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Kevin Stitt, Governor
Michael Rogers,
Secretary of State
Peggy Coe, Editor-in-Chief

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Table of Contents

Agency/Action/Subject Index	iii
Rules Affected Index	iv
Agency Index (Title numbers assigned)	v
Notices of Rulemaking Intent	
Commerce, Oklahoma Department of (Title 150)	27
Emergency Adoptions	
Education, State Department of (Title 210)	29
Executive Orders (Title 1)	33

Agency/Action/Subject Index

COMMERCE, Oklahoma Department of (Title 150)

Notices of Rulemaking Intent

General Rules of Practice and Procedure (Chapter 1) 27

EDUCATION, State Department of (Title 210)

Emergency Adoptions

Standards for Accreditation of Elementary, Middle Level,
Secondary, and Career and Technology Schools
(Chapter 35) 29

GOVERNOR

Executive Orders

Amending EO 2019-1, creating Cabinet System
(19-1B) 33

Ordering flags at half-staff to honor victims of 9-11-01 terrorist
attacks (20-26) 40

Rules Affected Index

[(E) = Emergency action]

Rule	Register Page	Rule	Register Page
210:35-21-2. [AMENDED] (E)			29

Agency/Title Index

[Assigned as of 10-1-20]

Agency	Title	Agency	Title
Oklahoma ABSTRACTORS Board	5	Office of DISABILITY Concerns (<i>Formerly</i> : Office of HANDICAPPED Concerns) - <i>See</i> Title 305	
Oklahoma ACCOUNTANCY Board	10	Board of Regents of EASTERN Oklahoma State College (<i>exempted</i> 11-1-98)	205
State ACCREDITING Agency	15	EDGE Fund Policy Board	208
AD Valorem Task Force (<i>abolished</i> 7-1-93)	20	State Department of EDUCATION	210
Oklahoma AERONAUTICS Commission	25	EDUCATION Oversight Board (<i>merged under</i> Office of Educational Quality and Accountability 7-1-14 - <i>See</i> Title 218)	215
Board of Regents for the Oklahoma AGRICULTURAL and Mechanical Colleges (<i>exempted</i> 11-1-98)	30	Office of EDUCATIONAL Quality and Accountability	218
Oklahoma Department of AGRICULTURE , Food, and Forestry	35	Oklahoma EDUCATIONAL Television Authority	220
Oklahoma Board of Licensed ALCOHOL and Drug Counselors	38	[RESERVED]	225
Board of Tests for ALCOHOL and Drug Influence	40	State ELECTION Board	230
ALCOHOLIC Beverage Laws Enforcement Commission	45	Oklahoma FUNERAL Board (<i>Formerly</i> : Oklahoma State Board of EMBALMERS and Funeral Directors)	235
ANATOMICAL Board of the State of Oklahoma	50	Oklahoma Department of EMERGENCY Management (<i>Formerly</i> : Department of CIVIL Emergency Management) - <i>See</i> Title 145	
Board of Governors of the Licensed ARCHITECTS , Landscape Architects and Registered Interior Designers of Oklahoma (<i>Formerly</i> : Board of Governors of the Licensed ARCHITECTS and Landscape Architects of Oklahoma; and Board of Governors of the Licensed ARCHITECTS , Landscape Architects and Interior Designers of Oklahoma)	55	Oklahoma EMPLOYMENT Security Commission	240
ARCHIVES and Records Commission	60	Oklahoma ENERGY Resources Board	243
Board of Trustees for the ARDMORE Higher Education Program (<i>exempted</i> 11-1-98)	65	State Board of Licensure for Professional ENGINEERS and Land Surveyors (<i>Formerly</i> : State Board of Registration for Professional ENGINEERS and Land Surveyors)	245
Oklahoma ARTS Council	70	Board of Trustees for the ENID Higher Education Program (<i>exempted</i> 11-1-98)	250
Oklahoma State ATHLETIC Commission (<i>Formerly</i> : Oklahoma Professional BOXING Commission) - <i>See</i> Title 92		Department of ENVIRONMENTAL Quality	252
ATTORNEY General	75	State Board of EQUALIZATION	255
State AUDITOR and Inspector	80	ETHICS Commission (<i>Title revoked</i>)	257
State BANKING Department	85	ETHICS Commission	258
Oklahoma State Employees BENEFITS Council (<i>consolidated under</i> Office of Management and Enterprise Services 8-26-11 - <i>See</i> Title 260)	86	Office of MANAGEMENT and Enterprise Services (<i>Formerly</i> : Office of State FINANCE)	260
Oklahoma State Employees BENEFITS Council	87	State FIRE Marshal Commission	265
Council of BOND Oversight	90	Oklahoma Council on FIREFIGHTER Training	268
Oklahoma State ATHLETIC Commission (<i>Formerly</i> : Oklahoma Professional BOXING Commission)	92	Oklahoma FIREFIGHTERS Pension and Retirement System	270
State BURIAL Board (<i>abolished</i> 7-1-92)	95	[RESERVED]	275
[RESERVED]	100	FORENSIC Review Board	277
Oklahoma CAPITAL Investment Board	105	State Board of Registration for FORESTERS	280
Oklahoma CAPITOL Improvement Authority	110	FOSTER Care Review Advisory Board	285
State CAPITOL Preservation Commission	115	Oklahoma FUNERAL Board (<i>Formerly</i> : Oklahoma State Board of Embalmers and Funeral Directors) - <i>See</i> Title 235	
CAPITOL-MEDICAL Center Improvement and Zoning Commission	120	Oklahoma FUTURES	290
Oklahoma Department of CAREER and Technology Education (<i>Formerly</i> : Oklahoma Department of VOCATIONAL and Technical Education) - <i>See</i> Title 780		GOVERNOR (<i>See also</i> Title 1, Executive Orders)	295
Board of Regents of CARL Albert State College (<i>exempted</i> 11-1-98)	125	GRAND River Dam Authority	300
Department of CENTRAL Services (<i>Formerly</i> : Office of PUBLIC Affairs) - <i>See</i> Title 580		Group Self-Insurance Association GUARANTY Fund Board	302
CEREBRAL Palsy Commission	130	Individual Self-Insured GUARANTY Fund Board	303
Commission on CHILDREN and Youth	135	STATE Use Committee (<i>Formerly</i> : Committee on Purchases of Products and Services of the Severely HANDICAPPED ; <i>consolidated under</i> Office of Management and Enterprise Services 8-26-11 - <i>See</i> Title 260)	304
Board of CHIROPRACTIC Examiners	140	Office of DISABILITY Concerns (<i>Formerly</i> : Office of HANDICAPPED Concerns)	305
Oklahoma Department of EMERGENCY Management (<i>Formerly</i> : Department of CIVIL Emergency Management)	145	Oklahoma State Department of HEALTH	310
Oklahoma Department of COMMERCE	150	Oklahoma Basic HEALTH Benefits Board (<i>abolished</i> 11-1-97)	315
COMMUNITY Hospitals Authority	152	Oklahoma HEALTH Care Authority	317
COMPSOURCE Oklahoma (<i>Formerly</i> : State INSURANCE Fund) - <i>See</i> Title 370		HIGHWAY Construction Materials Technician Certification Board	318
Oklahoma CONSERVATION Commission	155	Oklahoma HISTORICAL Society	320
CONSTRUCTION Industries Board	158	Oklahoma HORSE Racing Commission	325
Department of CONSUMER Credit	160	Oklahoma HOUSING Finance Agency	330
CORPORATION Commission	165	Oklahoma HUMAN Rights Commission	335
Department of CORRECTIONS	170	Department of HUMAN Services	340
State Board of COSMETOLOGY and Barbering	175	Committee for INCENTIVE Awards for State Employees	345
Oklahoma State CREDIT Union Board	180	Oklahoma INDIAN Affairs Commission	350
CRIME Victims Compensation Board	185	Oklahoma INDIGENT Defense System	352
Joint CRIMINAL Justice System Task Force Committee	190	Oklahoma INDUSTRIAL Finance Authority	355
Board of DENTISTRY	195	INJURY Review Board	357
Oklahoma DEVELOPMENT Finance Authority	200	Oklahoma State and Education Employees Group INSURANCE Board (<i>consolidated under</i> Office of Management and Enterprise Services 8-26-11 - <i>See</i> Title 260)	360
		INSURANCE Department	365

