

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1763 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: John Enns

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1763

By: Enns

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending 70 O.S. 2001,  
9 Section 13-109, which relates to personnel to carry  
10 out special education requirement; directing the  
11 State Department of Education to provide certain  
12 training for special education hearing and appeal  
13 officials; requiring hearing and appeal officials to  
14 complete certain continuing education annually;  
15 providing an effective date; and declaring an  
16 emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2001, Section 13-109, is  
19 amended to read as follows:

20 Section 13-109. A. The State Board of Education shall appoint  
21 and employ and fix the compensation and duties of necessary  
22 personnel and incur other necessary expenses, including cost of  
23 consultants, to administer and carry out the provisions of this  
24 article, and ~~such~~ compensation and other expenses shall be paid from  
any funds appropriated to carry out the provisions of this article.

1        B. 1. The State Department of Education shall provide training  
2 to special education due process hearing or appeal officials to  
3 ensure that, at a minimum, the hearing or appeal officials possess:

4            a. knowledge of the provisions of the Individuals with  
5            Disabilities Education Act (IDEA), federal and state  
6            regulations pertaining to the IDEA, and legal  
7            interpretations of the IDEA by federal and state  
8            courts,

9            b. knowledge to conduct administrative hearings, and

10           c. knowledge to render and write decisions.

11        2. Every person serving as a special education due process  
12 hearing or appeal official shall be required to participate in, at a  
13 minimum, continuing education courses in special education law and  
14 administrative procedures annually to remain eligible for current  
15 case assignment.

16        SECTION 2. This act shall become effective July 1, 2009.

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

21  
22        52-1-6877            KB            02/17/09