



**COMMONWEALTH of VIRGINIA**  
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Jason S. Miyares

**To:** James Chapman, Director  
Office of Board Relations  
Virginia Department of Education

**From:** Deborah A. Love *DAL*  
Senior Assistant Attorney General/Chief

**Date:** March 28, 2024

**Re:** Proposed Adoption of *Virginia Standards of Accreditation* (8VAC20-132) and Proposed Repeal of *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8VAC20-131)

I have reviewed the version of the proposed regulatory action identified above in order to determine whether the State Board of Education (Board) has the authority to promulgate the regulation and if the 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. In addition, the Board of Education's authority for promulgating regulations governing standards for accrediting public schools is found in § 22.1-253.13:3 of the *Code of Virginia*.

It is my view that the Board has the authority to propose the regulation as described above, and that the Board has not exceeded that authority.

If you have any questions or concerns, please feel free to contact me at the address above, by telephone at (804) 786-3807 or by electronic mail at [dlove@oag.state.va.us](mailto:dlove@oag.state.va.us).