

1 ENGROSSED SENATE AMENDMENTS  
TO  
2 ENGROSSED HOUSE  
BILL NO. 2259 By: Miller and Crosswhite Hader  
3 of the House  
4 and  
5 Pugh of the Senate  
6

7 An Act relating to schools; amending 70 O.S. 2021,  
8 Section 8-103.1 and Section 1, Chapter 368, O.S.L.  
2024 (70 O.S. Supp. 2024, Section 8-114), which  
9 relate to school transfers; removing reference to  
home of record for military dependent transfers;  
10 removing reference to requirement that parents  
provide certain evidence of active duty status for  
11 certain transfer approvals; prohibiting schools from  
precluding certain transfer students from enrollment  
12 prior to establishing residency; mandating that  
intra-district transfer students stay in the  
13 transferred district continuously; clarifying and  
limiting exceptions for continual intra-district  
14 transfers; providing capacity exception for certain  
military children's intra-district transfers;  
15 prescribing number of certain post-capacity  
transfers; defining terms; providing an effective  
16 date; and declaring an emergency.

17  
18 AMENDMENT NO. 1. Page 1, line 20, insert after "8-103.1" the  
19 following: ", as amended by Section 1, Chapter  
73, O.S.L. 2021"

20 AMENDMENT NO. 2. Page 10, line 14 1/2, insert a new Section 3 to  
21 read

22 "SECTION 3. REPEALER 70 O.S. 2021, Section 8-103.1, as  
23 amended by Section 3, Chapter 6, O.S.L. 2021, is hereby repealed."  
24 and renumber subsequent sections

and amend the title to conform

Passed the Senate the 1st day of May, 2025.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2025.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

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22 military children's intra-district transfers;  
23 prescribing number of certain post-capacity  
24 transfers; defining terms; providing an effective  
date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 8-103.1, is  
amended to read as follows:

Section 8-103.1. A. A local school district board of education  
which receives a request for a transfer for a student who does not  
reside in the school district may refuse the transfer in accordance

1 with the provisions of the open transfer policy adopted by the local  
2 school district board of education and subject to the provisions of  
3 subsections B and C of this section. Each local board of education  
4 shall adopt an open transfer policy for the school district which  
5 specifies its criteria and standards for approval of transfers of  
6 students who do not reside in the district. The policy shall  
7 include, but shall not be limited to, provisions relating to the  
8 availability of programs, staff, or space as criteria for approval  
9 or denial of transfers. A school district may include in the policy  
10 as the basis for denial of a transfer, the reasons outlined in  
11 Section 24-101.3 of this title.

12 In considering requests for students to transfer into a school  
13 district, the board of education shall consider the requests on a  
14 first-come, first-serve basis. A school district shall not accept  
15 or deny a transfer based on ethnicity, national origin, gender,  
16 income level, disabling condition, proficiency in the English  
17 language, measure of achievement, aptitude, or athletic ability.

18 Notwithstanding the provisions of the Education Open Transfer  
19 Act, transfers of children with disabilities shall be granted as  
20 authorized in Section 13-103 of this title.

21 B. A local school district board of education shall adopt a  
22 policy for the school district regarding the transfer of students  
23 who are the dependent children of a member of the active uniformed  
24 military services of the United States on full-time active duty

1 status ~~and for whom Oklahoma is the home of record~~ and students who  
2 are the dependent children of a member of the military reserve on  
3 active duty orders ~~and for whom Oklahoma is the home of record~~. The  
4 policy shall provide for the approval of the transfer if:

5 1. At least one parent of the student has a Department of  
6 Defense-issued identification card; and

7 2. ~~At least one parent can provide evidence that he or she will~~  
8 ~~be on active duty status or active duty orders, meaning the parent~~  
9 ~~will be temporarily transferred in compliance with official orders~~  
10 ~~to another location in support of combat, contingency operation or a~~  
11 ~~natural disaster requiring the use of orders for more than thirty~~  
12 ~~(30) consecutive days; and~~

13 ~~3.~~ The student will be residing with a relative of the student  
14 who lives in the receiving school district or who will be living in  
15 the receiving school district within six (6) months of the filing of  
16 the application for transfer.

