Cover Memo

To: Members of the State Board of Education & Early Development
From: Dr. Deena Bishop, Commissioner
Date: December 03, 2026
Item: 4.0B

Issue

The board is being asked to open a 30-day period of public comment on regulation regarding Virtual Education, Chapter 67.

Background

- In response to Administrative Order 360, the Alaska Department of Education and Early Development conducted a comprehensive review of existing regulations, guidance documents, and materials incorporated by reference to identify provisions that are outdated, redundant, or unclear. Through stakeholder meetings held between October 2 and December 18, DEED gathered input that informed the identification of regulations recommended for repeal. All stakeholder feedback, along with the AO360 reform plan, is posted on the DEED website for public review: Administrative Order 360
- Summary of Proposed change is to update and streamline virtual education regulations
    - 4 AAC 67.020(a) is being repealed. Requirements for consortium membership eligibility are outlined in statute.
    - 4 AAC 67.020(c) is being amended by replacing “member of the” with “participant” when referencing the governing board.
    - 4 AAC 67.020(c)(2) is being amended to remove language that references a regulation to be repealed in this regulation package.
    - 4 AAC 67.020(c)(4) is being repealed as legal edit. This regulation refers to an action of a consortium member voting in a governing board election in a regulation that is proposed to be repealed.
    - 4 AAC 67.030 is being repealed to remove the requirement for consortium bylaws. This is not a requirement in statue.
    - 4 AAC 67.040(a)(1) is being amended by removing the word “including” as part of the legal editing process. Parts (A) and (B) are proposed repeals.
    - 4 AAC 67.040(1(A) is being repealed. This subsection of regulation outlines the specific administrative duties the department will provide as already outlined in statute.

- 4 AAC 67.040(a)(1)(B) is being repealed. This subsection of regulation outlines the specific administrative duties the department will provide as already outlined in statute.
- 4 AAC 67.040(a)(3) is being amended to remove the governing board as part of the hiring process or DEED employees working with virtual education. This requirement is part of the statute and is not needed repeated in regulation.
- 4 AAC 67.060 is being repealed. Requirements for DEED to establish standards for consortium courses are included in statute and is not needed repeated in regulation.
- 4 AAC 67.900(1) is being repealed. The definition of "commissioner' is outlined in other sections of education regulations and is repetitive.
- 4 AAC 67.900()4) is being repealed. The definition of "governing board" is being removed.

- A copy of the proposed regulation can be found behind Cover Memo 2.0B.
- Deborah Riddle, Division Operations Manager, will be present to brief the board.

Options

Open a 30-day period of public comment on the proposed regulations.
Amend the proposed regulations and open a period of public comment.
Seek more information.

Administration's Recommendation

Open a 30-day period of public comment on the proposed regulations.

Suggested Motion

I move the State Board of Education & Early Development open a 30-day period of public comment on Virtual Education regulations 4 AAC 67.020(a), 4 AAC 67.020(c), 4 AAC 67.020(c)(2), 4 AAC 67.020(c)(4), 4 AAC 67.030, 4 AAC 67.040(a)(1), 4 AAC 67.040(a)(1)(A), 4 AAC 67.040(a)(1)(B), 4 AAC 67.040(a)(3), 4 AAC 67.060, 4 AAC 67.900(1), and 4 AAC 67.900(4).

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