

1 **SENATE FLOOR VERSION**

2 April 8, 2025

3 ENGROSSED HOUSE  
4 BILL NO. 1393

By: Kerbs of the House

and

Daniels of the Senate

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

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

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

22 A. The State Board of Education shall adopt a separate parental  
23 consent form that school districts shall use for determining whether  
24 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 of the Oklahoma Statutes,  
and be provided with instruction that will be assessed by alternate

1 achievement standards that promote access to and progress in the  
2 general education curriculum.

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

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

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

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

19 C. A school district shall not proceed with the actions  
20 described in subsection A of this section without parental consent  
21 unless the school district documents reasonable efforts to obtain  
22 the parent's consent and the child's parent has failed to respond or  
23 the school district obtains approval through a due process hearing  
24

1 in accordance with 34 C.F.R., Sections 300.506 through 300.508 and  
2 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 of this section, the school shall hold an IEP team  
6 meeting that includes the parent to discuss the reason for the  
7 change. The school shall provide notification of a meeting to the  
8 parent at least five (5) school days before the meeting unless the  
9 parent and district agree otherwise, indicating the purpose, date,  
10 time, and location of the meeting and who, by title or position,  
11 will attend 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.

20 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
21 April 8, 2025 - DO PASS  
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