

Byron Mallott
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV

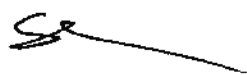


530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Shawn Sypeck
Department of Education and Early Development

FROM: Scott Meriwether, Office of the Lieutenant Governor 465.4081 

DATE: August 17, 2017

RE: Filed Permanent Regulations: Board of Education and Early Development
State Board of Education and Early Development regulations re: pre-elementary schools
(4 AAC 60)

Attorney General File:	JU2017200191
Regulation Filed:	8/17/2017
Effective Date:	9/16/2017
Print:	223, October 2017

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

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

The attached five pages of regulations, dealing with pre-elementary schools, are certified to be a correct copy of the regulation changes that the State Board of Education and Early Development adopted at its June 8, 2017, meeting, under the authority of AS 14.07.020 and AS 14.07.060, 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 increased appropriation.

On the record, in 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:

June 21, 2017

Sana Efirid
Sana Efirid, Deputy Commissioner

FILING CERTIFICATION

I, Byron Mullott, Lieutenant Governor for the State of Alaska, certify that on

August 17, 2017 at 1045A m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Byron Mullott
Lieutenant Governor

Effective:

September 16, 2017

Register:

223, October 2017

DELEGATION OF AUTHORITY

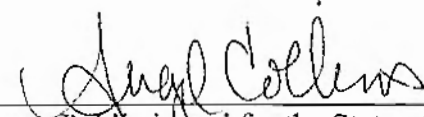
Under AS 44.17.010, the authority and responsibility for adopting regulations of the Department of Education & Early Development under the Alaska Administrative Procedure Act are delegated to Sana Efird, Deputy Commissioner.

Date: 12/13/16

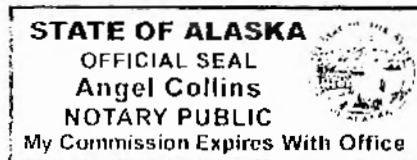


Dr. Michael Johnson, Commissioner

Subscribed and sworn to before me at Juneau, AK on
December 13, 2016.



Notary Public in and for the State of Alaska



4 AAC 60.010 is repealed and readopted to read:

4 AAC 60.010. Applicability. This chapter applies to a pre-elementary school in the state that is

(1) primarily designed to prepare children for elementary school;

(2) operated by

(A) a school district and regularly serves a group of five or more children ages three through five years in a classroom setting; or

(B) a Head Start agency as a Head Start program under 42 U.S.C. 9831 – 9852c; and 9852

(3) not exempt under 4 AAC 60.020. (Eff. 4/20/73, Register 45; am 5/20/77, Register 62; am 2/5/2010, Register 193; am 9/16/2017, Register 223)

Authority: AS 14.07.020 AS 14.07.060

4 AAC 60.020 is amended to read:

4 AAC 60.020. Exemptions. The following are not pre-elementary schools under the jurisdiction of the department and are exempt from the requirements of this chapter:

(1) a facility located on a United States Department of Defense or United States Coast Guard installation that is located on federal property; [OR]

(2) a facility certified as a family child care provider by a branch of the United States Department of Defense or the United States Coast Guard;

(3) ~~(2)~~ a child care facility licensed or required to be licensed under AS 47.32 and 7 AAC 57;

(4) a child care provider approved or required to be approved under AS 47.25 and 7 AAC 41; and

(5) a pre-elementary school that operates for less than five weeks in any 12-month period ⁽²⁾ [PROGRAMS THAT ARE NOT PRIMARILY DESIGNED TO PREPARE CHILDREN FOR ELEMENTARY SCHOOL, INCLUDING PROGRAMS PRIMARILY DESIGNED TO EXPOSE CHILDREN TO RELIGIOUS, ARTISTIC, SINGLE-SUBJECT IMMERSION OR RECREATIONAL CONTENT OR ACTIVITIES]. (Eff. 4/20/73, Register 45; am 5/20/77, Register 62; am 8/30/86, Register 99; am 2/5/2010, Register 193; am 9/16/2017, Register 223)

Authority: AS 14.07.020 AS 14.07.060
(4 Bold))

