

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

EDWARD ALEXANDER, JOSH
ANDREWS, SHELBY BECK
ANDREWS, & CAREY CARPENTER,

Plaintiffs,

vs.

ACTING COMMISSIONER HEIDI
TESHNER, in her official capacity,
STATE OF ALASKA, DEPARTMENT
OF EDUCATION & EARLY
DEVELOPMENT,

Defendant.

vs.

ANDREA MOCERI, THERESA
BROOKS, and BRANDY
PENNINGTON.

Intervenors.

Case No. 3AN-23-04309CI

**AFFIDAVIT OF COUNSEL IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO DEFENDANTS' CROSS-MOTION FOR STAY
PENDING APPEAL AND REPLY IN SUPPORT OF PLAINTIFFS' MOTION
FOR LIMITED STAY**

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

I, SCOTT M. KENDALL, being first duly sworn, depose and state as follows:

1. I represent Plaintiffs in the above-captioned matter and am Of Counsel at Cashion Gilmore & Lindemuth (“CGL”).

2. I have personal knowledge of the statements in this affidavit.

3. On April 12, 2024, this Court issued its Order granting summary judgment to the Plaintiffs and denying the Defendants’ cross-motions (the “Order”).

4. Beginning on April 12, 2024, I have been in discussion with counsel for the Defendants inquiring whether they planned to seek a stay of the Order and whether we could reach some agreement on the breadth and length of such a stay. These conversations have been constructive and respectful.

5. The morning of April 18, 2024, I had a call with Defendants’ counsel on these same issues. We had clear disagreements regarding the breadth and meaning of the Order, but on behalf of the Plaintiffs, I conveyed that I believed we could agree to implementation of emergency regulations that would allow for permissible allotment spending and normal operation of the correspondence program while prohibiting only the allotment spending that was most clearly unconstitutional—that being reimbursement of payments made to private or religious schools.

6. During the April 18, 2024 call I also agreed to consideration of a stay on an expedited basis. Additionally, I offered to support and participate in an appeal to the Alaska Supreme Court on an expedited schedule such that a decision could be rendered before July 1, 2024. I have participated in at least three such appeals which were decided on shorter timeframes. This latter offer was rejected.

7. The afternoon of April 18, 2024, I received an email from Defendants' counsel seemingly declining the offer to stipulate to emergency regulations. A copy of that email is attached as Exhibit A to this affidavit.

8. Nevertheless, I took the time to research and draft what Plaintiffs believe to be appropriate emergency regulations that will allow the correspondence program and constitutional allotment spending to continue during the pendency of any appeal. I also researched to make sure that there were valid statutes providing the necessary authority for the Board of Education to enact the emergency regulations lawfully. A copy of those compromise emergency regulations is attached as Exhibit B to this affidavit.

9. I transmitted the draft emergency regulations to Defendants' counsel on April 19, 2024, but have not received any response. A copy of that email is attached as Exhibit A to this affidavit.

10. On April 24, 2024, I received a copy of a legal memorandum from Legislative Counsel, produced at the request of Senator Bill Wielechowski explaining what legislative and regulatory authority exists to continue the Correspondence Program and Allotments in the wake of the Order. A copy of that memorandum is attached as Exhibit C to this affidavit.

11. Attached as Exhibit D is a true and correct copy of a Resolution passed unanimously by the Anchorage School Board on April 23, 2024.

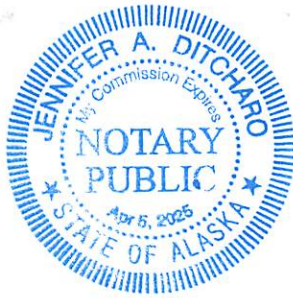
FURTHER YOUR AFFIANT SAYETH NAUGHT.



Scott M. Kendall
Alaska Bar No. 0405019

SUBSCRIBED AND SWORN to before me on this 25 day of April 2024, at

Anchorage, Alaska.



