

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1538

By: Bullard

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5
6 AS INTRODUCED

7 An Act relating to student transfers; amending 70
8 O.S. 2011, Section 8-103, as amended by Section 1,
9 Chapter 184, O.S.L. 2013 (70 O.S. Supp. 2019, Section
10 8-103), which relates to applications and procedures
11 for transfers; prohibiting a resident district from
12 denying an application to transfer to certain
13 statewide virtual charter school if the resident
14 district does not offer certain equivalent program;
15 directing the transfer of certain students to be
16 subject to certain provisions beginning in certain
17 school year; providing an effective date; and
18 declaring an emergency.

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

20 SECTION 1. AMENDATORY 70 O.S. 2011, Section 8-103, as
21 amended by Section 1, Chapter 184, O.S.L. 2013 (70 O.S. Supp. 2019,
22 Section 8-103), is amended to read as follows:

23 Section 8-103. A. In order that any student may be
24 transferred, an application form specified by the State Board of
Education must be completed by the parents of the student. For
purposes of the Education Open Transfer Act, the term "parent" means
the parent of the student or person having custody of the student as
provided for in paragraph 1 of subsection A of Section 1-113 of this

1 title. The application shall be obtained from and filed with the
2 superintendent of the receiving school district for transfers to
3 school districts in ~~the State of Oklahoma~~ this state and with the
4 State Board of Education for transfers to school districts in
5 another state. Except as otherwise provided for in this section,
6 applications shall be filed no later than May 31 of the school year
7 preceding the school year for which the transfer is desired. By May
8 31 of the same school year, the receiving school district shall
9 notify the resident school district that an application for transfer
10 has been filed by a student enrolled in the resident school
11 district. The Subject to the provisions of subsection E of this
12 section, the board of education of the receiving school district
13 shall approve or deny the application for transfer not later than
14 July 15 of the same year and shall notify the parents of the student
15 of the decision. By August 1 of the same year, the parents of the
16 student shall notify the receiving school district that the student
17 will be enrolling in that school district. Failure of parents to
18 notify the district as required may result in loss of the student's
19 right to enroll in the district for that year.

20 B. On or before September 1, it shall be the duty of the
21 superintendent of the receiving school district to file with the
22 State Board of Education and each resident district a statement
23 showing the names of the students granted transfers to the school
24

1 district, the resident school district of the transferred students
2 and their respective grade level.

3 C. The receiving school district of a student transferred
4 pursuant to the provisions of ~~this act~~ the Education Open Transfer
5 Act shall notify the resident school district and parents of the
6 student of a cancellation of the transfer. Such notice shall be
7 made by July 15 prior to the school year for which the cancellation
8 is applicable.

9 D. For students who are deaf or hearing impaired who wish to
10 transfer to a school district with a specialized deaf education
11 program, applications may be filed at any time during the school
12 year. Upon approval of the receiving school district, the student
13 may transfer to the receiving school district at any time during the
14 school year.

15 E. An application to transfer to a statewide virtual charter
16 school created pursuant to Section 3-145.3 of this title that is
17 filed pursuant to subsection A of this section may not be denied by
18 the student's resident district if the resident district does not
19 offer a full-time virtual education program that is equivalent to a
20 program offered by the statewide virtual charter school.

21 F. Beginning with the 2020-2021 school year, the transfer of
22 students into and out of a statewide virtual charter school shall be
23 subject to the provisions of this section.

24 SECTION 2. This act shall become effective July 1, 2020.

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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