4 AAC 60.035 is repealed:

4 AAC 60.035. Background checks and health and safety standards. Repealed. (Eff. 2/5/2010, Register 193; repealed 9/16/2017, Register 223)

4 AAC 60 is amended by adding a new section to read:

4 AAC 60.036. Initial application, renewal of approval, and assurances regarding programmatic requirements. (a) At least 30 days before the student start-date for a new pre-elementary school, a school district or Head Start agency seeking to operate a pre-elementary school ^{must} ~~shall~~ submit to the department an application on a form prescribed by the department. The application ^{must} ~~shall~~ include the assurances and signatures required under ~~Subsection~~ ^{of this section} (b).

(b) A school district or Head Start agency that seeks to operate a pre-elementary school under this chapter ^{must} ~~shall~~ submit assurances to the department indicating that the school district or Head Start agency has adopted written policies that ensure compliance with the programmatic

requirements of 4 AAC 60.170. The assurances must be signed by the superintendent for the district or by an authorized executive for the Head Start agency.

(c) Not later than 30 days after the receipt of an application for a new pre-elementary school, the department will grant or deny approval for the pre-elementary school to operate or request more information. The applicant may begin operating the pre-elementary school only upon receipt of the written approval of the department.

(d) Annually, not later than September 15, an approved pre-elementary school must submit an application for renewal of department approval with a completed assurances form as described in of this section subsection (b). The assurances form must be signed by the superintendent for a district or by an authorized executive for a Head Start agency.

(e) Annually, not later than October 1, the department will grant or deny renewal of approval to operate the pre-elementary school or is will request more information. The renewed approval is will be effective from the date of receipt by the applicant or October 1, whichever is through later, not September 30 of the following school year. (Eff. 2/5/2010, Register 193; am. 9/16/2017, Register 223)

Authority: AS 14.07.020 AS 14.07.060

4 AAC 60 is amended by adding a new section to read:

4 AAC 60.037. Transition. (a) A pre-elementary school approved by the department for operation before September 16, 2017 and required to be approved under this chapter, may remain in operation until October 1, 2018. Not later than September 15, 2018, a already approved as described in this section must school district or Head Start agency seeking to operate a pre-elementary school under this chapter shall submit to the department a completed application and assurances form as required

Register 223, October 2017 EDUCATION AND EARLY DEV.

under Not by 4 AAC 60.036(a). to operate the pre-elementary school will No later than October 1, 2018, the department will grant or deny approval under this chapter to the school district or Head Start agency or request more information. If granted, the approval is the date of will be effective for one year from receipt by the applicant or October 1, whichever is later, through September 30 of the following school year. (Eff. 9/16/2017)

Register 223

Authority: AS 14.07.020 AS 14.07.060

~~4 AAC 60 is amended by adding a new section to read:~~

4 AAC 60.039. Monitoring, recordkeeping, and inspections. (a) The department may conduct onsite or remote monitoring of a pre-elementary school at any time and without notice to determine whether a pre-elementary school is operating in compliance with this chapter and the assurances it makes to the department.

(b) The school district or Head Start agency operating a pre-elementary school shall maintain all records under those required by this chapter for five years after the record is created and shall provide copies of such records to the department upon written request.

9 (c) ~~The department may require health and safety inspections based on complaints or other information received regarding health and safety concerns. After a finding of deficiency is reported on an inspection report, the school district or Head Start agency shall prepare a written corrective action plan to address the deficiency.~~ (Eff. 9/16/2017) Register 223)

Authority: AS 14.07.020 AS 14.07.060

4 AAC 60.040 is amended to read:

4 AAC 60.040. Denial of approval; appeal. A school district or Head Start agency that [PERSON, INSTITUTION, OR AGENCY THIS] is denied an approval to operate a pre-

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elementary school under this chapter [4 AAC 60.035] may file an appeal [REQUEST A HEARING] under the procedures in 4 AAC 40 [IF A WRITTEN APPEAL IS RECEIVED BY THE COMMISSIONER WITHIN 15 DAYS OF THE DATE OF DENIAL OF APPROVAL. THE ELIGIBILITY OF THE SCHOOL FOR A LICENSE OR APPROVAL UNDER 4 AAC 60.035(B)(1) OR (2) IS NOT AN APPEALABLE ISSUE UNDER THIS SECTION]. (Eff.

