



COMMONWEALTH of VIRGINIA
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November 1, 2005

Dr. Jo Lynne DeMary
Superintendent of Public Instruction
Department of Education
Monroe Building
101 North 14th Street
Richmond, VA 23219

Re: Rules Governing the Licensure of School Personnel
(8 VAC 20-22-10)

Dear Dr. DeMary:

You ask whether the Virginia Board of Education possesses the requisite statutory authority to promulgate regulations governing the licensure of school personnel.

Section 22.1-16 vests the Board of Education with the authority to promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of Title 22.1. In addition, the General Assembly has directed the Board to promulgate regulations prescribing the requirements for licensure of certain school personnel. Code § 22.1-298. In my view, therefore, the Board possesses the requisite authority to promulgate these regulations.

The foregoing represents my view and does not constitute an official opinion of the Attorney General. If you require additional assistance from me on this matter, please do not hesitate to contact me.

Sincerely,

Deborah A. Love
Senior Assistant Attorney General

