

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 5. Transportation

210:30-5-8. School bus driver certification [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. § 6-184, 70 O.S. § 1-105, 47 O.S. § 15-109

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 this proposed rule change is to 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”). Further, the proposed change allows for revocation of bus driver certifications when certain criteria is met and expands the criteria for revocations and suspensions of licenses.

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

Changes were necessary to close loophole in rule and protect the health, safety, and welfare of students in the Oklahoma school system.

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 were generally in support of this rule. Several commenters thanked the agency for these amendments at the public comment hearing as well as talked about how this proposed amendment would be beneficial to the public. One comment stated a concern regarding how this rule was to apply to bus drivers as they are support staff rather than certified teachers.

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:

Andrea Kunkel, Cooperative Council for Oklahoma School Administration	Kimberly McCoy Margaret Coates Owasso Public Schools	Robert Romines, Moore Public Schools Shirley Green
Jessica Chaves	Pamela Fly	Susan Weisz
Julie Miller OSSBA	Paula Greenburg	Whitney Ward

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

210:30-5-8. School bus driver certification [AMENDED]

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

The purpose of this proposed rule change is to 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”). Further, the proposed change allows for revocation of bus driver certifications when certain criteria is met and expands the criteria for revocations and suspensions of licenses.

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 significant additional costs to the SBE or the 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?

If the proposed change is not implemented, there would be a detrimental effect on public safety as bus drivers could escape liability and potentially remain certified after violation or conviction of the following, non-exhaustive list: state law, federal law, SDE rules, any of the offenses or bases for revocation set forth in 70 O.S. §§ 3-104 or 3-104.1, etc..

k. Date Prepared: December 23, 2024