

OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION

Memo

To: Chancellor Glen D. Johnson
From: Bob Anthony
Date: Friday, February 06, 2015
Subject: Governor Fallin's Executive Order 2015-06 – Personnel Freeze

Last Friday, February 6, Governor Fallin issued Executive Order 2015-06 (copy attached). This Executive Order establishes a State agency personnel action freeze (personnel freeze).

Executive Order 2015-06 is similar in all relevant respects to the Executive Order which first established a personnel freeze (referred to in that Executive Order as a "hiring freeze"). That order was issued in 1995, and was the subject of an official Attorney General Opinion issued in 1996. In that opinion, the Attorney General stated that **the hiring freeze provision of the statute upon which the 1995 Executive Order was based did not apply to constitutionally-created boards of regents but did apply to institutions governed by statutorily-created boards of regents or trustees. That Attorney General Opinion is equally applicable to the current Executive Order 2015-06, as it also is based upon the same provision in the same statute.**

In addition, recent legislation which consolidated the IT services for all state agencies under the Office of Management and Enterprise Services **explicitly exempted all institutions of the State System of Higher Education from that consolidation. For that reason, paragraph 3 concerning IT services of Executive Order 2015-06 is not applicable to any of the institutions in the Oklahoma State System of Higher Education.**

If an institution has any specific questions regarding compliance with Executive Order 2015-06, the institution should consult either its attorney or, for those institutions that utilize the Attorney General's Office for legal services, Assistant Attorney General Matt Stangl at (405) 522- 4411 or matt.stangl@oag.ok.gov.