

Kevin Meyer  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
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530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Becky Weimer, Department of Labor and Workforce Development

**FROM:** April Simpson, Office of the Lieutenant Governor 465.4081 

**DATE:** February 15, 2022

**RE:** Filed Permanent Regulations: Department of Labor and Workforce Development

Department of Labor and Workforce Development regulations re: Alaska adult education program (8 AAC 86.900; 8 AAC 99)

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Attorney General File:	2021200310
Regulation Filed:	2/15/2022
Effective Date:	3/17/2022
Print:	241, April 2022

cc with enclosures: Joseph Felkl, Department of Law  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS  
OF DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

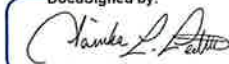
The attached six pages of regulations, dealing with Alaska Adult Education, are adopted and certified to be a correct copy of the regulation changes that the Department of Labor and Workforce Development adopts under the authority of AS 44.31.020 and after compliance with the Administrative Procedure 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.

Although no public comments were received, the Department of Labor and Workforce Development paid special attention to the cost to private persons of the regulatory action being taken.


The regulation changes adopted under 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: 11/24/2021

DocuSigned by:  
  
7562CED58F7944A  
\_\_\_\_\_  
Dr. Tamika L. Ledbetter, Commissioner

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on February, 2022 at 3:04Pm., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
\_\_\_\_\_  
Lieutenant Governor

Effective: March 17, 2022

Register: 24, April 2022

Register 241, April 2022

LABOR AND WORKFORCE DEVELOPMENT

The chapter heading for

8 AAC 99 is changed to read:

“move circled material from page 6 here”

Chapter 99

Alaska Adult [BASIC] Education and Diplomas Under Special Conditions

(Eff.        /        /       , Register       )

Authority: AS 44.31.020

8 AAC 99.110 is amended to read:

**8 AAC 99.110. High school equivalency test.** The General Educational Development (GED) test is the official state [DEPARTMENT] high school equivalency test. (Eff. 3/1/78, Register 65; am 12/29/2013, Register 208; am 3 / 17 / 2022, Register 241)

Authority: AS 44.31.020

8 AAC 99.120(a)(1)(B) is repealed:

(B) repealed 3 / 17 / 2022 Eff. 3/1/78, Register 65; am 5/26/79,

Register 70; am 6/9/85, Register 94; am 11/23/94, Register 152; am 4/4/96, Register 138; am

4/19/97, Register 142; am 12/6/2003, Register 168; am 12/29/2013, Register 208; am        /

       /       , Register       )

Authority: AS 44.31.020

The introductory language of 8 AAC 99.120(c)(1) is amended to read:  
(1) take the GED test if the criteria in (a)(1)(C) and (D)  
[(a)(1)(B) - (D)] of this section are met and if one of the following is  
presented to the proctor of the official training center:

...

“Move to spot marked on next page”

Register 241, April 20 22

LABOR AND WORKFORCE DEVELOPMENT

8 AAC 99.120(a)(2) is amended to read:

(2) receive an Alaska high school diploma by examination if ~~if~~ [THE]

(A) the criteria in (1) of this subsection are met; and

(B) the person has attained the passing standard in all content areas as set by the GED Testing Service. [PASSED EACH OF THE FOUR GED SUBTESTS WITH A MINIMUM STANDARD SCORE OF 150 ON EACH SUBTEST.]