Notary Public in and for Alaska
My Commission Expires: 4/5/25

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via email on April 25, 2024, on the following:

Craig Richards
Law Offices of Craig Richards
crichards@alaskaprofessionalservices.com

David Hodges
Institute for Justice
dhodges@ij.org


Kirby Thomas West
Institute for Justice
kwest@ij.org

Jeff Rowes
Institute for Justice
jrowes@ij.org

Margaret Paton-Walsh, AAG
Alaska Attorney General's Office
margaret.paton-walsh@alaska.gov

CASHION GILMORE & LINDEMUTH

By: /s/Todd Cowles

From: Scott Kendall scott@cashiongilmore.com 
Subject: Re: Alexander (Please see attached DRAFT emergency regulations)
Date: April 19, 2024 at 10:36 AM
To: Paton-Walsh, Margaret A (LAW) margaret.paton-walsh@alaska.gov



Mags—

Thanks again for your time yesterday. I appreciated discussing the case and the path forward on appeal. As I stated, we are in favor of a short-term stay of the Court's order so that there is not immediate disruption to the Correspondence programs and the families who rely on them. However, we do oppose an indefinite, longer-term stay that would allow unconstitutional spending to continue into another school year and fiscal year. We are concerned about that for three reasons:

- First, it would allow unconstitutional spending to continue with no real possibility for those funds to be recouped.
- Second, we are concerned that such a stay would only heighten confusion and lead to continued reliance by families on a system that is extremely likely to be found unconstitutional by the Alaska Supreme Court.
- Finally, we are concerned that allowing this unconstitutional program to continue will prevent the Alaska Legislature from timely curing the defective statutes.

However, as discussed in our call, the Plaintiffs are absolutely willing to agree to a middle ground. Long before our temporary stay expires, the Alaska Department of Education and Early Development could quickly pass emergency regulations allowing the Correspondence program to continue. It could also allow allotments under that program to continue, so long as they are not for unconstitutional reimbursements of tuition and expenses paid to private and religious educational institutions.

Attached, please find DRAFT emergency regulations that accomplish just that. I believe these regulations will allow all normal and constitutional allotment spending to continue. You will also see that I have found authority for these emergency regulations in other statutes related to the Correspondence program that were not invalidated and cited those statutes below each emergency regulation. It wasn't particularly complicated, and I was able to draft these in about 2 hours. Please check my work, and if there's anything I've missed, we would certainly be open to friendly amendments that help these regulations accomplish the goal of allowing constitutional allotment payments to continue.

In short, these emergency regulations could keep the program running in a manner that all parties would agree is constitutional during the pendency of your planned appeal to the Alaska Supreme Court. Further, I wanted to offer that—should we come to agreement on a slate of emergency regulations—my clients absolutely will not challenge them in court.

I believe such an agreement is in the best interest of the public and will allow the parties to brief this appeal with the care that these important issues deserve. Please review and let me know if this offer changes your clients' position in any way.

Regardless, thank you for your time—I appreciate that we can litigate these differences without ever being disagreeable. Have a great weekend.

Best,
—Scott

Scott Kendall
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510 L Street, Suite 601
Anchorage, AK 99501
scott@cashiongilmore.com

Compromise
Emerg...er.docx

On Apr 18, 2024, at 4:12 PM, Paton-Walsh, Margaret A (LAW) <margaret.paton-walsh@alaska.gov> wrote:

Scott,

Thanks for your call this morning. At this point, the State plans to see how the stay proceedings play out in the courts, before deciding how best to address any problems that may remain once the trial court and Supreme Court have weighed in on the stay.

We appreciate your willingness to work with the schedule we proposed.

Margaret Paton Walsh
Chief, Special Litigation Section
Alaska Department of Law
1031 W. 4th Avenue, Suite 200
Anchorage, AK 99501
(907) 269-5275

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Emergency Regulations allowing Correspondence Study Programs and Allotments to function during the appeal of the *Alexander* decision:

4 AAC 33.410 is amended to read:

4 AAC 33.410. Purpose. The purpose of 4 AAC 33.405 - 4 AAC 33.490 is to

- (1) ensure that standards for curriculum, instruction, and student assessment for correspondence study programs are consistent with state standards;
- (2) ensure that the spending of public money by the programs is consistent with the public interest **and Article VII, Section 1 of the Alaska Constitution**; and
- (3) establish reporting requirements for districts enrolling out-of-district students and part-time students.

