

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1522 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Dick Lowe

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

PROPOSED POLICY
COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1522

By: Lowe (Dick)

PROPOSED POLICY COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2021, Section 8-101.2, as amended by Section 1, Chapter 193, O.S.L. 2022 (70 O.S. Supp. 2024, Section 8-101.2), which relates to the Education Open Transfer Act; mandating that inter-district transfer students stay in the transferred district continuously; clarifying and limiting exceptions for continual inter-district transfers; modifying criteria for appeals process; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 8-101.2, as amended by Section 1, Chapter 193, O.S.L. 2022 (70 O.S. Supp. 2024, Section 8-101.2), is amended to read as follows:

Section 8-101.2. A. Except as provided in subsection B of this section, on and after January 1, 2022, the transfer of a student from the district in which the student resides to another school district furnishing instruction in the grade the student is entitled to pursue shall be granted at any time in the year unless the number

1 of transfers exceeds the capacity of a grade level for each school
2 site within a school district. If the capacity of a grade level for
3 each school site within a school district is insufficient to enroll
4 all eligible students, the school district shall select transfer
5 students in the order in which the district received the student
6 transfer applications. The capacity of a school district shall be
7 determined by the school district board of education based on its
8 policy adopted pursuant to subsection B of this section. A student
9 may be granted a one-year transfer and ~~may~~ shall automatically
10 continue to attend the school each school year to which the student
11 transferred ~~with the approval of the receiving district~~ unless the
12 school district denies the continued transfer for the reasons
13 outlined in paragraphs 1 and 2 of subsection B of this section. At
14 the end of each school year, a school district may only deny
15 continued transfer of the student for the reasons outlined in
16 paragraphs 1 and 2 of subsection B of this section. Any brother or
17 sister of a student who transfers may attend the school district to
18 which the student transferred, if the school district policy gives
19 preference to sibling transfers regardless of capacity, and the
20 brother or sister of the transferred student does not meet a basis
21 for denial as outlined in paragraphs 1 and 2 of subsection B of this
22 section. Any child in the custody of the Department of Human
23 Services in foster care who is living in the home of a student who
24 transfers may attend the school district to which the student

1 transferred. Except for a child in the custody of the Department of
2 Human Services in foster care, a transfer student shall not transfer
3 more than two (2) times per school year to one or more school
4 districts in which the student does not reside, provided that the
5 student may always reenroll at any time in his or her school
6 district of residence. At the discretion of the receiving district,
7 a student who has attended a school district as a resident student
8 for at least three (3) years prior to becoming eligible to apply as
9 a transfer student may be allowed to transfer to the school district
10 regardless of capacity.

11 If the grade a student is entitled to pursue is not offered in
12 the district where the student resides, the transfer shall be
13 automatically approved.

14 B. Each school district board of education shall adopt a policy
15 to determine the number of transfer students the school district has
16 the capacity to accept in each grade level for each school site
17 within a school district no later than January 1, 2022. The policy
18 may include:

19 1. The acts and reasons outlined in Section 24-101.3 of this
20 title as a basis for denial of a transfer; and

21 2. A history of absences as a basis for denial of a transfer.

22 For the purposes of this section, "history of absences" means ten or
23 more absences in one semester that are not excused for the reasons
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1 provided for in subsection B of Section 10-105 of this title or due
2 to illness.

3 The policy shall be publicly posted on the school district
4 website.

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

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

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

17 2. Report to the State Department of Education the number of
18 transfer students for each grade level for each school site within a
19 school district which the school district has the capacity to
20 accept.

21 E. If a transfer request is denied by the school district, the
22 parent of the student may appeal the denial within ten (10) days of
23 notification of the denial to the receiving school district board of
24 education. The receiving school district board of education shall

1 consider the appeal at its next regularly scheduled board meeting.
2 If the receiving school district board of education denies the
3 appeal, the parent of the student may appeal the denial within ten
4 (10) days of notification of the appeal denial to the State Board of
5 Education. The parent shall submit to the State Board of Education
6 and the superintendent of the receiving school a notice of appeal on
7 a form prescribed by the State Board of Education. ~~The appeal shall~~
8 ~~be considered by the State Board of Education at its next regularly~~
9 ~~scheduled meeting, where the parent and a representative from the~~
10 ~~receiving school district may address the Board.~~ An appeal shall
11 only be considered by the State Board of Education at the next
12 regularly scheduled meeting, where the parent and a representative
13 from the receiving school district may address the Board if the
14 State Board of Education has not been provided the receiving school
15 district's adopted policy and the denial was not in accordance with
16 subsection B, C, or D of this section. The State Board of Education
17 shall promulgate rules to establish the appeals process authorized
18 by this subsection.

19 F. Each school district board of education shall submit to the
20 State Department of Education the number of student transfers
21 approved and denied and whether each denial was based on capacity,
22 acts and reasons outlined in Section 24-101.3 of this title or a
23 history of absences as provided for in paragraph 2 of subsection B
24 of this section. The State Department of Education shall publish

1 the data on its website and make the data available to the Office of
2 Educational Quality and Accountability.

3 G. Each year, the Office of Educational Quality and
4 Accountability shall randomly select ten percent (10%) of the school
5 districts in the state and conduct an audit of each district's
6 approved and denied transfers based on the provisions of the
7 policies adopted by the respective school district board of
8 education. If the Office finds inaccurate reporting of capacity
9 levels by a school district, the Office shall set the capacity for
10 the school district.

11 SECTION 2. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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16 60-1-12395 SW 02/04/25
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