



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

June 23, 2015

The Honorable Michael J. Martirano
State Superintendent
West Virginia Department of Education
1900 Kanawha Boulevard East
Charleston, WV 25305

Dear Superintendent Martirano:

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

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

My decision to approve the renewal of West Virginia's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling West Virginia to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, West Virginia 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. I have also determined that West Virginia'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*. West Virginia's approved request will be posted on ED's website.

West Virginia 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. 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.

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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.

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I am confident that West Virginia 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 Christopher Fenton of my staff at: OSS.WestVirginia@ed.gov.

Thank you for your commitment and continued focus on enhancing education for all of West Virginia's students.

Sincerely,

A black rectangular redaction box covering the signature of Heather Rieman.

Heather Rieman
Acting Assistant Secretary

cc: Melanie Purkey, Executive Director, Office of Federal Programs
Michele Blatt, Chief Accountability and Performance Officer for School Effectiveness