Authority: AS 14.03.095 AS 14.07.060 AS 14.17.430

AS 14.07.020 AS 14.14.110 AS 14.30.010

4 AAC 33.421 is repealed and readopted to read:

4 AAC 33.421. Correspondence study program requirements.

- (a) A correspondence study program must conform with statewide goals and standards, as set out in 4 AAC 04. For each student, the program must assign a certificated teacher who is responsible for the individual learning plan under (d) of this section. For each course offered for credit by the program, the program must assign a certificated teacher who has the primary responsibility for the course.
- (b) In accordance with AS 14.07.050, AS 14.08.111(9), and AS 14.14.090(7), a program that is not a charter school must use curriculum materials, including textbooks and other instructional aids, that have been reviewed and selected by the governing body of the district, are of the same quality as those materials that the district offers in the district's other programs, and are in compliance with AS 14.03.090 and AS 14.18.060. A program that is a charter school must review and approve all curriculum materials for compliance with AS 14.03.090 and AS 14.18.060.
- (c) An employee of the district, including a certificated staff member, may not advocate religious, partisan, sectarian, or denominational doctrine as part of the employee's instructional or other duties. Nothing in this subsection prevents a parent from providing supplemental instruction to the parent's own child using materials of the parent's choice, if the materials were not purchased with money provided by the department or district.

(d) The program must provide an individual learning plan for each student. The parent and the district must jointly develop the individual learning plan, with assistance from the student if appropriate. The plan must provide for

(1) assistance and approval by the certificated teacher assigned to each student by the district in the development of the individual learning plan for each student;

(2) an ongoing assessment plan that includes assessments that target instruction and measure student proficiency toward achievement of the standards adopted by reference in 4 AAC 04.140;

(3) monitoring of each student by the assigned certificated teacher; the monitoring must include at least monthly teacher-student or teacher-parent contact and quarterly reviews of the student's work or progress in the individual learning plan; the district must maintain a record of the contact required under this paragraph;

(4) a grade, or other determination that the student has met the standards for a course, determined and assigned by the certificated teacher who is responsible for the course; the plan may provide for review and consideration of any recommendations submitted by the student or the student's parents;

(5) a transcript that includes the source of any course taken by the student that was not offered or approved by the governing body of the district, or, in the case of a program that is a charter school, by the charter school, and for which no public money was provided; the transcript must note whether the student's mastery of the content of the course was approved by the district as meeting a requirement for graduation; and

(6) a signed agreement between the certificated teacher assigned by the correspondence study program and at least one parent of each student that verifies that

(A) the student and parent have the same right to access the district appeal process as students and parents in the district's other programs;

(B) the textbooks or other curriculum materials and the course of study are appropriate for the student, aligned to state standards, and comply with AS 14.03.090 and AS 14.18.060; and

(C) curriculum materials are aligned to state standards, in compliance with AS 14.03.090 and AS 14.18.060, and a certificated teacher has reviewed all textbooks and other curriculum materials for each student.

(e) The district must require students to participate in the statewide student assessment program as required by 4 AAC 06.710 - 4 AAC 06.790. The correspondence study program must

(1) provide, and require parents to sign, a written statement that they understand, and will abide by, the requirements of the assessment program; and

(2) follow the requirements of 4 AAC 06.765 for test security, by

(A) providing a secure testing facility to administer all testing requirements of the assessment program; or

(B) entering into agreements with districts and schools where the testing is administered that allow correspondence program students to participate in testing at that location.

(f) A district that offers a correspondence program must have an open enrollment policy for the program for the entire school year. However, a program that is a charter school may limit its enrollment in accordance with AS 14.03.265.

(g) A correspondence study program may not pay for, reimburse for, or provide money for

(1) family travel, including transportation, food, or lodging; or for expenses during or for any travel out-of-state unless a governing body or superintendent of the district approves expenses incurred in the out-of-state travel that are associated with direct instructional activities; in this paragraph, "family travel" does not include travel in which a student is accompanied by the student's family for assessments or other required activities initiated by the district;

(2) annual passes or family memberships to a sports or recreational facility; however, an annual pass or membership for the student may be purchased for entry into a sports or recreational facility in which the student is provided lessons under the student's individual learning plan, if the cost of the pass or membership is prorated to include only the cost of the student's instructional time;

(3) fees that allow entrance to a facility in which no instruction directly connected to a student's individual learning plan under (d) of this section is given;

(4) religious, partisan, sectarian, or denominational textbooks or other curriculum materials;

(5) services provided to a student by a family member; in this paragraph, "family member" means the student's spouse, guardian, parent, step-parent, sibling, step-sibling, grandparent, step-grandparent, child, uncle, or aunt;

(6) clothing, uniforms, physical education equipment, or personal items;

(7) pets and other animals;

(8) furniture;

(9) taxes, testing other than educational assessments required by the district, or parking fees;

- (10) entertainment;
- (11) permanent items that adhere to or enhance the value of a non-school facility; or
- (12) items that are considered excessive by the school administrator.
- (13) tuition, instruction, or any other expense from a religious or private educational institution.

