved herein, does not indicate that the plan complies with Federal civil rights requirements, including 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*, and requirements under the *Individuals with Disabilities Education Act*.

I am confident that Maryland will continue to advance its efforts to hold schools and school districts accountable for the achievement of all students. If you need any additional assistance to implement the standards, assessment, and accountability provisions of the ESEA, please do not hesitate to contact Victoria Hammer (Victoria.Hammer@ed.gov) or Valeria Ford (Valeria.Ford@ed.gov) of my staff.

Sincerely,

Thelma Meléndez de Santa Ana, Ph. D.

Enclosure

cc: Governor Martin O'Malley
Sandy Shepard

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Amendment to Maryland's Accountability Plan

The following is a summary of Maryland's amendment request. Please refer to the Department's website (www.ed.gov/admins/lead/account/stateplans03/index.html) for Maryland's complete accountability plan.

Acceptable amendment

The following amendment is aligned with the statute and regulations.

Including an additional academic indicator in making adequate yearly progress (AYP) determinations (Element 7.2)

Revision: To address the H1N1 flu outbreak the State experienced during the 2009–2010 school year, Maryland will lower its attendance rate requirement used as the other academic indicator in making AYP determinations from 94 percent for K–5 schools, 93.5 percent for 6–8 schools, and 93.9 percent for K–8 schools to 90 percent for schools with all three grade configurations for AYP determinations based on assessments administered in the 2009-2010 school year only. Beginning with AYP determinations based on assessments administered in the 2010–2011 school year, Maryland will again require attendance rates of 94 percent for K–5 schools, 93.5 percent for 6–8 schools, and 93.9 percent for K–8 schools.