Agency/Title Index – *continued*

Agency	Title	Agency	Title
COMPSOURCE Oklahoma (Formerly: State INSURANCE Fund)	370	PUBLIC Employees Relations Board	585
Oklahoma State Bureau of INVESTIGATION	375	Oklahoma PUBLIC Employees Retirement System	590
Council on JUDICIAL Complaints	376	Department of PUBLIC Safety	595
Office of JUVENILE Affairs	377	REAL Estate Appraiser Board	600
Department of LABOR	380	Oklahoma REAL Estate Commission	605
Department of the Commissioners of the LAND Office	385	Board of Regents of REDLANDS Community College (<i>exempted</i> <i>11-1-98</i>)	607
Council on LAW Enforcement Education and Training	390	State REGENTS for Higher Education	610
Oklahoma LAW Enforcement Retirement System	395	State Department of REHABILITATION Services	612
Board on LEGISLATIVE Compensation	400	Board of Regents of ROGERS State College (<i>exempted 11-1-98</i>)	615
Oklahoma Department of LIBRARIES	405	Board of Regents of ROSE State College (<i>exempted 11-1-98</i>)	620
LIEUTENANT Governor	410	Oklahoma SAVINGS and Loan Board (<i>abolished 7-1-93</i>)	625
Oklahoma LINKED Deposit Review Board	415	SCENIC Rivers Commission	630
Oklahoma LIQUEFIED Petroleum Gas Board	420	Oklahoma Commission on SCHOOL and County Funds Management	635
Oklahoma LIQUEFIED Petroleum Gas Research, Marketing and Safety Commission	422	Advisory Task Force on the Sale of SCHOOL Lands (<i>functions</i> <i>concluded 2-92</i>)	640
LITERACY Initiatives Commission	425	The Oklahoma School of SCIENCE and Mathematics	645
LONG-RANGE Capital Planning Commission	428	Oklahoma Center for the Advancement of SCIENCE and Technology	650
Oklahoma State Board of Examiners for LONG-TERM Care Administrators (Formerly: Oklahoma State Board of Examiners for NURSING Home Administrators) - <i>See</i> Title 490		SECRETARY of State	655
LOTTERY Commission, Oklahoma	429	Department of SECURITIES	660
Board of Trustees for the MCCURTAIN County Higher Education Program (<i>exempted 11-1-98</i>)	430	Board of Regents of SEMINOLE State College (<i>exempted</i> <i>11-1-98</i>)	665
Office of MANAGEMENT and Enterprise Services (Formerly: Office of State FINANCE) - <i>See</i> Title 260		SHEEP and Wool Commission	670
Commission on MARGINALLY Producing Oil and Gas Wells	432	State Board of Licensed SOCIAL Workers	675
State Board of MEDICAL Licensure and Supervision	435	SOUTHERN Growth Policies Board	680
MEDICAL Technology and Research Authority of Oklahoma	440	Oklahoma SOYBEAN Commission (<i>abolished 7-1-97</i>)	685
Board of MEDICOLEGAL Investigations	445	Board of Examiners for SPEECH-LANGUAGE Pathology and Audiology (Formerly: Board of Examiners for SPEECH Pathology and Audiology)	690
Department of MENTAL Health and Substance Abuse Services	450	STATE Employee Charitable Contributions, Oversight Committee for (Formerly: STATE Agency Review Committee)	695
MERIT Protection Commission	455	STATE Use Committee (Formerly: Committee on Purchases of Products and Services of the Severely HANDICAPPED) - <i>See</i> Title 304	
MILITARY Planning Commission, Oklahoma Strategic	457	Oklahoma STUDENT Loan Authority	700
Department of MINES	460	TASK Force 2000	705
Oklahoma MOTOR Vehicle Commission	465	Oklahoma TAX Commission	710
Board of Regents of MURRAY State College (<i>exempted 11-1-98</i>)	470	Oklahoma Commission for TEACHER Preparation (<i>merged under</i> <i>Office of Educational Quality and Accountability 7-1-14 - See Title</i> <i>218</i>)	712
Oklahoma State Bureau of NARCOTICS and Dangerous Drugs Control	475	TEACHERS' Retirement System	715
Board of Regents of NORTHERN Oklahoma College (<i>exempted</i> <i>11-1-98</i>)	480	State TEXTBOOK Committee	720
Oklahoma Board of NURSING	485	TOBACCO Settlement Endowment Trust Fund	723
Oklahoma State Board of Examiners for LONG-TERM Care Administrators (Formerly: Oklahoma State Board of Examiners for NURSING Home Administrators)	490	Oklahoma TOURISM and Recreation Department	725
Board of Regents of OKLAHOMA City Community College (<i>exempted</i> <i>11-1-98</i>)	495	Department of TRANSPORTATION	730
Board of Regents of OKLAHOMA Colleges (<i>exempted 11-1-98</i>)	500	Oklahoma TRANSPORTATION Authority (<i>Name changed to</i> Oklahoma TURNPIKE Authority <i>11-1-05</i>) - <i>See</i> Title 731	
Board of Examiners in OPTOMETRY	505	Oklahoma TURNPIKE Authority (Formerly: Oklahoma TRANSPORTATION Authority AND Oklahoma TURNPIKE Authority) - <i>See</i> also Title 745	731
State Board of OSTEOPATHIC Examiners	510	State TREASURER	735
PARDON and Parole Board	515	Board of Regents of TULSA Community College (<i>exempted</i> <i>11-1-98</i>)	740
Oklahoma PEANUT Commission	520	Oklahoma TURNPIKE Authority (<i>Name changed to Oklahoma</i> TRANSPORTATION Authority <i>11-1-99 - no rules enacted in this</i> <i>Title - See</i> Title 731)	745
Oklahoma State PENSION Commission	525	Oklahoma UNIFORM Building Code Commission	748
State Board of Examiners of PERFUSIONISTS	527	Board of Trustees for the UNIVERSITY Center at Tulsa (<i>exempted</i> <i>11-1-98</i>)	750
Office of PERSONNEL Management (<i>consolidated under</i> Office of Management and Enterprise Services <i>8-26-11 - See Title</i> <i>260</i>)	530	UNIVERSITY Hospitals Authority	752
Board of Commercial PET Breeders (<i>abolished 7-1-12 - See Title</i> <i>35</i>)	532	UNIVERSITY Hospitals Trust	753
Oklahoma State Board of PHARMACY	535	Board of Regents of the UNIVERSITY of Oklahoma (<i>exempted</i> <i>11-1-98</i>)	755
PHYSICIAN Manpower Training Commission	540	Board of Regents of the UNIVERSITY of Science and Arts of Oklahoma (<i>exempted 11-1-98</i>)	760
Board of PODIATRIC Medical Examiners	545	Oklahoma USED Motor Vehicle and Parts Commission	765
Oklahoma POLICE Pension and Retirement System	550	Oklahoma Department of VETERANS Affairs	770
State Department of POLLUTION Control (<i>abolished 1-1-93</i>)	555	Board of VETERINARY Medical Examiners	775
POLYGRAPH Examiners Board	560	Statewide VIRTUAL Charter School Board	777
Oklahoma Board of PRIVATE Vocational Schools	565		
State Board for PROPERTY and Casualty Rates (<i>abolished 7-1-06; see also Title 365</i>)	570		
State Board of Examiners of PSYCHOLOGISTS	575		
Department of CENTRAL Services (Formerly: Office of PUBLIC Affairs; <i>consolidated under</i> Office of Management and Enterprise Services <i>8-26-11 - See Title 260</i>)	580		

