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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Deborah Riddle, Division Operations Manager
Department of Education and Early Development

FROM: April Simpson, Alaska Administrative Code Coordinator 
Office of the Lieutenant Governor

DATE: April 28, 2026

RE: Filed Permanent Regulations: State Board of Education and Early Development

State Board of Education and Early Development regulations re: Special Education -
Supervision, Terminology, Visual Impairment (4 AAC 52.130, .250-.252)

Attorney General File:	2024200453
Regulation Filed:	4/28/2026
Effective Date:	5/28/2026
Print:	258, July 2026

cc with enclosures: ToniMarie Gonzales, Paralegal
Department of Law

Lisa Gorman, Alaska Legal Analyst
LexisNexis



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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April 27, 2026

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

Re: *4 AAC 52.130, .250-.252: DEED - Special Education - Supervision,
Terminology, Visual Impairment*
Our file: 2024200453

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the State Board 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 were adopted by the State Board of Education and Early Development after the close of the public comment period.

The regulations concern visual impairment criteria, special education aides, videoconference and on-site program supervision, and terminology.

The public notice and the certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

To: Hon. Nancy Dahlstrom, Lieutenant Governor
Our file: 2024200453; 4 AAC 52.130, .250-.252

April 27, 2026
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No technical corrections were necessary to conform the regulations in accordance with AS 44.62.060.

Sincerely,

STEPHEN J. COX
ATTORNEY GENERAL

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

Digitally signed by
Rebecca C. Polizzotto
Date: 2026.04.24
15:55:34 -08'00'

SCW/scw/tg

CC w/enclosure: Deborah Riddle, Division Operations Manager
Department of Education and Early Development

Steven C. Weaver, Assistant Attorney General
Department of Law

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE STATE BOARD OF EDUCATION AND EARLY EDUCATION

The attached regulations, dealing with special education aids and supervision, are certified to be a correct copy of the regulation changes that the State Board of Education and Early Development adopted at its December 2, 2025, meeting, under the authority of AS 14.07.020 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 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.

Date: 4/13/2026

DocuSigned by:

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Karen Morrison, Deputy Commissioner

April Simpson for

FILING CERTIFICATION

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

April 28, 2026 at 9:55 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.


for Nancy Dahlstrom, Lieutenant Governor

Effective: May 28, 2026.

Register: 258, July 2026.

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 258, July 2026 EDUCATION AND EARLY DEV.

4 AAC 52.130(i)(1) is amended to read:

(1) exhibit [A]

(A) **a** visual impairment, not primarily perceptual in nature, resulting in measured acuity of 20/70 or poorer in the better eye with correction, or a visual field restriction of 20 degrees as determined by an optometrist or ophthalmologist, that, even with correction, adversely affects educational performance; or

(B) **an** [A PHYSICAL] eye condition that affects visual functioning to the extent that specially designed instruction is needed;

(Eff. 7/1/83, Register 86; am 6/9/85, Register 94; am 7/16/89, Register 111; am 11/28/92, Register 124; am 11/26/93, Register 128; am 8/22/2001, Register 159; am 9/29/2005, Register 175; am 8/30/2007, Register 183; am 8/19/2009, Register 191; am 11/28/2009, Register 192; am 9/9/2016, Register 219; am 5 / 28 / 2026, Register 258)

Authority: AS 14.07.020 AS 14.30.180 AS 14.30.355
AS 14.07.060 AS 14.30.274

4 AAC 52.250 is amended to read:

4 AAC 52.250. Special education aides. (a) A person employed as a special education aide shall be trained by a special education teacher or specialist certificated under 4 AAC 12.330 or 4 AAC 12.365, or licensed under AS 08.11, AS 08.84, or AS 08.86 to provide the services with which the aide will assist.

(b) Before a special education aide assists in providing direct special education or related services to a child [OR CHILDREN], or concurrent with providing direct special education or

related services to a child [OR CHILDREN], the district **shall** [MUST] provide and document a minimum of six hours of annual training, in the aggregate, to the aide regarding

- (1) the child's **disability** [OR CHILDREN'S DISABILITIES];
- (2) the content of the **child's IEP** [IEPS];
- (3) the instructional and safety procedures to be used; and
- (4) confidentiality procedures.

