



COMMONWEALTH *of* VIRGINIA

Mark E. Emblidge, Ph.D
President

BOARD OF EDUCATION

413 Stuart Circle, Suite 303
Richmond, Virginia 23220
(804) 237-8909
(804) 237-8901 (FAX)

July 18, 2008

The Honorable Timothy M. Kaine
Governor of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, Virginia 23219

Dear Governor Kaine:

As you are aware, the Board of Education has been examining Virginia's regulations governing special education. The final public comment period has concluded with approximately 2,240 persons filing approximately 20,700 comments. Board members and Virginia Department of Education staff were present at each of nine public hearings held statewide.

We recognize that two of the most significant concerns relate to the proposed elimination of parental consent for termination of special education services when a child is determined to no longer need special education, and to moving the management of the due process system from the Supreme Court to the Department of Education.

I want to assure you that Board members have heard your concerns and those of parents throughout the Commonwealth and that the retention of current requirements regarding the two areas cited above will be of the highest priority in the final determination process. We anticipate reviewing the final draft of the regulations during our September 25 meeting. I, along with Department of Education staff, am available to meet with you beforehand and review our continued efforts to be responsive to these concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark E. Emblidge".

Mark E. Emblidge, Ph.D.

MEE/hdc

cc: The Honorable Thomas R. Morris
Dr. Billy K. Cannaday, Jr.
Dr. Patricia I. Wright