~~(Eff. 3/1/78, Register 65; am 5/26/79, Register 70; am 6/9/85, Register 94; am 11/23/94, Register 132; am 4/4/96, Register 138; am 4/19/97, Register 142; am 12/6/2003, Register 168; am 12/29/2013, Register 208; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)~~

~~Authority: AS 44.31.020~~

*cc Circled Text from previous page - i. e., the new amendment to the introductory text of 8 AAC 99.120(c)(1) goes here. ))*

8 AAC 99.120(b) is repealed:

(b) Repealed 3/17/2022, ~~Eff. 3/1/78, Register 65; am 5/26/79, Register 70; am 5/9/85, Register 94; am 11/23/94, Register 132; am 4/4/96, Register 138; am 4/19/97, Register 142; am 12/6/2003, Register 168; am 12/29/2013, Register 208; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)~~

~~Authority: AS 44.31.020~~

Register 241, April 2022

LABOR AND WORKFORCE DEVELOPMENT

8 AAC 99.120(c)(1)(B) is amended to read:

(B) a signed [AND NOTARIZED] statement of test consent from a parent or legal guardian and official documentation from the last school attended [IN ALASKA];

(Eff. 3/1/78, Register 65; am 5/26/79, Register 70; am 6/9/85, Register 94; am 11/23/94, Register 132; am 4/4/96, Register 138; am 4/19/97, Register 142; am 12/6/2003, Register 168; am 12/29/2013, Register 208; am 3 / 17 / 2022, Register 241)

Authority: AS 44.31.020

8 AAC 99.140 is repealed and readopted to read:

**8 AAC 99.140. State GED program office.** (a) The department, serving this state's GED program office, is responsible for maintaining permanent transcript records for all persons for whom the armed forces of the United States, the director of a federal Veterans Health Administration (VA) hospital, a federal correctional institution, or the GED Testing Service <sup>has</sup> submitted official transcripts under 8 AAC 99.120.

(b) The department or a third-party vendor may issue initial diplomas and transcripts to all residents of this state who meet the requirements set out in 8 AAC 99.120 for a high school diploma by examination.

(c) The department or a third-party vendor may issue duplicate diplomas and transcripts for an additional fee.

(Eff. 3/1/78, Register 65; am 5/26/79, Register 70; am 6/9/85, Register 94; am 12/29/2013, Register 208; am 3 / 17 / 2022, Register 241)

Authority: AS 44.31.020

Register 241, April 20 22

LABOR AND WORKFORCE DEVELOPMENT

The article heading for

8 AAC 99 Article 3 is changed to read:

Alaska Adult [BASIC] Education Grants

(Eff. 10/1/92, Register 123; am \_\_\_\_\_, Register \_\_\_\_\_)

Authority: ~~AS 44.31.020~~

The section heading for

changed

8 AAC 99.200 is amended to read:

"one O.S." incident))

**8 AAC 99.200. Alaska Adult [BASIC] education grants** (Eff. 10/1/92, Register 123; am

\_\_\_\_\_, Register \_\_\_\_\_)

Authority: ~~AS 44.31.020~~

(u 2-3-2))

(u 2-3-2) / u. 2. 2))

8 AAC 99.200(a) is amended to read:

(a) The Department of Labor and Workforce Development will in its discretion issue a competitive grant to an eligible provider as defined by 29 U.S.C. § 3272(5) (Title II of the Workforce Innovation and Opportunity Act of 2014) as amended [A SCHOOL DISTRICT OR OTHER EDUCATION ORGANIZATION] to organize, plan, establish, expand, improve or maintain an adult [BASIC] education program.

(Eff. 10/1/92, Register 123; am \_\_\_\_\_, Register \_\_\_\_\_)

Authority: ~~AS 44.31.020~~

u. 2. 1))



Register 241, April 20 22

LABOR AND WORKFORCE DEVELOPMENT <sup>2</sup>

8 AAC 99.200(b) is amended to read:

may ← "add/u. 2.11)"

(b) The Department of Labor and Workforce Development will, in its discretion] issue a multi-year ~~multyear~~ grant [FOR A PERIOD OF UP TO THREE YEARS], subject to

↑ "add/u. 2.11)" (1) the availability of funding; and

(2) review under (d) of this section.

~~(Eff. 10/1/92, Register 123; am \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_, Register \_\_\_\_\_)~~

~~Authority: AS 44.31.020~~

8 AAC 99.200(d) is amended to read:

(d) The Department of Labor and Workforce Development will select a grant review committee to review each application and recommend to the commissioner of labor and workforce development which applicants should receive an adult [BASIC] education grant.