4/20/73, Register 45; am 5/20/77, Register 62; am 2/5/2010, Register 193; am 9/16/2017 Register 223)

Authority: AS 14.07.020 AS 14.07.060

4 AAC 60.170 is amended to read:

4 AAC 60.170. Programmatic requirements for pre-elementary schools. (a) A pre-elementary school that is subject to regulated under this chapter [THAT RECEIVES DIRECT STATE OF FEDERAL FUNDING] must implement the guidelines for an early learning program described in the department's publication State of Alaska, Early Learning Guidelines, dated December 2007, and adopted by reference. The school must assess each child to determine the child's progress or status on all domain areas of development described in the guidelines.

(b) A pre-elementary school that is subject to regulated under this chapter [THAT RECEIVES DIRECT STATE OR FEDERAL FUNDING] shall submit to the department [PREPARE] an [PREPARE A] annual report not no later than June 30 [AT THE END OF EACH SCHOOL YEAR] on a form prescribed by the department. The school shall make the report available to parents and the public by August 1 of the next school year. (Eff. 4/20/73, Register 45; am 5/20/77, Register 62; am 2/5/2010, Register 193; am 9/16/2017 Register 223)

Authority: AS 14.07.020 AS 14.07.060

4 AAC 60.180 is amended by adding a new paragraph to read:
(10) "Head Start agency" means an agency that operates a pre-elementary school in the state as a Head Start program under 42 U.S.C. 9831 - 9852c. (Eff. 4/20/73, Register 45; am 5/20/77, Register 62; am 2/5/2010, Register 193; am 9/16/2017, Register 223)
Authority: AS 14.07.020 AS 14.07.060

MEMORANDUM


State of Alaska Department of Law

To: Hon. Byron Mallott
Lieutenant Governor

Date: August 17, 2017

File No.: JU2017200191

Tel. No.: 465-3600

From: Steven C. Weaver 
Sr. Assistant Attorney General
and Assistant Regulations Attorney
Legislation and Regulations Section

Re: State Board of Education and Early
Development regulations re: pre-
elementary schools (4 AAC 60)

We have reviewed the attached regulations from the State Board of Education and Early Development against the statutory standards of the Administrative Procedure Act. I have reviewed this project under a specific delegation dated August 17, 2017 from the Regulations Attorney. The regulations update and streamline the standards for approval of pre-elementary schools subject to agency jurisdiction under AS 14.07.020(a)(8), including the repeal of provisions regarding private pre-elementary schools outside the agency's minimum jurisdiction and the repeal of former 4 AAC 60.035 (background checks and health and safety standards).

We find no legal problems with the regulations, except for proposed 4 AAC 60.039(c). This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the rest of the attached regulations.

We have disapproved proposed 4 AAC 60.039(c), part of a new section of regulations. As proposed, that subsection read:

(c) The department may require health and safety inspections based on complaints or other information received regarding health and safety concerns. After a finding of deficiency is reported on an inspection report, the school district or Head Start agency [that operates the pre-elementary school] shall prepare a written corrective action plan to address the deficiency.

But the State Board of Education and Early Development no longer has its own health and safety standards, because in this project the board repealed 4 AAC 60.035 (background checks and health and safety standards) altogether. Of course, a pre-elementary school indeed may have a health or safety issue--for example, a building code or food safety code violation--but an agency other than the Department of Education and Early Development would address the matter. If a pre-elementary school were required to submit to a *department* inspection, neither the pre-elementary school nor the inspector would know what health or safety standards the board

expects the school to comply with, or how to bring the school into compliance. The closest thing to a standard is the phrase "complaints or other information [about] health and safety concerns."

The Administrative Procedure Act (AS 44.62) reduces the risk that an agency might apply regulations in an arbitrary manner. To require inspections and corrective action plans without corresponding standards would expose the state to litigation as to whether a department action was arbitrary. Accordingly, we have disapproved proposed 4 AAC 60.039(c).

