

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1393 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Dell Kerbs _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 FLOOR SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 1393

By: Kerbs of the House

and

Daniels of the Senate

7
8 FLOOR SUBSTITUTE

9 An Act relating to special education; requiring State
10 Board of Education to adopt certain parental consent
11 forms; prescribing criteria for forms; prohibiting
12 certain actions without parental consent; requiring
13 school district make certain reasonable effects
14 before certain actions; requiring certain IEP Team
15 meeting; requiring notice of meeting; permitting
16 parental waiver; authorizing State Board of Education
17 to adopt rules; providing for codification; providing
18 an effective date; and declaring an emergency.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 13-114.6 of Title 70, unless
22 there is created a duplication in numbering, reads as follows:

23 A. The State Board of Education shall adopt a separate parental
24 consent form that school districts shall use for determining whether
a student who has an Individualized Education Program (IEP) will
participate in the Oklahoma Alternate Assessment Program (OAAP),
pursuant to Section 11-103.6 of Title 70, and be provided with

1 instruction that will be assessed by alternate achievement standards
2 that promote access to and progress in the general education
3 curriculum.

4 B. In accordance with 34 C.F.R., Section 300.503(c), each
5 parental consent form shall be provided to the parent in the
6 parent's native language, as defined in 34 C.F.R., Section 300.29,
7 and include the following:

8 1. An informal statement describing the benefits, risks, and
9 legal implications of parental consent or refusal to consent
10 including that the parent has the right to consent or refuse consent
11 to the actions described in subsection A of this section. The
12 statement shall include information that refusal of parental consent
13 means that the student will be assessed using the regular district
14 and state assessments with appropriate accommodations,
15 modifications, and supplementary aids and services, and that the
16 student will be taught to general education standards and not to
17 alternate academic achievement standards;

18 2. A "does consent" box and a signature line; and

19 3. A "does not consent" box and a signature line.

20 C. A school district shall not proceed with the actions
21 described in subsection A without parental consent unless the school
22 district documents reasonable efforts to obtain the parent's consent
23 and the child's parent has failed to respond or the school district
24

1 obtains approval through a due process hearing in accordance with 34
2 C.F.R., Sections 300.506 through 300.508 and resolution of appeals.

3 D. If a school district determines that there is a need to
4 change a student's IEP as it relates to actions described in
5 subsection A, the school shall hold an IEP team meeting that
6 includes the parent to discuss the reason for the change. The
7 school shall provide notification of a meeting to the parent at
8 least five (5) school days before the meeting unless the parent and
9 district agree otherwise, indicating the purpose, date, time, and
10 location of the meeting and who, by title or position, will attend
11 the meeting.

12 E. The State Board of Education shall adopt rules to implement
13 this section including, but not limited to, developing parental
14 consent forms and updating relevant policies and procedures.

15 SECTION 2. This act shall become effective July 1, 2025.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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21 60-1-13341 AQH 03/14/25

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