

The emergency repeal and readoption of 4 AAC 05.090(e) is made permanent to read:

(e) A superintendent may order the emergency closure of a school under AS 14.03.030(2) if closure is necessary to protect the public health or safety of the students, staff, or community. To the extent practicable, the superintendent shall consult with the department and with state and federal agencies with jurisdiction over public health and safety. The superintendent shall notify the department in writing no more than 24 hours after ordering an emergency closure.

The emergency adoption of 4 AAC 05.090(g) is made permanent to read:

(g) A superintendent who has ordered an emergency closure of a school shall submit a modified calendar for the school to the department as soon as practicable after the closure.

Under the modified calendar, the district shall implement one or more of the following actions:

(1) if the original calendar provided for more than 180 days, reduce the number of days in session or days used for in-service training for the school, so the combined number of days in session and days used for in-service training under the modified calendar remains in compliance with AS 14.03.030;

(2) designate emergency closure days in place of days in session or days used for in-service training if the emergency closure days have been approved by the commissioner under AS 14.03.030(2) and (h) of this section;

(3) designate additional days that the school must be in session to replace school closure days that were not reduced under (1) of this subsection or approved as emergency closure

days under (2) of this subsection.

The emergency adoption of 4 AAC 05.090(h) is made permanent to read:

(h) A district may, on a form prescribed by the department, apply to the commissioner for approval to substitute an emergency closure day for a day in session or a day used for in-service training. The commissioner may approve all, none, or some of the days the school was closed as emergency closure days, and require that the district replace the remaining days. In determining whether to approve, deny, or partially approve the request, the commissioner will consider

(1) the extent to which the district implemented a continuation of educational services plan during the closure;

(2) the depth and quality of the educational services the district provided to students during the closure;

(3) if the district had warning of the pending emergency, the extent to which the district used the warning to prepare for continuation of educational services specific to the pending emergency;

(4) the communication with families of students to facilitate delivery of educational services during the emergency;

(5) the nature and duration of the emergency;

(6) whether teachers and administrators were in on-duty status working to deliver educational services during the emergency;

(7) the academic needs of the students in the district; and

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(8) the public interest. (Eff. 9/3/76, Register 59; am 5/18/2000, Register 154; am 10/6/2002, Register 164; am 9/1/2009, Register 191)

Authority: AS 14.03.030 AS 14.07.020 AS 14.33.100
 AS 14.03.040 AS 14.07.060 AS 14.33.120

The emergency adoption of 4 AAC 05.900(7) is made permanent to read:

(7) "superintendent" means a superintendent or chief school administrator of the district or regional education attendance area. (Eff. 9/3/76, Register 59; am 6/14/81, Register 78; am 11/21/84, Register 92; am 6/11/95, Register 134; am 9/1/2009, Register 191)

Authority: AS 14.07.020 AS 14.07.060