



COMMONWEALTH of VIRGINIA
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MEMORANDUM

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

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

Date: December 11, 2024

Re: Periodic Review of *Regulations Governing the Review and Approval of Education Programs in Virginia*
[8 VAC20-543] (Review 2502)

Consistent with the provisions of § 2.2-4017 of the *Code of Virginia* and Executive Order 19 (2022) and the procedures for the Office of Regulatory Management required by Executive Order 19, I have reviewed the above-referenced regulatory action to ensure general statutory authority to promulgate the regulation and to identify any specific authority for the regulation under periodic review.

Pursuant to § 22.1-16 of the *Code of Virginia*, the Board of Education has authority to promulgate regulations to carry out its statutory powers and duties. In addition, *Code of Virginia* § 22.1-298.2 requires the Board to review and amend its regulations governing education preparation programs and requires such programs to meet the requirements for accreditation and program approval prescribed by the Board in its regulations.

Thus, it is my view that the Board has general statutory authority to promulgate regulations and specific statutory authority to promulgate regulations pertaining to the review and approval of education preparation programs in Virginia.

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.