17 C. 1. A student shall be considered in compliance with the  
18 residency provisions of Section 1-113 of this title if he or she is  
19 a student whose parent or legal guardian is transferred or is  
20 pending transfer to a military installation within the state while  
21 on active military duty pursuant to an official military order.

22 2. A school district shall accept applications by electronic  
23 means for enrollment including enrollment in a specific school or  
24

1 program within the school district and course registration for  
2 students described in paragraph 1 of this subsection.

3 3. a. A student shall not be precluded from enrollment prior  
4 to residency as provided in this subsection for any of  
5 the following:

6 (1) having an individualized education program or an  
7 individualized family service plan under the  
8 Individuals with Disabilities Education Act, 29  
9 U.S.C., Section 1400 et seq.,

10 (2) receiving or qualifying for special education  
11 courses or services, or

12 (3) receiving or qualifying for accommodations or  
13 services under the Rehabilitation Act of 1973, 29  
14 U.S.C., Section 504.

15 b. If the enrolling student is transferring with an  
16 individualized education program, an individualized  
17 family service plan, or a Section 504 plan, the  
18 district board of education shall take the necessary  
19 steps including, but not limited to, the transfer of  
20 records and any prior evaluations, the performance of  
21 reevaluations, if necessary, and meetings to ensure  
22 that comparable services are in place prior to the  
23 student's first day of school in the state.

1        4. The parent or legal guardian of a student described in  
2 paragraph 1 of this subsection shall provide proof of residence in  
3 the school district within ten (10) days after the published arrival  
4 date provided on official documentation. A parent or legal guardian  
5 may use the following addresses as proof of residence:

- 6            a. a temporary on-base billeting facility,
- 7            b. a purchased or leased home or apartment, or
- 8            c. federal government or public-private venture off-base  
9                military housing.

10        D. For purposes of this section:

11            1. "Active military duty" means full-time military duty status  
12 in the active uniformed service of the United States including  
13 members of the National Guard and Military Reserve on active duty  
14 orders; and

15            2. "Military installation" means a base, camp, post, station,  
16 yard, center, homeport facility for any ship or other installation  
17 under the jurisdiction of the Department of Defense or the United  
18 States Coast Guard.

19        SECTION 2.        AMENDATORY        Section 1, Chapter 368, O.S.L.  
20 2024 (70 O.S. Supp. 2024, Section 8-114), is amended to read as  
21 follows:

22        Section 8-114. A. Except as provided in subsection B of this  
23 section, beginning July 1, 2024, the transfer of a student from one  
24 school site to another school site within the school district where

1 the student resides shall be approved at any time in the year,  
2 unless the grade level of the receiving school site has reached  
3 capacity. If the capacity of a grade level is insufficient to  
4 enroll all eligible students, the school district shall select  
5 intra-district transfer students based on the preferences outlined  
6 in paragraph 1 of subsection B of this section and then in the order  
7 in which the intra-district transfer applications were received.  
8 The school district board of education shall determine the capacity  
9 of a school site based on its policy adopted pursuant to subsection  
10 B of this section. A student may be granted a one-year intra-  
11 district transfer and ~~may~~ shall automatically continue to attend the  
12 school site where the student transferred each school year ~~with the~~  
13 ~~approval of the school district,~~ unless the school district denies  
14 the continued intra-district transfer for the reasons outlined in  
15 paragraphs 2 and 3 of subsection B of this section. At the end of  
16 each school year, a school district may only deny continued intra-  
17 district transfer of the student for the reasons outlined in  
18 paragraphs 2 and 3 of subsection B of this section.

19 1. Any sibling of a student who transfers intra-district may  
20 attend the school site to which the student transferred if the  
21 school district policy gives preference to sibling transfers  
22 regardless of capacity and the sibling of the transferred student  
23 does not meet a basis for denial as outlined in paragraphs 2 and 3  
24 of subsection B of this section.



