



COMMONWEALTH of VIRGINIA


Office of the Attorney General

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MEMORANDUM

To: Emily V. Webb, Director
Office of Board Relations
Virginia Department of Education

From: Susan B. Williams 
Senior Assistant Attorney General

Date: July 16, 2020

Re: Proposed *Regulations Governing the Secondary School Transcript* [8 VAC 20 - 160] (Action 5348 / Stage 8959)

I have reviewed the version of proposed regulation identified above that was submitted to the Virginia Regulatory Town Hall on June 24, 2020 at 10:38 AM 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.

It is the view of this Office that the Board has the authority to promulgate this regulation, subject to compliance with the provisions of Article 2 of the Administrative Process Act and Virginia Office of the Governor Executive Order 14 (2018), and that the Board has not exceeded that authority.

If you have any questions or concerns, please feel free to contact me at the address above, by telephone at (804) 371-8721 or by electronic mail at swilliams@oag.state.va.us. Thank you.

cc: Deborah A. Love, Senior Assistant Attorney General/Section Chief