The April 12, 2017 public notice and the June 21, 2017 certification of adoption order 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.

Please note that the first sentence of new 4 AAC 60.037 (transition) contains a placeholder for a date that is timed to the effective date of the regulations. Once the regulations are filed and the effective date thus established under AS 44.62.180, we request that your office make handwritten edits to substitute the correct date for the placeholder text.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc: (via email)

Hon. Dr. Michael Johnson, Commissioner
Department of Education and Early Development

Shawn Sypeck, Regulations Contact
Department of Education and Early Development

Luann E.B. Weyhrauch, Assistant Attorney General
Labor and State Affairs Section

MEMORANDUM

State of Alaska Department of Law

TO: Hon. Byron Mallott
Lieutenant Governor

DATE: August 17, 2017

FILE NO.: JU2017200191

TELEPHONE NO.: (907) 465-3600

FROM: Susan R. Pollard *SPP*
Chief Assistant Attorney General
and Regulations Attorney
Legislation/Regulations Section

SUBJECT: Specific delegation of authority
regarding regulations review on
State Board of Education and
Early Development update to
regulations re: pre-elementary
schools (4 AAC 60)

By this memorandum, I am delegating my authority as Regulations Attorney under AS 44.62 to Assistant Attorney General Steven C. Weaver for the above-referenced regulations project. Under this delegation of authority, Steven Weaver has my full authority under AS 44.62 to conduct the legal review under AS 44.62 and take necessary actions on this regulations project.

If you have questions, please let me know.

SRP

cc w/enc: Scott C. Meriwether, AAC Coordinator
Office of the Lieutenant Governor

Steven C. Weaver
Sr. Assistant Attorney General and
Assistant Regulations Attorney
Legislation/Regulations Section—Juneau

NOTICE OF PROPOSED CHANGES REGARDING OVERSIGHT OF
PRE-ELEMENTARY SCHOOLS IN THE REGULATIONS OF
THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

BRIEF DESCRIPTION: Under the proposed regulations, only pre-elementary schools operated by school districts or Head Start Agencies will be required to obtain department approval; the program will be more closely aligned with the department's statutory duty to supervise pre-elementary schools that receive direct state or federal funding.

The Department of Education and Early Development proposes to adopt regulation changes to Title 4 of the Alaska Administrative Code dealing with pre-elementary schools, including the following:

4 AAC 60.010 is proposed to be repealed and readopted to clarify which pre-elementary schools are subject to the department's regulations.

4 AAC 60.020 is proposed to be amended to clarify which programs are exempt from the department's pre-elementary regulations. The exemptions include child care facilities and child care providers regulated by the Department of Health and Social Services.

4 AAC 60.035 is proposed to be repealed. The effect of the repeal would be to eliminate the duplication of health and safety standards, including background checks, required of pre-elementary schools operated by school districts and Head Start agencies.

New section 4 AAC 60.036 is proposed to set the department's rules for pre-elementary schools' initial applications, renewals of approval, and assurances regarding programmatic requirements.

New section 4 AAC 60.037 is proposed to provide for a transition period for pre-elementary schools that were approved by the department prior to the effective date of the new regulations.

New section 4 AAC 60.039 is proposed to set rules for monitoring pre-elementary schools, requiring inspections, and requiring record-keeping.

4 AAC 60.040 is proposed to be amended to specify that a school district or Head Start agency may appeal under 4 AAC 40 if denied approval as a pre-elementary school.

4 AAC 60.170 is proposed to be amended to clarify that department rules regarding programmatic requirements, assessments, and annual reports apply to pre-elementary schools regulated by the department.

The Department of Education and Early Development invites the public to submit written comments during the written comment period, which begins with the date of this notice and ends on May 12, 2017, at 4:30 p.m. The written comment period closes in advance of the meeting of the State Board of Education and Early Development at which the board will consider the adoption of the proposed regulations. This allows the Department of Education and Early Development an opportunity to prepare changes based on written comment and to distribute any

proposed changes to the board for its consideration prior to the meeting.

