

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 51

BY: WILLIAMS (Penny)

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S. 1981, SECTION 8-104, AS AMENDED BY SECTION 1, CHAPTER 151, O.S.L. 1984 (70 O.S. SUPP. 1990, SECTION 8-104), WHICH RELATES TO EMERGENCY TRANSFERS; DELETING REQUIREMENT THAT REASON FOR TRANSFER BE SPECIFIED; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 70 O.S. 1981, Section 8-104, as amended by Section 1, Chapter 151, O.S.L. 1984 (70 O.S. Supp. 1990, Section 8-104), is amended to read as follows:

Section 8-104. A written application for an emergency transfer designating the district to which the transfer is desired shall be made by either the parent or guardian, and on an adequate showing of emergency the county superintendent may make and order a transfer, subject to approval by the State Board of Education. ~~Such an emergency shall include only the destruction or partial destruction of a school building, the inability to furnish the grade of study the pupil is entitled to pursue, the inability to offer the subject a pupil desires to pursue, or the nonavailability of science,~~

~~mathematics or foreign language courses a pupil desires to pursue, and the total failure of transportation facilities previously had or contemplated;~~ provided that a transfer shall also be approved when such transfer has the approval of the boards of education of the sending and receiving districts. Similarly, a transfer previously made may be canceled, with the concurrence of the board of the receiving district, and a retransfer granted. Also, on affidavit of parent or guardian, or of the school board of the transferring district, disclosing removal of residence from the transferring district, a transfer previously made may be canceled, and the appropriation made therefor relieved of such encumbrance to the extent not earned; and, with concurrence of the boards of education of both the transferring and transferee districts, a parent or guardian may show by affidavit that, by discontinuance of transportation facilities previously afforded or contemplated, the pupil or pupils are unable to attend the school of the transferee district, whereupon the transfer so made may be canceled and the appropriation therefor relieved of any encumbrance to the extent not earned.

SECTION 2. 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.

43-1-120

WHT