

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

**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

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

**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.

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

**Authority:** AS 14.07.060 AS 14.30.180 AS 14.30.350