Agency	Title	Agency	Title
Oklahoma Department of CAREER and Technology Education (Formerly: Oklahoma Department of VOCATIONAL and Technical Education)	780	Oklahoma WHEAT Commission	795
Oklahoma WATER Resources Board	785	Department of WILDLIFE Conservation	800
Board of Regents of WESTERN Oklahoma State College (<i>exempted</i> <i>11-1-98</i>)	790	WILL Rogers and J.M. Davis Memorials Commission	805
		Oklahoma WORKERS' Compensation Commission	810

Notices of Rulemaking Intent

Prior to adoption and gubernatorial/legislative review of a proposed PERMANENT rulemaking action, an agency must publish a Notice of Rulemaking Intent in the *Register*. In addition, an agency may publish a Notice of Rulemaking Intent in the *Register* prior to adoption of a proposed EMERGENCY or PREEMPTIVE rulemaking action.

A Notice of Rulemaking Intent announces a comment period, or a comment period and public hearing, and provides other information about the intended rulemaking action as required by law, including where copies of proposed rules may be obtained.

For additional information on Notices of Rulemaking Intent, see 75 O.S., Section 303.

TITLE 150. OKLAHOMA DEPARTMENT OF COMMERCE CHAPTER 1. GENERAL RULES OF PRACTICE AND PROCEDURE

[OAR Docket #20-752]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. Organization

150:1-1-2. Director [AMENDED]

150:1-1-3. Deputy; Chief of Staff [AMENDED]

150:1-1-4. Appointment of personnel; annual business plan [AMENDED]

Subchapter 3. Powers and Duties of Agency [REVOKED]

Part 1. General [REVOKED]

150:1-3-1. Powers and duties, mission [REVOKED]

150:1-3-2. Local economic development assistance [REVOKED]

150:1-3-3. Assumption of duties of abolished agencies [REVOKED]

150:1-3-4. Staff to Oklahoma Futures [REVOKED]

150:1-3-5. Revolving funds [REVOKED]

150:1-3-6. Community development programs [REVOKED]

150:1-3-7. Organization; annual business plan [REVOKED]

150:1-3-8. Disbursements [REVOKED]

150:1-3-9. Contracts [REVOKED]

150:1-3-10. Rules and regulations [REVOKED]

Part 3. Administration of Various Acts; Programs [REVOKED]

150:1-3-25. Oklahoma Department of Commerce Act [REVOKED]

150:1-3-26. Minority and Disadvantaged Business Enterprise Act [REVOKED]

150:1-3-28. County Jail Improvement Act [REVOKED]

150:1-3-29. Trade Development Program [REVOKED]

150:1-3-30. Enterprise Zone Act [REVOKED]

150:1-3-31. Energy conservation; weatherization [REVOKED]

150:1-3-32. State Data Center [REVOKED]

150:1-3-34. Small Business Incubators' Incentives Act [REVOKED]

150:1-3-35. Export Trading Company Act [REVOKED]

150:1-3-36. Inventors Assistance Act [REVOKED]

Subchapter 5. Powers and Duties of Director [REVOKED]

Part 1. General [REVOKED]

150:1-5-1. Chief Executive Officer [REVOKED]

150:1-5-2. Hiring [REVOKED]

150:1-5-3. Chief Executive Officer; Futures [REVOKED]

150:1-5-4. Administrator of economic development organizations [REVOKED]

150:1-5-5. Promulgated rules [REVOKED]

150:1-5-6. Cabinet Secretary [REVOKED]

Part 3. Membership on Various Boards [REVOKED]

150:1-5-21. Member OIFA Board [REVOKED]

150:1-5-22. Member OCAST Board [REVOKED]

150:1-5-23. Member ODFA Board [REVOKED]

150:1-5-24. Member Executive Bond Oversight Commission [REVOKED]

150:1-5-25. Member Ordinance Works Authority [REVOKED]

150:1-5-26. Member Council on Juvenile Justice [REVOKED]

150:1-5-27. Member TISRAD [REVOKED]

150:1-5-30. Oklahoma Indian Affairs Commission [REVOKED]

150:1-5-31. Oklahoma International Trade Development Council [REVOKED]

150:1-5-32. Oklahoma Homeless Prevention Committee [REVOKED]

Subchapter 7. General Course and Methods of Operations

150:1-7-4. Communications [AMENDED]

150:1-7-5. Notices [AMENDED]

150:1-7-10. Process Service [AMENDED]

Subchapter 9. Records and Inspections

150:1-9-3. Copies [AMENDED]

150:1-9-4. Charges [AMENDED]

150:1-9-7. Notices to requestors [AMENDED]

150:1-9-9. OKNET [REVOKED]

150:1-9-10. Destruction of records [AMENDED]

Subchapter 11. Individual Proceedings

150:1-11-7. Depositions; subpoenas [AMENDED]

Subchapter 15. Show Cause Hearings

150:1-15-3. Service of notice [AMENDED]

150:1-15-6. Representation [AMENDED]

150:1-15-9. Depositions; subpoenas [AMENDED]

Subchapter 21. Audits

150:1-21-4. Audit requirements [AMENDED]

150:1-21-7. Review of audits; appeals [AMENDED]

SUMMARY:

This action is to reduce the number of unnecessary rules pursuant to the Executive Order 2020-3. The chapter being amended concerns rules relating to the general rules of practice

Notices of Rulemaking Intent

and procedures of the agency. This proposed action eliminates agency rules that are duplicative of statutory directives and duties and amends others in a way that would improve customer service and efficiency within the agency. The rules are designed to eliminate any statutory conflicts, remove outdated references and reduce the amount of administrative rules of the agency. None of the rules increase costs of the agency or the agency's clients/partners.

