

RULE IMPACT STATEMENT

210:25-1-2. Equal Protection [NEW]

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

The purpose of this rule change is to comply with Executive Order 2023-31 and to comply with the U.S. Constitution and the Oklahoma Constitution on equal protection by restricting the use of state funds, property, or resources for purposes of diversity, equity, and inclusion (DEI).

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 reduce or reassign expenditures at local education agencies (LEAs) by prohibiting certain types of expenditures.

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

The rule change will benefit school communities and the general public by ensuring taxpayer dollars are not spent in an unlawfully discriminatory manner.

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 LEAs can merely reassign the funds to permissible uses in order to comply.

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

The agency anticipates minor costs to the agency to implement and enforce the rule as a result of the proposed change in the rule at this time. The agency has existing reporting on affected costs in the state, and 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 LEAs can merely reassign the funds to permissible uses in order to comply.

- 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 anticipates that any adverse economic impact on small business as a result of the proposed rule change at this time would only occur to small businesses whose contracts with schools solely require unlawfully discriminatory conduct.

- 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 anticipates that any material costs will be reassigning of expenditures or staff to lawful programs 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 rule 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 agency does not anticipate any detrimental effect on public health, safety, or environment as a result of failure to implement the proposed rule at this time.

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