



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

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## MEMORANDUM

**To:** Melissa L. Luchau  
Director for Board Relations  
Virginia Department of Education

**From:** Mona H. Siddiqui  
Assistant Attorney General

A handwritten signature in black ink that reads "Mona Siddiqui".

**Date:** July 21, 2016

**Re:** Final Regulation 8 VAC 20-730 Regulations Governing the Collection and Reporting of Truancy – Related Data and Student Attendance Policies (Action 3329/Stage 7612)

I have reviewed the final regulations stated 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* §22.1-269, the Board has the authority and the duty to see that the provisions of Virginia's Compulsory School Attendance statutes (*Code of Virginia* §22.1-254 through §22.1-269.1) are properly enforced throughout the Commonwealth of Virginia.

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](mailto:msiddiqui@oag.state.va.us). Thank you.

**Cc:** Ronald C. Forehand, Sr. Assistant Attorney General and Section Chief

Wendell C. Roberts, Assistant Attorney General