UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE DEPUTY SECRETARY

December 6, 2012

The Honorable Martin O'Malley
Office of the Governor
Maryland State House
100 State Circle
Annapolis, MD 21401

Dear Governor O'Malley:

I am writing in response to Maryland's request to amend its approved Race to the Top grant project. Between July 23, 2012 and September 27, 2012, the State submitted documentation to and held conversations with the U.S. Department of Education (Department) to support amendment requests to its approved Race to the Top plan. As you are aware, the Department has the authority to approve amendments to your plan and budget, provided that such a change does not alter the scope or objectives of the approved proposal. On October 4, 2011, the Department sent a letter and revised "Grant Amendment Submission Process" document to Governors of grantee States indicating the process by which amendments would be reviewed and approved or denied. To determine whether approval could be granted, the Department has applied the conditions noted in the document, and compared it with the Race to the Top program *Principles*, which are also included in that document.

Maryland requested amendments to sub-criterion (D)(2), *Improving Teacher and Principal Effectiveness Based on Performance*, to align the evaluation system in the State's Race to the Top plan with the plan included in its ESEA flexibility request. In response to the request to make changes to the teacher and principal evaluation system originally proposed in the Race to the Top application, the Department approves this request with the conditions outlined below.

In its Race to the Top application, Maryland presented a teacher and principal evaluation system that consisted of a State model and guidelines for local educational agency (LEA) models. The plan established the required elements of LEA-created evaluation systems and the State model described the system an LEA would be

required to adopt if it did not develop an approvable local model. In both the State model and the LEA guidelines described in the Race to the Top application, professional practice and student growth measures each account for 50 percent of teacher and principal evaluation ratings.

I conditionally approve the following revisions to the State model for evaluation of teachers and principals, related to both the measures and the weights of those measures within the professional practice and student growth components:

- For teachers of English language arts (ELA) and mathematics in grades three through eight, student growth will be determined 20 percent by classroom-level student growth on the Maryland School Assessments (MSAs), 20 percent by Student Learning Objectives (SLOs), and 10 percent by the Maryland School Performance Index.[i] In its original Race to the Top application, Maryland stated that student growth for this group of teachers would be based 30 percent on student growth on the MSAs, 10 percent on team-based student growth, and 10 percent on schoolwide progress in closing achievement gaps.

  Throughout the State model for teacher and principal evaluation, Maryland proposes to include SLOs as a measure of student growth because the State believes that SLOs will allow for LEA- and school-specific goals to be captured while also maintaining a focus on the importance of student growth. The State also believes that the School Performance Index is an important measure to include in teacher and principal evaluations because it captures information about schoolwide gap closure, student achievement, and growth at the elementary and middle school levels and information about schoolwide student achievement, gap closure, and college- and career-readiness at the high school level. Maryland reports that in this way, the School Performance Index is comparable to the team-based student growth and schoolwide progress in closing achievement gaps measures included in the State's original proposal.

- For high school teachers and teachers of non-tested grades and subjects, student growth will be determined 35 percent by SLOs and 15 percent by the Maryland School Performance Index. In its original Race to the Top application, Maryland stated that student growth for this group of teachers would be based 30 percent on "individual student growth as measured by objective pre- and post-measures comparable across classrooms and approved by MSDE, for example: assessments already used by school districts or appropriate tests determined by MSDE in conjunction with the National Psychometrics Council," 10 percent on team-based student growth, and 10 percent on schoolwide progress in closing achievement gaps.

  Maryland has determined that SLOs and the School Performance Index are the best available measures for capturing student growth for this group of teachers.

- For elementary and middle school principals, student growth will be based 20 percent on schoolwide student growth on the mathematics and ELA MSAs, 20 percent on SLOs, and 10 percent on the Maryland School Performance Index. In its original Race to the Top application, Maryland stated that student growth for this group of principals would be determined 30 percent by schoolwide student growth on the science, mathematics, and ELA MSAs and 20 percent by schoolwide progress in closing achievement gaps.

  Maryland has removed schoolwide growth on the science MSA from elementary and middle school principal evaluations because it has determined that, at this time, this assessment cannot be used to reliably calculate student growth. Additionally, to align with the changes made to the State model for teacher evaluation, Maryland will maintain the requirement that 50 percent of a principal evaluation include student growth, but has reduced the proportion of the evaluation that is determined by MSAs to 20 percent.

- For high school principals, student growth will be based 35 percent on SLOs and 15 percent on the Maryland School Performance Index. In its original Race to the Top application, Maryland stated that student growth for this group of principals would be based 30 percent on student growth on the algebra, biology, English, and government High School Assessments (HSAs) and 20 percent on schoolwide progress in closing achievement gaps.

- For all principals, four qualitative measures, from the Interstate School Leaders and Licensure Consortium—school operations and budget, effective communication, influencing the school community, and integrity, fairness, and ethics—will be added to the professional practice component of evaluations. In Maryland's original Race to the Top application, eight qualitative measures from the Maryland Instructional Leadership Framework comprised the 50 percent professional practice component of evaluations: school vision; school culture; curriculum, instruction, and assessment; observation/evaluation of teachers; integration of appropriate assessments; use of technology and data; and professional development.

Additionally, I conditionally approve the following revisions to the guidelines for LEA models of evaluation, related to both the measures and the weights of those measures within the professional practice and student growth components. Maryland has explained that the proposed changes to the requirements for LEA models are needed in order to align the LEA requirements with the State model.