AUTHORITY:

Executive Director of Department of Commerce; The legislation establishing the Oklahoma Department of Commerce 74 O.S. §§ 5001 et seq.; 75 O.S. §302; Executive Order 2020-3

COMMENT PERIOD:

Written and oral comments will be accepted from October 1, 2020 through November 2, 2020, during regular business hours by contacting B. Joshua McGoldrick, Chief of Staff/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 815-5153, or josh.mcgoldrick@okcommerce.gov.

PUBLIC HEARING:

A public hearing will be held on November 3, 2020, at 10:00 a.m. on, at Gallery 1-1, 900 North Stiles Avenue, Oklahoma City, Oklahoma. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information in dollar

amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by the end of the comment period to B. Joshua McGoldrick, General Counsel, Oklahoma Department of Commerce at 900 North Stiles Avenue, Oklahoma City, OK 73104. The Department is unaware of any business entities affected by the proposed changes.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained without charge from the Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, by contacting B. Joshua McGoldrick at (405) 815-5153, or josh.mcgoldrick@okcommerce.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement has been prepared and is available at the offices of the Oklahoma Department of Commerce (address below).

CONTACT PERSON:

B. Joshua McGoldrick, Chief of Staff/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 815-5153 or josh.mcgoldrick@okcommerce.gov.

[OAR Docket #20-752; filed 9-4-20]

Emergency Adoptions

"If an agency finds that a rule is necessary as an emergency measure, the rule may be promulgated" if the Governor approves the rules after determining "that the rule is necessary as an emergency measure to do any of the following:

- a. protect the public health, safety or welfare,
- b. comply with deadlines in amendments to an agency's governing law or federal programs,
- c. avoid violation of federal law or regulation or other state law,
- d. avoid imminent reduction to the agency's budget, or
- e. avoid serious prejudice to the public interest." [75 O.S., Section 253(A)]

An emergency rule is considered promulgated immediately upon approval by the Governor, and effective immediately upon the Governor's approval or a later date specified by the agency in the emergency rule document. An emergency rule expires on September 15 following the next regular legislative session after its promulgation, or on an earlier date specified by the agency, if not already superseded by a permanent rule or terminated through legislative action as described in 75 O.S., Section 253(H)(2).

Emergency rules are not published in the *Oklahoma Administrative Code*; however, a source note entry, which cites to the *Register* publication of the emergency action, is added to the *Code* upon promulgation of a superseding permanent rule or expiration/termination of the emergency action.

For additional information on the emergency rulemaking process, see 75 O.S., Section 253.

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS

[OAR Docket #20-753]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 21. Alternative Instructional Delivery Systems
210:35-21-2. Alternative instructional delivery systems [AMENDED]

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 3-104.4

ADOPTION:

July 23, 2020

EFFECTIVE:

Immediately upon Governor's approval

APPROVED BY GOVERNOR:

September 2, 2020

EXPIRATION:

Effective through September 14, 2021, unless superseded by another rule or disapproved by the Legislature.

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

Due to the COVID-19 pandemic, an emergency rule amendment was necessary to ensure plans are in place that meet guidelines for safely, equitably, and effectively providing instruction to students in an emergency that significantly impacts public school operations.

GIST/ANALYSIS:

This is an update to the administrative rule addressing alternative instructional delivery systems, including virtual instruction provided by means of the internet. The added content requires public school districts and charter schools to adopt policies for "distance learning plans", providing for how instruction will be offered to students outside a traditional classroom setting in the event of an emergency that closes or significantly impacts school campuses. Under the rule, public school distance learning plans must ensure equitable access to instruction for all students regardless of their resources, and distance learning policies must address issues such as attendance and course completion.

CONTACT PERSON:

Lori Murphy (405) 522-5260, Lori.Murphy@sde.ok.gov

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE

CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S. § 253(F):

SUBCHAPTER 21. ALTERNATIVE INSTRUCTIONAL DELIVERY SYSTEMS

210:35-21-2. Alternative instructional delivery systems

(a) **Definitions.** The following words and terms, when used in this section, shall have the following meaning unless the context clearly indicates otherwise:

(1) **"Synchronous instruction"** means the instructor and student's primary interactions are in real time. Regular classroom instruction is synchronous instruction, as well as two-way interactive video. ~~Web-based~~ Virtual instruction that requires real-time interaction between student(s) and instructor as the primary format of instruction is also synchronous instruction.

(2) **"Asynchronous instruction"** means instructor and student interaction is not dependent on real time. Asynchronous instruction allows the student to engage in learning activities anywhere at ~~anytime~~ any time. For instruction to be considered asynchronous, the primary format of instruction does not depend on real-time interaction of the participants.

~~(3) **"Web-based instruction"** means the use of the World Wide Web as the primary medium of instruction, with a computer serving as the primary tool of instruction. Web-based instruction may be synchronous or asynchronous.~~

(3) **"Distance learning plan"** means a plan implemented under a public school district or charter school's distance learning policy as authorized by subsection (c), describing any means by which instruction will be delivered to students outside a traditional school setting. A distance learning plan must meet the requirements listed in subsection (c) of this Section.

(4) **"Two-way interactive video instruction"** means real-time (synchronous) interaction between student(s) and instructor by means of an electronic medium that

Emergency Adoptions

provides for both audio (sound) and video (sight) signal. Students and instructors participating in two-way interactive video instruction may both see and hear each other in an approximation of real-time.

(5) **"Virtual instruction"** means the use of the internet or other such digital information transmission systems as the primary medium of instruction. Virtual instruction may be synchronous or asynchronous, or may combine synchronous and asynchronous instruction.

(b) **Alternative Instructional Delivery System.** ~~Internet-based~~Virtual instructional programs offered for instructional purposes and/or high school credit shall be approved by and under the supervision of the ~~local~~ board of education of the school district where the course is offered. The State Board of Education reserves the right to request information and materials sufficient to evaluate the proposed course(s) for the purposes of course code alignment and other authorized purposes.

(c) **Local board policy.** All ~~local~~ school district boards of education in the state of Oklahoma shall adopt policies regarding ~~Internet-based~~virtual instructional courses which shall comply with the following guidelines.

(1) ~~Web-based~~Virtual and two-way interactive video instruction shall be viewed as methods by which the public schools within the state can expand their course offerings and access to instructional resources. These ~~new~~ technologies should not be viewed solely as substitutes for direct, face-to-face student and teacher interactions, but as a means of expanding the ability of the local district to bring the world of knowledge to their students. With the exception of a charter school authorized by its sponsor to provide virtual instruction only, or during emergency circumstances as addressed below, a public school shall offer in-person classroom instructional opportunities in addition to any virtual instructional opportunities offered to students.