~~(Eff. 10/1/92, Register 123; am \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_, Register \_\_\_\_\_)~~

~~Authority: AS 44.31.020~~

8 AAC 99.200(e) is amended to read:

(e) An applicant who has been denied an adult [BASIC] education grant may appeal that decision to the commissioner of labor and workforce development. (Eff. 10/1/92, Register 123;

am 3 / 17 / 2022, Register 241)

Authority: AS 44.31.020

Register 241, April 2022

LABOR AND WORKFORCE DEVELOPMENT 7

8 AAC 86.900(2) is amended to read:

*"one  
more 0.5"  
tail)))*

(2) "training" means an activity designed to instruct a participant; "training" includes classroom training, customized training, registered apprenticeship training, on-the-job training, skill- or industry-specific training, vocational training, literacy training, adult [BASIC] education, post-secondary training, and graduate training.

(Eff. 4/18/2002, Register 162; am 12/24/2004, Register 172; am 3 / 17 / 2022, Register 241 )

**Authority:** AS 23.15.820

*16 Move, as edited,  
to foot marked  
on page 1)))*



# MEMORANDUM


## State of Alaska Department of Law

To: The Honorable Kevin Meyer  
Lieutenant Governor

Date: February 8, 2022

File No.: 2021200310

Tel. No.: 465-3600

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

Re: Department of Labor and Workforce  
Development regulations re: Alaska  
adult education program (8 AAC  
86.900; 8 AAC 99)

The Department of Law has reviewed the attached regulations of the Department of Labor and Workforce Development against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum 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 were adopted by the Department of Labor and Workforce Development after the close of the public comment period. The regulations update provisions regarding the Alaska adult education program, refine standards for the state General Educational Development (GED) high school equivalency examination, provide for third-party contracting services for providing diplomas and transcripts, and adjust standards for adult education competitive grants for compliance with federal law.

The September 15, 2021 public notice and the November 24, 2021 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.

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.

RCP:scw

Cc w/ enclosure: Andrea Mogil, Regulations Contact  
Department of Labor and Workforce Development

Windy Swearingin, Regulations Contact  
Department of Labor and Workforce Development

Ned Brasington, Assistant Attorney General  
Department of Law

## NOTICE OF PROPOSED CHANGES IN THE REGULATION OF THE ADULT BASIC EDUCATION PROGRAM

The Adult Basic Education (ABE) program proposes to amend regulations in 8 AAC Chapter 99 related to adult education and diplomas under special condition to change the title of the program to Alaska Adult Education (AAE) to better align with 29 U.S.C. §§3271 – 3333 (the Adult Education and Family Literacy Act (AEFLA), Title II of the Workforce Innovation and Opportunity Act of 2014), and to allow for broader access to General Education Development (GED) testing, transcripts, and diplomas via online delivery by a third party vendor.

The Adult Basic Education (ABE) program proposes to amend the following:

1. 8 AAC Chapter 99, 8 AAC Chapter 99 Article 3, 8 AAC 99.200, 8 AAC 99.200(a), (d), and (e), and 8 AAC 86.900(2) are proposed to be amended to change the name of the program from the Adult Basic Education to Alaska Adult Education or adult education.
2. 8 AAC 99.110 is proposed to be amended to make the General Education Development (GED) test the official state high school equivalency test.
3. 8 AAC 99.120(a)(1)(B) and 8 AAC 99.120(b) are proposed to be repealed to allow remote delivery of GED testing from outside the state for all users.
4. 8 AAC 99.120(a)(2)(B) is proposed to be amended to align the Alaska passing standard with the GED testing service's requirements.
5. 8 AAC 99.120(c)(1)(B) is proposed to be amended to eliminate the need for notary on the parent of a minor child's signed permission statement.
6. 8 AAC 99.140 is proposed to be amended to allow the use of a third party vendor to fulfill diplomas and transcripts for students.
  - a. 8 AAC 99.140(a)(2) is proposed to be repealed and replaced with 8 AAC 99.140(d) to allow initial diplomas and transcripts to be provided by the department or third party vendor.
  - b. 8 AAC 99.140(a)(3) is proposed to be repealed to and replaced with 8 AAC 99.140(d) to allow the department or third party vendor to respond to requests for official GED transcripts and diplomas.
  - c. 8 AAC 99.140(b) is proposed to be repealed and replaced by 8 AAC 99.140(e) to allow the department or third party vendor to determine and charge fees for duplicate diplomas.
  - d. 8 AAC 99.140(c) is proposed to be repealed and replaced by 8 AAC 99.140(e) to allow the department or third party vendor to determine and charge fees for duplicate transcripts.
  - e. 8 AAC 99.140 (d) is proposed to be added to allow the department or a third party vendor to issue initial GED transcripts and diplomas.
  - f. 8 AAC 99.140 (e) is proposed be added from the repealed 8 AAC 99.140(b)&(c) to allow the department or a third party vendor to set and charge fees to issue duplicate transcripts and diplomas.
7. 8 AAC 99.200(a) is proposed to be amended to allow competitive grants to eligible providers as defined by 29 USC §3272(5).
8. 8 AAC 99.200(b) is proposed to be amended from a three year grant period to a multiyear grant period to align with AEFLA.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Windy Swearingin, Alaska Adult Education State Director, P.O. Box 115509, Juneau, Alaska 99811-5509. Additionally, the Alaska Adult Education program will accept comments by electronic mail at [ak.adult.ed@alaska.gov](mailto:ak.adult.ed@alaska.gov). The comments must be received not later than 4:30 p.m. Alaska time on October 25<sup>th</sup>, 2021.

You may submit written questions relevant to the proposed action to Windy Swearingin by e-mail or mail. The questions must be received at least 10 days before the end of the public comment period. The Alaska Adult Education program will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Windy Swearingin at [ak.adult.ed@alaska.gov](mailto:ak.adult.ed@alaska.gov) or 907-465-8714 not later than October 15<sup>th</sup>, 2021, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Windy Swearingin at [ak.adult.ed@alaska.gov](mailto:ak.adult.ed@alaska.gov), 907-465-8714.

After the public comment period ends, the Department of Labor and Workforce 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. Written comments received are public records and are subject to public inspection.

**Statutory authority:** AS 44.31.020; AS 23.15.820

**Statutes being implemented, interpreted, or made specific:** AS 44.31.020; AS 23.15.820; AS 23.15.550; AS 23.15.580

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

The Department of Labor and Workforce Development keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the department's notices of proposed regulation changes. To be added to or removed from the list, send a request to the Department of Labor and Workforce Development at P.O. Box 111149, Juneau, AK 99811-1149, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Date: 09.09.2021



Dr. Tamika L. Ledbetter, Commissioner  
Alaska Department of Labor and Workforce Development

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Alaska Department of Labor and Workforce Development
2. General subject of regulation: Alaska Adult Education
3. Citation of regulation: 8 AAC 86.900, 8 AAC 99.010. - .200
4. Department of Law file number, if any: 2021200310
5. Reason for the proposed action:  
( X ) Compliance with federal law or action (identify): 29 U.S.C. §§ 3271–3333 (the Adult Education and Family Literacy Act (AEFLA)), Title II of the Workforce Innovation and Opportunity Act of 2014)  
( ) Compliance with new or changed state statute  
( ) Compliance with federal or state court decision (identify): \_\_\_\_\_  
(X) Development of program standards  
( ) Other (identify): \_\_\_\_\_
6. Appropriation/Allocation: 3116
7. Estimated annual cost to comply with the proposed action to:  
A private person: \$0 for initial diplomas and transcripts; \$5 increase to \$15 for duplicate diplomas, \$15 increase to \$15 for duplicate transcripts  
Another state agency: same  
A municipality: same
8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY <u>2022</u>	Subsequent Years
Operating Cost	<u>\$ 0</u>	<u>\$ 0</u>
Capital Cost	<u>\$ 0</u>	<u>\$ 0</u>
1002 Federal receipts	<u>\$ 0</u>	<u>\$ 0</u>
1003 General fund match	<u>\$ 0</u>	<u>\$ 0</u>
1004 General fund	<u>\$ 0</u>	<u>\$ 0</u>
1005 General fund/ program	<u>\$ 0</u>	<u>\$ 0</u>
Other (identify)	<u>\$ 0</u>	<u>\$ 0</u>

