

FOR IMMEDIATE RELEASE

Contact: Christie Reinhardt 907-269-8462 christie.reinhardt@alaska.gov

Alaska Adopts Regulations to Include FASDs for Special Education

On December 11th at the State Board of Education & Early Development meeting in Anchorage the Board unanimously approved changes to special education regulation 4 AAC 52.130(k) *Criteria for determination of eligibility*. The changes add Fetal Alcohol Spectrum Disorders (FASD) to the list of health impairments that may render a student eligible for special education and related services as a child with Other Health Impairments. It also allows Advanced Nurse Practitioners (ANP) to diagnose fetal alcohol spectrum disorder and other health impairments to determine student eligibility for special education and related services. This inclusion makes Alaska the first state in the country to recognize in education regulation the profound impact FASDs have on student's performance in school and provides clarity for schools, families, and professionals.

A recent study reports findings that as many as 1 in 50, or up to 2%, of school-aged children may have an FASD. This new regulation now explicitly includes Fetal Alcohol Spectrum Disorders to the list of chronic or acute health problems that may make a student eligible for special education and related services as a child with other health impairments. This often hidden, brain-based disability adversely affects a student's ability to access academic curriculum in a school setting because of challenges with hyperactivity, attention, memory, executive functioning, and sensory processing.



Alaska Governor's Council on Disabilities and Special Education Program Coordinator, Christie Reinhardt, with Commissioner of Education and Early Development, Mike Hanley, at the State Board of Education Meeting, December 10, 2015.

The request for the regulation change came from health care professionals and the Alaska Governor’s Council on Disabilities and Special Education. The Department responded to stakeholder input from health care professionals, educators, FASD advocates and families, as well as input from Alaska’s Chief Medical Officer, Dr. Jay Butler. During the Board discussion, Commissioner of Education, Mike Hanley, thanked the Governor’s Council and stakeholders for bringing this issue to the department and for offering input to make this regulation work for the needs of everyone involved. The final regulation now includes “**Fetal Alcohol Spectrum Disorders**” under the list of “chronic or acute health problems” listed as an impairment that may affect a child’s educational performance and specifies that these health conditions must “be diagnosed by a **licensed physician or licensed nurse practitioner.**”