(A) **Virtual instruction in distance learning plans.** As authorized in the event of an emergency declared by a federal or state government entity that impacts the operation of public schools in Oklahoma, or upon an action taken by the State Board of Education declaring such an emergency that leads to the temporary emergency closure of school campuses or otherwise significantly impacts the operation of public schools in Oklahoma as determined by the State Board of Education, public schools may implement distance learning plans which provide for distance learning that is accessible to all students. Further, a public school district or charter school may adopt a policy providing for the short-term implementation of a distance learning plan due to a localized emergency, such as a weather-related school closure or a localized public health emergency. A school's approved academic calendar may build in one or more emergency closure "makeup days" to be delivered through the distance learning plan, in the same manner as a school district's calendar may build in

additional standard school days to be held as makeup days in case of emergency weather closures.

(B) **Virtual instruction in home-based education.** A public school district or charter school may adopt a distance learning plan policy that provides for virtual or partially virtual instruction to deliver home-based education to a student who cannot attend school in person for a period of time due to extended medical or other issues, pursuant to Oklahoma Administrative Code 210:10-1-5. If a school district or charter school delivers its home-based education program solely through virtual instruction, any participating student who does not already have access to the necessary internet connectivity and/or device(s) shall be provided the internet connectivity and device(s) necessary to access the instruction free of charge.

(C) **Distance learning plan requirements.** A school district or charter school shall submit a copy of its distance learning plan to the Oklahoma State Department of Education (OSDE) Office of Accreditation within ten (10) business days of adoption by the school district board of education or charter school governing board. If an update or revision of the policy is adopted, such amended policy shall also be submitted to the OSDE Office of Accreditation within ten (10) business days of adoption. A public school policy authorizing the implementation of a local distance learning plan must include the following considerations:

(i) **Equitable access.** Participation in the distance learning plan must be accessible to every student regardless of household resources. This means that if a public school requires students to engage with instruction or content using the internet or other means of remote connectivity, the district must ensure the student has access to the internet connectivity and any device(s) necessary, and if not, the district must provide them for student use free of charge. If a school district or charter school cannot provide internet connectivity and device access for the use of all students due to limitations such as budget and/or geography, but plans to use virtual instruction as part of its distance learning plan as authorized in subsection (c)(1)(A), the distance learning plan must provide for alternate methods to deliver equitably equivalent instruction to all students. Such alternate means could include approaches such as paper packets of instructional materials supplemented by periodic direct contact with teachers, in person or by telephone or other method of communication. A school district must ensure that the student has access to all materials necessary for participating in a public school's distance learning plan, and if the student does not already have the necessary materials, must ensure access free of charge, e.g.,

by providing packets of paper instructional materials, blank paper for assignment completion, and writing instruments or other supplies as appropriate for the grade level or subject area (e.g., geometric compass, protractor, crayons/colored pencils if required for assignment completion). If a public school's policy for distance learning allows for different instructional delivery methods due to the inability to provide internet connectivity and device(s) to all students, the policy must address the school's method(s) for making individualized determinations of which students would be able to access virtual instruction and which would not, including equitable plans for serving students who would not have access to virtual instruction.

(ii) **Alignment with standards.** A local distance learning plan must provide that instruction and content provided through virtual education or other distance learning delivery methods is consistent with the Oklahoma Academic Standards for the subject area and/or grade level in which credit is awarded. Instruction and content provided through distance learning delivery methods other than virtual instruction must be equitably equivalent to the instruction and content provided through virtual instruction.

(iii) **Policies.** As a condition of adopting an authorized local distance learning plan, a school district or charter school shall establish clear written policies for students receiving instructional services in the plan, which must include measurements of attendance for students and staff, awarding of credits for course completion, and participation in extracurricular activities. Separate attendance policies may be appropriate for full-time virtual education and part-time virtual education. Attendance policies for distance learning provided by means other than virtual education may consider factors such as assignment completion and engagement with instructional supports, provided no student shall have a grade lowered or be otherwise penalized for failure to engage with instructional supports the student does not have the resources to access (e.g., telephone service, internet access, transportation). Records of student enrollment and attendance in virtual instruction programs shall be maintained through the school district or charter school's authorized student information system, consistent with all requirements of Oklahoma Administrative Code 210:10-1-5. Virtual attendance policies for Oklahoma school districts and charter schools shall include the following provisions:

(I) The attendance for a student participating in a virtual instruction program shall be the date on which the student first completes an instructional activity as defined in 70 O.S. § 3-145.8; and

(II) The defined time period, assignment completion status, or other means used to determine student attendance in the virtual program shall meet or exceed the minimum measures of virtual attendance listed at 70 O.S. § 3-145.8(B).

(2) To ensure equitable access to instruction, in the development of a policy authorizing a distance learning plan as addressed in (c)(1), it is strongly recommended that a school district or charter school consult a working group of community stakeholders. Diligent efforts shall be made to include persons of different backgrounds and experiences to provide for the development of a distance learning plan that is accessible to the entire school community. Such a working group should include: school leaders and teachers; parents/guardians and other community members representing different socioeconomic statuses, racial and ethnic identities, and cultural perspectives; representatives of any Native American tribal nation(s) with territory or members served by the district; and other persons or groups identified by the district whose perspectives are appropriate to consider in the development of a distance learning plan.

(23) The local school board or charter school shall be the entity granting student credit for completion of courses offered by means of Internet-based virtual instruction, including instruction provided by means of an authorized contract with an instructional services provider. The local district school board or charter school governing board will assume all the same responsibility for such course work/courses offered by such means as for all other courses offered by the district.

(34) Only students who are regularly-enrolled in the school district, either as resident students or transfer students, shall be allowed to enroll in alternative instructional delivery systems courses offered for credit through the local school district.

(45) A district board of education may authorize enrollment on a part-time basis utilizing Internet-based virtual courses for students who have dropped out of school or have been suspended from school provided such student was enrolled at any time in a public school in this state during the previous three (3) school years previously been denied a diploma, pursuant to 70 O.S. § 11-103.6(Q).

(56) Students enrolled on a full-time basis shall be authorized to enroll in Internet-based virtual courses.

(67) The principal or designee of the local school shall evaluate and approve/disapprove approve or disapprove all students' requests to participate in courses delivered by means of Internet-based virtual instruction, provided that all requests eligible pursuant to Oklahoma Administrative Code 210:15-34 are approved as provided therein. Only those enrollments approved by such a process shall be eligible for credit granted by the local school district.

(78) A certified staff member shall be identified by the local school principal to serve as the building level contact person to assist students enrolling in online

Emergency Adoptions

courses and serve as a liaison to the online teachers and provider(s).

~~(89)~~ Students earning credit by means of ~~Internet-based~~virtual instruction shall participate in all assessments required by the Oklahoma School Testing Program. ~~No student shall be allowed to participate in these assessments at a place other than the school site at which the student is enrolled.~~

~~(910)~~ Courses offered for credit by means of ~~Internet-based~~virtual instruction shall be aligned with the ~~Priority Academic Student Skills (PASS)~~Oklahoma Academic Standards. Districts may also establish additional criteria as a basis for course selection, provided any additional criteria are consistent with 70 O.S. § 1-111 Oklahoma Administrative Code 210:15-34.

