

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1179

BY: SMITH (Dale)

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; AMENDING SECTION 92, CHAPTER 2, O.S.L. SUPP. 1989 (70 O.S. SUPP. 1990, SECTION 8-112), WHICH RELATES TO STUDENT TRANSFER FEES; PROHIBITING SCHOOL DISTRICTS FROM CHARGING TRANSFER FEES; REPEALING 70 O.S. 1981, SECTION 8-101, AS AMENDED BY SECTION 1, CHAPTER 250, O.S.L. 1989 (70 O.S. SUPP. 1990, SECTION 8-101), WHICH RELATES TO DEPENDENT TRANSFER FEES; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY Section 92, Chapter 2, O.S.L. Supp. 1989 (70 O.S. Supp. 1990, Section 8-112), is amended to read as follows:

Section 8-112. A. Except as provided in ~~Section 8-101 of this title and~~ subsection C of this section, on and after ~~July 1, 1990~~ July 1, 1991, no school district shall be required to pay and no school district shall charge any other school district a fee for the transfer of a student. ~~Specifically, transfer fees shall not be permitted for transfers between dependent school districts, for transfers between independent school districts, for transfers from~~

~~an independent school district to a dependent school district or where the transfer is from a dependent school district to an independent school district only insofar as transfers of pupils where the grade which such pupil is entitled to pursue is offered by the dependent school district.~~

B. No transfer fee required or permitted by Section ~~8-108~~ 8-101 of this title shall be charged for student transfers for the ~~1989-1990~~ 1990-91 school year or for any year thereafter. If any such fees have been charged or paid, the State Department of Education may adjust, upon request of the district who has paid or been charged any such fee, the budgets of the school districts regarding such transfer fees if such adjustment is necessary.

C. Nothing herein shall prevent the payment or charging of any other fee for the transfer of a student as required by law. School districts shall not be permitted to contract to waive transfer fees with regard to special education pupil transfers ~~or transfer fees required by Section 8-101 of this title.~~

D. The State Board of Education shall establish the necessary and appropriate application forms sufficient to enable school districts to accomplish transfers ~~and to comply with the provisions of Sections 8-101 through 8-110 of this title.~~ Upon establishment of such forms, the State Board of Education shall notify each school district and each county superintendent or acting county superintendent of schools of the content thereof.

SECTION 2. REPEALER 70 O.S. 1981, Section 8-101, as amended by Section 1, Chapter 250, O.S.L. 1989 (70 O.S. Supp. 1990, Section 8-101), is hereby repealed.

SECTION 3. This act shall become effective July 1, 1991.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-1-5978

KVR