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

210:10-1-5. Audits [AMENDED]

210:10-1-18. Transfers [AMENDED]

Subchapter 13. Student Assessment and School Accountability

210:10-13-1.1. Assessment system [AMENDED]

210:10-13-1.2. Make-up Assessments [NEW]

210:10-13-25. Determination of the chronic absenteeism indicator [AMENDED]

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

OK Const. Art. XIII § 5, 70 O.S. § 3-104, 70 O.S. § 1210.545, 70 O.S. § 1210.507, 70 O.S. § 8-114, 70 O.S. § 13-103

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

N/A

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

The purpose of the proposed rule changes is to ensure clarity and uniformity as well as align rule with statute(s). The proposed changes would allow for data collection necessary to assess statewide and local educational needs. Further, proposed changes clarify the process for transfer of students. Proposed changes make permanent an emergency rule previously promulgated.

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

Changes were necessary in order to assess statewide and local educational needs. Further, changes were necessary to conform the rules with current statute(s) as well as clarify processes and unclear language.

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:

The most public comment was received in regard to 210:10-1-5. Some commenters are under the impression that the intent behind the proposed rule is to rid schools of illegal immigrant children or to track them for future deportation.

For example, comments stated that the proposed rule "threaten[s] children's access to education...." Comments also stated that "[d]etermining the legal status of every student would impose costly and complicated requirements on schools without any real benefits."

Proposed rule specifically states that the purpose is for funding and accounting and that the proposed rule shall not "be construed to prohibit, or inhibit, any child from receiving education..."

In regard to 210:10-13-1.1, few comments were received regarding the other proposed amendments to the chapter. Though, one comment noted that "[u]sing chronic absenteeism as an indicator in the school accountability system is a good idea in theory, but only when positive practices are met with an equal amount of accountability from the enforcing agencies involved in truancy/chronic absenteeism." Also received comments from College Board and ACT regarding the CLT being added. Comments state concerns with CLT as they claim CLT lacks state standards alignment, test score comparability, and data privacy protections.

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:

Abbey Whitley	Alex Rojo	Amy Bazan
Adam Antunano	Alexander Gavern	Amy Garcia
Adam Hildebrandt	Alexandra Munoz	Amy Hudson, Jenks Public
Adamaris Rodriguez	Ali Canada	Schools
Adrianne Eilerts	Alissa Gilmore	Amy Smith, Union Public Schools
Adrienne Peters	Alondra Zepeda	Ana Safores
Adrienne Turner	Alyssa Andrews	Anahi Martinez
Aida Torres	Alyssa Doty	Andi Hudson
Alaya Blackwell	Amanda Blair	Andrea De La Torre
Ale Morales	Amanda Nelson	Andrea Kunkel,
Alec Huffman	Amber Fuller	Cooperative Council for
Alejandra Chavez	Amber Lowe	Oklahoma School Administration
Alejandra Cruz	Amber Mcmath	Andres Davila