- For teachers of ELA and mathematics in grades three through eight, LEA models will be required to include 20 percent on classroom level student growth on the MSAs and 30 percent LEA-proposed objective measures of student growth and learning linked to State and/or local goals and approved by MSDE. In its original Race to the Top application, Maryland stated that student growth would

be based 30 percent on growth on the MSAs and 20 percent on LEA-proposed objective measures of student growth and learning linked to local goals.

- For high school teachers and teachers of non-tested subjects, LEA models will be required to include 50 percent LEA-proposed objective measures of student growth and learning linked to State and/or local goals approved by MSDE, with no single measure accounting for more than 35 percent. In its original Race to the Top application, Maryland stated that student growth in LEA models would be required to be based 30 percent on "objective pre- and post-measures comparable across classrooms and approved by MSDE, for example: assessments already used by school districts or measures acquired or developed by MSDE in conjunction with the National Psychometric Council" and 20 percent on LEA-proposed objective measures of student growth and learning linked to local goals.

- For elementary and middle school principals, LEA models will be required to include 20 percent schoolwide growth on the ELA and mathematics MSAs and 30 percent LEA-proposed objective measures of student growth and learning linked to State and/or local goals and approved by MSDE. In its original Race to the Top application, Maryland stated that student growth in LEA models would be required to include 30 percent schoolwide student growth on the science, mathematics, and ELA MSAs and 20 percent LEA-proposed objective measures of student growth and learning linked to local goals.

- For high school principals, LEA models will be required to include 50 percent LEA-proposed objective measures of student growth and learning linked to State and/or local goals approved by MSDE. In its original Race to the Top application, Maryland stated that student growth in LEA models would be required to be based 30 percent on schoolwide student growth on the algebra, biology, English, and government HSAs and 20 percent on LEA-proposed measures that are comparable across classrooms.

Maryland believes that the revised system for teacher and principal evaluation, outlined above, will allow the State to move forward effectively with its work in the Great Teachers and Leaders project area. Over two years of Race to the Top implementation, the State reports that it has collaborated with LEAs on the development of this system and gained information about what reliable measures of student growth currently exist. Additionally, the State's proposal to amend the evaluation system in its approved Race to the Top plan is aligned to the plan Maryland included in response to Principle 3 of its approved ESEA flexibility request.

It is the Department's understanding that by December 26, 2012 all participating LEAs will have an approved evaluation plan for the SY 2012-2013 field test that is consistent with the revised guidelines described above.

The Department is concerned about the overall strategic planning, implementation, and evaluation of the State's teacher and principal evaluation system, including the quality of the SY 2011-2012 seven-LEA pilot as well as communication with and supports provided to participating LEAs. Therefore, approval for these amendments is granted with the following conditions:

The State complete and provide the Department by January 7, 2013, a plan for implementation and evaluation of the SY 2012-2013 statewide field test of its evaluation system. This plan should include the types of data the State will collect across all components of the field test, a schedule for the analysis that is aligned with major decision milestones, and the methods the State will use to report what it has learned from the field test to LEAs and other stakeholders.

The plan must also explain how the State will provide clear direction to and build the capacity of LEAs to implement the evaluation system, including:

1) How the State education agency will support or ensure LEAs' capacity to implement the evaluation system with fidelity, through training, professional development, or other supports.
2) How Maryland will provide training and ongoing support and guidance around rigorous, high-quality SLO development and implementation at the local level.
3) How the State plans to use data, including feedback from LEAs, to learn from the statewide field test of the teacher and principal evaluation system and to refine it prior to full implementation in SY 2013-2014.

It is a requirement of both Race to the Top and ESEA flexibility that States use data from the assessments required under the *Elementary and Secondary Education Act of 1965* (ESEA) (i.e., tested grades and subjects) in determining student growth for use in teacher and principal evaluation systems. However, under the revised evaluation system outlined above, Maryland plans to measure student growth for use in high school teacher and principal evaluations solely using SLOs. Therefore, approval for these amendments is granted with the following additional conditions:

1) Maryland requires that each high school teacher (in tested grades and subjects) and high school principal include at least one SLO with a data point on student performance on the high school assessments in the evaluation system as the State moves forward with implementation of the field test, but no later than the full implementation of the qualifying evaluation system.
2) The State commits to utilizing student growth, as measured by the common, high-quality assessments in the evaluation of high school teachers and principals when such assessments are available. It is the Department's understand that Maryland is a member of the Partnership for Assessment of Readiness for College and Careers (PARCC) and therefore, has committed to use the PARCC assessments.

If Maryland does not substantially comply with the conditions outlined above, the Department may take appropriate enforcement action which may include initiating procedures to withhold up to $37,934,195 associated with projects in the Great Teachers and Leaders section of the State's Race to the Top plan.

It is our understanding that the amendment will not substantially change the Scope of Work or plan. Please note that this letter will be posted on the Department's website as a record of the amendments. If you need any assistance or have any questions regarding Race to the Top, please do not hesitate to contact Maryland's Race to the Top Program Officer, Ashlee Davis, at 202-401-9501 or Ashlee.Davis@ed.gov.

Sincerely,

Ann Whalen
Director, Policy and Program Implementation
Implementation and Support Unit

cc: Dr. Lillian Lowery
James V. Foran

[1] Maryland established the School Performance Index as a part of its accountability plan for ESEA flexibility. The School Performance Index for grades Pre-K through eight includes achievement, gap, and growth (all as measured by student performance on MSAs). The School Performance Index for grades nine through twelve includes achievement and gap (measured by the HSAs, cohort graduation rate, and cohort dropout rate) and college- and career- readiness (measured by cohort graduation rate and college and career preparation).