You may comment in writing on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Commissioner's Office, Department of Education and Early Development, Attn: Regulations Review, 801 West Tenth Street, Suite 200, PO Box 110500, Juneau, Alaska 99811-0500.

You also may submit written comments by facsimile at (907) 465-4156; by electronic mail to eric.fry@alaska.gov; and online at the website of the Department of Education and Early Development at <https://education.alaska.gov/regs/comment.cfm>. Written comments also may be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link.

All written comments must be received not later than 4:30 p.m. on May 12, 2017

After the written comment period has ended, you may submit oral comments to the State Board of Education and Early Development at a hearing to be held by the board on June 7, 2017, by audio-conference. The hearing will be held from 9:15 a.m. to 10:15 a.m. but may be extended to accommodate those present before 9:00 a.m. who have not had an opportunity to comment before 10:15 a.m.

You also may submit oral comments at this hearing, during this time only, via the Legislative Information Office streaming by calling 1-844-586-9085 if you are outside of Juneau. For participation from Juneau, call 586-9085.

This meeting will be streamed through the Legislative Information Office over <http://www.alaskalegislature.tv/> beginning at 9:00 a.m. June 7, 2017, (audio only).

You also may submit oral comment by visiting your local Legislative Information Office (LIO). The following LIO's will participate: Anchorage, 716 W 4th Ave., Suite 100; Bethel, 301 Willow St.; Fairbanks, 1292 Sadler Way, Suite 308; Juneau, Room 111 Terry Miller Bldg.; Kenai, 145 Main St. Loop, Suite 217; Ketchikan, 1900 First Ave., Suite 310; Kodiak, 305 center Ave., Suite 1; Mat-Su, 600 E Railroad Ave.; Nome 103 Front St.; Seward, 302 Railway Suite 107; and Sitka, 201 Katlian St., Suite 103.

You may submit written questions relevant to the proposed action to Eric Fry at eric.fry@alaska.gov or the Department of Education and Early Development, Attn: Eric Fry, 801 West 10th Street, Suite 200, PO Box 110500, Juneau, Alaska 99811-0500. If a question is relevant to the proposed change in the regulations and the question is received by May 3, 2017, which is 10 days before the end of the public comment period, the department will make a good-faith effort to answer the question before the end of the public comment period. The Department of Education and Early Development will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the website of the Department of Education and Early Development at <https://education.alaska.gov/regs/comment.cfm>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Shawn Sypeck at (907) 465-2802 or shawn.sypeck@alaska.gov not later than June 1, 2017, to ensure that any necessary accommodation can be provided.

Copies of the proposed regulation changes are available on the Alaska Online Public Notice System, on the website of the Department of Education and Early Development at <https://education.alaska.gov/regs/comment.cfm>, and by contacting Eric Fry at eric.fry@alaska.gov or 907-465-2851.

After the public comment period ends, the Department of Education and Early Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 14.07.060

Statutes being implemented, interpreted, or made specific: AS 14.07.020

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Education and Early Development
2. General subject of regulation: pre-elementary schools and programs
3. Citation of regulation (may be grouped): 4 AAC 60.010-.040 & 60.170
4. Department of Law file number, if any: JU2017200191

5. Reason for the proposed action:

- ☐ Compliance with federal law or action (identify):
☒ Compliance with new or changed state statute
☐ Compliance with federal or state court decision (identify):
☐ Development of program standards
☐ Other (identify):

6. Appropriation/Allocation: None

7. Estimated annual cost to comply with the proposed action to:

A private person: none.

Another state agency: none.

A municipality: none.

8. Cost of implementation to the state agency and available funding (in thousands of dollars): none

	Initial Year FY <u>18</u>	Subsequent Years
Operating Cost	\$ <u>0</u>	\$ _____
Capital Cost	\$ <u>0</u>	\$ _____
1002 Federal receipts	\$ <u>0</u>	\$ _____
1003 General fund match	\$ <u>0</u>	\$ _____
1004 General fund	\$ <u>0</u>	\$ _____
1005 General fund/ program	\$ <u>0</u>	\$ _____
Other (identify)	\$ <u>0</u>	\$ _____