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

Name: Windy Swearingin\_\_\_\_\_  
Title: Alaska Adult Education State Director\_\_\_\_\_  
Address: P.O. Box 115509, Juneau, AK 99811-5509\_\_\_\_\_  
Telephone: 907-465-8714\_\_\_\_\_  
E-mail address: windy.swearingin@alaska.gov\_\_\_\_\_

10. The origin of the proposed action:

☒ Staff of state agency  
☐ Federal government  
☐ General public  
☐ Petition for regulation change<sup>7</sup>  
☐ Other (identify):\_\_\_\_\_



11. Date: 08/30/2021\_\_\_\_\_ Prepared by:\_\_\_\_\_

Name (printed): Andrea Mogil\_\_\_\_\_  
Title (printed): Program Coordinator I, DETS\_\_\_\_\_  
Telephone: 907-465-6275\_\_\_\_\_

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION

I, Andrea Mogil, Program Coordinator I, of Alaska Department of Labor, Division of Employment and Training Services, under penalty of perjury, certify the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 8 AAC 86 and 8 AAC 99, Alaska Adult Education and Diplomas Under Special Conditions, has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (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).

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 (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

There is no notary public or other official empowered to administer oaths available to notarize this document as a result of social distancing requirements implemented statewide.

I certify under penalty of perjury that the foregoing is true.

Date: November 2, 2021\_\_\_\_\_



Digitally signed by Andrea Mogil  
Date: 2021.11.02 15:08:36 -08'00'

[original or password-protected electronic signature]  
Andrea Mogil, Program Coordinator I

State of Alaska  
Juneau



AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Andrea Mogil, Program Coordinator I for the Alaska Department of Labor, Division of Employment and Training Services, under penalty of perjury, state the following:

The Division of Employment and Training Services, Alaska Adult Education Program did not receive any factual or other substantive information that was submitted in writing or orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Labor, Division of Employment and Training Services regulation on Alaska Adult Education.

There is no notary public or other official empowered to administer oaths available to notarize this document as a result of social distancing requirements implemented statewide.

I certify under penalty of perjury that the foregoing is true.

Date: November 2, 2021



Digitally signed by Andrea Mogil  
Date: 2021.11.02 15:15:45 -08'00'

[original or password-protected electronic signature]

Andrea Mogil, Program Coordinator I

State of Alaska  
Juneau

# ANCHORAGE DAILY NEWS

## AFFIDAVIT OF PUBLICATION

Account #: 100496 EMPLOYMENT & TRAINING SVC

Attention To: attn to: MILA SALDIVAR

PO Box 115509, JUNEAU, AK 99801

Order #: W0025067

Cost: \$572.74

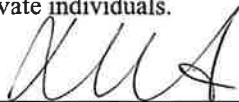
STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily 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 afore-said 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

09/15/2021

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 8th day of November 2021.