(h) A correspondence study program, or a parent through a fund account under 4 AAC 33.422, may contract with a private individual to provide tutoring to a student in a subject described in 4 AAC 04.140, fine arts, music, or physical education, if

- (1) the instruction is not provided by a private or sectarian educational institution;
- (2) the instruction is part of the student's individual learning plan under (d) of this section; and
- (3) a certificated teacher who is highly qualified under 4 AAC 04.210 to teach the subject or the grade level, if applicable, and who is employed by the program, has the primary responsibility to plan, instruct, and evaluate the learning of the student in the subject.

Authority: AS 14.03.090 AS 14.07.020 AS 14.07.030
AS 14.07.050 AS 14.07.060 AS 14.08.111
AS 14.14.090 AS 14.14.110 AS 14.17.430
AS 14.30.010

4 AAC 33.422 is repealed and readopted to read:

4 AAC 33.422. Fund accounts. (a) A correspondence study program may provide a fund account to the student's parents for the purpose of meeting instructional expenses for the student enrolled in the program. Expenditures from a fund account must be for the student's instructional needs as described on the individual learning plan under 4 AAC 33.421.

(b) Textbooks, equipment, and other curriculum materials purchased with state money, including money provided to the parent through a fund account, are property of the district. Materials that are not consumables must be returned to the district when the student leaves the program for any reason.

(c) A fund account may not be used to pay for any item or service excluded under 4 AAC 33.421(g).

(d) The fund account may not be used by the district or the parent to supplant district funds or obligations for IEP services.

(e) If a correspondence study program provides for a fund account, the governing body of the district, or, in the case of a program that is a charter school, the charter school, must establish written standards, consistent with 4 AAC 33.405 — 4 AAC 33.490, on what constitutes appropriate and allowable expenditures of a fund account.

(f) The district **or charter school** shall approve all expenditures from the fund account under the written standards established by the district under (e) of this section. The district's **or charter school's** approval process may include pre-authorization for items identified by the district in its written standards.

Authority: AS 14.08.101 AS 14.30.010 AS 14.07.020

AS 14.07.030 AS 14.08.101 AS 14.17.430

AS 14.07.060 AS 14.14.110

4 AAC 33.490 is amended by adding a new paragraph to read:

(19) “religious or private educational institution” means any non-public private school, university, or other institution primarily engaged in an educational mission as identified in *Sheldon Jackson College v. State*, 599 P.2d 127 (1979) or any subsequent case of the Alaska Supreme Court.

Authority: AS 14.03.040 AS 14.03.290 AS 14.07.020

AS 14.07.030 AS 14.07.060 AS 14.14.110

AS 14.17.430 AS 14.20.010 AS 14.30.010

AS 14.30.186

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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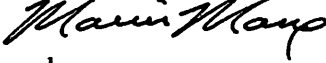
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 23, 2024

SUBJECT: Correspondence study programs (Work Order No. 33-LS1572)

TO: Senator Bill Wielechowski
Attn: Mercedes Colbert

FROM: Marie Marx 
Legislative Counsel

You asked several questions related to the recent Anchorage superior court case *Alexander v. State*.¹ Given the limited time available at this point in session, I have set out brief answers to your questions below.

Background. The legislature passed AS 14.03.300 and 14.03.310 in 2014.² On April 12, 2024, the Anchorage superior court in *Alexander* struck down these two statutes as unconstitutional under art. VII, sec. 1, of the Alaska Constitution.³ AS 14.03.300(a) requires an individual learning plan for each student enrolled in a correspondence study program, and lists what an individual learning plan must include. AS 14.03.300(b) provides: "Notwithstanding another provision of law, the department may not impose additional requirements, other than the requirements specified under (a) of this section and under AS 14.03.310, on a student who is proficient or advanced on statewide assessments required under AS 14.03.123(f)."