9. The name of the contact person for the regulation:

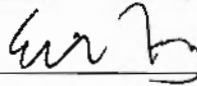
Name: Anji Gallanos
Title: Early Learning Coordinator
Address: 801 W. 10th Street, Suite 200, Juneau, Alaska
Telephone: 907-465-4862
E-mail address: anji.gallanos@alaska.gov

10. The origin of the proposed action:

- ☒ Staff of state agency
☐ Federal government
☐ General public
☐ Petition for regulation change
☐ Other (identify): _____

11. Date: April 10, 2017

Prepared by: _____



Name: Eric Fry
Title: Information Officer/Regulations Contact
Telephone: 907-465-2851

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0001403326
\$637.46

AFFIDAVIT OF PUBLICATION

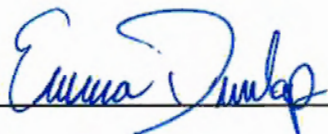
STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Emma Dunlap
being first duly sworn on oath deposes and
says that he/she is a representative of the
Alaska Dispatch News, a daily newspaper.
That said newspaper has been approved
by the Third Judicial Court, Anchorage,
Alaska, and it now and has been published
in the English language continually as a
daily newspaper in Anchorage, Alaska, and
it is now and during all said time was
printed in an office maintained at the
aforesaid place of publication of said
newspaper. That the annexed is a copy of
an advertisement as it was published in
regular issues (and not in supplemental
form) of said newspaper on

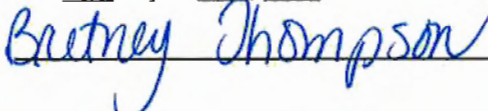
April 12, 2017

and that such newspaper was regularly
distributed to its subscribers during all of
said period. That the full amount of the fee
charged for the foregoing publication is not
in excess of the rate charged private
individuals.

Signed



Subscribed and sworn to before me
this 12th day of April, 2017



Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska
MY COMMISSION EXPIRES

2/23/2019
Notary Public
BRITNEY L. THOMPSON
State of Alaska
My Commission Expires Feb 23, 2019

NOTICE OF PROPOSED CHANGES REGARDING OVERSIGHT OF PRE-ELEMENTARY SCHOOLS IN THE REGULATIONS OF THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

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New section 4 AAC 60.039 is proposed to set rules for monitoring pre-elementary schools, requiring inspections, and requiring record-keeping.

4 AAC 60.040 is proposed to be amended to specify that a school district or Head Start agency may appeal under 4 AAC 40 if denied approval as a pre-elementary school.

Published: April 12 & 14, 2017

it deems appropriate.
informatives, and/or irregularities a
waive any minor technicalities
accept or reject any or all bids and
The MSBSD reserves the right to
information call (907) 861-5120.
Way, Palmer, AK 99645. For
Department, 690 Cape Industrial
are also available at the Purchasing
web site at www.matsuk12.us and
Purchasing section of the MSBSD
documents can be viewed in the
must be marked "Bid #B17-24". Bids
time to be considered. All bid
99645, on or before said date at
Cape Industrial Way, Palmer, AK
MSBSD Purchasing Department, 690
submitted and received by the
Time: Sealed bids must be
2017 at 2:00 p.m., Palmer Alaska
Bids are due on or before May 7
stage.

Houston High School cafeteria an
and lighting upgrades for the
to supply and install stage sound
from qualified individuals and firm
District (MSBSD) will consider bid
Matanuska-Susitna Borough School
Notice is hereby given that the
UPGRADES
LIGHTING AND SOUND
HOUSTON HIGH SCHOOL STAGE
BID #B17-24
INVITATION TO BID
BOROUGH SCHOOL DISTRICT
MATANUSKA-SUSITNA

Published: April 9, 12 & 16, 2017

time, May 2, 2017.
Alaska 99701 until 3:00 p.m., local
Bids will be received by NORTCH
Inc., 2400 College Road, Fairbanks

AFFIDAVIT OF BOARD ACTION

I, Shawn Sypeck, Executive Secretary to the State Board of Education and Early Development, being duly sworn, state the following:

The attached motion dealing with pre-elementary schools, was passed by the State Board of Education and Early Development during its June 8, 2017, meeting.

