



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

**JUL 15 2008**

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

Dear Superintendent Paine:

I am writing in response to West Virginia's request to amend its state accountability plan under Title I of the *Elementary and Secondary Education Act of 1965* (ESEA), as amended by the *No Child Left Behind Act of 2001* (NCLB). Following discussions between the Department and your staff, you made certain changes to your state accountability plan, which are now included in the amended state accountability plan that West Virginia submitted to the Department on June 30, 2008. I am pleased to fully approve West Virginia's amended plan, which we will post on the Department's website. A summary of the amendments submitted for the 2007-08 school year is enclosed with this letter. As you know, any further requests to amend West Virginia's accountability plan must be submitted to the Department for review and approval as required by section 1111(f)(2) of Title I of the ESEA.

Please also be aware that approval of West Virginia's accountability plan for Title I, including the amendments approved herein, does not indicate that the plan 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*.

I am confident that West Virginia will continue to hold schools and school districts accountable for the achievement of all students. I wish you well in your school improvement efforts. If you need any additional assistance in implementing the standards, assessment, and accountability provisions of NCLB, please do not hesitate to contact Jessica Morffi ([Jessica.Morffi@ed.gov](mailto:Jessica.Morffi@ed.gov)) or Grace Ross ([Grace.Ross@ed.gov](mailto:Grace.Ross@ed.gov)) of my staff.

Sincerely,

Kerri L. Briggs, Ph.D.

Enclosure

cc: Governor Joe Manchin  
Jan Barth

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[www.ed.gov](http://www.ed.gov)

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