



Attorney General

To: Members of the State Board of Education & Early Development
From: Morgan Griffin
Date: October 14, 2026
Item: 23.0E

Standing General Report

Introduction

This memorandum describes the status of current litigation involving the Department of Education and Early Development.

Updates

- *DEC Enforcement Matter related to Contamination at Joe Parent Vocational Education Center in Aniak*: See previous reports.
- *Alexander et al. v. Acting Commissioner Heidi Teshner, State of Alaska, Department of Education & Early Development*: See previous reports.
- *In the matter of Alaska Department of Education and Early Development, OHA Docket No. 25-36-I, Federal Impact Aid Proceeding*.
Update to previous reports: On August 25, 2026, the US Department of Education's Office of Hearings and Appeals ordered the parties to file a joint statement of undisputed facts by September 3, 2025. ED later asked for additional time to review and give feedback, so the parties agreed to extend the deadline for filing the joint statement to September 25, 2026. An expected date for resolution of this matter is unknown.
- *FNSBSD & Kuspuk SD v. DEED*; 3AN-26-04416CI: See previous reports.
- *FNSBSD v. DEED*; 4FA-26-01831CI
On May 14, 2026, the Fairbanks North Star Borough School District filed an administrative appeal with the Fairbanks Superior Court seeking to overturn the State Board's April 29, 2026, decision approving Pearl Creek STEAM APC's application to establish a charter school in the district.

The court's scheduling order requires FNSBSD to file an opening brief in support of its appeal by September 21, 2026; DEED and Pearl Creek STEAM APC's appellees' opening briefs are due 30 days after that, and within 20 days of the filing of those briefs, FNSBSD may either file a reply brief or a notice that it will not be filing a reply brief. However, court rule allows parties to an appeal to take a routine extension of up to 30 days for the opening brief and up to 15 days for the reply brief.

After briefing is complete, the parties will have an opportunity to request oral arguments. Following oral argument, the case will be ripe for decision, but the court could take up to 6 months to issue a decision.