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Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8VAC20-23
VAC Chapter title(s)	<i>Licensure Regulations for School Personnel</i>
Action title	Exempt action to comport 8VAC20-23-100 with Chapter 546 of the 2022 Acts of the Assembly
Final agency action date	June 15, 2022
Date this document prepared	May 24, 2022

Although 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 (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

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.

[Chapter 546](#) of the 2022 Acts of the Assembly ("[Chapter 546](#)") amended § [22.1-298.1](#) of the Code of Virginia to expand licensure reciprocity to spouses of reserve members of the Armed Forces of the United States or members of the Virginia National Guard who have obtained a valid out-of-state license. [Chapter 546](#) further requires that the applicant-spouse include the military permanent assignment orders along with the application and that the Virginia Department of Education determine and communicate the applicant-spouse's eligibility for licensure by reciprocity within 15 business days of receipt of the complete application process.

As a result of [Chapter 546](#), the Virginia Board of Education must amend 8VAC20-23-100 to align with § [22.1-298.1](#).

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

This regulatory action is the result of a legislative mandate ([Chapter 546](#)).

Statement of Final Agency Action

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.

This regulatory action ("Exempt action to comport 8VAC20-23-100 with Chapter 546 of the 2022 Acts of the Assembly") was approved by the Virginia Board of Education on June 15, 2022.