STUDENT TRANSFERS

A.

A request for a transfer into this district initiated by or on behalf of a nonresident student or within the district by a student attending a different school site within the district will be approved or refused in accordance with this policy. This includes a request for a transfer for virtual instruction.

Transfer Application Requests

1. Applications for transfer shall be completed by the parent of a student on a properly completed application form specified by the State Board of Education. The term "parent" means the parent of a student or person having custody of the student as provided for in OKLA. STAT. tit. 70, § 1-113(A)(1). Upon receipt of the application, the District shall stamp the application with the time and date on which it was received to ensure that the District can review applications in the order in which they are received. The application shall also be filed with the superintendent of the District if the receiving school district is within this state or with the State Board of Education for transfers to school districts in another state.

2. Subject to the special considerations applicable to a student on an Individualized Education Program ("IEP") pursuant to the Individuals with Disabilities Education Act (20 U.S.C. §§ 1400 et seq.) ("IDEA") as set forth below, a transfer shall be automatically approved if a student's resident district does not offer the grade level the student is entitled to pursue.

3. A transfer shall be automatically approved if a student's parent or legal guardian is employed as a teacher in the District as defined by OKLA. STAT. tit. 70, § 1-116. If the child of a district employee resides in the district, but wishes to attend another school site within the district, the intra-district transfer will be granted provided that the student does not meet a basis for denial as provided for by law.

4. A transferring student from another school district that offers the grade the student is entitled to pursue may seek a transfer to the same grade offered by the District. The transferring student will be allowed to attend a District school site that has not exceeded its capacity of the transferring student's grade level. If there are more than one District school sites available for the transferring student, the District retains the sole discretion to determine the school site the transferring student will attend.

5. A student who changes residence within a district and who wishes to continue to attend the same school site may be granted an intra-district transfer so long as the student does not meet the criteria of a basis for denial provided for by law.

6. Nothing by way of this policy prevents the transfer of a sibling of a transfer student so long as the sibling does not meet the criteria as a basis for denial under state law.

7. A sibling of a transferred student, who is in the custody of the Oklahoma Department of Human Services (DHS) in foster care, may attend the District of the transferred student as long as the District has capacity and the sibling does not meet a basis for denial as set forth in this policy. A child who is in the custody of DHS and living in foster care who resides in the home of another student who transfers intra-district may attend the school site to which the student transferred.

   Except for a student in the custody of (DHS) in foster care, a student shall not transfer more than two (2) times per school year to one or more school districts in which the student does not reside or to other school sites within the school district where the student resides, provided that the student may always reenroll at any time in his or her school district or school site of residence.

8. A student who is deaf or hearing-impaired and who wishes to transfer to a school district with a specialized deaf education program may submit a transfer application at any time and may transfer to the receiving school district at any time during the school year.

9. In the event the District exceeds its capacity at all school sites for the grade level sought by the transferring student, or in the virtual program, transfer requests shall be awarded to those students whose properly completed transfer request applications were received by the District in the order in which they were received.

B.

Special Considerations as to Transferring Student on an IEP

Prior to approving an application for a transfer student who is a child with a disability, as defined in 34 C.F.R. § 300.8, the District will establish (a) the availability of the appropriate program, staff, and services for the transferring student, and (b) conduct a joint IEP conference between the district of residence and the receiving district. The purpose of conducting these activities is to determine whether—at the time the transferring student's application is received—the District can provide the transferring student with a free appropriate public education in the least restrictive environment as required by the IDEA. In the event the District exceeds its capacity at all school sites for the grade level of a transferring child with a disability, the District shall "hold" a place for the transferring student in the order in which the transferring student submitted his or her properly completed application, pending the District's determination in this section.

If a request to transfer a student with disabilities to a school district other than the district of residence is denied, the parent or legal guardian of the student, or an adult student with disabilities who is eighteen (18) years of age or older, but under the age of twenty-two (22), may appeal the denial within ten (10) days of notification of the denial to the receiving district's board of education.

The receiving district's board of education shall consider the appeal at its next regularly scheduled board meeting.

If the receiving district's board of education denies the appeal, the parent or legal guardian of the student with disabilities or an adult student with disabilities who is age eighteen (18) or older, but under the age of twenty-two may appeal the denial within ten (10) days of notification of the appeal denial to the State Board of Education. The parent or guardian shall utilize the form prescribed by the State Board of Education and abide by the rules provided for in law and by the State Board of Education.

Each district board of education shall annually report to the State Department of Education the number of transfer requests for students with disabilities approved and denied and whether each denial was based on availability of programs, staff, or services.

C.

Special Considerations as to Transferring Student who are
Dependent Children of an Active U.S. Military Member

1. For purposes of this Section (C):

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

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

2. Students who are dependent children of a member of the active uniformed military services of the United States on full-time active duty status and for whom Oklahoma is the home of record and students who are the dependent children of a member of the military reserve on active duty orders and for whom Oklahoma is the home of record, shall be approved for transfer into the District regardless of capacity if:

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

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

c. The student will be residing with a relative of the student who lives in the District or who will be living in the District within six (6) months of the filing of the application for the transfer.

3. A student is in compliance with the residency provisions of this policy if he or she is a student whose parent or legal guardian is transferred or is pending transfer to a military installation within Oklahoma while on active military duty pursuant to an official military order. A parent or legal guardian of such student must provide proof of residency in the District within ten (10) days after the published arrival date provided on official documentation. A parent or legal guardian my may use the following addresses as proof of residence:

a. A temporary on-base billeting facility,

b. A purchased or leased home or apartment, or

c. Federal government or public-private venture off-base military housing.

