

RULE IMPACT STATEMENT

210:15-13-7. Lindsey Nicole Henry Scholarship Program for Students with Disabilities [AMENDED]

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

The rule outlining the Lindsey Nicole Henry Scholarship Program for Students with Disabilities (LNH Scholarship Program) is being updated to reflect changes in law since the rule's adoption, and to clarify the application process for parents/guardians of eligible students. While the scholarship was initially limited to students with disabilities who have attended public school in Oklahoma and been served under the Individuals with Disabilities Education Act (IDEA), eligibility was later expanded to include students who have been served through the SoonerStart program for children with disabilities from birth through age two (2), and most recently for students who have been in out-of-home placement through the Department of Human Services (DHS); who have been in out-of-home placement with the Office of Juvenile Affairs; or who have been adopted while in the permanent custody of DHS. These eligibility categories must be added to the rule to reflect current law, along with updates necessary due to changes in practice, such as applications now being accepted by email. Content is being added to the rule clarifying the federal civil rights provisions that apply to participating private schools, and providing that participating schools may be asked to periodically verify that they meet the eligibility requirements for the LNH Scholarship Program.

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 change will affect the State Department of Education Office of Special Education Services, private schools that participate in the LNH Scholarship Program, and eligible students and their parents/guardians.

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

The change will benefit all stakeholders in the LNH Scholarship Program by clarifying guidelines, responsibilities, and processes.

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 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: November 30, 2018