

1 ENGROSSED HOUSE
2 BILL NO. 1393

3 By: Kerbs of the House

4 and

5 Daniels of the Senate

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

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

17 SECTION 1. NEW LAW A new section of law to be codified

18 in the Oklahoma Statutes as Section 13-114.6 of Title 70, unless
19 there is created a duplication in numbering, reads as follows:

20 A. The State Board of Education shall adopt a separate parental
21 consent form that school districts shall use for determining whether
22 a student who has an Individualized Education Program (IEP) will
23 participate in the Oklahoma Alternate Assessment Program (OAAP),
24 pursuant to Section 11-103.6 of Title 70 of the Oklahoma Statutes,
and be provided with instruction that will be assessed by alternate
achievement standards that promote access to and progress in the
general education curriculum.

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

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

- 15 2. A "does consent" box and a signature line; and
16 3. A "does not consent" box and a signature line.

17 C. A school district shall not proceed with the actions
18 described in subsection A of this section without parental consent
19 unless the school district documents reasonable efforts to obtain
20 the parent's consent and the child's parent has failed to respond or
21 the school district obtains approval through a due process hearing
22 in accordance with 34 C.F.R., Sections 300.506 through 300.508 and
23 resolution of appeals.

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

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

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

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

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1 Passed the House of Representatives the 26th day of March, 2025.
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Presiding Officer of the House
of Representatives

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6 Passed the Senate the _____ day of _____, 2025.
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Presiding Officer of the Senate

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