

Rule Development

Each rule or regulation of the Department will be reviewed at least every five years, although failure to conduct such a review shall not affect the validity or enforceability of any existing rule.

All rules submitted to the State Board for approval shall be in legislative format showing additions to, and deletions from, existing rules unless a majority of the rule chapter has been substantially revised. The State Board must give final approval to all rules and rule changes.

The Commissioner shall review and approve hearing drafts of rules. The Commissioner or his or her designee shall conduct rule hearings. The Commissioner shall notify the Board when rules are scheduled for hearing; provide a written summary of all hearing testimony to the full Board along with copies of all written testimony submitted; and shall make an audio recording of all hearings available to the full Board on request.

The rule dockets that are required to be maintained under the Administrative Procedures Act shall be maintained by the General Counsel's Office.

Board Action History

- 12/10/76
 - Prior BCAE (Rule-making hearings)
 - Prior BD-1 (5-Year Review)
 - Prior BDBD-1 (Optional student rule review)
 - Prior BDC-1 (APA Rules)
 - Prior Form BCAE-E
 - Prior Form BDD-E-1
- 8/21/78 – Prior BDA – 1
(Rule development system policy.)
- 12/7/84 – Prior 9313 BOP
(Replaced prior policies – required 5-year review and legislative format drafts.)
- 12/8/95 – Prior B9
(Added rule hearing officials and rule dockets.)
- 9/7/06 – B9
(Added authority for Commissioner to approve rules and appoint hearing officers.)
- 9/4/15 – B9
(Added language that Commissioner shall review and approval hearing drafts of rule.)

Cross-References

- 84-906.1 – Rule dockets.
- 84-907 – Rule adoption after hearing.