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

MY COMMISSION EXPIRES

7/14/2024

### NOTICE OF PROPOSED CHANGES IN THE REGULATION OF THE ADULT BASIC EDUCATION PROGRAM

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The Adult Basic Education (ABE) program proposes to amend the following:

1. 8 AAC Chapter 99, 8 AAC Chapter 99 Article 3, 8 AAC 99.200, 8 AAC 99.200(a), (d), and (e), and 8 AAC 99.200(2) are proposed to be amended to change the name of the program from the Adult Basic Education to Alaska Adult Education or adult education.
2. 8 AAC 99.110 is proposed to be amended to make the General Education Development (GED) test the official state high school equivalency test.
3. 8 AAC 99.120(a)(1)(B) and 8 AAC 99.120(b) are proposed to be repealed to allow remote delivery of GED testing from outside the state for all users.
4. 8 AAC 99.120(a)(2)(B) is proposed to be amended to align the Alaska passing standard with the GED testing service's requirements.
5. 8 AAC 99.120(c)(1)(B) is proposed to be amended to eliminate the need for notary on the parent of a minor child's signed permission statement.
6. 8 AAC 99.140 is proposed to be amended to allow the use of a third party vendor to fulfill diplomas and transcripts for students.
- a. 8 AAC 99.140(a)(2) is proposed to be repealed and replaced with 8 AAC 99.140(d) to allow initial diplomas and transcripts to be provided by the department or third party vendor.
- b. 8 AAC 99.140(a)(3) is proposed to be repealed and replaced with 8 AAC 99.140(d) to allow the department or third party vendor to respond to requests for official GED transcripts and diplomas.
- c. 8 AAC 99.140(b) is proposed to be repealed and replaced by 8 AAC 99.140(c) to allow the department or third party vendor to determine and charge fees for duplicate diplomas.
- d. 8 AAC 99.140(c) is proposed to be repealed and replaced by 8 AAC 99.140(e) to allow the department or third party vendor to determine and charge fees for duplicate transcripts.
- e. 8 AAC 99.140 (g) is proposed to be added to allow the department or a third party vendor to issue initial GED transcripts and diplomas.
- f. 8 AAC 99.140 (e) is proposed to be added from the repealed 8 AAC 99.140(b)(3)(c) to allow the department or a third party vendor to set and charge fees to issue duplicate transcripts and diplomas.
7. 8 AAC 99.200(a) is proposed to be amended to allow competitive grants to eligible providers as defined by 29 USC §3272(5).
8. 8 AAC 99.200(b) is proposed to be amended from a three year grant period to a multiyear grant period to align with AEFLA.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Windy Swearingin, Alaska Adult Education State Director, P.O. Box 115509, Juneau, Alaska 99811-5509. Additionally, the Alaska Adult Education program will accept comments by electronic mail at [ak.adult.ed@alaska.gov](mailto:ak.adult.ed@alaska.gov). The comments must be received not later than 4:30 p.m. Alaska time on October 25th, 2021.

You may submit written questions relevant to the proposed action to Windy Swearingin by e-mail or mail. The questions must be received at least 10 days before the end of the public comment period. The Alaska Adult Education program will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Windy Swearingin at [ak.adult.ed@alaska.gov](mailto:ak.adult.ed@alaska.gov) or 907-465-8714 not later than October 15th, 2021, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Windy Swearingin at [ak.adult.ed@alaska.gov](mailto:ak.adult.ed@alaska.gov), 907-465-8714.

After the public comment period ends, the Department of Labor and Workforce 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. Written comments received are public records and are subject to public inspection.

**Statutory authority:** AS 44.31.020; AS 23.15.820

**Statutes being implemented, interpreted, or made specific:** AS 44.31.020, AS 23.15.820; AS 23.15.550, AS 23.15.580

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

The Department of Labor and Workforce Development keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the department's notices of proposed regulation changes. To be added to or removed from the list, send a request to the Department of Labor and Workforce Development at P.O. Box 111449, Juneau, AK 99811-1149, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Date: 09.09.2021

By: /s/ Dr. Tamika L. Ledbetter, Commissioner  
Alaska Department of Labor and Workforce Development

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