



United States Department of Education  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

June 16, 2020

The Honorable W. Clayton Burch  
State Superintendent of Schools  
West Virginia Department of Education  
1900 Kanawha Boulevard, East, Building 6  
Charleston, WV 25305

Dear Superintendent Burch:

I am writing in response to West Virginia's request to the U.S. Department of Education (Department) on February 27, 2020 (updated by West Virginia on May 29, 2020, in response to a question from the Department), to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA). Prior to implementing any revisions to its approved consolidated State plan, a State must submit its proposed amendments to the Department for review and approval.

I have determined that the amended request meets the requirements in the ESEA and, for this reason, I am approving West Virginia's amended State plan. A summary of West Virginia's amendment is enclosed. This letter, as well as West Virginia's revised ESEA consolidated State plan, will be posted on the Department's website. Any further requests to amend West Virginia's ESEA consolidated State plan must be submitted to the Department for review and approval.

Please be aware that approval of this amendment to West Virginia's consolidated State plan is not a determination that all the information and data included in the amended State plan comply 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. It is West Virginia's responsibility to comply with these civil rights requirements.

Thank you for all of the work that the West Virginia Department of Education (WVDE) has put into its consolidated State plan under the ESEA. If you need any assistance regarding the implementation of your ESEA consolidated State plan, please contact the Office of School Support and Accountability at: [OESE.Title-Ia@ed.gov](mailto:OESE.Title-Ia@ed.gov).

Sincerely,

/s/

Frank T. Brogan  
Assistant Secretary  
for Elementary and Secondary Education

Enclosure

cc: Ms. Michele Blatt, WVDE  
Ms. Melanie Purkey, WVDE

400 MARYLAND AVE., SW, WASHINGTON, DC 20202  
[www.ed.gov](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.*

### **Amendments to the West Virginia Consolidated State Plan**

The following is a summary of West Virginia's amendment request. Please refer to the Department's website <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/eSEA-states-plan-west-virginia/> for West Virginia's complete consolidated State plan.

- *Subgroups*

The West Virginia Department of Education (WVDE) revised its State plan to include in the English learner subgroup the results of students previously identified as English learners on the State assessments required under ESEA section 1111(b)(2)(B)(v)(I) for purposes of State accountability for up to 4 years after such students are no longer identified as English learners (ESEA section 1111(b)(3)(B)).

- *Long-term Goals/English Language Proficiency*

WVDE revised its long-term goals and measurements of interim progress for progress in achieving English language proficiency (ELP) based on having four years of ELP assessment data from school years 2015-2016 through 2018-2019. The State's long-term goal has been revised from 85.2 to 75 percent of English learners making progress on the State's ELP assessment by 2029-2030.

- *Indicators/Progress in Achieving ELP*

WVDE revised its methodology for calculating the progress in achieving ELP indicator based on analysis of four years of ELP assessment data. The revised indicator measures the percentage of English learners in a school who are proficient or make progress towards English language proficiency. WVDE established progress targets for each student based on grade span (i.e., K-8th grade and high school) and the student's prior year's ELP assessment score.

- *Annual Meaningful Differentiation*

To continue to annually meaningfully differentiate among schools, WVDE revised its school performance level cut scores for the Progress in Achieving ELP indicator to align with its revisions to this indicator.

WVDE added its school performance level cut scores for its Other Academic indicator for elementary and secondary schools that are not high schools.

- *Identification of Schools*

WVDE included an additional procedure for identifying at least five percent of its Title I schools for comprehensive support and improvement (CSI) if its existing procedures do not result in the identification of at least five percent of its Title I schools for CSI each time it identifies. WVDE will add the points each Title I school not already identified for CSI earns on the Academic Achievement, Other Academic indicator for elementary and secondary schools that are not high schools, and the Graduation Rate indicators and identify those schools with the lowest scores until it reaches five percent of Title I schools.

- *Technical Assistance/CSI*

WVDE added two new activities, a school culture survey and principal effectiveness audit, that staff in a school identified for CSI will complete.