~~(1011)~~ Oklahoma ~~statute~~legal provisions limiting the number of students public school teachers may supervise in each period of instruction and the total number of students allowed daily shall apply to synchronous ~~web-based~~virtual and two-way interactive video courses, provided any associated moratorium or exemption that applies to traditional classroom instruction shall also apply to synchronous instruction. The number of students each instructor may be required to supervise in asynchronous ~~web-based~~virtual courses shall be established by means of local school board policy.

~~(112)~~ Each teacher of two-way interactive video ~~and web-based~~virtual courses shall be provided in-service training pertaining to the methodology of instructional delivery and the technical aspects of distance learning.

~~(1213)~~ The issues regarding the monitoring of student progress, graded assignments, and testing in ~~Internet-based~~virtual instruction courses shall be addressed by the local school board policy.

~~(1314)~~ The security of individual student data and records shall be addressed by the local school board policy. No individual student data obtained through participation in ~~Internet-based~~virtual instruction courses shall be used for any purposes other than those that support the instruction of the individual student. Under all circumstances, the provisions of the Family Educational Rights and Privacy Act (FERPA) apply to student data held or accessed by any public school or its contractors or agents, including any contracted provider of virtual instruction or other distance learning media.

~~(14)~~ District-level aggregated data obtained through participation in ~~Internet-based~~ instruction courses shall be addressed by the local school board policy.

(15) All federal and state statutes and regulations pertaining to student privacy, the transmission or posting of images or other content on the internet or "World Wide Web", copyright of materials, Federal Communications Commission (FCC) rules pertaining to the public broadcasting of audio and video, and other such issues shall apply to virtual instruction platforms, media, and any associated content ~~be addressed by the local school board policy.~~

(16) Prior to the beginning of instruction, cooperating school districts sharing courses by means of two-way interactive video technology shall, by means of contractual agreement, address such issues as the instruction costs, ~~bell~~instruction schedules, school calendars, student behavior, teacher evaluation, textbooks or other course materials, class periods and other such interactive video sessions, student grades and grading policies, teacher load, and instructor employment.

(17) With the exception of distance learning plans implemented in emergency circumstances as authorized in (c)(1)(A), ~~Contractual~~contractual agreements shall ~~may~~ be established between the school district and ~~parent(s)parent~~, or legal guardian, of students participating in alternative instructional delivery system courses prior to the beginning of instruction. These contracts may address such issues as grading criteria, time allotted for course completion, student attendance, and the responsibility for ~~course costs and equipment~~ necessary to access the course content.

(18) Instructors of ~~Internet-based~~virtual courses shall be:

- (A) certified in Oklahoma or another state to teach in the content area of the course offered, or;
- (B) a faculty member at an accredited institution of higher education, possessing the specific content expertise necessary to teach the course.

(19) Districts shall establish criteria for determining the appropriateness of particular ~~Internet-based~~virtual courses for individual students prior to student enrollment in such courses, which shall be consistent with the provisions of 70 O.S. § 1-111 and Oklahoma Administrative Code 210:15-34.

[OAR Docket #20-753; filed 9-8-20]

Executive Orders

As required by 75 O.S., Sections 255 and 256, Executive Orders issued by the Governor of Oklahoma are published in both the *Oklahoma Register* and the *Oklahoma Administrative Code*. Executive Orders are codified in Title 1 of the *Oklahoma Administrative Code*.

Pursuant to 75 O.S., Section 256(B)(3), "Executive Orders of previous gubernatorial administrations shall terminate ninety (90) calendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

TITLE 1. EXECUTIVE ORDERS

1:2019-1B.

THIRD AMENDED EXECUTIVE ORDER 2019-1

I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the authority vested in me by the Executive Branch Reform Act of 1986, hereby create the Cabinet System. Pursuant to Section 10.3 of Title 74 of the Oklahoma Statutes, it is hereby ordered:

The Cabinet shall be comprised of the following Secretaries:

1. Secretary of Agency Accountability;
2. Secretary of Agriculture;
3. Secretary of Budget;
4. Secretary of Commerce and Workforce Development;
5. Secretary of Digital Transformation and Administration;
6. Secretary of Education;
7. Secretary of Energy and Environment;
8. Secretary of Health and Mental Health;
9. Secretary of Human Services and Early Childhood Initiatives;
10. Secretary of Public Safety;
11. Secretary of Science and Innovation;
12. Secretary of State and Native American Affairs;
13. Secretary of Tourism and Branding;
14. Secretary of Transportation; and
15. Secretary of Veterans Affairs and Military.

The **Secretary of Agency Accountability** shall be responsible for the following executive entities or their successors:

Auditor and Inspector, State

Management and Enterprise Services, Office of

The **Secretary of Agriculture** shall be responsible for the following executive entities or their successors:

Agriculture, State Board of, and

Agriculture, Food and Forestry, Department of

Apiary Committee

Boll Weevil Eradication Organization

Sheep and Wool Commission

Conservation Commission, Oklahoma

Emergency Drought Commission

Horse Racing Commission, Oklahoma

Industry Advisory Committee

South Central Interstate Forest Fire Protection Compact and

Advisory Committee

Standards, Bureau of

Veterinary Medical Examiners, State Board of

The **Secretary of Commerce and Workforce Development** shall be responsible for the following executive entities or their successors:

Accountancy Board, Oklahoma

Alarm and Locksmith Industry Committee

Capitol-Medical Center Improvement and Zoning Commission

Commerce, Oklahoma Department of

Construction Industries Board

Executive Orders

Development Finance Authority, Oklahoma

Employment Security Commission, Oklahoma, and
State Advisory Council and
Board of Review

Governor's Council for Workforce and Economic Development

Home Inspector Examiners, Committee of

Housing Finance Agency, Oklahoma

Industrial Finance Authority, Oklahoma

Insurance Commissioner and
State Insurance Department

Interstate Cooperation, Oklahoma Commission on
Labor Commissioner and
Department of Labor

Licensed Architects, Landscape Architects and Interior Designers of Oklahoma, Board of Governors of

Main Street Program

Manufactured Home Advisory Committee

Midwestern Oklahoma Development Authority

Motor Vehicle Commission, Oklahoma

Multiple Injury Trust Fund

Municipal Clerks and Treasurers Division of the Oklahoma
Career and Technology Education, Advisory Committee to the

Northeast Oklahoma Public Facilities Authority

Office for Minority and Disadvantaged Business Enterprises

Oklahoma Uniform Building Code Commission

Ordinance Works Authority, Oklahoma

Private Vocational Schools, Oklahoma Board of

Professional Engineers and Land Surveyors, State Board of
Registration for

Real Estate Appraiser Board

Real Estate Commission, Oklahoma

Real Estate Contract Form Committee, Oklahoma

Rural Action Partnership Program

Rural Area Development Task Force

Rural Development, Center for

Used Motor Vehicle and Parts Commission, Oklahoma

The **Secretary of Digital Transformation & Administration** shall be responsible for the following executive entities or their successors:

Abstractors Board, Oklahoma

Banking Board, State, and
State Banking Department

Bipartisan Legislative Apportionment Commission

Bond Oversight, Council of

Building Bonds Commission

Capital Investment Board, Oklahoma

Capitol Preservation Commission, State

Cash Management Oversight Committee

Compensation and Unclassified Positions Review Board,
Oklahoma

Consumer Advocacy, Office of

Consumer Credit Commission and
Department of Consumer Credit

Consumer Protection Licensing Advisory Council

Electronic and Information Technology Accessibility Advisory Council

Employee Assistance Program, State, and
Advisory Council

Employee Insurance & Benefits Board, Oklahoma

Equalization, State Board of

Ethics Commission, Oklahoma	The Secretary of Education shall be responsible for the following executive entities or their successors
Firefighters Pension and Retirement System and Board	Career and Technology Education, State Board of, and
Incentive Approval Committee	Department of Career and Technology Education
Judicial Compensation, Board of	College and University Boards of Regents or Trustees
Judicial Complaints, Council on	County Government Personnel Education and Training, Commission on
Legislative Compensation, Board on	Dyslexia Teacher Training Pilot Program Advisory Committee
Law Enforcement Retirement System and Board, Oklahoma	Education Commission of the States
Life and Health Insurance Guaranty Association and Board of Directors, Oklahoma	Educational Quality and Accountability, Office of, and
Long-Range Capital Planning Commission	Commission for Educational Quality and Accountability
Lottery Commission and Board of Trustees, Oklahoma	Education, State Board of,
Market Assistance Association and Board of Directors	Superintendent of Public Instruction and
Merit Protection Commission	State Department of Education
Oversight Committee for State Employee Charitable Contributions	Educational Television Authority (OETA), Oklahoma
Pension Commission, Oklahoma State	Library Board, State, and
Police Pension and Retirement System and Board, Oklahoma	Department of Libraries
Program Development and Credit Review Committee	School and County Funds Management, Commission on
Public Employees Retirement System and Board, Oklahoma	School of Science and Mathematics, Oklahoma Board of Trustees of, and
Securities Commission, Oklahoma, and	Oklahoma School of Science and Mathematics
Department of Securities	State Council for Educational Opportunity for Military Children, Oklahoma
State Credit Union Board, Oklahoma	State Regents for Higher Education, Oklahoma
State Governmental Technology Applications Review Board	Student Loan Authority
Tax Commission, Oklahoma	Textbook Committee, State
Teachers' Retirement System, Board of Trustees of the, and	Virtual Charter School Board, Statewide
Teachers' Retirement System	The Secretary of Energy and Environment shall be responsible for the following executive entities or their successors:
Treasurer, State	Alternative Fuels Technician Examiners and Board, Oklahoma

Executive Orders

Arkansas River Basin Compact Commission, Arkansas-Oklahoma

Arkansas River Basin Compact and Commission, Kansas-Oklahoma

Canadian River Commission

Central Interstate Low-Level Radioactive Waste Compact and Commission

Climatological Survey

Corporation Commission, Oklahoma

Energy Initiative and Energy Initiative Board, Oklahoma

Energy Office, Oklahoma State

Energy Resources Board, Oklahoma

Environmental Quality Board and

Air Quality Advisory Council

Radiation Management Advisory Council

Hazardous Waste Advisory Council

Solid Waste Management Advisory Council

Water Quality Management Advisory Council

Department of Environmental Quality

Grand River Dam Authority Board of Directors and

Grand River Dam Authority

Geological Survey

Hazardous Materials Emergency Response Commission

Interstate Oil Compact Commission

Land Office, Commissioners of the

Liquefied Petroleum Gas (LPG) Board, Oklahoma

Mining Commission, Interstate

Mining Commission, Oklahoma, and

Department of Mines

Miner Training Institute, Oklahoma

Municipal Power Authority Board, Oklahoma

Oil and Gas Compact Commission, Interstate

Red River Compact and Commission, Arkansas-Louisiana-Oklahoma-Texas

Southern States Energy Compact and

Southern States Energy Board

Sustaining Oklahoma's Energy Resources, Committee

Storage Tank Advisory Council

Water for 2060 Advisory Council

Water Resources Board, Oklahoma

Well Drillers and Pump Installers Advisory Council

Wildlife Conservation Commission and

Department of Wildlife Conservation

The **Secretary of Health and Mental Health** shall be responsible for the following executive entities or their successors:

Anatomical Board, State

Advancement of Wellness Advisory Council

Alcohol and Drug Counselors, Oklahoma Board of Licensed

Alcohol, Drug Abuse and Community Mental Health Planning and Coordination Boards

Alzheimer's Research Advisory Council

Anatomical Board, State

Athletic Commission, Oklahoma State

Athletic Trainers Advisory Committee

Behavioral Health Licensure, Board of

Catastrophic Health Emergency Planning Task Force, Oklahoma

Chiropractic Examiners, Board of

Cosmetology and Barbering, State Board of

Dentistry, Board of

Dietetic Registration, Advisory Committee on	Podiatric Medical Examiners, Board of
Food Service Advisory Council	Psychologists, State Board of Examiners of
Funeral Board, Oklahoma	Registered Electrologists, Advisory Committee of
Health Care Authority, Oklahoma	Respiratory Care Advisory Committee
Health Care Information Advisory Committee	Sanitarian and Environmental Specialist Registration Advisory Council
Health, State Board of, and	Speech Pathology and Audiology, Board of Examiners for
Department of Health	Suicide Prevention Council, Oklahoma
Home Care and Hospice Advisory Council	Tobacco Settlement Endowment Trust Fund Board of Directors
Hospital Advisory Committee, Oklahoma	Trauma and Emergency Response Advisory Council
Hospital Advisory Council, Oklahoma	Traumatic Spinal Cord and Traumatic Brain Injury, Advisory Council on
Long-Term Care Administrators, Oklahoma State Board of Examiners for	University Hospitals Authority
Long-Term Care Facility Advisory Board	The Secretary of Human Services and Early Childhood Initiatives shall be responsible for the following executive entities or their successors:
Medical Care for Public Assistance Recipients, Advisory Committee for	Blind Vendors, Committee of
Medical Licensure and Supervision, Board of	Cerebral Palsy Commission
Mental Health and Substance Abuse, Board of, and	Child Abuse Examination, Board of
Department of Mental Health and Substance Abuse	Child Abuse Prevention, Office of
Mental Health, Interstate Compact on	Child Abuse Prevention, Training, and Coordination Council
Mental Health, Interstate Compact on	Child Death Review Board
Nursing, Board of, and	Children and Youth, Oklahoma Commission on
Formulary Advisory Council	Community Social Services Center Authority
Occupational Therapy Advisory Committee, Oklahoma	Developmental Disabilities Council
Oklahoma State University Medical Authority	Disability Concerns, Governor's Advisory Committee to the Office of
Optometry, Board of Examiners in	Disability Concerns, Office of
Osteopathic Examiners, State Board of	Early Childhood Intervention, Interagency Coordinating Council for
Perfusionists, State Board of Examiners of	
Pharmacy, Board of	
Physical Therapy Committee	
Physician Manpower Training Commission	
Physician's Assistant Advisory Committee	

