

**To: Members of the State Board of
Education & Early Development**

August 31, 2023

From: Dr. Deena Bishop, Commissioner

Agenda Item: 2A

◆ **ISSUE**

Consideration of proposed regulation amendments relating to interscholastic activities.

◆ **BACKGROUND**

- On March 16, 2023, the Board passed a resolution titled “Resolution to Preserve Opportunity for Student Athletes While Balancing Competitive Fairness, Inclusion, and Safety for All Who Compete.”
- On June 8, 2023, the Board voted to submit for public comment proposed changes to 4 AAC 06.115 to provide that a school or school district may join the Alaska School Activities Association, Inc. (ASAA), or a similar association, as long as it administers interscholastic activities in a manner that ensure fairness, safety, and equal opportunity for female students in high school athletics by limiting participation in separate high school athletics teams for female students in competitive or contact sports to females who were assigned female at birth.
- The written public comment period started on June 21, 2023 and ended July 21, 2023. Oral public comment was received at the hearing on July 26, 2023. All comments were considered.
- The proposed regulation can be found behind Cover Agenda 1A.
- Dr. Deena Bishop, Commissioner, and Susan Sonneborn, Assistant Attorney General, will be present to brief the board.

◆ **OPTIONS**

- Inform the public that the Board will consider the proposed regulation at a future meeting.
- Proceed with discussion of the proposed regulation and the public comment received.
- After discussion, adopt the proposed regulation.
- After discussion, inform the public that the Board will consider the proposed regulations at a future meeting.
- After discussion, amend the proposed regulation and open a period of public comment.
- Seek more information.

◆ **ADMINISTRATION’S RECOMMENDATION**

No recommendation.

◆ - SUGGESTED MOTION - IF BOARD SEEKS TO ADOPT THE PROPOSED REGULATION

I move the State Board of Education and Early Development adopt the proposed regulation change to 4 AAC 06.115 (Interscholastic activities), pending Department of Law review and approval.