

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
