

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 9. Professional Standards: Teacher Education and Certification [AMENDED]

Part 9. TEACHER CERTIFICATION

210:20-9-102. Paraprofessional credentials and career development program for paraprofessionals [AMENDED]

Part 17. FULL (SUBJECT MATTER) COMPETENCIES FOR LICENSURE AND CERTIFICATION

210:20-9-172. Full (subject matter) competencies for licensure and certification [AMENDED]

Subchapter 13. Teacher Testing

210:20-13-1. Teacher testing regulations [AMENDED]

Subchapter 23. School Board Members

210:20-23-5. Records management [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. § 6-187, 70 O.S. § 6-127A, 70 O.S. § 5-110

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

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 changes is to ensure clarity and uniformity. The proposed changes bring rules in conformity with statute(s) and Oklahoma Executive Order 2023-31 as well as clarify procedures and administrative functions of the State Board of Education (“SBE”) and the State Department of Education (“SDE” or “Department”). Further, proposed changes ensure teachers demonstrate a basic understanding of fundamental principles of American civics, government, and society. The proposed changes ensure that teachers have the ability to promote to their students ideas based on informed civic engagement and responsible citizenship. Additionally, proposed changes clarify procedure regarding school board members who have not completed their continuing education requirements.

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

Changes were necessary to conform rules with current statute(s) as well as clarify processes and unclear language. Further, changes were necessary to properly assess understanding of fundamental principles of education.

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:

Comments regarding 210:20-9-102 and 210:20-9-172 were generally in opposition due to removal of DEI language.

Further, several comments in opposition to 210:20-9-172 for the removal of the following language:

“(B) Competency for School Psychologist certification may also be verified by the Nationally Certified School Psychologist (NCSP) credential.”

Commenters stated that the proposed removal of the language above will make the process for certification more difficult and stated that the field is already understaffed. Commenters appeared to believe that the definition of “verified” is synonymous with automatic certification. Certification was never guaranteed by such language. Rather, requirements of the rule may be verified or substantiated through the NCSP credential. Removing such language would cause the certification process to be easier rather than more difficult as presumed.

Regarding 210:20-13-1, comments stated a general sentiment that this amendment is unnecessary to be certified. Some commenters stated that they feel as though this is a barrier to teachers gaining certification at a time when the process is already difficult. One comment was concerned with the amendment to the rule that changed “will” to “may” in line two of paragraph (a)(3). The State Board of Education took action to revert the language back to “will.”

Few comments were received regarding 210:20-23-5. One comment state that “This proposed amendment would eliminate the support OSDE extends to school superintendents by providing them three times annually the credit hours each member of the local board of education has completed. The proposed replacement language just restates the statutory requirement found in 70 O.S. § 5-110.2. Although the language proposed for deletion requires more of OSDE than Section 5-110.2, we ask OSDE and SBE to reinstate the language proposed for deletion and preserve that assistance for superintendents and board members.”

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:

Addie Barker

Alec Huffman

Allison Thompson

Adrienne Turner

Allen Bolles

Amber Mcmath

Amber Wallace	Jackie Johns	Madison Jenkins
Amy Hudson, Jenks Public Schools	Jason Perez, Deer Creek	Mandy Nespeca
Andrea Kunkel, Cooperative Council for Oklahoma School Administration	Jennifer Moon	Margaret Coates, Owasso Public Schools
Angela Baumann	Jessica Gabeau	Maria Guzman
Anita Balmer	Jessica Gaylor	Mary LeFebvre, ACT
Autumn Slaughter	Jessica Johnson	Meagan Stoltzfus
Barbara Hair	Jessica West	Megan Purdum
Bob Darby	Jill Williams	Melissa Johnson
Brandon Harrower	Julie McCormick	Michelle Warren
Brenna Byers	Julie Miller OSSBA	Mieke Price
Bryant Stone	Kaelyn Presley	Mike Howe
Caroline Mulkey	Kara McCullah	Morgan Kowalewski
Chris McDougall	Karen Mitchek	Nakomis Young
Chris Morgan	Katja King	Nathan Bui
Christy Morrow	Keith Mcartor	Pam Young
Danielle Perjatel	Kelli Hopper	Pamela Fly
David Powell	Kendra Kim	Patricia Clifford
Dawn Hackney	Kenzie Blake	Patrick Helton
Denise Sunderland	Keri Knutson	Paula Greenburg
Ebony Moore	Kim Hastings	Rob Friesen, Thomas Public Schools
Emily Coppick	Kim Miller	Rosemary Flores
Erika Olinger	Kimberly Littrell	Ruth Ives
Evelyn Lopez	Kimberly McCoy	Ryan Fowler
Gini Fox	Kyla Rechlin	Samantha Williams
Hailey Dioguardi	Lee Harris	Sara Rich
Ivy Barton	Linda Keely	Sharayah Miller
	Lindsey Allenbach	Shelby Carpenter
	Lindsey Sandoval	

Sherry Headrick

Tabitha Hutcherson

Tom Clark

Shirley Green

Tiffany Luedke

Vy Dinh

Susan Weisz

Tina _

Whitney Ward

Suzy Sharp

Todd Nelson

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

210:20-9-102. Paraprofessional credentials and career development program for paraprofessionals [AMENDED]

210:20-9-172. Full (subject matter) competencies for licensure and certification [AMENDED]

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

The purpose of these proposed changes is to ensure clarity and uniformity. The proposed changes bring rules in conformity with statute(s) and Oklahoma Executive Order 2023-31¹ 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 change 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.

¹ Agency operations timely complied; however, the current proposed changes were not practical until this time due to the administrative rules process.

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

210:20-13-1. Teacher testing regulations [AMENDED]

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

The purpose of this proposed rule change is to ensure teachers demonstrate a basic understanding of fundamental principles of American civics, government, and society. The proposed change ensures that teachers have the ability to promote to their students ideas based on informed civic engagement and responsible citizenship.

- 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 change may affect school teachers as well as those persons seeking certification as well as 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”). Any costs associated with the proposed change will be borne by the SBE and/or the SDE.

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

The proposed change 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.

- 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 anticipates minimal costs to the SBE and/or the SDE to implement and enforce the rule as a result of the proposed change in the rule at this time. The Department is currently looking to multiple options that are both cost effective and functionally appropriate.

- 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. The proposed change will require those seeking certification or re-certification to take a test.

- 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 change is 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 change 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 is looking to multiple options that are both cost effective and functionally appropriate to carry out the intent of the proposed change. Some of the options include software already in use as well as low-cost options outside of the Department's current use.

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 change does 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 change to the rule at this time.

k. Date Prepared: December 23, 2024

RULE IMPACT STATEMENT

210:20-23-5. Records management [AMENDED]

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

The purpose of this proposed rule change is to ensure clarity and uniformity regarding school board members who have not completed their continuing education requirements. 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”).

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 change 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 change 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 SDE to implement and enforce the rule as a result of the proposed change in the rule 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 change is 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 change 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 change does 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 change to the rule at this time.

k. Date Prepared: December 23, 2024