



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

To: Emily V. Webb
Director for Board Relations
Virginia Department of Education

From: Mona H. Siddiqui
Assistant Attorney General

A handwritten signature in cursive script, appearing to read "Mona Siddiqui".

Date: July 13, 2017

Re: Regulations Governing the Employment of Professional Personnel Final Regulations 8 VAC 20-441-10, et seq., and Repeal of 8 VAC 20-440-10, et seq. (Action 3833/Stage 7901)

I have reviewed the final regulations and corresponding repeal stated above to determine whether the State Board of Education (Board) has the authority to promulgate the regulations and if the final 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. In addition, pursuant to the *Code of Virginia* §22.1-302, the Board has specific authority to prescribe by regulation the form of teacher employment contracts.

It is this Office's view that the Board has the authority to promulgate this final 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 has not exceeded that authority.

If you have any questions or concerns, please contact me at the address above, by telephone at (804) 786-1068 or by electronic mail at msiddiqui@oag.state.va.us. Thank you.

Cc: Ronald C. Forehand, Sr. Assistant Attorney General and Section Chief
Susan B. Williams, Assistant Attorney General