

Agency Rule Report

1. The date the notice of the intended rulemaking action was published in “The Oklahoma Register” pursuant to Section 255 of this title:

November 25, 2024

2. The name and address of the agency:

Oklahoma State Board of Education, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, OK 73105

3. The title and number of the rule:

Subchapter 1. General Provisions

210:1-1-2. Definitions [AMENDED]

210:1-1-3. Powers, duties, and officers [REVOKED]

210:1-1-5. Administrative office [AMENDED]

210:1-1-6. Meetings [AMENDED]

210:1-1-7. Purpose [AMENDED]

Subchapter 3. Departmental Precepts

210:1-3-1. Nature [AMENDED]

210:1-3-5. Civil Rights [REVOKED]

210:1-3-11. Open Records Act [AMENDED]

Subchapter 5. Due Process

210:1-5-3. Petition requesting promulgation, amendment or repeal of a rule [AMENDED]

210:1-5-6. Suspension and/or revocation of certificates [AMENDED]

4. A citation to the constitutional or statutory authority for the rule:

Ok. Const. art. XIII § 5, 70 O.S. § 1-105, 70 O.S. § 3-104, 70 O.S. § 6-184, 51 O.S. §§ 24A.1 et seq, 25 O.S. §§ 301 et seq, 75 O.S. §§ 250 et seq

5. The citation to any federal or state law, court ruling, or any other authority requiring the rule:

Executive Order 2020-03, Executive Order 2023-31

6. A statement of the gist of the rule or a brief summary of the content of the adopted rule:

The purpose of these proposed rule changes is to ensure clarity and uniformity as well as streamline the processes regarding suspension and revocation of licenses. The proposed changes bring rules in conformity with statute(s) as well as clarify procedures and administrative functions of the State Board of Education (“SBE”) and the State Department of Education (“SDE” or “Department”).

7. A statement explaining the need for the adopted rule:

Changes were necessary to conform with current statute as well as clarify processes and unclear language. Additionally, some rules were repetitive of statute, and in order to comply with Executive Order 2020-03, were revoked. Further, changes were necessary to comply with Executive Order 2023-31.

8. The date and location of the meeting, if held, at which such rules were adopted or the date and location when the rules were adopted if the rulemaking agency is not required to hold a meeting to adopt rules:

January 28, 2025; Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, OK 73105

9. A summary of the comments and explanation of changes or lack of any change made in the adopted rules as a result of testimony received at all hearings or meetings held or sponsored by an agency for the purpose of providing the public an opportunity to comment on the rules or of any written comments received prior to the adoption of the rule. The summary shall include all comments received about the cost impact of the proposed rules:

Several comments were in regard to 210:1-1-2, 210:1-1-3, and 210:1-1-5.

Commenters were under the impression that the intent behind the proposed amendments were to limit access to the board by changing language regarding administrative duties. Rather, the “assistant board secretary” position no longer exists, so the duties of that position were revoked. In addition, some language was repetitive of statute which controls over rule. Revoked such language as to comply with Executive Order 2020-03.

Several comments regarding 210:1-3-5 and 210:1-3-11.

Regarding 210:1-3-5, commenters were under the impression that, by revoking the text regarding civil rights, the protections were no longer guaranteed, which is incorrect as civil rights are guaranteed under federal and state law.

A few comments were concerned with the proposed amendments “limiting due process.” Further, one comment stated that the proposed amendments were “vague.” These procedural safeguards were added directly from statute.

Regarding 210:1-3-11, commenters were under the impression that the intent behind the proposed amendments was to limit access, but rather, language was taken from AG’s rules and statute.

10. A list of persons or organizations who appeared or registered for or against the adopted rule at any public hearing held by the agency or those who have commented in writing before or after the hearing:

Adrienne Peters	Amy Sims	Barbara Hair
Adrienne Turner	Andrea Kunkel,	Bethany McVay
Alec Huffman	Cooperative Council for	Bill Gray
Amanda Roberson	Oklahoma School	Billy Bob
Amy Hudson, Jenks Public	Administration	Blaire Wilson
Schools	Angela Lomonaco	Brad Holt
Amy Ridenour	Ashley Gockstetter	Brittney Smith
	Ashley Roby	