(c) Each special education aide employed by the district to assist in providing special education to a child **shall** [MUST] be supervised, **by video conference or** on-site, by the certificated special education teacher responsible for the child's program. The child's IEP team shall make an individualized determination of the frequency of **video conference or** on-site supervision for each program. A district **shall** [MUST] provide for **video conference or** on-site supervision at least once every month [UNLESS THE IEP TEAM, AFTER CONSIDERATION OF ALL THE EVIDENCE, DETERMINES THAT LESS FREQUENT ON-SITE SUPERVISION FOR THAT PROGRAM IS SUFFICIENT TO PROVIDE A FAPE TO THE CHILD. HOWEVER, A DISTRICT MAY NOT PROVIDE ON-SITE SUPERVISION UNDER THIS SUBSECTION LESS FREQUENTLY THAN ONCE EVERY THREE MONTHS].

(d) Each special education aide employed by the district to assist in providing related services to a child **shall** [MUST] be supervised, **by video conference or** on-site, by the certificated or licensed related services provider responsible for the child's program. The child's IEP team shall make an individualized determination of the frequency of **video conference or** on-site supervision for each related service. A district **shall** [MUST] provide for **video conference or** on-site supervision at least once every month [UNLESS THE IEP TEAM, AFTER CONSIDERATION OF ALL THE EVIDENCE, DETERMINES THAT LESS

Register 258, July 2026 EDUCATION AND EARLY DEV.

FREQUENT ON-SITE SUPERVISION FOR THAT RELATED SERVICE IS SUFFICIENT TO PROVIDE A FAPE TO THE CHILD. HOWEVER, A DISTRICT MAY NOT PROVIDE ON-SITE SUPERVISION UNDER THIS SUBSECTION LESS FREQUENTLY THAN ONCE EVERY THREE MONTHS]. (Eff. 7/1/83, Register 86; am 6/9/85, Register 94; am 7/16/89, Register 111; am 8/22/2001, Register 159; am 9/29/2005, Register 175; am 9/23/2007, Register 183; am 5 / 28 / 2020, Register 258)

Authority: AS 14.07.060 AS 14.30.180 AS 14.30.250

4 AAC 52.252 is amended to read:

4 AAC 52.252. Program supervision. (a) Each special education program provided to a child through the assistance of a certificated regular education teacher must be reviewed, by video conference or on-site, by the certificated special education teacher responsible for the child's program. The child's IEP team shall make an individualized determination of the frequency of video conference or on-site supervision for each program. A district shall [MUST] provide for video conference or on-site supervision at least once every month [UNLESS THE IEP TEAM, AFTER CONSIDERATION OF ALL THE EVIDENCE, DETERMINES THAT LESS FREQUENT ON-SITE SUPERVISION FOR THAT PROGRAM IS SUFFICIENT TO PROVIDE A FAPE TO THE CHILD. HOWEVER, A DISTRICT MAY NOT PROVIDE ON-SITE SUPERVISION UNDER THIS SUBSECTION LESS FREQUENTLY THAN ONCE EVERY THREE MONTHS].

(b) Each related services program provided to a child through the assistance of a certificated regular or special education teacher must be reviewed, by video conference or on-site, by the certificated or licensed related services provider responsible for the child's program.

Register 258, July 2026 EDUCATION AND EARLY DEV.

The child's IEP team shall make an individualized determination of the frequency of **video conference or** on-site supervision for each related service. A district must provide for **video conference or** on-site supervision at least once every month [UNLESS THE IEP TEAM, AFTER CONSIDERATION OF ALL THE EVIDENCE, DETERMINES THAT LESS FREQUENT ON-SITE SUPERVISION FOR THAT RELATED SERVICE IS SUFFICIENT TO PROVIDE A FAPE TO THE CHILD. HOWEVER, A DISTRICT MAY NOT PROVIDE ON-SITE SUPERVISION LESS FREQUENTLY THAN ONCE EVERY THREE MONTHS].

(Eff. 7/16/89, Register 111; am 9/23/2007, Register 183; am 5 / 28 / 2020, Register 258)

Authority: AS 14.07.060 AS 14.30.180 AS 14.30.350