Andrew Harris

Amie Fowler

Alejandro Santillan

Andrew Koester Autumn Slaughter Brenda Lyons

Andrew Nguyen Avery Bennett Brenna Wallach

Angela Baumann Azucena Guerrero Bria Schwartz

Angela Reap Bailey Teague Brian Turner

Angie Barker Barbara Hair Brianna Fraire

Angie Buchanan Barbara Patterson Briceira Bernal

Angie Santillan Barbara Shipley Brittny Smith

Anita Wertz Bari Hatheway Brooke Webster

Ann Knutson Becky Downing Caitrin Coppinger

Anna Kern Benjamin Canizales Calvin Stoltenberg

Anna Sanger Bernard Gardner III Cami Cooper

Anne Pham Beth West Camila De Loera

Annette Christensen Bethany Guerriero Carey Floyd

Annie Taylor Beverly Woodrome Carey Warner

Anthony Coker Bill Bryant Carissa Hildebrandt

Anthony Ingram Blaine Denny Carley Dummitt

Araseli Lopez Blake MacNelly Carol Robbins

Arelli Montoya Blanca Zavala Carolyn Brady

Arely Vera Bob Darby Carolynn Macalister

Ariel Horry, YWCA Bonita James Carrie Barnes

Ariel Whitaker Brad Holt Carrie Smith

Asa Williams Brad Marion Carrie Thrickmorton

Ashley Flores Braden Stoltenberg Cary Herwig

Ashley Ramsey Brandi Peterman Caryn Brown

Ashley Rhea Brandon King Casandra Roman

Ashley Roby Bre Almaguer Cassandra Twyman

Ashley Wilson Brenda Barizinski Catalina Beltran

Ashlie Aven Brenda Gran Cesar Pardo

Chabelli Mendoza Connie Matthews Devin Lopez

Charles White Diego Dominguez Constance Irby

Chelsea Joslin Consuelo Rozo Dina Cox

Chelsea Junger Courtney Hurst Donna Brown

Chelsea Velasco Donna Goodman Courtney Mankin

Cheryl Doellefeld Cristy Cox Donna Lawson

Cheryl Elias Crystal Thompson Doug Baugmunk

Cheyenne Heath Cynthia Osterhout Doug Townsdin

Chloe Frooninckx Daisi Owens Dsiepiela

Chris Moore Dakota Cribb E. Pyle

Chris Morgan Dakota West Ebonie Hill

Chris Shoaf Daniel Aguilar Edwin Alvarez

Chris Simpson Daniel Geary Edwin Rossman

Danielle Davies Christie Shea Eileen Simmons

Christina Cruze Darrell Gilbert Elaine Ryan

Elaiza Alcaraz Christina Mcdougall David Blatt, Appleseed

Center Christina Schwartz

Dawn Hackney Elen Shirley, YWCA Christine Wojtysiak

Eldred Fuchs

Elias Hernandez

Deanna Homer Christopher Hernandez Elena Hight

Debbie Downing

Christy Morrow Debe Judah

Cinthia Palomino Elisa Howell

Claire McGowan Elissa Johnson

Debra Starnes Elizabeth Loera, YWCA Clancy Cox

Delaney Kane Clark Frailey Elizabeth Hoggatt

Deborah Whittaker

Denise Marquez Claudia Griss Elizabeth Lohr

Denise Serrato

Collin Pickens Elizabeth Mikkola

Denise Sunderland Conni Eckstein Elizabeth Walker

Derrick Nguyen Connie Cronley Ellen Steele

Desiann Dawson

Emiley Bainbridge Gayla Curtis Iyla Griffin

Emily Eaton Gayle Curry Jackeline Luna

Emily Gonzalez Gina Ellis Jacob Thompsob

Emily Nelson Gini Fox Jade Park

Emily Jeter Ginny Cahalan James Allen

Emily Merkle Gisel Flores James Sielert

Emma Morris Gisele Perryman Jamie Bruehl

Erica Stanton Giselle Dariana Jamie Qualls

Erik Ramirez Glenda Nelson Jan Dodson

Erika Diaz Glenda Puett Jana Miller

Erika Forrest Grant Bell Jana Timberlake

Erin Dye Gregg Wallis Jane West

Erin Koos Gustavo Sanchez Janet Cravens

Erin Laine Gwen Murphy Janet McKenzie

Estefania Burlingham Haley Dahl Janet Mueggenborg

Evelin Alvarado Hana Dickens Janet Rosales

Fabiola Ramirez Hannah Cartwright Janice Busick

Fabiola Spens Harper Morris Janice Yeary

Fatima Menendez, Hayla Wilson Janice Yeary

Mexican American Legal Defense and Educational Heidi Kamm Janis Blevins

Fund Heidi Torres Janis Blevins

Fernanda Salazar Hermorene Ezeobele Janis Poe

Fransisca Maldonado Herschel Watson Jaqueline Caballero

Freddy Vega Holly Gordon Jasmine Hernandez

Gabriela Herrera Indra Coronado Jasmine Wilson

Gabriela Narez Irma Esqueda Jason Perez, Deer Creek

Gabriela Perez Israel Sanchez Jayde Nichols

Gail Hawk Ivana Graham Jeanette Moore

