

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 922

By: Marlatt

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5
6 AS INTRODUCED

7 An Act relating to school transfers; amending 70 O.S.
8 2001, Section 8-104, as last amended by Section 1,
9 Chapter 319, O.S.L. 2004 (70 O.S. Supp. 2010, Section
10 8-104), which relates to emergency transfers;
11 modifying definition of emergency; allowing an
12 emergency transfer to remain in effect once made;
13 providing an effective date; and declaring an
14 emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2001, Section 8-104, as
17 last amended by Section 1, Chapter 319, O.S.L. 2004 (70 O.S. Supp.
18 2010, Section 8-104), is amended to read as follows:

19 Section 8-104. In addition to the transfer process provided in
20 Section 8-103 of this title, students may be transferred on an
21 emergency basis. A written application for an emergency transfer
22 designating the district to which the transfer is desired shall be
23 made by the parent and filed with the superintendent of the
24 receiving school district. On an adequate showing of emergency the
superintendent of the receiving school district may make and order a

1 transfer, subject to approval by the State Board of Education. An
2 emergency shall include only:

3 1. The destruction or partial destruction of a school building;

4 2. The inability to offer the subject a pupil desires to
5 pursue, if the pupil becomes a legal resident of a school district
6 after February 1 of the school year immediately prior to the school
7 year for which the pupil is seeking the transfer;

8 3. A catastrophic medical problem of a student, which for
9 purposes of this section shall mean an acute or chronic serious
10 illness, disease, disorder or injury which has a permanently
11 detrimental effect on the body's system or renders the risk
12 unusually hazardous;

13 4. The total failure of transportation facilities;

14 5. The concurrence of both the sending and receiving school
15 districts;

16 6. The unavailability of remote or on-site Internet-based
17 instruction by course title in the district of residence for a
18 student identified as in need of drop-out recovery or alternative
19 education services, provided such student was enrolled at any time
20 in a public school in this state during the previous three (3)
21 school years; ~~or~~

22 7. The unavailability of a specialized deaf education program
23 for a student who is deaf or hearing impaired; or

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1 8. The unavailability of a comprehensive full-time online
2 program in the district of residence, when the parent has determined
3 that access to a comprehensive online school is in the best
4 educational interest of the student.

5 An emergency transfer previously made may be canceled, with the
6 concurrence of the board of the receiving district and the parent.

7 An emergency transfer, once made, shall remain in effect for
8 subsequent school years unless cancelled with the concurrence of the
9 board of the receiving district and the parent.

10 SECTION 2. This act shall become effective July 1, 2011.

11 SECTION 3. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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