AS 14.03.310(a) permits the payment of some public money for private education. Specifically, it allows payment of "an annual student allotment to a parent or guardian of a student enrolled in" a correspondence study program provided by the Department of Education and Early Development (department) or a district "for the purpose of meeting instructional expenses for the student enrolled in the program." AS 14.03.310(b) sets requirements for the use of the student allotment, providing:

(b) A parent or guardian may purchase nonsectarian services and materials from a public, private, or religious organization with a student

¹ Case No. 3AN-23-04309 CI (Alaska Super. Ct. April 12, 2024).

² Sec. 15, ch. 15, SLA 2014.

³ Case No. 3AN-23-04309 CI, Order Denying Defendant's Mot. to Dismiss and Granting Plaintiffs' Mot. for Summ. J. at pp. 31 - 33 (Alaska Super. Ct. April 12, 2024).

allotment provided under (a) of this section if

(1) the services and materials are required for the course of study in the individual learning plan developed for the student under AS 14.03.300;

(2) textbooks, services, and other curriculum materials and the course of study

(A) are approved by the school district;

(B) are appropriate for the student;

(C) are aligned to state standards; and

(D) comply with AS 14.03.090 and AS 14.18.060;

and

(3) the services and materials otherwise support a public purpose.

1. What is the current status of correspondence school operations? AS 14.07.020(a)(9) provides: "The department shall . . . exercise general supervision over elementary and secondary correspondence study programs offered by municipal school districts or regional educational attendance areas; the department may also offer and make available to any Alaskan through a centralized office a correspondence study program[.]" AS 14.17.430 provides: "Except as provided in AS 14.17.400(b), funding for the state centralized correspondence study program or a district correspondence program, including a district that offers a statewide correspondence study program, includes an allocation from the public education fund in an amount calculated by multiplying the ADM of the correspondence program by 90 percent."

The version of AS 14.07.020(a)(9) currently in statute was enacted in 2003.⁴ AS 14.17.430 was first enacted in 1998, and provided that the allocation for a correspondence study program was 80 percent of the ADM of the correspondence program.⁵ In 2014, the statute was amended to raise this to 90 percent.⁶ As evident from the statutes in effect prior to and after enactment of AS 14.03.300 and 14.03.310, correspondence study programs existed before enactment of AS 14.03.300 and 14.03.310, and continue to exist even after the superior court struck down AS 14.03.300 and 14.03.310. The superior court ruling striking down those two statutes in *Alexander* only impacts the student allotment portion of the program. Notably, the superior court did not strike down AS 14.07.020(a)(9), AS 14.17.430, or any of the numerous provisions of Alaska law that involve correspondence study programs offered by school districts, and

⁴ See sec. 2, ch. 114, SLA 2003.

⁵ Sec. 2, ch. 83, SLA 1998.

⁶ Sec. 25, ch. 15, SLA 2014.

these statutes remain in effect.⁷ Additionally, the department and the state Board of Education and Early Development (state board) regulated correspondence study programs prior to enactment of AS 14.03.300 and 14.03.310, and continue to regulate them now.⁸

Because the ruling only struck down student allotments, the correspondence study program continues to exist following the ruling. However, four regulations in the Alaska Administrative Code rely, at least in part, on AS 14.03.300 and 14.03.310⁹ as the statutory authority for adoption: 4 AAC 09.160, 4 AAC 33.421, 4 AAC 33.422, and 4 AAC 33.426. It is likely the state board will need to update these four regulations in light of *Alexander*, just as the state board did in 2015 after AS 14.03.300 and 14.03.310 became law.¹⁰

2. May the executive branch implement these pre-2014 regulations again to 'fix' the correspondence program allotment issue raised in the Superior Court? The short answer is yes. The state board has broad authority under AS 14.07.060 to adopt regulations that are necessary to carry out the provisions of AS 14. Many of the correspondence study program regulations in effect today were first adopted in some form in the late 1990s or early 2000s.¹¹

Nothing currently precludes the state board from enacting regulations governing correspondence study programs, including regulations that are similar in substance to 4 AAC 33.421 and 4 AAC 33.422; i.e. regulations that require an individual learning plan for each student enrolled in a correspondence study program and that allow for student allotments. The regulations, however, may not permit use of public funds for the direct benefit of private or religious educational institutions.

