



# COMMONWEALTH of VIRGINIA

## BOARD OF EDUCATION

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Mark E. Emblidge, Ph.D.  
President

February 2, 2007

The Honorable Raymond Simon  
Deputy Secretary  
Office of Elementary and Secondary Education  
United States Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Deputy Secretary Simon:

I am writing on behalf of the Virginia Board of Education seeking clarification on several statements in your letter of January 31, 2007, to Superintendent of Public Instruction Billy K. Cannaday, Jr., responding to the state board's requests to amend its accountability plan under the *No Child Left Behind Act of 2001*.

First, your response to Virginia's request for a one-year extension to continue using the SELP assessment as a reading proxy for certain limited English proficient (LEP) students for the 2006-2007 school year is not clear. Several statements in your January 31 letter to Dr. Cannaday are contradictory.

In reference to approval of our request for a one-year extension, your letter states: *...As a result, by the end of the 2006-07 school year, Virginia must either discontinue using the SELP or revise it to meet the NCLB standards and assessment requirements.*

Please confirm in writing to me the intent of the statement that says we have until the end of 2006-2007 to discontinue SELP as a reading assessment proxy.

Secondly, in my letter of January 22, 2007, the Board of Education requested adding Standards of Learning assessments in writing and history and social science to the list of options already approved by USED for school divisions to choose as the other academic indicator in elementary and middle schools. Your January 31 letter approves the addition of assessments in

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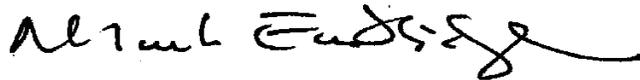
history and social studies and science, which is already approved, but no mention is made of writing assessments. Please clarify the status of using writing assessments as the other academic indicator.

I, respectfully, request that within five (5) days of receiving this letter you respond in writing to my questions on SELP testing and the use of writing assessments as an option for the other academic indicator.

As the designated state education agency (SEA), the Virginia Board of Education will continue to make policy decisions in the best interest of all children and all school divisions in the Commonwealth while continuing to work for common-sense changes during the reauthorization of the Elementary and Secondary Education Act (ESEA).

If you have any questions, please contact me or Dr. Billy K. Cannaday, Jr., superintendent of public instruction, at 804-225-2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Emblidge". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mark E. Emblidge, Ph.D.  
President  
Board of Education

MEE/mnr

cc: Dr. Billy K. Cannaday, Jr., Superintendent of Public Instruction