



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 28, 2022

The Honorable Pender Makin  
Commissioner of Education  
Maine Department of Education  
23 State House Station  
Augusta, ME 04333-0023

Dear Commissioner Makin:

I am writing regarding the recent conversation we had regarding the Maine Department of Education's (MDE's) standards and assessment system. MDE administered new assessments in reading/language arts and mathematics in the 2020-2021 school year. As of today, MDE has not set achievement standards on the new assessments and reported information against those standards to parents and the public.

Section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (ESEA) requires that a State educational agency (SEA) adopt academic achievement standards that include at least three levels of achievement. This is a critical component of a statewide assessment system. The purpose of setting achievement standards is to determine how performance on a particular assessment translates to a student's mastery of the State's content standards that are being evaluated by that assessment. The achievement standards provide critical interpretive information to help parents and educators provide support to students. Additionally, sections 1111(b)(2)(B)(x) and (xii) and 1111(h) of the ESEA require an SEA to include the results of the reading/language arts and mathematics assessments in reports to parents, teachers and principals and on State and local report cards, respectively. Providing information publicly on State and local report cards is integral to the ESEA; it provides comparable statewide information about school and LEA performance that can help school leaders, parents, and stakeholders make important decisions about needed school supports and resources. As we mentioned in the letter on February 22, 2021, when we announced the continuation of assessments for 2020-2021 but invited waivers of accountability requirements for that year, "[i]t remains vitally important that parents, educators, and the public have access to data on student learning and success. The Department will therefore maintain all state and local report card requirements [regarding assessment data], including the requirements to disaggregate data by student subgroup." (See: <https://oese.ed.gov/files/2021/02/DCL-on-assessments-and-acct-final.pdf>)

Within 10 business days, please provide a plan and timeline for when MDE will set achievement standards and publicly report the results on State and local report cards. Per our conversation, our understanding is that MDE committed to completing these activities prior to the final deadline to submit assessment data to the U.S. Department of Education (Department) via the ED*Facts* data system, which is March 30, 2022.

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

Due to the fact that MDE has not yet met this essential element of the ESEA, the Department is placing a condition on MDE's Title I, Part A grant award. To remove this condition, MDE must submit its complete assessment data to the Department via the *EDFacts* data system and also submit evidence that it has publicly reported assessment data for all schools and disaggregated for all subgroups. You may submit this information to my office at [ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov).

We appreciate your attention to this important matter, and to addressing this issue quickly given the extended time that has already passed. If you have any questions regarding this letter, or the implementation of MDE's Title I, Part A program, please contact my staff at: [ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov). Thank you for your commitment and continued focus on enhancing education for all of MDE's students.

Sincerely,



Ian Rosenblum  
Deputy Assistant Secretary for Policy and Programs  
Delegated the Authority to Perform the  
Functions and Duties of the Assistant Secretary

cc: Janette Kirk, MDE Chief of Learning Systems