



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Kenneth T. Cuccinelli, II
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

November 20, 2012

Dr. Patricia Wright
Superintendent of Public Instruction
Virginia Department of Education
James Monroe Building
101 North 14th Street
Richmond, VA 23219

Re: Regulations Governing Licensure Regulations for School Personnel (8 VAC 20-22-10)

Dear Dr. Wright:

You ask whether the Department Education possesses the requisite authority to promulgate the above-referenced regulations.

I find that chapter 805 of the Acts of Assembly (2012) (HB 1295 and SB 679) eliminated section 2 of Chapter 814 of the Acts of Assembly of 2010, which required individuals seeking renewal of a license with endorsements in certain areas to complete a civics study by 2012. The Licensure Regulations must amended to reflect the elimination of the civics study requirement. I also find that the proposed regulations are consistent with the statutory grant of authority to promulgate them and are internally consistent. The proposed regulations do not appear to run afoul of state or federal statutes. I further find that the proposed regulations have no Constitutional defect.

The foregoing represents my view as your legal counsel but is not an official Opinion of the Attorney General. If you require additional assistance on this matter, please do not hesitate to contact me.

Respectfully,

Jake A. Belue
Assistant Attorney General