



COMMONWEALTH of VIRGINIA

Office of the Attorney General

MEMORANDUM

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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, appearing to read "Mona Siddiqui".

Date: June 22, 2016

Re: Proposed Regulation 8 VAC 20-160-10 et. seq. Regulations Governing Secondary School Transcripts (Action 4565/Stage 7562)

I have reviewed the proposed regulation stated above 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 prescribe by regulation standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which includes student outcome measures, course and credit requirements for graduation from high school, and the philosophy, goals, and objectives of public education in Virginia.

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