



COMMONWEALTH of VIRGINIA

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MEMORANDUM

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

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

Date: July 29, 2015

Re: Proposed Regulation 8 VAC 20-131 Regulations Establishing Standards for Accrediting Public Schools in Virginia

(Action 4407 / Stage 7284)

I have reviewed the proposed regulations, the text of which was electronically mailed to me on July 23, 2015, to determine whether the State Board of Education (Board) has the authority to promulgate the regulation and if the proposed regulation comports 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* §22.1-253.13:3, the Board has authority to promulgate regulations governing standards for accrediting Virginia public schools, and prescribe by regulation the requirements for standards for accreditation of Virginia public schools.

It is this Office's view that the Board has the authority to promulgate this proposed 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
Wendell C. Roberts, Assistant Attorney General