

EHB 1646

THE STATE SENATE  
Wednesday, April 13, 2005

ENGROSSED

House Bill No. 1646

As Amended

ENGROSSED HOUSE BILL NO. 1646 - By: WINCHESTER, DUNCAN, WESSELHOFT  
and McDANIEL of the House and JUSTICE of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section  
8-103, as amended by Section 12, Chapter 434, O.S.L. 2003  
(70 O.S. Supp. 2004, Section 8-103), which relates to  
student transfers; **modifying certain deadlines for  
application and notification**; modifying student transfer  
application limitation for certain students transferring to  
certain types of programs; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 8-103, as  
amended by Section 12, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2004,  
Section 8-103), is amended to read as follows:

Section 8-103. A. In order that any student may be  
transferred, an application form specified by the State Board of  
Education must be completed by the parents of the student. For  
purposes of the Education Open Transfer Act, the term "parent" means  
the parent of the student or person having custody of the student as  
provided for in paragraph 1 of subsection A of Section 1-113 of this  
title. The application shall be obtained from and filed with the  
superintendent of the receiving school district for transfers to  
school districts in the State of Oklahoma and with the State Board

1 of Education for transfers to school districts in another state.  
2 ~~Applications~~ Except as otherwise provided for in this section,  
3 applications shall be filed no later than ~~February 1~~ April 1 of the  
4 school year preceding the school year for which the transfer is  
5 desired. By ~~March 1~~ May 1 of the same school year, the receiving  
6 school district shall notify the resident school district that an  
7 application for transfer has been filed by a student enrolled in the  
8 resident school district. The board of education of the receiving  
9 school district shall approve or deny the application for transfer  
10 not later than June 1 of the same year and shall notify the parents  
11 of the student of the decision. By July 1 of the same year, the  
12 parents of the student shall notify the receiving school district  
13 that the student will be enrolling in that school district. Failure  
14 of parents to notify the district as required may result in loss of  
15 the student's right to enroll in the district for that year.

16 B. On or before September 1, it shall be the duty of the  
17 superintendent of the receiving school district to file with the  
18 State Board of Education and each resident district a statement  
19 showing the names of the students granted transfers to the school  
20 district, the resident school district of the transferred students  
21 and their respective grade level.

22 C. The receiving school district of a student transferred  
23 pursuant to the provisions of this act shall notify the resident

1 school district and parents of the student of a cancellation of the  
2 transfer. Such notice shall be made by June 1 prior to the school  
3 year for which the cancellation is applicable.

4 D. For students who are deaf or hearing impaired who wish to  
5 transfer to a school district with a specialized deaf education  
6 program, applications may be filed at any time during the school  
7 year. Upon approval of the receiving school district, the student  
8 may transfer to the receiving school district at any time during the  
9 school year.

10 SECTION 2. It being immediately necessary for the preservation  
11 of the public peace, health and safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

14 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 4-4-05 - DO PASS,  
15 As Amended.