

**TITLE 610. STATE REGENTS FOR HIGHER EDUCATION
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 7. Rules of Operation

610:1-7-14. Organization of agenda [AMENDED]

SUMMARY:

State Regents' Administrative Rules, among other things, outline the procedures for creation of meeting agendas for each State Regents meeting. Section (e) of Rule 610:1-7-14 addresses the "Reports" section of the meeting agenda, which contains items of a general reporting nature. Current State Regents' policy requires that State Regents "accept" the reports listed under the "Reports" section of the agenda unless their consideration is essential to the understanding of subsequent action items. According to Section (e) of Rule 610:1-7-14, the "Reports" section shall include items such as, matters for study and consideration with action to be taken at some future meeting, routine periodic program/activity reports, special informational reports to the State Regents, published reports, and communications.

Furthermore, Section (f) of Rule 610:1-7-14 provides the Chairman with the authority to receive oral presentations on all reports prior to their acceptance or the authority to forego oral reports should additional clarification not be needed for the items listed in the "Reports" section of the agenda.

Upon discussion with the State Regents regarding terminology and legal definitions of the terms "accept" and "acceptance," the Regents decided that their actions under Sections (e) and (f) are more accurately defined and described as an acknowledgement of receipt. Therefore, in order to avoid confusion and mischaracterization of their actions, it is recommended that State Regents' Rule be revised as follows to more accurately reflect the action taken by the State Regents with regard to reports.

AUTHORITY:

Oklahoma Constitution Article XIII-A §§ 1-4; 70 O.S. §§ 3206, 3228 and 3228.1 2401 through 2407; 70 O.S. Section 3206 (i); Oklahoma State Regents for Higher Education

COMMENT PERIOD:

Interested persons may submit written and oral comments to David B. Harting, Associate General Counsel, Oklahoma State Regents for Higher Education, 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104, by 5:00 p.m., February 3, 2020.

PUBLIC HEARING:

A public hearing has not been scheduled; however, one can be requested by contacting David B. Harting, Associate General Counsel, Oklahoma State Regents for Higher Education, 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104 by 5:00 p.m., February 3, 2020.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained at the Office of the Chancellor, Oklahoma State Regents for Higher Education, 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104.

RULE IMPACT STATEMENT:

Copies of the rule impact statement may be obtained at the Office of the Chancellor, Oklahoma State Regents for Higher Education, 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104 on and after January 2, 2020.

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ACCEPTED 12/6/19

Office of Administrative Rules

Oklahoma Secretary of State

Docket # 19 - 922

OAR/crt CN

CONTACT PERSON:

David B. Harting, Associate General Counsel, Oklahoma State Regents for Higher Education,
(405) 225-9289.

NAME OF AGENCY:

State Regents for Higher Education

TYPE OF DOCUMENT:

Notice of rulemaking intent

LIAISON VERIFICATION:

I verify that I have reviewed the attached document and that it substantially conforms to filing and format requirements of the APA and the rules of the Secretary of State. Additional information may be obtained by contacting me at 405-225-9289.

A handwritten signature in black ink, reading "David B. Harting", is written over a horizontal line. The signature is cursive and includes a large flourish at the end.

David B. Harting

Associate General Counsel

December 6, 2019