



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

TO: Dr. Lisa Coons
Superintendent of Public Instruction
Virginia Department of Education

FROM: Deborah A. Love
Senior Assistant Attorney General

DATE: February 13, 2025

SUBJECT: Periodic Review of *Regulations Governing Literary Loan Applications in Virginia*
[8VAC20-100] (Review 2544)

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

Pursuant to § 22.1-16 of the *Code of Virginia*, the Board of Education has authority to promulgate regulations as may be necessary to carry out its statutory powers and duties and the provisions of Title 22.1 of the *Code of Virginia*. In addition, the Board of Education has certain authority over the Literary Fund as prescribed in Chapter 10 of Title 22.1 of the *Code of Virginia* and Article VII, § 8 of the *Constitution of Virginia*.

Thus, in my view the Board has the statutory authority to promulgate the above-referenced regulations.

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 email at dlove@oag.state.va.us.