

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 2074</b>
<b>Version:</b>	<b>CS</b>
<b>Request Number:</b>	<b>7361</b>
<b>Author:</b>	<b>Speaker McCall</b>
<b>Date:</b>	<b>2/19/2021</b>
<b>Impact:</b>	<b>OEQA: Ongoing Review</b>
	<b>OSDE: Ongoing Review</b>

**Research Analysis**

The committee substitute for HB2074 modifies the Education Open Transfer Act.

The measure allows a student to transfer from one school district to another at any time during the year, unless the program, class, grade level, or building of the receiving school district is already at capacity.

Each school board shall determine its own capacity, and shall adopt a policy to determine the number of transfer students it can accept. The policy must be publicly posted on the district website.

By the first of each month, the district will establish the number of transfers it has the capacity to accept for each grade level and building for that month. The district must post this information on its website in a prominent place, and must also report it to the State Department of Education (SDE).

The district must enroll transfer students in the order in which they submit their applications. If capacity is insufficient to enroll all eligible students, the school district shall select students through a public lottery. A student whose parent is an active member of the military shall be eligible for a transfer regardless of capacity of the district.

A school district may deny a transfer if a student has 10 or more unexcused absences in one semester, or if a student has violated the rules listed in [OS 70 Section 24-101.3](#). If a transfer request is denied, the parent of the student may appeal the denial to the State Board of Education within 10 days of notification of denial.

The transferred student is allowed to continue attending the school to which they have transferred. However, a district may deny a continued transfer if the student has violated the rules listed in [OS 70 Section 24-101.3](#).

A student is limited to two transfers per school year, and the student may always reenroll at any time in his or her resident district.

Each year the Office of Educational Quality and Accountability will randomly audit 10 percent of the districts in the state to see if the number of approved and denied transfers are in line with the policies adopted by the district's board of education.

The measure also repeals OS 70 Section 8-104:

[Section 8-104 - Emergency Transfers](#)

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**Fiscal Analysis**

Analysis is currently under review.

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**Other Considerations**

None.