

EHB 1763

THE STATE SENATE
Monday, April 6, 2009

ENGROSSED

House Bill No. 1763

As Amended

ENGROSSED HOUSE BILL NO. 1763 - By: Enns of the House and Reynolds of the Senate.

[schools - personnel to carry out special education requirement - requiring hearing and appeal officials - effective date - emergency]

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

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

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

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

a. knowledge of the provisions of the Individuals with Disabilities Education Act (IDEA), federal and state

1 regulations pertaining to the IDEA, and legal
2 interpretations of the IDEA by federal and state
3 courts,

4 b. knowledge to conduct administrative hearings, and

5 c. knowledge to render and write decisions.

6 2. Every person serving as a special education due process
7 hearing or appeal official shall be required to participate in, at a
8 minimum, continuing education courses in special education law and
9 administrative procedures annually to remain eligible for current
10 case assignment.

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

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

16 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-1-09 - DO
17 PASS, As Amended.