



4048 Laurel St. #203, Anchorage, AK 99508 / Phone: 907-563-3723 / Fax: 907-563-3739 / Web: [www.asaa.org](http://www.asaa.org)

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CONTACT: BILLY STRICKLAND - 563-3723, <[billy@asaa.org](mailto:billy@asaa.org)>

The Alaska School Activities Association (ASAA) Board of Directors took no action on the proposed bylaw change related to the resolution sent by the State Board of Education to the Department of Education and Early Development (DEED).

The ASAA Board felt that until DEED changes the current regulations, it would be premature to change the ASAA bylaw. However, ASAA would like to stress DEED could amend 4 AAC 06.115 in a way that would have the practical effect of compelling ASAA to make a change to its bylaws in the future.

**Note:**

Although the State Board does not have statutory authority to directly regulate ASAA, DEED already does so indirectly. DEED's overall duties as a department include to "exercise general supervision over the public schools of the state except the University of Alaska." AS 14.07.020. DEED does not require Alaska school districts to join ASAA. Instead, existing DEED regulation 4 AAC 06.115 authorizes districts to join and pay dues to ASAA or "any other voluntary, nonprofit association whose purpose is to administer and promote interscholastic activities in Alaska" so long as certain criteria are met. 4 AAC 06.115(b). For example, in order for school districts to join an activities association, the association must make memberships available to all schools, comply with state and federal law, be governed by an elected board that fairly represents all regions of the state, and administer activities in way that encourages good citizenship and is consistent with state education policy. 4 AAC 06.115(c).

Going forward, DEED could adopt regulations that prohibit public school districts from joining or paying due to a nonprofit such as ASAA unless additional conditions are met. This would likely be done by amending 4 AAC 06.115 to add additional criteria for ASAA or another voluntary, nonprofit association to meet before school districts could join. If DEED does adopt regulations adding new conditions for participation in activities associations by public schools and ASAA does not meet the new regulatory requirements, then school districts would no longer be able to support and participate in ASAA. Without the participation and support of public schools, ASAA would likely cease to be viable or relevant.