

## **RULE IMPACT STATEMENT**

### **TITLE 210. STATE DEPARTMENT OF EDUCATION**

#### **CHAPTER 1. STATE BOARD OF EDUCATION**

#### **SUBCHAPTER 5. DUE PROCESS**

- a. **What is the purpose of the proposed rule change?**  
The purpose of the proposed to change to 210:1-5-6 is to clarify the rules and procedures for suspension and/or revocation of certificates issued by the State Board of Education to persons for instructional, supervisory, and administrative positions in state public schools. The proposed changes to the rule would clarify the process under which a certificate may be suspended or revoked, and will update the outdated portions of the rule to ensure compliance with the provisions of the Oklahoma Administrative Procedures Act. In addition, the proposed amendment of the rule incorporates a procedure for emergency suspension of a certificate in the event of a determination that emergency action is warranted to protect public health, safety, or welfare.
- 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 will affect public school students and their parents/legal guardians; individuals certified as public school instructional, administrative and supervisory positions, and public school districts and public schools.
- c. **What classes of persons will benefit from the proposed rule change?**  
The proposed changes will benefit holders of certificates, as the updated provisions of the rule provide additional procedures to ensure additional due process protections in accordance with the provisions of Article II of the Oklahoma Administrative Procedures Act. The proposed changes will also benefit public school students and their parents/legal guardians by adding a provision for emergency suspension of a certificate to protect the health, safety, or welfare of public school students and employees.
- d. **What is the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions?**  
The agency does not anticipate any economic impact upon affected classes of persons or political subdivisions as a result of implementation of the proposed rule change at this time.
- e. **What is the probable cost to the agency to implement and enforce the proposed rule change?**  
The agency does not anticipate any cost to the agency to implement and enforce as a result of the proposed change in the rule at this time. Additional record keeping, if any, will be performed by existing staff.
- f. **What is the economic impact on any political subdivision to implement the proposed rule change?**  
The agency does not anticipate any economic impact on any political subdivision to implement the proposed rule change at this time.
- g. **Will implementing the rule change have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act?**  
The agency does not anticipate any adverse economic impact on small business as a result of the proposed rule change at this time.

- h. **Are there any other methods which are less costly, nonregulatory, or less intrusive to achieve the purpose of the proposed rule change?**  
No.
- 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 agency anticipates a benefit to public safety as a result of implementation of the proposed rule by the addition of a procedure providing for emergency suspension of a certificate in the event the agency finds that emergency action is warranted to protect the public health, safety, or welfare pursuant to 75 O.S. § 314.1.
- j. **What detrimental effect will there be on the public health, safety, and environment if the rule change is not implemented?**  
The agency does not anticipate any detrimental effect on public health, safety, or environment as a result of implementation of the proposed rule at this time.
- k. **Date Prepared:** February 22, 2013.