



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

AUG 1 2008

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

Dear Superintendent Grasmick:

Congratulations on submitting a successful proposal for the U.S. Department of Education's (Department) differentiated accountability pilot. This pilot provides states with an opportunity to explore ways to better match the interventions to improve student achievement to the academic reasons that led to a school's identification for improvement, and helps states target resources and interventions to those schools most in need of intensive assistance under the *Elementary and Secondary Education Act (ESEA)*, as amended by the *No Child Left Behind Act of 2001 (NCLB)*. I commend you and your staff on developing a technically and educationally sound proposal that is consistent with the core principles of the pilot.

As mentioned by the Secretary in her July 1, 2008 letter, on behalf of the Department, I am entering into this flexibility agreement with Maryland under section 9401 of the ESEA. This agreement permits Maryland to include its differentiated accountability model as a part of its system of interventions under section 1116 of the ESEA for a period of up to four years, from the 2008-09 school year through the 2011-12 school year, unless reauthorization of the ESEA changes the requirements on which Maryland's model is based. As part of this flexibility agreement, Maryland must agree to certain conditions detailed in the enclosure of this letter and summarized below. Should Maryland fail to satisfy these conditions, or should it fail to remain eligible to participate in the pilot, the Department may terminate this flexibility agreement.

To participate in the pilot, Maryland must participate in the Department's evaluation of its differentiated accountability pilot program and provide data on the number and characteristics of schools in each category and phase of improvement under the differentiated accountability model.

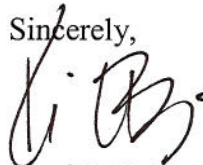
As required by section 9401(b)(3)(A) of the ESEA, within 30 days of the date of this letter, Maryland must provide all interested local educational agencies in the state with notice in the manner in which it customarily provides similar notice to the public and a reasonable opportunity to comment on its request to participate in the differentiated accountability pilot. Within 30 days thereafter, Maryland must submit any comments to the Secretary. Maryland must also submit a report under section 9401(e)(2) of the ESEA to the Department at the end of the school year that describes its use of the differentiated accountability model.

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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.

Again, I congratulate you on Maryland's successful differentiated accountability proposal. I look forward to seeing the impact of the differentiated accountability model on student achievement and school reform in Maryland. If you have any questions, please do not hesitate to contact Abigail Potts (Abigail.Potts@ed.gov) or Patrick Rooney (Patrick.Rooney@ed.gov) of my staff.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Briggs', written over the word 'Sincerely,'.

Kerri L. Briggs, Ph.D.

Enclosure

cc: Governor Martin O'Malley
Ron Peiffer

Conditions of Flexibility Agreement with Maryland

To participate in the U.S. Department of Education's (Department) differentiated accountability pilot, Maryland must agree to take each of the following actions:

- Provide data comparing the number and characteristics of schools in each level of school improvement under the statutory requirements and the number and characteristics of schools in each category of improvement under Maryland's differentiated accountability model.
- Participate in the Department's evaluation of its differentiated accountability model.