Jen Lang Jo Ann Howse K Pierce

Jenn Teehee Joana Maldonado Kaila Vigil

Jenna Ledroit Joanna George Kaitlin Meacham

Jenna Tong Joanne Goin Kaitlyn Evergreen

Jennifer Freeman Joanne Klumpp Kaleu Free

Jennifer Godsy JoBeth Moad Kamau Myles

Jennifer Kill JoBeth Moad Kara McCullah

Jennifer Morrow Jocelyn Garcia Kara Stoltenberg

Jennifer Robbins Joey Shelton Karen Gaddis

Jennifer Serrato Johana Corral Karen Lippert

Jennifer Solis John Glasson Karen Stephenson

Jennifer White John Hudgens Karissa McMillan

Jennifer Williams John Karlin Karyn Fox

Jensy Paz John Parker Kasey Hughart

Jesica Trevizo Jonatan Paz Kasie Griffitts

Jessica De Loera Joni Mabry Katherine Wolfe

Jessica Fraire Jose Jaume Kathleen Johnson

Jessica Gaylor Jose Lopez Kathleen McKean

Jessica Noonan Joy Longmire Kathleen Tullius

Jessica Sheldon Judith Bagby Kathryn Lambert

Jessica Trevizo Judy Daas Kathryn Van Horn

Jessica Willworth Julia Hibbs Kathy Etherton

Jesus Ruiz Julie Miller Kathy Piersall

Jihan Abdul-Haqq Julie OConner Kathy Simmons

Jill Williams Julie Ray Katie Huskerson

Jillian OConner Julie Reagle Katrina Morrison

Jim Loveland Julie Ward Kayleigh Reyes

Jinni Giltner Julissa Soto Keisha Cole

Keith Mcartor Laura Haws Lisa Smith

Kelda Lorxas Laura Joullian Lisa Watson

Keli Lohmeyer Laura Ross Locklin Rooney

Kelly Campbell Laura Schiewe Logan Wofford

Kelly Dillow Laurie Bushman Lora Hoggartt

Kelly Harris Leah Callahan Lori Moore

Kelly Wheat Leah Weyand Lori Morgan

Kenneth Jackson Leah White Lori Walke

Kesa Mitchell LeeAnne Jimenez Lori Murphy

Kevin Hooshmand Leigh Ann Brook Lucinda Swanson

Kiana Cyrus leigha Rippetoe Lucy Lopez
Kim Miller Lenda DeVilbiss Lydia Garza

Kim Whiting Lesli Aguirre Lydia Leslie

Kimberly Littrell Leslie Terrell Lynn Christophersen

Kimberly McCoy Lesly Fraire Lynn Staggs

Kimberly Vojvoda Lesly Fraire M Lee

Kirt Moelling Linda Edwards M Styve

Kristen Oertel Linda Edwards Mackenzie Wright

Kristi Saul Linda Keely Macullen Nadurak

Kristi Strubhart Linda Koenig Madelyn Primeauz

Krystal Black Linda Luttrull Madison Rogers

Kurt Moelling Linda Nicholson Maggie Logan

Kyle Bergwall Lindsey Shown Mahaya Onthehill

Kyle Oconner Lindsey Smith Mandy Wisdom

Kylie Horton Linn Bishop Marci Kistler

Lalita Thapa Lisa Nation Marg Beall

Larry Toombs

Lani Walker Lisa Purcell Margaret Coates Owasso

Lisa Sielert Public Schools

Maria Aguilar

Melina Mejia Molly Glassco Maria Esparza

Maria Mattern Melinda Rodriguez Molly Jaynes

Maria Molina Melinda Rodriguez Mona Rincon

Maria Padron Melissa Acton Monica Molina

Melissa Antonucci Monzerrat Flores Maria Zupan

Mariana Lopez Melissa Laster Morgan Hale

Mariano Gonzales Jr. Melissa Oconner Morgan Sohl

Marianne Blair Melissa Riggan Myrna Amaya

Mariela Martinez Melody Andrews Myste Steph

Marion Jowaisas Melody Wright Nancy Dilley

Maritza Chavez Melony Lindle Nancy Hodgkinson

Marla Mansfield Melynee Naegele Nancy Remus

Marshal Gimpel Mia Major Nancy Truelove

Martha Ellison Michael Devenitch Nannette Tresner

Martha Matthews Michael DuPont Natalie Maldonado

Nathalia Mireles Mota Marti Cook Michael Little

Michelle McCain Nathan Bui Marty Rickman

Michelle Warren Nicholas Espiritu, National Mary Hale Immigration Law Center

Mary Hille Michelyn McKnight

Mayelly Morales

Megan Brown

Nicole Finch Mary Lykins Miguel Payan

Nicole McAfee Mary Palmer Mike Howe

Nicole Maldonado Mary Vancuren Mike McGhee

Nicole Neville Marycruz Flores Mike ORourke

Nikolus Williams Mike ORourke Maureen Harvey

Noelia Melegatti Mike Stutzman

Nolan Hulsey Mindy Galoob

Nyla Hill

Megan Jamison Misty Bradley

Osbaldo Aguilera Megan Sweeney Molly Bryant

Paloma Goodwyn

Pam Young	Rebecca Bair	Sara Juarez
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Patrice Odea Rebecca Fast Sara Martinez

