



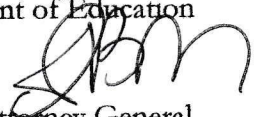
COMMONWEALTH of VIRGINIA
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MEMORANDUM

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

From: Susan B. Williams 
Senior Assistant Attorney General

Date: September 11, 2026

Re: Revisions to the *Virginia Standards of Accreditation* to comport 8VAC20-132-51 with Chapter 182 and Chapter 789 of the 2026 Acts of Assembly (Exempt Action) (Action 7104/Stage 11311)

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 § 22.1-16 of the *Code of Virginia*, the Board has authority to promulgate regulations to carry out its statutory powers and duties. In addition, § 22.1-253.13:13 of the *Code* authorizes the Board to promulgate regulations establishing standards of accreditation. Lastly, these regulatory changes are required by Chapter 182 and Chapter 789 of the 2026 Acts of Assembly.

It is my view that the Board has the authority – and duty – 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). It is further my view that this action remains subject to Virginia Office of the Governor Executive Order 17 (2026), and that the Board has not exceeded its authority.

If you have any questions or concerns, please feel free to contact me at the address above, by telephone at (804) 366-6666 or by electronic mail at swilliams@oag.state.va.us.