

RULE IMPACT STATEMENT

210:35-29-2 Definitions [AMENDED]

210:35-29-6 Personnel; certification; criminal record searches [AMENDED]

210:35-29-8 Requirements for alternative education programs [AMENDED]

210:35-29-9 Requirements for incentive amount for participating in a cooperative agreement [AMENDED]

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

The purpose of this rule is to update the alternative education rules in order to improve the quality of alternative education, comply with best practices for alternative education, and comply with 2019 updates to the governing statute that the State Department of Education has not previously addressed in rules.

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 affect local education authorities (LEAs) who operate alternative education programs. Those LEAs will bear any costs from this rule.

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

The rule change will benefit alternative education students by ensuring compliance with the statutory criteria for quality alternative education. The rule change will also benefit LEAs who offer alternative education programs by providing clear guidance on the Department's interpretation of existing criteria.

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

The agency anticipates that the primary economic impact will occur on LEAs that operate alternative education programs that do not comply with best practices and must improve their programs in order to continue receiving alternative education allocations.

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? Will the rule require their cooperation in implementing or enforcing the rule?**

The agency anticipates that LEAs that operate alternative education programs that do not comply with best practices will incur costs to improve their programs in order to continue receiving alternative education allocations.

- 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 has largely limited the proposed rule change to practices that are common in Oklahoma alternative education programs in order to minimize compliance costs. As a result, compliance costs will primarily fall on outlier programs while most LEAs should face minimal cost. 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, and 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:** October 13, 2023