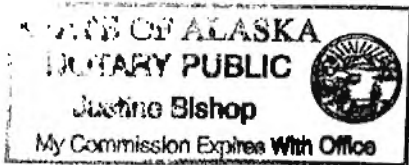
Date: 6/16/17

Shawn Sypeck
Shawn Sypeck, Executive Secretary

Subscribed and sworn to before me at Juneau, Alaska on

June 16, 2017

Justine Bishop
Notary Public in and for the State of Alaska



State Board of Education and Early Development Meeting

June 8, 2017

Excerpt from Unapproved Minutes

Barbara Thompson moved and First Vice-Chair Hull seconded the following motion: After considering all public comment, I move that the State Board of Education and Early Development adopt 4 AAC 60.010 Applicability, 4 AAC 60.020 Exemptions, 4 AAC 60.035 Background checks and health and safety standards, 4 AAC 60.036 Initial application, renewal of approval, and assurances regarding programmatic requirements, 4 AAC 60.037 Transition, 4 AAC 60.039 Monitoring, recordkeeping, and inspections, 4 AAC 60.040 Denial of approval; appeal, and 4 AAC 60.170 Programmatic requirements for pre-elementary schools. The motion passed unanimously, with Second Vice-Chair Harmon recused.

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION

I, Shawn Sypeck, Executive Secretary to the State Board of Education and Early Development, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed regulation changes to 4 AAC 60.010-.170 pre-elementary schools has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulation;
- (5) furnished electronically to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
- (8) furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the chair of the Education Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

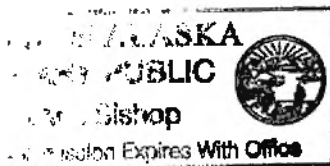
As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 6/16/17

Shawn Sypeck
Shawn Sypeck, Executive Secretary

Subscribed and sworn to before me at Juneau, Alaska on June 16, 2017.

Justine Bishop
Notary Public in and for the State of Alaska



AFFIDAVIT OF ORAL HEARING

I, Shawn Sypeck, Executive Secretary to the State Board of Education & Early Development, being sworn, state the following:

On June 7, 2017, at 9:15 a.m. by audio conference and in the state board room at 801 West 10th Street, Juneau, Alaska, a public hearing was held under AS 44.62.210 for the purpose of taking oral testimony in connection with the adoption of changes to pre-elementary schools, and via telephone by 1-844-586-9085, and through the following LIO sites: Anchorage, 716 W 4th Ave., Suite 100; Bethel, 301 Willow Street; Fairbanks, 1292 Sadler Way, Suite 308; Juneau, Suite 111, Terry Miller Building, State Capitol; Kenai, 145 Main Street Loop, Suite 217; Ketchikan, 1900 First Avenue, Suite 310; Kodiak, 305 Center Ave., Suite 1; Mat-Su, 600 East Railroad Ave.; Nome, 103 Front Street; Seward, 302 Railway, Suite 107; and Sitka, 201 Katlian Street, Suite 103.

Date:

6/16/17

Shawn Sypeck

Shawn Sypeck, Executive Secretary

Subscribed and sworn to before me at

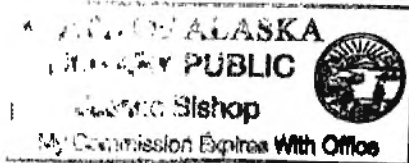
Juneau, Alaska

on

June 16, 2017.

Justine Bishop

Notary Public in and for the State of Alaska



AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Shawn Sypeck, Executive Secretary to the State Board of Education and Early Development, being duly sworn, state the following:

In compliance with AS 44.62.215, the Department of Education and Early Development has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Education and Early Development regulation on pre-elementary schools. The Department of Education and Early Development did not receive any factual or other substantive information that was submitted orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Education and Early Development regulation on pre-elementary schools.

Date:

6/16/17

Shawn Sypeck

Shawn Sypeck, Executive Secretary

Subscribed and sworn to before me at

Juneau, Alaska

on

June 16, 2017

Justine Bishop

Notary Public in and for the State of Alaska

