



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: PETER BLAKE
Director, State Council of Higher Education for Virginia

FROM: DEBORAH A. LOVE
Senior Assistant Attorney General

DATE: June 24, 2019

SUBJECT: Regulations for the Senior Citizen Higher Education Program

I have reviewed the above-referenced regulation, which is undergoing a periodic review, to determine if the State Council of Higher Education for Virginia ("Council") has the statutory authority to promulgate the regulation, and if the regulations comport with applicable law.

The Council has authority to promulgate regulations for the implementation of the Senior Citizen Higher Education Program under § 23.1-640 of the Code of Virginia, as well as its predecessor statute, § 23-38.56. In my view, the regulations do not exceed the Council's rulemaking authority.

If you have any questions about the foregoing, please feel free to contact me at the address above or via email at dlove@oag.state.va.us.