



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring  
Attorney General

## MEMORANDUM

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**To:** Emily V. Webb, Director  
Office of Board Relations  
Virginia Department of Education

**From:** Susan B. Williams  
Assistant Attorney General

A handwritten signature in black ink, appearing to read "Susan B. Williams".

**Date:** August 7, 2017

**Re:** Final Regulation 8VAC20-543-10 et seq. Regulations Governing the Review and Approval of Education Programs in Virginia (Action 3832 /Stage 7676)

I have reviewed the final regulations identified above to determine whether the State Board of Education (Board) has the authority to promulgate the regulations and if the regulations comport with applicable state law. Pursuant to the *Code of Virginia* § 22.1-16, the Board has authority to promulgate regulations to carry out its statutory powers and duties. Additionally, pursuant to the *Code of Virginia* §§ 22.1-298.2 and 22.1-305.2, the Board has the authority to prescribe, by regulation, the requirements relating to teacher licensure and preparation programs for educators.

It is this Office's view that the Board has the authority to promulgate this regulation, subject to compliance with the provisions of Article 2 of the Administrative Process Act and Virginia Office of the Governor Executive Order 17 (2014), and that the Board has not exceeded that authority.

If you have any questions or concerns, please feel free to contact me at (804) 371-8721 or SWilliams@oag.state.va.us. Thank you.

cc: Ronald C. Forehand, Sr. Assistant Attorney General and Section Chief  
Mona H. Siddiqui, Assistant Attorney General