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Exempt Action Final Regulation Agency Background Document

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| Agency name | Virginia Department of Education |
| Virginia Administrative Code (VAC) citation(s) | 8VAC20-23 |
| Regulation title(s) | <i>Licensure Regulations for School Personnel</i> |
| Action title | Amend the <i>Licensure Regulations for School Personnel</i> |
| Final agency action date | January 24, 2019 |
| Date this document prepared | January 6, 2019 |

While a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

Brief Summary

Please provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The *Licensure Regulations for School Personnel* (8VAC20-23) became effective August 23, 2018. An inadvertent omission was made in section 8VAC20-23-630. Division Superintendent License that needs to be corrected. For each of the first three options for a Division Superintendent License, the following experience is to be required:

Completed five years of educational experience in a public or an accredited nonpublic school, two of which shall be successful, full-time teaching

experience at the preK-12 level and two of which shall be in administration and supervision at the preK-12 level.

When a section of the text in Option 2 for the Division Superintendent was stricken and replaced, the text regarding the experience requirement was eliminated in error; however, this requirement is to be listed under Option 2.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The Virginia Board of Education is anticipated to approve the technical amendment to the *Licensure Regulations for School Personnel* (8VAC20-23) on January 24, 2019.

Periodic Review Small Business Impact Review Report of Findings

If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the proposed stage, please indicate whether the regulatory change meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable.

In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, include a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation.

N/A: The amendment is not a result of a small business impact review.

| Commenter | Comment | Agency response |
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