

Proposed PERMANENT Rule

**TITLE 780. OKLAHOMA DEPARTMENT OF CAREER AND
TECHNOLOGY EDUCATION
CHAPTER 1. GENERAL**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Organizational Description

780:1-5-1. [AMENDED]

Subchapter 8. Complaints and Grievances [NEW]

780-1-8-1. Department Complaints and Grievances [NEW]

780-1-8-2. Technology Center Complaints and Grievances [NEW]

SUMMARY:

The proposed rule amendment to Subchapter 5 allows the State Director to approve the appointment and compensation of all employees other than senior leadership, which is determined by the State Board. In addition, this amendment outlines the complaints and grievances process for technology centers and the ODCTE.

AUTHORITY:

Oklahoma State Board of Career and Technology Education; 70 O.S. 2021, § 14-103, § 14-104, as amended.

COMMENT PERIOD:

Persons may submit written comments through January 16, 2024, to Marie Saatkamp at 1500 W. Seventh Ave., Stillwater, OK 74074, or by email to marie.saatkamp@careertech.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Thursday, January 18, 2024, at the Oliver Hodge Building, Room 1-20, 2500 N Lincoln Boulevard, Oklahoma City, OK 73105. Anyone who wishes to speak must sign in at the door by 9:05 a.m. Each person will be allowed a maximum of 5 minutes to speak.

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 through January 16, 2024, at the Oklahoma Department of Career and Technology Education's office 1500 W. Seventh Ave., Stillwater, OK 74074, or by email to or marie.saatkamp@careertech.ok.gov.

COPIES OF PROPOSED RULES:

The proposed rules may be viewed on the agency's website at <https://oklahoma.gov/careertech.html> and copies may be obtained from the Oklahoma Department of Career and Technology Education's office located at 1500 W. Seventh Ave., Stillwater, OK 74074. Copies may also be obtained by written request mailed to the attention of Marie Saatkamp, Human Resources Specialist, Oklahoma Department of Career and Technology Education, 1500 W. Seventh Ave., Stillwater, OK 74074, or emailed to or marie.saatkamp@careertech.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review after December 30, 2023, at the above addresses.

CONTACT PERSON:

Marie Saatkamp, Human Resources Specialist, Oklahoma Department of Career and Technology Education, 1500 W. Seventh Ave., Stillwater, OK 74074, 405-743-5455, marie.saatkamp@careertech.ok.gov

780:1-5-1. State Board; staffing; Director

(a) This agency was created as the Oklahoma Department of Career and Technology Education and consists of such divisions, units, and positions as are established by the State Board of Career and Technology Education (hereinafter referred to as the "State Board"). The Department shall be under the control of the State Board, which shall formulate policies and adopt rules and regulations for the administration and operation of the Department [~~70 O.S. 1991, §14-104 as amended~~].

(b) The State Board shall provide sufficient staff to perform the functions and responsibilities for career and technology education under state and federal laws.

(c) The State Director of the Department (hereinafter referred to as the "State Director") shall determine the duties of all employees of the Department and shall recommend the appointment and compensation of the senior leadership employees of the Department to the State Board in accordance with state laws. The State Director shall approve the appointment and compensation of all other employees of the Department.

780: 1-8-1. Department Complaints and Grievances

(a) Standard. All complaints and grievances received by the Department shall be dealt with in a fair and equitable manner.

(b) Procedure. The Department shall use the following procedure when the Department receives a complaint or grievance (hereinafter referred to collectively as "complaint") concerning the Department:

(1) All complaints concerning the Department shall be in writing and signed by the complainant and shall be referred within five (5) working days of receipt to the employee of the Department designated to receive complaints (hereinafter referred to as the "complaints designee").

(2) The complaints designee shall contact the complainant within five (5) working days to ascertain the nature of the complaint. The complainant shall be afforded the opportunity to meet with the complaints designee and to present the complaint.

(3) If the complaint cannot be resolved to the satisfaction of the complainant within a reasonable timeframe, the complainant may request a meeting with the State Director. Such requests shall be submitted in writing, signed by the complainant, and contain a summary of the complaint. The State Director may or may not grant the request for a meeting. The complainant shall be notified of a denial of a request to meet in writing within five (5) working days of the request.

(4) If the complaint cannot be resolved to the satisfaction of the complainant by the complaints designee or the State Director, the complainant may request to appear before the State Board. The request must be received in writing, signed by the complainant, and containing a summary of the complaint at least ten (10) working days in advance of the

next regularly scheduled board meeting. The State Board has the sole discretion to grant or deny the request to appear before the State Board. A denial of a request to appear shall be sent to the complainant in writing within five (5) working days with the reason for denying the request.

(5) Within thirty (30) days of appearing before the State Board, the State Board will render a final decision and notify the complainant and all other interested parties in writing.

780: 1-8-2. Technology Center Complaints and Grievances

(a) **Standard.** All complaints and grievances received by the Department shall be dealt with in a fair and equitable manner.

(b) **Procedure.** The Department shall use the following procedure when the Department receives a complaint or grievance (hereinafter referred to collectively as “complaint”) concerning a technology center school district or program:

(1) All complaints concerning a technology center school district or program quality shall be in writing and shall be referred within five (5) working days of receipt to the chief administrative officer of the technology center school district or program for which the complaint has been registered.

(2) The chief administrative officer or their designee shall contact the complainant within five (5) working days to ascertain the nature of the complaint. The complainant shall be afforded the opportunity to meet with the institutional representative(s) and to present the complaint. All communication must be documented and kept on file.

(3) If the complaint cannot be resolved to the satisfaction of the complainant within a reasonable timeframe, the complainant may request to appear before the institution’s governing board. Such requests should be submitted in writing, signed by the complainant, and containing a summary of the complaint at least ten (10) working days in advance of a regularly scheduled board meeting. A denial of a request to appear shall be sent to the complainant in writing within five (5) working days.

(4) If the complaint cannot be resolved to the satisfaction of the complainant within a reasonable timeframe, the complainant may request a meeting with the employee of the Department designated to receive complaints (hereinafter referred to as the “complaints designee”). Such requests shall be submitted in writing, signed by the complainant, and contain a summary of the complaint. The complaints designee may or may not granted the request to meet at the sole discretion of the complaints designee. The complainant shall be notified of a denial of a request to meet in writing within five (5) working days of the request.

(5) If the complaint cannot be resolved to the satisfaction of the complainant by the complaints designee, the complainant may request to appear before the State Board. The request must be received in writing, signed by the complainant, and containing a summary of the complaint at least ten (10) working days in advance of the next regularly scheduled board meeting. The State Board has the sole discretion to grant or deny the request to appear before the State Board. A denial of a request to appear shall be sent to the complainant in writing within five (5) working days with the reason for denying the request.

(6) Within thirty (30) days of appearing before the State Board, the State Board will render a final decision and notify the complainant and all other interested parties in writing.