



**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:** September 25, 2023

**Re:** Revisions to the *Licensure Regulations for School Personnel* to Comport with Chapters 748 and 771 of the 2023 *Acts of the Assembly* [8VAC20-23-50 and 8VAC20-23-720] (Exempt Action) (Action 6292/Stage 10085)

I have reviewed the version of the final regulation 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, these revisions to the regulations are required by Chapters 748 and 771 of the 2023 Acts of Assembly.

It is my view that the Board has the authority to promulgate this final regulation, and that the Board has not exceeded that authority. It is also my view that this regulatory action is exempt from Article 2 of the Administrative Process Act pursuant to *Code of Virginia* § 2.2-4006 (A)(4)(a).

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).