

1 **SENATE FLOOR VERSION**

2 March 18, 2013

3 ENGROSSED HOUSE  
4 BILL NO. 1422

By: Hardin, Nelson and Pittman  
of the House

5 and

6 Brecheen of the Senate

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

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

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

17 Section 8-104. A. In addition to the transfer process provided  
18 in Section 8-103 of this title, students may be transferred on an  
19 emergency basis. A written application for an emergency transfer  
20 designating the district to which the transfer is desired shall be  
21 made by the parent and filed with the superintendent of the  
22 receiving school district. On an adequate showing of emergency the  
23 superintendent of the receiving school district may make and order a  
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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. When a student has been the victim of harassment,  
2 intimidation and bullying as defined in Section 24-100.3 of this  
3 title, upon verification by the receiving school district that the  
4 student has been the victim of harassment, intimidation or bullying  
5 and that the sending school district was notified of the incident or  
6 incidents prior to the filing of the application for transfer.

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

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  
15       March 18, 2013 - DO PASS  
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