

**RULE IMPACT STATEMENT**  
**February 18, 2020**  
**780:10-9-2 of the Oklahoma Administrative Code**

**780:10-9-2. Equipment**

**(a) Tangible assets (equipment).**

(1) **State-owned equipment.** An item shall be classified as an equipment inventory item or fixed asset if it has a useful life of one year or more with an acquisition cost of \$2500 or more and is a complete and independent item which does not lose its identity or become a component part of another item. [74 O.S., Section 110.1(D)].

(2) **State-owned telecom and electronic information technology.** To meet the requirements specified in Title 62, §34.12, Subsection 6, the fixed asset system will be used to track applications to “include but are not limited to the use of mainframe computers, minicomputers, or microcomputers, word processing equipment, office automation systems, Internet, eGovernment, broadband, Wi-Fi or wireless networking, radio, including the interoperable radio communications system for state agencies, or Global Positioning Systems (GPS)’ costing \$500 or more.

(3) **Donated or purchased equipment.** Equipment donated to or purchased by the Department through re-imbursement shall be considered the property of the Department.

(4) **Special funding.** Equipment purchased through special funding, which require that the equipment be used in specific programs, shall be placed in those programs and shall be subject to appropriate state and federal laws, rules and regulations.

(5) **Maintenance.** The receiving institution shall be responsible for maintaining equipment supplied by the Department.

(6) **Closing program.** The Program Administrator of the training program shall notify the Department inventory personnel, in writing, when a program or class is to be terminated or completed.

**(b) Loaning of equipment.** Equipment purchased for use by the Business and Industry Development Division may be loaned to other eligible training sites. The equipment shall be subject to any restrictions and is subject to recall on notice by the Department when needed for industrial training.

(1) The local education authority (LEA) agrees to maintain all equipment covered under loan in the same condition when received from the ODCTE.

(2) It is understood that all equipment is to be insured and maintained in operating condition at the expense of the local education agency (LEA) and that equipment lost or stolen will be replaced at the expense of the local education agency (LEA).

(3) The ODCTE reserves the right to withdraw this equipment at any time after giving a notification of five (5) workdays.

(4) All equipment will be picked up at the close of the training program unless the equipment is used in another Business and Industry training program.

(5) Business and Industry Services equipment is only to be used for approved training. Use for other reasons is against state statutes and shall be cause for immediate removal of the equipment from the training site.

**(c) Identification.**

(1) **Department Purchased.** Equipment as defined in 780:10-9-2(a)(1) and (2) purchased by the Department shall be affixed with an appropriate tag.

(2) **Department Reimbursement.**

(A) Equipment as defined in 780:10-9-2(a)(1) purchased by local education agencies (LEA) and reimbursed by the Department with state funds for Business and Industry Development Programs shall be affixed with an appropriate Department asset tag. The equipment will be subject to a five day recall by the Business and Industry Development Division.

(B) Equipment as defined in 780:10-9-2(a)(1) purchased by local education agencies (LEA) and reimbursed by the Department for non-Business and Industry Development Programs with state funds shall be affixed with an appropriate Department asset tag.

(C) Equipment as defined in 780:10-9-2(a)(1) purchased by local education agencies (LEA) and reimbursed by the Department based on grant awards, shall be tagged by (LEA) and maintained in accordance with grant requirements.

(3) **Inventory records.** The Department shall maintain inventory records on all tagged equipment. Identification tags will be assigned by the Department and sent to the local education agency or to the appropriate Department personnel to be affixed to the equipment.

(d) **Accountability.**

(1) **Tagged equipment.** ~~A list of equipment to be inventoried annually will be sent to the mailed to Superintendent and~~ A list of equipment to be inventoried annually will be sent to the ~~or their designee, by the Department, with a request to verify and update the list, sign and return within 60 days, unless a physical inventory is conducted by Department inventory personnel~~ Superintendent and ~~or their designee, by the Department, with a request to verify and update the list, sign and return within 60 days, unless a physical inventory is conducted by~~ Department inventory personnel

(2) **Adjustments.** The Department, after review of requests, will make necessary adjustments to the inventory.

(e) **Disposal.** Schools requesting items to be removed due to lost, stolen, salvage, or surplus must submit an inventory adjustment form for approval. Department personnel will inspect and/or make recommendations on the request.

(f) **Transfer of Ownership.** In no case shall an equipment transfer be made without advanced approval from Department inventory personnel. The ownership of state-owned equipment may be transferred upon approval of the Division Manager, appropriate Senior Staff, and Oklahoma Management and Enterprise Services (OMES), to the local education agency (LEA) in possession of equipment unless said equipment is essential for operation of industry specific or new industry training programs. Department inventory personnel will provide requests to accept and notification of transfers.

(g) **Guidelines.** Equipment procedures and guidelines, and the inventory adjustment forms can be found on the Department Website and will be utilized to enforce these rules.

## **Rule Impact Statement Information:**

### **1. A brief description of the purpose of the proposed rule.**

The purpose of the proposed rule amendments is to change the designation of person responsible for doing yearly inventory

### **2. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the agency from any private or public entities.**

No cost affects

**3. A description of the classes of persons who will benefit from the proposed rule.**

The rule amendments will not benefit any one class of persons; it will improve the inventory process for CareerTech personnel.

**4. A description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change.**

There is no economic impact on any class of persons as a result of the proposed rule amendments.

**5. The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency.**

There is no cost to the agency or other entities as a result of the rule amendments.

**6. A determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule.**

No economic impact as a result of the proposed rule amendments.

**7. A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.**

There is no adverse economic impact on small business.

**8. An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule.**

The rule amendments in Chapter 10 are not intrusive and there are no other appropriate methods to make the needed corrections and improvements.

**9. A determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk.**

The rule amendments have no effect on the public health, safety and environment.

**10. A determination of any detrimental effect of the public health, safety and environment if the proposed rule is not implemented.**

The rule amendments will not have a detrimental effect on the public health, safety and environment if not implemented.