

STATE OF OKLAHOMA

1st Extraordinary Session of the 54th Legislature (2013)

HOUSE BILL 1010

By: Shannon of the House

and

Bingman and Sykes of the
Senate

AS INTRODUCED

An Act relating to schools; repealing 70 O.S. 2011, Section 6-101.7, which relates to restrictions on attorneys involved in due process hearings; providing restrictions on attorneys involved in due process hearings; providing for codification; and declaring an emergency.

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

SECTION 1. REPEALER 70 O.S. 2011, Section 6-101.7, is hereby repealed.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-101.8 of Title 70, unless there is created a duplication in numbering, reads as follows:

An attorney, representative, or other designee of the school district who has represented or represents a school district or the administration of a school district at a hearing held for the

1 purpose of affording due process rights and requirements for an
2 administrator as provided for in Section 6-101.13 of Title 70 of the
3 Oklahoma Statutes, a teacher as provided for in Section 6-101.26 of
4 Title 70 of the Oklahoma Statutes, or a support employee as provided
5 for in Section 6-101.46 of Title 70 of the Oklahoma Statutes or who
6 has been involved or participated in any prehearing actions of the
7 school district with respect to a recommendation for the termination
8 of employment or nonreemployment of an administrator, teacher, or
9 support employee shall not:

10 1. Conduct or preside as the hearing officer or judge at a due
11 process hearing or hearings; and

12 2. Attend, advise at, or in any way influence an executive
13 session of the school district board of education that is held in
14 conjunction with a due process hearing or hearings if the attorney,
15 representative, or other designee of the school district conducted
16 or presided over the due process hearing or hearings as the hearing
17 officer or judge.

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

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23 54-1EX-50015 SD 08/30/13
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