

## RULE IMPACT STATEMENT

### TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 25. FINANCE SUBCHAPTER 3. FUNDING CRITERIA

- a. **What is the purpose of the proposed rule change?**  
The proposed amendment to 210:25-3-4 eliminates unclear language regarding statewide virtual charter school teachers' eligibility for years of service credit. Subsection (o) currently states that certified personnel teaching in virtual charter schools shall be considered as teaching in a school approved by the State Board of Education for increment purposes. This language is problematic because some virtual charter schools do not directly employ their teachers, but instead contract with a third party education services provider which employs the teachers.  
In general, certified teachers at charter schools are eligible to accrue years of service in the same manner as teachers in traditional public schools, although the minimum salary schedule itself does not apply to charter schools. For certified personnel employed by charter schools, the "years of service" apply toward the Teachers' Retirement System for participating teachers, and identify what band in the minimum salary schedule would apply if they later teach in a non-charter public school. Years of service may only be accrued by teachers employed by a school district/charter school, and not a private school or other entity. Because some virtual charter schools do not contract with their teachers but with a third party entity, these indirectly employed teachers are not eligible for years of service credit. Certified teachers who contract directly with virtual charter schools are and will remain eligible for credit for years of service, but striking the problematic language from the rule will prevent confusion over eligibility.
- 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 proposed changes will affect statewide virtual charter schools and teachers in statewide virtual charter schools.
- c. **What classes of persons will benefit from the proposed rule change?**  
The proposed changes will benefit statewide virtual charter schools and certified teachers employed directly by statewide virtual charter schools.
- 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:** September 10, 2015