

RULE IMPACT STATEMENT

210:10-2-2. Definitions [AMENDED]

210:10-2-3. Requirements [AMENDED]

210:10-2-4. Noncompliance [AMENDED]

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

The purpose of this rule change is to add provisions regarding school district liability for independent contractor actions within their school district that violate the Parents' Bill of Rights.

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 rule change will impose minor informational and compliance costs on local education agencies (LEAs) who do not apply their policies on parental rights to independent contractors.

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

The rule change will benefit parents by ensuring uniform honoring of parental rights in LEAs.

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

The agency anticipates minimal economic impact upon political subdivisions or affected classes because of implementation of the proposed rule change at this time because the rule merely requires uniform enforcement of existing informational and opt-out requirements.

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

The agency anticipates minimal cost to the agency to implement and enforce the rule 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? Will the rule require their cooperation in implementing or enforcing the rule?**

The agency anticipates minimal economic impact on any political subdivision to implement the proposed rule change at this time because the rule merely requires uniform enforcement of existing informational and opt-out requirements.

- 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. **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 agency does not anticipate any material costs and is not aware of any measures that would minimize costs as a result. The agency 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 agency anticipates passage of this permanent rule will protect the public health, safety, and environment. Violations of parents' rights prescribed in State law could have a direct impact on a minor's health and/or safety. Examples of such concerning violations include a government contractor coercing a minor to withhold information from his/her parent or exposing them to unwanted sexuality material. The proposed rule would reduce the risk of such violations by clarifying and enforcing penalties for those violations. The rule also reduces the risk that schools will exclude parents from the education of their minor children by ensuring parents can quickly and appropriately respond to any change that may impact the student's health or safety.

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

Failure to implement the proposed rule at this time could allow State contractors to exploit the references to employees in the existing rules in order to avoid the education-related requirements of the Parents' Bill of Rights, codified at 25 O.S. § 2001-2005, such that school districts do not adequately honor the rights of parents in educating their children as prescribed in State law. Additionally, failure to promptly disclose information to parents regarding their students, either intentionally or inadvertently, can have negative consequences for the student's health or safety.

- k. **Date Prepared:** January 11, 2024