

NOTICE OF PROPOSED CHANGES TO FACILITIES PUBLICATIONS
IN THE REGULATIONS OF THE
DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

BRIEF DESCRIPTION: The proposed amendments would update references to current versions of department publications.

The State Board of Education and Early Development proposes to adopt regulation changes to regulation 4 AAC 31 School Facility Planning and Construction. The amendment updates citations for revised publications in subsection 4 AAC 31.020(a) and paragraph 4 AAC 31.900(2).

- Changes to the *Guidelines for School Equipment Purchases* (2021 edition) publication included *increased* per-student allowable allocations for equipment and technology, setting a threshold for single item maintenance equipment purchases requiring Department of Education and Early Development approval, and other clarifications.
- *The Swimming Pool Guidelines for Educational Facilities* (2019 edition) is a major update to move toward a clearer and more prescriptive document that provides maximum pool tank sizes and maximum facility sizes based on the number of students in the approved instructional learn-to-swim program.
- The update to the *Site Selection Criteria and Evaluation Handbook* (2021 edition) publication was relatively minor, with updates to traffic and access criteria, as recommended by the Department of Transportation and Public Facilities, and updated graphics.

A copy of the proposed regulation changes and the *Guidelines for School Equipment Purchases, 2021 edition*; the *Swimming Pool Guidelines for Educational Facilities, 2019 edition*; and the *Site Selection Criteria and Evaluation Handbook, 2021 edition*, proposed to be adopted by reference, are available on the Alaska Online Public Notice System, at <https://education.alaska.gov/regs/comment.cfm>, and by contacting Janell Andrews at (907) 465-2800 or at deed.commissioner@alaska.gov.

The updated publications, proposed to be adopted by reference, are also available on the department's website at the following links the *Guidelines for School Equipment Purchases, 2021 edition* (<https://education.alaska.gov/facilities/publications/EquipmentPurchases.pdf>); the *Swimming Pool Guidelines for Educational Facilities, 2019 edition* (<https://education.alaska.gov/facilities/publications/SwimmingPool.pdf>); the *Site Selection Criteria and Evaluation Handbook, 2021 edition* (<https://education.alaska.gov/facilities/publications/SiteSelection.pdf>), and in the Department of Education and Early Development's Commissioner's Office located at 801 W 10th Street, Suite 200, Juneau, Alaska 99801. To schedule a time to review the publications in the Commissioner's Office, please call (907) 465-2800 or email deed.commissioner@alaska.gov.

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 April 28, 2022, 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 regulation change. 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, P.O. Box 110500, Juneau, Alaska 99811-0500. You also may submit written comments by facsimile at (907) 465-4156; by electronic mail to deed.commissioner@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 April 28, 2022.

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 June 8, 2022, by audio-conference or in person at the Robert B. Atwood Building, 550 West 7th Avenue, Room 102, Anchorage, AK 99501. The public comment period will be held from 8:45 a.m. to 9:45 a.m. but may be extended to accommodate those present before 8:35 a.m. who have not had an opportunity to comment before 9:45 a.m.

You 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 or Anchorage. For participation from Juneau, call (907) 586-9085. For participation from Anchorage, call (907) 563-9085.

You also may submit oral comment by visiting your local Legislative Information Office (LIO). The following LIO's will participate: Anchorage, 1500 W Benson Blvd; Bethel, 460 Ridgecrest Drive, Suite 215; 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 119; and Sitka, 201 Katlian St., Suite 103.

This meeting will be streamed through the Legislative Information Office's YouTube channel. The direct stream link is https://youtu.be/e_pA49CMsA beginning at 8:30 a.m. on June 8, 2022 (audio only). The general Legislative Information Office's YouTube channel is <https://www.youtube.com/channel/UCieOj8YUaEFHWuiDvVhNvRA>.

You may submit written questions relevant to the proposed action to Janell Andrews at deed.commissioner@alaska.gov or the Department of Education and Early Development, Attn: Regulations Review, P.O. Box 110500, Juneau, Alaska 99811-0500. If a question is relevant to the proposed change in the regulations and the question is received by April 18, 2022, which is ten 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>. The Department of Education and Early Development may, but is not required to, answer written questions received after the ten-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Janell Andrews at (907) 465-2800 or deed.commissioner@alaska.gov not later than May 27, 2022, to ensure that any necessary accommodation can be provided.

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. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 14.07.020, AS 14.07.060, AS 14.11.020, AS 14.11.132

Statutes being implemented, interpreted, or made specific: AS 14.11.011, AS 14.11.100

Fiscal information: The proposed regulation change is not expected to require an increased appropriation.

Date: 03/25/2022

Lacey Sanders

Lacey Sanders, Deputy Commissioner