Patricia Clifford Rebecca Oller Sara Stinchcomb

Patricia Simons Rebecca Randle Sara Walker

Patricio Hernandez Rebeka Kolyanowski Sarah Connelly

Patrick Curry Rebekah King Sarah Hughes

Patrick Meirick Reece Wetzel Sarah Vespasian

Patty Demoraes Regina Paff Sarah Wood

Patty Powell Regina Paff Saralyn Wagner

Patty Powell Reynolds Wallis Saralynn Boren

Paul Delgado Richard Beam Saul Covarrubias

Paul Gilmore Richard Dennis Savannah Wollery

Paul Littleton Richard Sloan Savannah Wooten

Paula Greenburg Rob Friesen, Thomas Scot Spence

Peggy Stoltenberg Public Schools Scott Reed

Peter Bryant Robert Morris Servando Santillan

Phil Taylor Roberto Anaya Shannon Warren

Phillip Massad Robie LeAnne Sharla Halencak

Phyllis Rustin Rod Graves Sheena Martin

PJ Brun Russell Bainbridge Shelby Bomford

Preslee Thorne Ruth Ives Shelby Joiner

Prisma Espinoza Ruth Nichols
Shelby Pruitt

R Humphrey sabel Rodriguez Sheri Curry

Rachel Smith Sally Shrout Sherri Brown

Rachel Wertz Sammie Roberts Sherrie McNall

Rahul Melakayil Samuel Diaz Shirley Green

Sandra Longerier

Randee Charney Shuana Evans

Ray Cathy Sandra Ryden Sierra Hawkins

Sara Cota

Silvia Ceballos Tammy Blewett Valeria Aguilar

Sindy Tascier Tamya Toure, ACLU Valerie Little

Sky Collins Tania Garza Vanessa Davis

Sofia Quintero Tannia Vilchez Vanessa McLearen

Sophia Simunek Tara De Lara Vanessa Perez

Stacy Durrett Tasneem Al-Michael Velma Andregg

Stacy Gorley Tawnya Robledo Vera Burgess

Stella Hensley Tayler Kelsay Vicki Fancher

Stephanie Bailey Taylor Beene Vicki Muir

Stephanie Banos, YWCA Teresa Burkett Vicki Snow

Stephanie Castillo Teresa Richardson Victoria Castillo

Stephanie Phillips Terry Brennan Victoria Chavez

Stephanie Robledo Terry Bruce Victoria Sturtevant

Stephen Lloyd Thomas Ingram Vy Dinh

Stephnaie Pyle Tiffany Benjamin Wanda Gress

Steve Calhoun Tiffany Cantrell Wanda Hut

Steven Sayer Tiffany Sebring Wanderley Villalobo

Stevi Clemens Tim Weaver Wendy Charqueno

Sue Haskins Timothy Buthod Wendy Pratt

Sue Williams Tina Wendy Villabolos

Sue Wolf Toberta Horn Whitney Callen

Susan Arkeketa Todd Nelson Whitney Ward

Susan Harding Tom Clark Will Curth

Susan Munster Tori Baker Willette Guinhawa Ho,

Suzanne Sullivan Tosha Robinson College Board

Suzy Sharp Tracy Hughes William Yeager

Xareny Rodriguez

Susan Weisz Trinity Gray

T Read Richards Tyler Turnbow Xitlali Moreno

Y Jara Gonzalez

Yara Ketaneh Yelisabel Scott

Yeli Scott Zeke Gonzales

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

210:10-1-5. Audits [AMENDED]

210:10-1-18. Transfers [AMENDED]

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

The purpose of the proposed rule changes is to ensure clarity and uniformity as well as align rule with statute(s). The proposed changes would allow for data collection necessary to assess statewide and local educational needs. Further, proposed changes clarify the process for transfer of students.

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 State Board of Education ("SBE"), and the State Department of Education ("SDE" or "Department"). 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.

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

The Department anticipates a possible increase in funding for schools as a result of this proposed change due to demonstrated, increased needs. An exact or even approximate number is unable to be determined until the data has been collected.

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 anticipates an increase in funding for schools as a result of these proposed changes. The proposed changes would require schools to obtain data and subsequently submit a report regarding the data collected so that the SDE may determine if additional resources are needed.

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

210:10-13-1.1. Assessment system [AMENDED]

210:10-13-1.2. Make-up Assessments [NEW]

210:10-13-25. Determination of the chronic absenteeism indicator [AMENDED]

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

The purpose of these proposed rule changes is to ensure clarity and uniformity. Proposed changes bring rule 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"). Proposed changes make permanent an emergency rule previously promulgated.

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