

Nancy Dahlstrom
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV




530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Janell Andrews, Department of Education and Early Development

FROM: April Simpson, Office of the Lieutenant Governor 465.4081 

DATE: July 13, 2023

RE: Filed Permanent Regulations: Department of Education and Early Development
Department of Education and Early Development regulations re: Interim Assessments
(4 AAC 06)

Attorney General File:	2023200064
Regulation Filed:	7/13/2023
Effective Date:	8/12/2023
Print:	247, October 2023

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

P.O. Box 110300
Juneau, Alaska 99811
Main: 907.465.3600
Fax: 907.465.2520

July 12, 2023

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: 4 AAC 06: DEED - Interim Assessments
Our file: 2023200064

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Department of Education and Early Development against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The regulations concern adding a statewide screening tool as described in AS 14.30.760, adopted under the Alaska Reads Act (ch. 40, SLA 2022).

The regulations were adopted by the Department of Education and Early Development after the close of the public comment period. The April 21, 2023 public notice and the June 20, 2023 order certifying changes both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

Rebecca C. Polizzotto
Digitally signed by
Rebecca C. Polizzotto
Date: 2023.07.12
15:50:44 -08'00'

By:

Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

RCP/bhp

CC w/enclosure: Janell Andrews
Department of Education and Early Development

Ryan T. Bravo, Assistant Attorney General
Department of Law

Steven C. Weaver, Assistant Attorney General
Department of Law

APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

The attached 1 page of regulations, dealing with amendments to 4 AAC 06.710 Statewide student assessment system. The amendment includes the addition of a statewide screening tool as described in AS 14.30.760, adopted under the Alaska Reads Act (House Bill 114, Chapter 40, SLA 2022), and 4 AAC 06.400 is certified to be a correct copy of the regulation changes that the State Board of Education and Early Development adopted at its June 8, 2023, meeting, under the authority of AS 14.07.020, AS 14.07.060 and 14.07.165, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increase appropriation.

On the record, considering public comments, the State Board of Education and Early Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 6/20/2023

Lacey Sanders

Lacey Sanders, Deputy Commissioner
Department of Education and Early Development

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

July 13, 2023 at 3:00 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for Nancy Dahlstrom
Lieutenant Governor

Effective: August 12, 2023

Register: 247, October 2023

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on May 15th, 2023.**



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 247, October 2023 EDUCATION AND EARLY DEV.

4 AAC 06.710 is amended by adding a new paragraph to read:

(5) a statewide screening tool as described in AS 14.30.760 and 4 AAC 06.400.

(Eff. 3/15/89, Register 109; am 8/7/92, Register 123; am 12/16/94, Register 132; am 10/21/99, Register 152; am 3/3/2000, Register 153; am 11/30/2001, Register 160; am 12/19/2002, Register 164; am 9/11/2004, Register 171; am 10/3/2011, Register 200; am 10/16/2012, Register 204; am 6/30/2013, Register 206; am 12/26/2014, Register 212; am 3/30/2016, Register 217; am 6/1/2018, Register 226; am 12/25/2020, Register 236; am 8 / 12 / 2023, Register 247)

Authority: AS 14.07.020 AS 14.07.060 **AS 14.30.775**

((Publisher, please move "and" connector from 4 AAC 06.710(3) to 4 AAC 06.710(4) and change the period at the end of 4 AAC 06.710(4) to a semicolon.)))