

NOTICE OF PROPOSED CHANGES ON INTERSCHOLASTIC ACTIVITIES IN THE  
REGULATIONS OF DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

BRIEF DESCRIPTION

The State Board of Education and Early Development proposes to change regulations on school district interscholastic activities.

The State Board of Education and Early Development proposes to adopt regulation changes to 4 AAC 06 of the Alaska Administrative Code, dealing with school district interscholastic activities, including the following:

- (1) 4 AAC 06.115(b)(5) is proposed to be changed as follows: to require nonprofit associations that administer and promote interscholastic activities in Alaska to ensure fairness, safety, and equal opportunity for female students in high school athletics by limiting participation in separate high school athletics teams for female students in competitive or contact sports to females who were assigned female at birth.

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 the Commissioner's Office, Department of Education and Early Development, Attn: Regulations Review, 333 Willoughby Ave., 9th Floor, State Office Building, P.O. Box 110500, Juneau, Alaska 99811-0500. Additionally, the Department of Education and Early Development will accept comments by facsimile at 907-465-2806 and by electronic mail at [deed.commissioner@alaska.gov](mailto:deed.commissioner@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 p.m. on July 21, 2023.

You may also provide oral comments relevant to the proposed action at a hearing to be held on July 26, 2023, via Zoom platform. There will not be in-person attendance provided at the hearing site, so please prepare to share your oral comments by Zoom or telephone only. You may join the online Zoom meeting at <http://us02web.zoom.us/j/99391482721> or by calling 1-253-215-8782 and selecting \*9 on your phone's keypad. The hearing is scheduled from 8:45 a.m. to 9:45 a.m. and priority will be given to commenters on the line before the beginning of the hearing. The hearing may be extended to accommodate those on the line before 9:15 a.m. who did not have an opportunity to comment. Before the start of the hearing, the State Board of Education and Early Development Chair, James Fields, may limit the time allotted for each person providing oral testimony, as reasonably necessary to conclude the hearing in the time provided.

You may submit written questions relevant to the proposed action to Janell Andrews at [deed.commissioner@alaska.gov](mailto:deed.commissioner@alaska.gov) or the Department of Education and Early Development, Attn: Regulations Review, P.O. Box 110500, Juneau, Alaska 99811-0500. The questions must be received at least 10 days 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 Department of Education and Early Development website 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 Janell Andrews at 907-465-2800 or [deed.commissioner@alaska.gov](mailto:deed.commissioner@alaska.gov) not later than July 24, 2023 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 Janell Andrews at [Janell.Andrews@alaska.gov](mailto:Janell.Andrews@alaska.gov) and 907-465-2802.

After the public comment period ends, the State Board 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 14.03.015; AS 14.07.020; AS 14.07.060; AS 14.18.040; AS 14.18.050

**Statutes being implemented, interpreted, or made specific:** AS 14.18.040; AS 14.18.050

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

Individuals can sign-up to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

Date: 6/19/2023

  
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Lacey Sanders, Deputy Commissioner