1        2. The child of a school district employee who resides in the  
2 school district but wishes to attend a different school site within  
3 the school district where the student resides may be granted an  
4 intra-district transfer if the school district policy gives  
5 preference to the transfer of children of school district employees  
6 and the student does not meet a basis for denial as outlined in  
7 paragraphs 2 and 3 of subsection B of this section.

8        3. A student who changes residence within a school district and  
9 who wishes to attend the same school site may be granted an intra-  
10 district transfer if the school district policy gives preference to  
11 such transfers and the student does not meet a basis for denial as  
12 outlined in paragraphs 2 and 3 of subsection B of this section.

13        4. Any child in the custody of the Department of Human Services  
14 and living in foster care who resides in the home of another student  
15 who transfers intra-district may attend the school site to which the  
16 student transferred.

17        Except for a child in the custody of the Department of Human  
18 Services in foster care, an intra-district transfer student shall  
19 not transfer more than two times per school year to other school  
20 sites within the school district where the student resides, provided  
21 that the student may always reenroll at any time in his or her  
22 school site of residence.

23        B. Each school district board of education shall adopt a policy  
24 to determine the number of intra-district transfer students the

1 school district has the capacity to accept in each grade level for  
2 each school site within a school district no later than July 1,  
3 2024. The policy shall be publicly posted on the school district  
4 website. The policy:

5 1. Shall include an enrollment preference and reserve capacity  
6 for:

7 a. students who reside in the school site boundary,

8 b. students who attended the school site the prior school  
9 year,

10 c. siblings of students who are already enrolled at the  
11 school site,

12 d. children of school district employees who wish to  
13 attend a different school site within the school  
14 district, and

15 e. students who change residence within a school district  
16 and who wish to attend the same school site;

17 2. May include the acts and reasons outlined in Section 24-  
18 101.3 of ~~Title 70 of the Oklahoma Statutes~~ this title as a basis for  
19 denial of an intra-district transfer; and

20 3. May include a history of absences as a basis for denial of  
21 an intra-district transfer. For the purposes of this section,  
22 "history of absences" means ten or more absences in one semester  
23 that are not excused for the reasons provided in subsection B of  
24

1 Section 10-105 of ~~Title 70 of the Oklahoma Statutes~~ this title or  
2 due to illness.

3 C. By the first day of January, April, July, and October of  
4 each year, the school district board of education shall establish  
5 the number of intra-district transfer students the school district  
6 has the capacity to accept in each grade level for each school site  
7 within the district.

8 D. After establishing the number of intra-district transfer  
9 students the school district has the capacity to accept in each  
10 grade level for each school site, the board of education shall:

11 1. Publish in a prominent place on the school district website  
12 the number of intra-district transfer students for each grade level  
13 for each school site within the school district which the district  
14 has the capacity to accept; and

15 2. Report to the State Department of Education the number of  
16 intra-district transfer students for each grade level for each  
17 school site within the school district which the district has the  
18 capacity to accept.

19 E. 1. Notwithstanding the provisions of this section, school  
20 districts shall allow students who are the dependent children of a  
21 member of the active uniformed military services of the United  
22 States on full-time active duty status, and students who are the  
23 dependent children of a member of the military reserve on active  
24 duty orders, provisional eligibility for intra-district transfers

1 regardless of capacity. The number of intra-district transfers  
2 specific to military dependents shall be based on two (2) military  
3 dependents per one hundred (100) enrolled students at the elementary  
4 school level, four (4) military dependents per one hundred (100)  
5 students at the middle school level, and six (6) military dependents  
6 at the high school level. Students shall be eligible under this  
7 subsection as outlined in paragraphs 1 and 2 of subsection B of  
8 Section 8-103.1 of this title.

9 2. For purposes of this subsection:

10 a. "elementary school" means kindergarten through fifth  
11 grade,

12 b. "middle school" means sixth grade through eighth  
13 grade, and

14 c. "high school" means ninth grade through twelfth grade.

15 SECTION 3. This act shall become effective July 1, 2025.

16 SECTION 4. It being immediately necessary for the preservation  
17 of the public peace, health or safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

1 Passed the House of Representatives the 11th day of March, 2025.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the House  
5 of Representatives

6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2025.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the Senate