



COMMONWEALTH of VIRGINIA
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September 14, 2004

Dr. Daniel J. LaVista
Executive Director
State Council of Higher Education for Virginia
Monroe Building
101 North 14th Street
Richmond, VA 23219

**Re: Proposed Amendments to Regulations
For the Senior Citizen Higher Education Program
(8 VAC 40-20-10 *et seq.*)**

Dear Dr. LaVista:

You ask whether the State Council of Higher Education for Virginia possesses the requisite statutory authority to promulgate the above proposed regulations (version posted January 4 or 5, 2005).

I have reviewed the proposed amendments. In my view, the Council has the authority to adopt the proposed changes under both the general authority of paragraph 15 of § 23-9.6:1 of the *Code of Virginia*, as well as the Senior Citizen Higher Education Program, §§ 23-38.54 *et seq.*

The foregoing represents my views and does not constitute an official opinion of the Attorney General. If you require additional assistance from me on this matter, please do not hesitate to contact me.

Sincerely,

Deborah A. Love
Senior Assistant Attorney General

