

ENGROSSED SENATE AMENDMENTS

TO

ENGROSSED HOUSE BILL NO. 2720

By: McCorkell of the House

and

Williams (Penny) of the  
Senate

( schools - Office of Education Services and Innovation -  
trailblazer schools - amending 5 sections in Title 70 -  
repealing 70 O.S., Sections 8-102 and 8-104 -  
codification - effective dates )

AUTHOR: Add the following Senate Coauthor: Campbell

AMENDMENT NO. 1. Page 2, Section 2, line 2, before the word  
"school" delete the word

"every"

and insert the word

"any"

and on line 2 after the word "state" and before  
the word "develop" delete the word

"shall"

and insert the word

"may"

AMENDMENT NO. 2. Page 3, Section 5, lines 23 and 24, delete all of  
subsection D

AMENDMENT NO. 3. Page 9, line 12, through page 10, line 34, delete  
all of Section 12

and renumber subsequent sections

AMENDMENT NO. 4. Page 11, line 1 through page 16, line 17, delete  
all of Sections 13 through 21

and insert the following new language

"SECTION 13. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8-201 of Title 70, unless there is created a duplication in numbering, reads as follows:

SECTIONS 13 through 21 of this act shall be known and may be cited as the "Parental School Choice Act".

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8-202 of Title 70, unless there is created a duplication in numbering, reads as follows:

Except as otherwise provided, the parent, guardian or other person having legal custody of an Oklahoma resident school child may choose, without regard for school district of residence, the school district in which his or her child or ward shall attend school.

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8-203 of Title 70, unless there is created a duplication in numbering, reads as follows:

If a school child's parent or guardian makes no choice of a school district as provided in this act, the child shall attend school in the school district where the child is a resident or as otherwise provided by law.

SECTION 16. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8-204 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. On or before February 1 of each school year, a parent or guardian of an Oklahoma school child may make application to a school district in which his or her child or ward is not a resident for permission to enroll his or her child or ward in that district's schools as a transfer student for the next school year. The application shall be on a form provided by the State Board of Education and made available to parents through all public schools in this state.

B. Each application shall be stamped with the date received by the school district so that those students accepted as transfer

students will be accepted in the order in which they applied based on criteria for accepting transfers adopted by the district to which application is made.

C. Districts shall deny transfers pursuant to this act which, together with resident district enrollment or other transfers or both, would cause the number of students in any class to exceed the limits set forth in Section 18-113.1 et seq. of Title 70 of the Oklahoma Statutes.

D. On or before March 1 of each school year, the school district shall inform the applicant whether the child or ward has been granted a transfer to enroll in that district's schools.

E. If the application for permission to enroll is approved, the school district shall simultaneously assign the child to a school within the district.

SECTION 17. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8-205 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Notwithstanding the deadline for a transfer application made pursuant to Section 16 of this act, an emergency transfer from a child's resident school district to another school district may be made at any time.

B. For purposes of this section, an emergency shall mean the destruction or partial destruction of a school building, the inability to furnish the grade of study the student is entitled to pursue, the inability to offer a subject the student desires to pursue, dissolution of school district, or the failure of the district to adequately provide transportation services for the student.

SECTION 18. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8-206 of Title 70, unless there is created a duplication in numbering, reads as follows:

Nothing in Sections 13 through 21 of this act shall be construed as preventing the enrollment of any child in a school district to which the child moves during the course of the school year.

SECTION 19. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8-207 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Permission to enroll pursuant to the Parental School Choice Act shall not be denied because of race, religion, national origin, sex, physical handicap, or socioeconomic condition of the family.

B. Permission to enroll pursuant to the Parental School Choice Act may be denied by the district to which application is made for reason of the school district's lack of physical capacity or educational materials, previously adopted policy against acceptance of transfers, or other good cause.

C. Permission to enroll pursuant to the Parental School Choice Act may be denied by the school board of the school district of the subject child's residence when the school district of which the child is a resident is under a court-ordered desegregation plan unless the grade which the child is entitled to pursue is not offered in the child's resident school district. The State Board of Education shall annually provide to all school districts a list of school districts under court-ordered desegregation plans.

D. If permission to enroll is denied, the denying district shall state its reasons for refusal in writing and shall deliver the written statement to the applying parent or guardian.

SECTION 20. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8-208 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The school district which accepts a nonresident child for enrollment may provide transportation for that child from its district line to the child's assigned school and shall provide transportation for that child from its district line to the child's

assigned school if such child meets criteria established by the State Board of Education pursuant to subsection C of this section. The school district may establish points along its boundaries where transfer students shall collect for transportation.

B. Except as provided in subsection C of this section, the school district in which the child is a resident shall not be required to provide transportation for a child who transfers to another district pursuant to this act; however, the school district in which the child is a resident may, in its discretion, transport the child to its district boundary.

C. For a child transferred pursuant to this act who meets criteria established by the State Board of Education that are commensurate with established eligibility criteria for participation in the National School Lunch Act of 1946, 42 U.S.C., Section 1751 et seq. as amended, and who is not transported to the district boundary pursuant to subsection B of this section, the district of residence shall reimburse a parent or guardian who provides transportation from the child's place of residence to a district boundary pick-up point designated by the receiving district, and for return from said point to the place of residence, for each day the child's parent or guardian provides such transportation, not to exceed one hundred eighty (180) days in a school year. The number of miles reimbursed shall not exceed twenty (20) miles per day one way. Reimbursement shall be at a rate set by the State Board of Education which shall not exceed ten cents (\$0.10) per mile. The Board is authorized to promulgate rules relating to said reimbursement generally and is specifically authorized to broaden the definition of the term "guardian" as it applies to qualification for reimbursement.

SECTION 21. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8-209 of Title 70, unless there is created a duplication in numbering, reads as follows:

The provisions of Section 8-102 et seq. of Title 70 of the Oklahoma Statutes shall not apply to transfers of students pursuant to the Parental School Choice Act."

and renumber sections and references to conform

AMENDMENT NO. 5. Page 16, Section 22, line 18, after the period and before the word "act" delete the following language

"Sections 1 through 19 and 21 of this"

and insert the word

"This"

AMENDMENT NO. 6. Page 16, lines 20 and 21, delete all of Section 23

AMENDMENT NO. 7. Page 1, restore the stricken title and amend to conform

Passed the Senate the 15th day of April, 1996.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of

\_\_\_\_\_, 1996.

Speaker of the House of Representatives