



STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

HOUSE BILL HB2027

By: Turner

AS INTRODUCED

An Act relating to schools; amending Sections 20 and 22, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Sections 8-101.2 and 8-103.1), which relate to the Education Open Transfer Act; modifying open transfers to allow withdrawal of approval by the receiving school district; authorizing school districts to adopt a policy for withdrawal of a transfer for certain reasons; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 20, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 8-101.2), is amended to read as follows:

Section 8-101.2 A. On and after January 1, 2000, the transfer of a student from the district in which the student resides to another school district furnishing instruction in the grade the student is entitled to pursue shall be granted if the transfer has the approval of the board of education of the receiving district. A student granted a transfer may continue to attend the school to which the student transferred with the approval of the receiving district only unless approval of the transfer is withdrawn in accordance with the open transfer policy of the receiving school district, and any brother or sister of such student may attend such school with the approval of the receiving district only. No student shall be permitted to transfer more than once in any school year.

If the grade a student is entitled to pursue is not offered in the district where the student resides, the transfer shall be automatically approved.

B. When a student has been transferred and later changes residence to another school district in the State of Oklahoma, the student shall be entitled to continue to attend school in the district to which the student was transferred. If a change of residence is to the district to which the student was transferred, upon affidavit of the parent of the student, that district shall become the resident district. If a student changes residence to another district during the school year which is not the same district the student transferred to, the student shall be entitled to attend school in either the receiving district or the new district of residence for the remainder of the current year.

C. Any student transfer approved for any reason prior to the implementation of the Oklahoma Charter Schools Act shall continue to be valid until this act is fully operational or until the parent having custody chooses otherwise.

SECTION 2. AMENDATORY Section 22, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 8-103.1), is amended to read as follows:

Section 8-103.1 A local school district board of education which receives a request for a transfer for a student who does not reside in the school district may refuse or withdraw the transfer in accordance with the provisions of the open transfer policy adopted by the local school district board of education. Each local board of education shall adopt an open transfer policy for the school district which specifies its criteria and standards for approval or withdrawal of transfers of students who do not reside in the district. The policy shall include, but shall not be limited to, provisions relating to the availability of programs, staff, or space as criteria for approval ~~or~~, denial or withdrawal of transfers. A school district may include in the policy as the basis for denial of a transfer or withdrawing approval after a transfer has been

granted, the reasons outlined in Section 24-101.3 of ~~Title 70 of the Oklahoma Statutes~~ this title.

In considering requests for students to transfer into a school district, the board of education shall consider the requests on a first-come, first-serve basis. A school district shall not accept ~~or~~, deny, or withdraw a transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude, or athletic ability.

Notwithstanding the provisions of the Education Open Transfer Act, transfers of children with disabilities shall be granted as authorized in Section 13-103 of ~~Title 70 of the Oklahoma Statutes~~ this title.

SECTION 3. This act shall become effective July 1, 2000.

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.

47-2-7702            KB            6/12/15