



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

AUG 13 2015

The Honorable Tom Desjardin
Commissioner of Education
Maine Department of Education
23 State House Station
Augusta, ME 04333

Dear Commissioner Desjardin:

I am writing in response to Maine's request for renewal of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Maine may continue to implement ESEA flexibility.

Our team, including my staff and other senior leaders at the U.S. Department of Education (ED), reviewed Maine's request dated July 29, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to renew approval of Maine's ESEA flexibility request for three years, through the end of the 2017–2018 school year.

My decision to renew approval of Maine's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Maine to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, Maine will be able to continue implementing its plans to promote innovative, locally tailored strategies to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. Maine's approved request will be posted on ED's website.

This letter also provides my approval of Maine's proposed amendments to its ESEA flexibility request. A summary of Maine's significant approved amendment is enclosed with this letter.

I have also determined that Maine's guidelines for teacher and principal evaluation and support systems meet the requirements for Principle 3 articulated in ED's June 7, 2012, document titled *ESEA Flexibility*.

This renewal is subject to Maine's commitment to:

- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that Maine meaningfully collaborates with stakeholders on the implementation of Maine's ESEA flexibility request, including with teachers, teacher representatives, students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, institutions of higher education, and Indian tribes.
- Provide, by November 15, 2015, additional information to ED on its progress in carrying out its high-quality plan set forth in its ESEA flexibility request, including timeline and milestones, that will lead to implementation of high-quality statewide assessments in reading/language arts and mathematics that are aligned to its college- and career-ready standards in the 2015–2016 school year and each year thereafter.

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<http://www.ed.gov/>

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

- Demonstrate, as soon as possible but no later than December 31, 2015, that Maine has implemented the plan set forth in its ESEA flexibility request to collect and report college-credit accumulation rates.
- Demonstrate, during ED’s monitoring and follow-up of ESEA flexibility implementation, that Maine is implementing the plan set forth in its ESEA flexibility request, including timeline and milestones, that will lead to: (1) inclusion of student growth in teacher and principal evaluation and support systems based on State assessments administered no later than the 2016–2017 school year and each year thereafter for all teachers of tested grades and subjects and principals; and (2) the use of these school year assessment results to inform teacher and principal effectiveness ratings in the following school year.
- Demonstrate, during ED’s monitoring and follow-up of ESEA flexibility implementation, that Maine is implementing the plan set forth in its ESEA flexibility request, including timeline and milestones, that constitutes a statewide approach for measuring student growth on the State assessments administered in the 2016–2017 school year and each year thereafter for inclusion in teacher and principal evaluation and support systems.
- Demonstrate, during ED’s monitoring and follow-up of ESEA flexibility implementation, that Maine has developed and is implementing a plan to meet the commitment set forth in its ESEA flexibility request to demonstrate that student growth is a significant factor in Maine’s teacher and principal evaluation system by conducting a data analysis.

Maine continues to have an affirmative responsibility to ensure that it and its local educational agencies (LEAs) 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 Maine will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and LEAs 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 Collette Roney or Tawanda Avery of my staff at: OSS.Maine@ed.gov.

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

Sincerely,

(b)(6)

Ann Whalen
Delegated the authority to perform the functions
and duties of Assistant Secretary for Elementary
and Secondary Education

Enclosure

cc: Rachelle Tome, Acting Deputy Commissioner, Maine Department of Education

Approved Amendment to Maine's ESEA Flexibility Request

The following is a summary of the one significant amendment that Maine included as part of its request for renewal of ESEA flexibility. ED approves this amendment because Maine's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to ED's website (<http://www2.ed.gov/policy/elsec/guid/esea-flexibility/map/me.html>) for Maine's complete ESEA flexibility request.

- **State-Developed Differentiated Recognition, Accountability and Support (Principle 2)**

Revision: Maine will not assign schools new ratings under the Maine School Accountability Index, the State system of differentiated recognition, accountability, and support, based on assessments administered in the 2014–2015 school year. Maine will resume assigning school ratings based on assessments administered in the 2015–2016 school year.