



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

MAY 22 2009

The Honorable Steve Paine
State Superintendent of Public Instruction
West Virginia Department of Education
Building 6, 1900 Kanawha Blvd. E.
Charleston, West Virginia 25305-0330

Dear Superintendent Paine:

I am pleased to approve West Virginia's standards and assessment system under Title I of the *Elementary and Secondary Education Act of 1965* (ESEA). I congratulate you on meeting this important ESEA requirement.

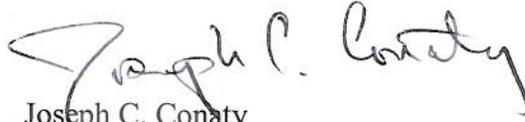
My decision is based on input from peer reviewers external to the U.S. Department of Education (the Department) and Department staff that reviewed and carefully considered the evidence submitted by West Virginia. I have concluded that the evidence demonstrates that West Virginia's standards and assessment system satisfies the requirements. Specifically, West Virginia's system includes academic content and student academic achievement standards in reading/language arts, mathematics, and science; alternate achievement standards for students with the most significant cognitive disabilities in reading/language arts, mathematics, and science; assessments in each of grades 3 through 8 and grade 10 in reading/language arts, mathematics, and science; and alternate assessments for reading/language arts, mathematics, and science. Accordingly, West Virginia's system warrants **Full Approval**. This status means that West Virginia's standards and assessment system meets *all* statutory and regulatory requirements.

Please be aware that approval of West Virginia's assessment system under the ESEA is not a determination that the system complies with Federal civil rights requirements, including 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*, and requirements under the *Individuals with Disabilities Education Act*. Finally, please remember that, as West Virginia makes significant changes to its assessment system, such as the recent change in content standards and administration of new tests aligned with those standards, the state must submit information about those changes to the Department for review and approval.

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202
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We have found it a pleasure working with your staff on this review. Please accept my congratulations for your State's approved standards and assessment system under the ESEA. I wish you well in your continued efforts to improve student achievement in West Virginia.

Sincerely,

A handwritten signature in black ink that reads "Joseph C. Conaty". The signature is written in a cursive style with a large, stylized initial "J".

Joseph C. Conaty
Delegated Authority to Perform the Functions and
Duties of the Assistant Secretary for Elementary
and Secondary Education

CC: Governor Joe Manchin III
Jan Barth