Executive Orders

Employment of People with Disabilities, Governor's Advisory Committee on

Faith-based and Community Initiatives

Group Homes for Persons with Developmental or Physical Disabilities Advisory Board

Human Services, Department of

Infant and Children's Health Advisory Council

Interstate Compact for Juveniles

J.D. McCarty Center for Children with Developmental Disabilities

Juvenile Affairs, Board of, and

Office of Juvenile Affairs

Juvenile Justice, State Advisory Group on

Licensed Social Workers, State Board of

Partnership for Children's Behavioral Health

Partnership for School Readiness Board, Oklahoma

Placement of Children, Interstate Compact on the

Post Adjudication Review Advisory Board

Prevention of Adolescent Pregnancy and Sexually Transmitted Diseases, Interagency

Coordinating Council for Coordination of Efforts for

Public Guardian, Office of

Rehabilitation Services Commission, Oklahoma

Rehabilitation Services, Department of

Residents and Family State Council

Santa Claus Commission

Statewide Independent Living Council

Vulnerable Adult Intervention Task Force

The **Secretary of Public Safety** shall be responsible for the following executive entities or their successors:

Access to Justice Commission, Oklahoma

Adult Offender Supervision, Oklahoma State Council for Interstate

Alcohol and Drug Influence, Board of Tests for

Alcoholic Beverage Laws Enforcement

Attorney General

Bureau of Investigation Commission, Oklahoma State, and

Oklahoma State Bureau of Investigation

Bureau of Narcotics and Dangerous Drugs Control Commission, Oklahoma State, and

Oklahoma State Bureau of Narcotics and Dangerous Drugs Control

Chief Medical Examiner, Office of, and

Board of Medicolegal Investigations

Corrections, Department of, and

Board of Corrections

Crime Victims Compensation Board

District Attorneys Council

Domestic Violence Fatality Review Board

Driver License Compact

Driver's License Medical Advisory Committee

Emergency Management, Oklahoma Department of

Homeland Security Director, Office of

Indigent Defense System Board

and Appellate Indigent Defender System

Law Enforcement Education and Training, Council on (CLEET), and

CLEET Advisory Council

Motorcycle Safety and Education, Committee for

National Crime Prevention and Privacy Compact Council

Nonresident Violator Compact Board of Administrators

Pardon and Parole Board, Oklahoma

Polygraph Examiners Board

Public Safety, Department of

State Fire Marshal Commission, and

State Fire Marshal, Office of

Statewide Nine-One-One Advisory Board

The **Secretary of Science and Innovation** shall be responsible for the following executive entities or their successors:

Center for the Advancement of Science and Technology, Oklahoma, and

Oklahoma Health Research Committee

Experimental Program to Stimulate Competitive Research Advisory Committee

Science and Technology Research and Development Board, Oklahoma

Space Industry Development Authority, Oklahoma

The **Secretary of State and Native American Affairs** shall be responsible for the following executive entities or their successors:

Archives and Records Commission

Contingency Review Board

Election Board, State

Judicial Nominating Commission

National Conference of Commissioners on Uniform State Laws

Native American Cultural and Educational Authority

Native American Liaison, Oklahoma

Secretary of State

Workers' Compensation, Advisory Council on

Workers' Compensation Commission

The **Secretary of Tourism and Branding** shall be responsible for the following executive entities or their successors:

1921 Tulsa Race Riot Memorial of Reconciliation Design Committee

African-American Centennial Plaza Design Committee

Arts Council, Oklahoma

Geographic Information Council, State

Greenwood Area Redevelopment Authority

Historic Preservation Review Committee, Oklahoma

Historical Records Advisory Board

Historical Society, Oklahoma

Industry Advisory Committee

J.M. Davis Memorial Commission

Jazz Hall of Fame Board, Oklahoma

Quartz Mountain Arts and Conference Center and Nature Park, Board of Trustees, and

Quartz Mountain Arts and Conference Center and Nature Park

Register of Natural Heritage Areas, State

Sam Noble Museum of Natural History, Oklahoma

Tourism and Recreation Commission, Oklahoma, and

Department of Tourism and Recreation

Tourism Promotion Advisory Committee, Oklahoma

Tourism Signage Advisory Task Force, Oklahoma

Will Rogers Memorial Commission

The **Secretary of Transportation** shall be responsible for the following executive entities or their successors:

Aeronautics Commission

Highway Construction Materials Technician Certification Board

Port Authorities

Transportation Commission and

Department of Transportation

Transportation County Advisory Board, Department of

Transportation Tribal Advisory Board, Department of

Executive Orders

Turnpike Authority, Oklahoma

Waterways Advisory Board

The **Secretary of Veterans Affairs and Military** shall be responsible for the following executive entities or their successors:

Agent Orange Outreach Committee

Strategic Military Planning Commission, Oklahoma

Veterans Affairs, Department of

Veterans Commission

It shall be the duty of each board, commission, agency or other entity of the executive branch of state government to facilitate the purposes of this Order and the Executive Branch Reform Act of 1986 and to cooperate fully with designated cabinet secretaries.

Pursuant to 44 O.S. § 26(A), the Adjutant General shall be in control of the Military Department, subordinate only to the Governor.

The State Chief Information Officer shall remain an appointee of the Governor and an employee of the Office of Management and Enterprise Services pursuant to 62 O.S. § 34.11.1. The CIO shall continue to administer the OMES Information Services Division and the statewide plan to reform, streamline, and consolidate the state of Oklahoma's information technology and telecommunications structure, operations, and purchasing procedures in order to reduce the size of government and ensure that essential public services are delivered to Oklahoma taxpayers in the most efficient, cost-effective manner possible. The information technology consolidation has brought positive attention to Oklahoma as a progressive state in the information technology arena and the legislative intent of the consolidation effort remains a priority of this administration.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 10th day of September, 2020.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

J. Kevin Stitt

ATTEST:
Michael Rogers
Secretary of State

[OAR Docket #20-757; filed 9-10-20]

1:2020-26.

EXECUTIVE ORDER 2020-26

I, J. Kevin Stitt, Governor of the State of Oklahoma, hereby direct the appropriate steps be taken to fly all American and Oklahoma flags on State property at half-staff from 8:00 a.m. to 5:00 p.m. on Friday, September 11, 2020, to honor the victims of the September 11, 2001, terrorist attacks on America.

On this 19th anniversary of September 11th, we continue to remember those who perished and we honor the heroic sacrifices and deeds of service from our nation's firefighters, law enforcement, military service members, rescue teams, and other Americans, who showed great courage and love of country that fateful September morning.

This executive order shall be forwarded to the Division of Capital Assets Management, who shall cause the provisions of this order to be implemented by all appropriate agencies of state government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 10th day of September, 2020.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

J. Kevin Stitt

ATTEST:
Michael Rogers
Secretary of State

[OAR Docket #20-756; filed 9-10-20]
