ENGROSSED HOUSE
BILL NO. 1422 By: Hardin and Nelson of the House

and

Brecheen of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 8-104, which relates to emergency transfers; adding harassment, intimidation and bullying as a basis for an emergency transfer; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 8-104, is amended to read as follows:

Section 8-104. A. In addition to the transfer process provided in Section 8-103 of this title, students may be transferred on an emergency basis. A written application for an emergency transfer designating the district to which the transfer is desired shall be made by the parent and filed with the superintendent of the receiving school district. On an adequate showing of emergency the superintendent of the receiving school district may make and order a transfer, subject to approval by the State Board of Education. An emergency shall include only:

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

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

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

4. The total failure of transportation facilities;

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

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

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

8. When a student has been the victim of harassment, intimidation and bullying as defined in Section 24-100.3 of this title, upon verification by the receiving school district that the student has been the victim of harassment, intimidation or bullying

and that the sending school district was notified of the incident or incidents prior to the filing of the application for transfer.

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

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.

Passed the House of Representatives the 26th day of February, 2013.

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Presiding Officer of the House of Representatives

Passed the Senate the ___ day of _____, 2013.

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Presiding Officer of the Senate