

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB 2074
Version:	FA1
Request Number:	7652
Author:	Speaker McCall
Date:	2/24/2021
Impact:	OEQA: Ongoing Review
	OSDE: Ongoing Review

Research Analysis

The floor 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 grade level at the receiving school is already at capacity.

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

By the first day of January, April, July, and October, the district will calculate the number of transfers it has the capacity to accept in each grade, at each site. The district must post this information on its website in a prominent place and must also report it to the State Department of Education.

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 transfer students in the order in which the district received the student transfer applications. 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 discipline 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 local receiving school district board of education within 10 days of notification of denial. If the school board denies the appeal, the parent of the student may appeal the local board's denial within 10 days to the State Board of Education.

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 discipline rules or attendance requirements listed in the bill.

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.

School districts must submit to the State Department of Education the number of approved and denied transfers, and the basis for each denial. 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](#)

SUMMARY OF CHANGES FROM THE COMMITTEE SUBSTITUTE

The measure:

- Removes language referring to capacity of a program, class or building and just refers to grade level throughout
- Removes the lottery for transfer students and changes it to selection based on the order in which the school district receives the student transfer application
- Adds language about denying sibling transfers if the transfer is denied due to excessive absences or behavior
- Changes the timing for the school board to establish the school's capacity to the first day of January, April, July and October instead of monthly
- Changes the appeals process for transfer denials by creating two levels of appeal – first to the school district board of education and next to the State Board of Education and both must take up the appeals at their next regularly scheduled meetings
- Requires reporting of approvals, denials and the reasons for denials to SDE and requires SDE to publish the data on its website and share it with OEQA

Prepared By: Emily Wendler

Fiscal Analysis

Consultation with the Office of Educational Quality and Accountability and the Oklahoma State Department of Education is currently ongoing.

Prepared By: Cole Stout

Other Considerations

None.