3. May these regulations be done as an emergency order under AS 44.62? The short answer is yes. The state board has the power to issue emergency regulations under

⁷ See, e.g., AS 14.03.095(a); AS 14.07.050; AS 14.08.111(9); AS 14.14.090(7); 14.14.120; AS 14.17.410(b)(1)(D); 14.17.500(c); AS 14.30.010(b)(10); 14.30.186(a)(5); 14.30.365(c)(1); AS 14.45.150(c)(1); AS 14.56.365(a)(1); and 14.56.370(a).

⁸ See regulatory history for 4 AAC 33.405 - 4 AAC 33.490.

⁹ AS 14.03.310 was originally enacted as AS 14.03.320, but was subsequently renumbered.

¹⁰ See Order Certifying the Changes to Regulations of the State Board of Education & Early Development, filed Feb. 4, 2015, <https://aws.state.ak.us/OnlinePublicNotices/Notices/Attachment.aspx?id=98453>.

¹¹ See regulatory history for 4 AAC 33.405 - 4 AAC 33.490.

Senator Bill Wielechowski

April 23, 2024

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AS 44.62.250.¹² An emergency regulation requires a written finding, including a statement of the facts that constitute the emergency, that the adoption of the regulation or order of repeal is necessary for the immediate preservation of the "public peace, health, safety, or general welfare."¹³ The normal public notice is not required for an emergency regulation, but once the regulation is adopted, the state board must give notice of the adoption in the same manner as notice would be given for a non-emergency regulation. If the required notice is not given within 10 days, the regulation is automatically repealed. An emergency regulation is only in effect for 120 days unless the state board complies with the usual procedures for a non-emergency regulation during the 120-day period.¹⁴

Please let me know if I may be of further assistance.

MYM:mjt
24-210.mjt

¹² *See, e.g.* Notice of Adoption of Emergency Regulation Regarding Increased Internet Access for Schools by State Board of Education and Early Development, dated June 23, 2020, <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=198645>.

¹³ AS 44.62.250.

¹⁴ AS 44.62.260.

ANCHORAGE SCHOOL DISTRICT

ASDR 2023-2024-02

RESOLUTION CALLING ON STATE BOARD OF EDUCATION AND EARLY DEVELOPMENT TO IMPLEMENT REGULATIONS PROVIDING FOR CORRESPONDENCE SCHOOL PROGRAMS

WHEREAS, on April 12, 2024, Anchorage Superior Court Judge Adolf Zeman ruled in *Alexander v. Teshner*, 3AN-23-04309 CI that Alaska Statutes 14.03.300 and 14.03.310 are unconstitutional and struck them down in their entirety;

WHEREAS, under Rule 58.1(a) of the Alaska Rules of Civil Procedure judicial orders become effective the date they are entered unless the court specifies otherwise and because the court order addressed above did not provide a different effective date, that order became effective upon its entry on April 12, 2024;

WHEREAS, the Anchorage School District has filed an amicus brief in the *Alexander v. Teshner* case urging the court to issue a stay of the effective date of the ruling until start of the new fiscal year on July 1, 2024, to facilitate reimbursement of families who have incurred correspondence school costs during the 2023-2024 school year;

WHEREAS, due to the court ruling, there are currently no valid state regulations or statutes providing for correspondence school programs for the upcoming 2024-2025 school year and beyond, and whether any stay will issue is yet unknown and the scope of any stay is yet unknown;

WHEREAS, the Anchorage School District has over 2,000 students enrolled as correspondence school students during the 2023-2024 school year;

WHEREAS, the Anchorage School District desires there to be available for its families and others across Alaska correspondence study programs for the 2024-2025 school year and beyond;

WHEREAS, Alaska Statute 14.07.020(9) imbues the State Board of Education and Early Development with the authority to create correspondence study programs; and

WHEREAS, Alaska Statute 14.07.060 provides that the State Board of Education and Early Development shall adopt regulations necessary to carry out its functions, including the creation of correspondence study programs.

NOW, THEREFORE, BE IT RESOLVED that the Anchorage School Board urges the State Board of Education and Early Development to meet as soon as possible and exercise the authority conferred on it by the Alaska Legislature to promulgate regulations that provide for constitutional correspondence study programs for the 2024-2025 school year and beyond.

PASSED AND APPROVED by the Anchorage School District Board on this 23rd day of April 2024.

ANCHORAGE SCHOOL BOARD

Margo Bellamy, School Board President

Dave Donley
Pat Higgins
Kelly Lessens

Andy Holleman
Carl Jacobs
Dora Wilson

Dr. Jharrett Bryantt, Superintendent
