

RULE IMPACT STATEMENT 210:20-1-2

Prohibition on aiding and abetting sexual abuse [NEW]

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

This is a rule adoption required under the Every Student Succeeds Act (ESSA), the federal legal framework for public education that replaced No Child Left Behind. 20 U.S.C. § 7926 directs all state and local education agencies that receive federal funding to adopt a prohibition on their employees and contractors assisting any school employee or contractor in obtaining employment if it is known, or believed based on probable cause, that the person seeking employment engaged in sexual misconduct with a student or minor. This proposed rule satisfies the policy adoption obligation at the state level, and directs school districts and charter schools to adopt their own policies consistent with the federal prohibition.

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 school districts and charter schools, and their employees and contractors.

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

The rule change will benefit school districts and charter schools by ensuring their compliance with 20 U.S.C. § 7926, and by promoting student safety.

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 political subdivisions or affected classes 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 does not anticipate any impact on public health, safety, or environment as a result of implementation of the proposed rule at this time.

- 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 7, 2019