

## NOTICE OF PROPOSED CHANGES IN THE REGULATION OF THE ADULT BASIC EDUCATION PROGRAM

The Adult Basic Education (ABE) program proposes to amend regulations in 8 AAC Chapter 99 related to adult education and diplomas under special condition to change the title of the program to Alaska Adult Education (AAE) to better align with 29 U.S.C. §§3271 – 3333 (the Adult Education and Family Literacy Act (AEFLA), Title II of the Workforce Innovation and Opportunity Act of 2014), and to allow for broader access to General Education Development (GED) testing, transcripts, and diplomas via online delivery by a third party vendor.

The Adult Basic Education (ABE) program proposes to amend the following:

1. 8 AAC Chapter 99, 8 AAC Chapter 99 Article 3, 8 AAC 99.200, 8 AAC 99.200(a), (d), and (e), and 8 AAC 86.900(2) are proposed to be amended to change the name of the program from the Adult Basic Education to Alaska Adult Education or adult education.
2. 8 AAC 99.110 is proposed to be amended to make the General Education Development (GED) test the official state high school equivalency test.
3. 8 AAC 99.120(a)(1)(B) and 8 AAC 99.120(b) are proposed to be repealed to allow remote delivery of GED testing from outside the state for all users.
4. 8 AAC 99.120(a)(2)(B) is proposed to be amended to align the Alaska passing standard with the GED testing service's requirements.
5. 8 AAC 99.120(c)(1)(B) is proposed to be amended to eliminate the need for notary on the parent of a minor child's signed permission statement.
6. 8 AAC 99.140 is proposed to be amended to allow the use of a third party vendor to fulfill diplomas and transcripts for students.
  - a. 8 AAC 99.140(a)(2) is proposed to be repealed and replaced with 8 AAC 99.140(d) to allow initial diplomas and transcripts to be provided by the department or third party vendor.
  - b. 8 AAC 99.140(a)(3) is proposed to be repealed to and replaced with 8 AAC 99.140(d) to allow the department or third party vendor to respond to requests for official GED transcripts and diplomas.
  - c. 8 AAC 99.140(b) is proposed to be repealed and replaced by 8 AAC 99.140(e) to allow the department or third party vendor to determine and charge fees for duplicate diplomas.
  - d. 8 AAC 99.140(c) is proposed to be repealed and replaced by 8 AAC 99.140(e) to allow the department or third party vendor to determine and charge fees for duplicate transcripts.
  - e. 8 AAC 99.140 (d) is proposed to be added to allow the department or a third party vendor to issue initial GED transcripts and diplomas.
  - f. 8 AAC 99.140 (e) is proposed be added from the repealed 8 AAC 99.140(b)&(c) to allow the department or a third party vendor to set and charge fees to issue duplicate transcripts and diplomas.
7. 8 AAC 99.200(a) is proposed to be amended to allow competitive grants to eligible providers as defined by 29 USC §3272(5).
8. 8 AAC 99.200(b) is proposed to be amended from a three year grant period to a multiyear grant period to align with AEFLA.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Windy Swearingin, Alaska Adult Education State Director, P.O. Box 115509, Juneau, Alaska 99811-5509. Additionally, the Alaska Adult Education program will accept comments by electronic mail at ak.adult.ed@alaska.gov. The comments must be received not later than 4:30 p.m. Alaska time on October 25<sup>th</sup>, 2021.

You may submit written questions relevant to the proposed action to Windy Swearingin by e-mail or mail. The questions must be received at least 10 days before the end of the public comment period. The Alaska Adult Education program will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Windy Swearingin at ak.adult.ed@alaska.gov or 907-465-8714 not later than October 15<sup>th</sup>, 2021, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Windy Swearingin at ak.adult.ed@alaska.gov, 907-465-8714.

After the public comment period ends, the Department of Labor and Workforce Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

**Statutory authority:** AS 44.31.020; AS 23.15.820

**Statutes being implemented, interpreted, or made specific:** AS 44.31.020; AS 23.15.820; AS 23.15.550; AS 23.15.580

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

The Department of Labor and Workforce Development keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the department's notices of proposed regulation changes. To be added to or removed from the list, send a request to the Department of Labor and Workforce Development at P.O. Box 111149, Juneau, AK 99811-1149, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Date: 09.09.2021



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Dr. Tamika L. Ledbetter, Commissioner  
Alaska Department of Labor and Workforce Development