Carey Warner	Judith Bagby	Precia Brown
Chelsea Joslin	Julie Miller, Oklahoma State School Boards Association	Rob Friesen, Thomas Public Schools
Christie Shea	Julie Morris	Robert Chavez
Christina Cruze	Katherine Amonett	Robert Romines, Moore Public Schools
Christina Henson	Kathy Lowry	Savannah Lemmons
Crystal Cruz	Kelly Taylor	Sharron Palmer
Cynthia Holland	Kenya Guidry	Sheena Martin
Danae Grace	Keri Knutson	Shelby Pruitt
Deanna Homer	Kimberly McCoy	Shiela Barefoot
Donny Kirk	Linda Koenig	Shirley Green
Erica Tymchuk	Linda Paul	Sindy Tascier
Esmeray Richards	Madison Vaughn	Stacey Dry
Fran Quiring	Margaret Coates, Owasso Public Schools	Stephanie Pyle
Frances Harbert	Mary Johns	Susan Weisz
Holly Tebow	Meika & Josiah Gaines	Suzy Sharp
Janis Blevins	Michelle Warren	T Read Richards
Jason Perez, Deer Creek Public Schools	Mike Howe	Traci Bartgis
Jennifer Aukerman	Nathan Bui	Vy Dinh
Jennifer Ingram	Nikki Cruse	Whitney Ward
Jessica Willworth	Pamela Fly	Will Sanders
Joni Mabry	Paula Greenburg	
Josie Turnage		

11. A rule impact statement if required pursuant to Section 303 of this title:

See attached.

12. An incorporation by reference statement if the rule incorporates a set of rules from a body outside the state, such as a national code:

N/A

13. The members of the governing board of the agency adopting the rules and the recorded vote of each member:

Ryan Walters: Aye

Kendra Wesson: Aye

Donald Burdick: Aye

Katie Quebedeaux: Aye

Zachary Archer: Not Present

Sarah Lepak: Not Present

14. The proposed effective date of the rules, if an effective date is required pursuant to paragraph 1 of subsection B of Section 304 of this title:

The rules will become effective July 1, 2025, or as early as is allowed under the Administrative Procedures Act (i.e., ten days after the finally adopted rules are published in The Oklahoma Register).

15. Any other information requested by the Governor, the Speaker of the House of Representatives, or the President Pro Tempore of the Senate.

N/A

RULE IMPACT STATEMENT

210:1-1-2. Definitions [AMENDED]

210:1-1-3. Powers, duties, and officers [REVOKED]

210:1-1-5. Administrative office [AMENDED]

210:1-1-6. Meetings [AMENDED]

210:1-1-7. Purpose [AMENDED]

a. What is the purpose of the proposed rule change?

The purpose of these proposed rule changes is to ensure clarity and uniformity. The proposed changes bring rules in conformity with statute(s) as well as clarify procedures and administrative functions of the State Board of Education (“SBE”) and the State Department of Education (“SDE” or “Department”).

b. What classes of persons will be affected by the proposed rule change and what classes of persons will bear the costs of the proposed rule change?

The proposed changes may affect students and their parent(s) or guardian(s), local education agencies (“LEAs”), school teachers, administrators, and other school personnel as well as members of the public dealing with LEAs, the SBE, and the SDE. No costs are anticipated with these changes.

c. What classes of persons will benefit from the proposed rule change?

The proposed changes may be beneficial to students and their parent(s) or guardian(s), LEAs, school teachers, administrators, and other school personnel as well as members of the public dealing with LEAs, the SBE, and the SDE by allowing for cleaner processes as well as aligning rule with statute(s).

d. What is the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions?

The Department does not anticipate an economic impact upon persons or political subdivisions.

e. What is the probable cost to the agency to implement and enforce the proposed rule change?

The Department does not anticipate any cost to the SBE or the SDE to implement and enforce the rules as a result of the proposed changes in the rules at this time. Additional services, if any, will be performed by existing staff.

f. What is the economic impact on any political subdivision to implement the proposed rule change? Will the rule require their cooperation in implementing or enforcing the rule?

The Department does not anticipate an economic impact upon persons or political subdivisions.

g. Will implementing the rule change have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act?

The proposed changes are not directly related, or applicable to the economy or small business. The Department does not anticipate any adverse economic impact on small business as a result of the proposed changes at this time.

h. What methods has the agency taken to minimize compliance costs? Are there any other methods which are less costly, nonregulatory, or less intrusive to achieve the purpose of the proposed rule change?

The Department does not anticipate any compliance costs and therefore is not aware of any other methods that could achieve the intended goal at a reduced burden.

i. Will the rule change impact the public health, safety, and environment, and is the change designed to reduce significant risks to the public health, safety, and environment? If so, explain nature of risk and to what extent the proposed rule change will reduce the risk.

The proposed changes do not concern public health, safety, or the environment.

j. What detrimental effect will there be on the public health, safety, and environment if the rule change is not implemented?

The Department does not anticipate any detrimental effect on public health, safety, or environment as a result of failure to implement the proposed changes to the rules at this time.

k. Date Prepared: December 23, 2024

RULE IMPACT STATEMENT

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