



Maryland State Board of Education

July 28, 2022

Larry Hogan, Governor
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan,

Thank you for your July 25, 2022 letter regarding the Investigative Report conducted by the Office of the Inspector General for Education (OIGE) on the allegations that the Baltimore City Public Schools (BCPS) system incorrectly documented and promoted students by changing failing grades to passing grades.

We share your commitment to providing a world-class education for every Maryland student, regardless of zip code.

While the OIGE report concluded that the issues identified “would not constitute a criminal violation of State law,” we also share your commitment to accountability – to ensuring that systems and adults are accountable to the students and families we are entrusted to serve. For this reason, before you sent your letter, the Maryland State Department of Education (MSDE) took action in response to the OIGE investigation report. MSDE has required BCPS to verify its grading policy implementation since it revised its policies and processes, including policy revisions in May 2019.

To begin this process, on June 23, 2022, MSDE sent the attached letter to Baltimore City Public Schools, requesting a thorough update on the policy changes as well as:

- staff training,
- quality control measures, and
- other implementation efforts made between the time of new policy adoption and today.

BCPSS must submit to MSDE: (1) an overview of the changes and the steps taken to implement them; (2) primary source documentation, including, at a minimum, training session dates/times, agendas, and attendance records (both at the time of policy revision and any ongoing training opportunities for new staff); (3) any reports created as part of tracking or progress monitoring; and (4) any external contracts or agreements related to this issue. BPCS’s submission is due to MSDE by July 29, 2022.

If, after this inquiry, it is deemed that inconsistencies and ambiguity regarding the relevant policies and procedures continue to exist, MSDE will work with BCPS to develop and implement a required comprehensive Plan of Action to put in place appropriate corrective measures. At that time, we will determine any additional next steps.

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The OIGE's report covered a time period when statewide grade change policies were being revised. Before 2019, the Code of Maryland Regulations (COMAR) 13A.03.02.08 *Grading and Reporting* did not require districts to have an explicit grade change policy at all – much less one that required specific procedural or substantive components. Instead, the requirement was simply that each local school system “develop a written policy on grading and reporting that shall include but not be limited to the following:

- (a) Establishment of instructional objectives and standards of performance for each course;
- (b) Factors to be used in determining grades;
- (c) Reporting contacts between parent (guardian) and teacher; and
- (d) Compliance with the student record requirements as set forth in COMAR 13A.08.02.”

In addition, each system was to file its grading and reporting policies with the State Superintendent of Schools. Indeed, in February 2018, the State Board of Education (SBOE) reviewed those local grading policies, including that of BCPS. In 2019, the SBOE adopted new regulations for COMAR 13A.03.02.08 increasing the requirements that local school systems must incorporate into their grading and reporting policies. These requirements include grading scales, calculation of final grades, explanation of weights for honors and other courses, how attendance factors into the grade, information on grade change procedures, and audit and appeal procedures. Local school systems are required to file their policy on grading and reporting to the State Superintendent of Schools.

I have reviewed your request for a performance audit under Education Article §5-110 with the Department. At this time, the local government has not requested the Department to procure a performance audit of the schools, a requirement to begin the process.

Thank you for your unwavering commitment to school funding, accountability, and student outcomes.

Sincerely,



Clarence C. Crawford

President

Maryland State Board of Education

c: Mohammed Choudhury, State Superintendent of Schools
Richard Henry, Office of Inspector General for Education
Sonja Santelises, Chief Executive Officer, Baltimore City Public Schools

Attachment



Mohammed Choudhury
State Superintendent of Schools

June 23, 2022

Sonja Santelises, Chief Executive Officer
Baltimore City Public Schools
200 E. North Avenue
Baltimore, Maryland 21202

Re: OIGE Case 20-003-I

Dear Dr. Santelises,

As you are aware, the Maryland State Department of Education (MSDE) has been referred the Investigative Report conducted by the Office of the Inspector General for Education (OIGE) on the allegations that the Baltimore City Public Schools (BCPS) system incorrectly documented and promoted students by changing failing grades to passing grades.

MSDE takes seriously the several instances of grade changes the report documents from 2016 to 2020. It appears that during these years, interpretation of policies and procedures varied notably amongst BCPS employees. We understand that BCPS has taken substantial steps to improve policies and processes, including significant policy revisions in May 2019. MSDE is exercising its authority under COMAR 13A.03.02.08 to further inquire about grading policy implementation within BCPS since that time. If, after this inquiry, it is deemed that inconsistencies and ambiguity regarding the relevant policies and procedures continue to exist, MSDE will work with you to develop and implement a required comprehensive Plan of Action to put in place appropriate corrective measures.

To begin this process, MSDE is requesting a thorough update on the policy changes as well as any staff training, quality control measures, and other implementation efforts made between the time of new policy adoption and today. This should include submission of (1) an overview of the changes and the steps taken to implement them; (2) primary source documentation, including, at a minimum, training session dates/times, agendas, and attendance records (both at the time of policy revision and any ongoing training opportunities for new staff); any reports created as part of tracking or progress monitoring; and (3) any external contracts or agreements related to this issue. It may also include any additional information you believe is relevant. This submission should occur by July 29, 2022.

If you have any questions, please contact Ary Amerikaner, Chief of Staff, at ary.amerikaner@maryland.gov or (410) 767-0090.

I know that we share a sense of responsibility to ensure that all students have the highest quality education, including student grading policies that are clear, transparent, and implemented with fidelity, and I look forward to our continued work together.

Sincerely,

Mohammed Choudhury
State Superintendent of Schools