D. **Transfer for Virtual Instruction**

A request for transfer may be made by or on behalf of a nonresident student who wishes to receive full-time virtual instruction in the district's virtual program. Such a request shall comply with and be subject to all requirements of a request for transfer for in-person instruction as set forth in this polic**y.**

Denial of a Transfer Request

1. A transferring student's application will be denied if the transferring student is currently subject to discipline from the transferring student's current school for any of the acts and reasons outlined in OKLA. STAT. tit. 70, § 24-101.3(A)-(C) & (E). A transferring student's application shall be denied for any of the acts and reasons outlined in OKLA. STAT. tit. 70, § 24-101.3(F)(1) until such time as the District determines that the transferring student no longer poses a threat to self, other students, or District faculty or employees.

2. A transferring student's application will be denied if the transferring student has ten or more absences in the last full school semester that are not excused due to illness or for the reasons provided for in OKLA. STAT. tit. 70, § 10-105(B).

3. An IDEA-qualified transferring student's application will be denied if—as of the time of the transferring student's application is received—the District determines that it cannot provide the transferring student with a free appropriate public education in the least restrictive environment as required by the IDEA.

4. A student may be granted a one-year transfer and may continue to attend the District each school year with the approval of the District. At the end of each school year, the District may deny the continued transfer of the student for the reasons outlined in OKLA. STAT. tit. 70, § 24-101.3(A)-(C) & (E), or if the student has ten or more absences in the last full school semester that are not excused due to illness or for the reasons provided for in OKLA. STAT. tit. 70, § 10-105(B).

5. A transferring student's application will not be considered if incomplete and will be denied if the parent makes a fraudulent, intentional, or material misrepresentation on the application.

6. The denial of a transfer request from a student seeking a transfer shall be communicated in writing to the parent, as defined in OKLA. STAT. tit. 70, § 1-113(A)(1). Proof of the date of mailing or transmission of the denial by electronic means shall constitute proof of communication of the denial to the parent.

7. The District shall not accept or deny any transfer application based on the student's race, color, sex, pregnancy, gender, gender expression, national origin, religion, disability, veteran status, sexual orientation, age, genetic information, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude, or athletic ability. Failure to be approved for a transfer as set forth in this policy shall not be deemed to be rejection for a discriminatory reason.

E.

Determination of Grade Level Capacity

The superintendent of schools, or his/her designee, shall determine the criteria to be used in determining grade capacity for each school site and the district virtual program. The District's capacity determinations are attached hereto as Exhibit A. Each school site's grade level capacity shall be (a) approved by the board of education prior to the first day of January, April, July and October of each school year, and (b) published in a prominent place on the District's website and reported to the State Department of Education. The capacity of the virtual program may be administratively adjusted to address the needs of resident part-time virtual students without changing the capacity for full-time students.

F.

District Level Appeal of Denial of Transfer

A parent may appeal the denial of a transfer request to the clerk of the board of education so long as the appeal is made within ten (10) calendar days of the notification of the written denial. If a timely appeal is made, the appeal shall be considered by the District's

board of education at its next regularly scheduled meeting. The appeal shall be considered by the board of education only upon the written submissions of the District and the parent. Such written submissions shall state, at the minimum, the following in a statement not exceeding two pages in length:

a. The date of the parent's transfer request application;

b. The reasons for the denial by the District of the transfer request;

c. The factual reason(s) of the District or parent as to why the transfer request was/was not properly denied; and

d. The criteria set forth in this policy as to propriety of the denial of the transfer request.

If the District denies the parent's appeal, the parent may appeal the board of education's decision to the Oklahoma State Board of Education within ten (10) calendar days of notification of the denial. The parent shall submit to the State Board of Education and the superintendent of the District a notice of appeal on a form prescribed by the State Board of Education. The appeal shall be considered by the State Board of Education at its next regularly scheduled meeting, where the parent and a representative from the District may address the Board. The State Board of Education shall promulgate rules to establish the appeals process authorized by this subsection.

G.

District Reporting to the Oklahoma State Department of Education

1. Prior to the first day of January, April, July and October of each school year, the District shall report to the State Department of Education the capacity of the grade level of each District school site.

2. Prior to the first day of January, April, July and October of each school year, the superintendent of schools of the District shall report to the State Department of Education a statement showing the names of the students granted transfers to the District, the resident school district of the transferred students, and the transfer student's grade level.

3. At the frequency required by the Oklahoma State Department of Education, the District shall also submit to it (a) the number of student transfers approved and denied, and (b) whether each denial was based on capacity, the acts and reasons outlined in OKLA. STAT. 70, § 24-101.3, or a history of absences in the last full school semester that were not excused due to illness or for the reasons provided for in OKLA. STAT. 70, § 10-105(B).

H.

Athletic and Other Competitions

A transfer student granted enrollment in a school district in which the student is not a resident shall follow Oklahoma Secondary School Activities Association (OSSAA) guidelines for eligibility. Whether a student granted a transfer under this policy will be eligible to participate in school-related interscholastic competitions shall be determined by the Oklahoma Secondary School Activities Association (OSSAA).

Reference: OKLA. STAT. tit. 70, §§ 8-101.1, 8-101.2, 8-103, 8-103.1, 8-103.2
OKLA. STAT. tit. 70, § 8-113
OKLA. STAT. tit. 70, § 13-103(B)

Exhibit A

For **grades 5-12**, capacity is set based on the total number of students who are enrolled for in-person instruction for at least one period a day. To be able to plan for in-district growth, provide adequate staffing, and ensure that teachers do not exceed class size limits set forth in 70 O.S. § 18-113.3, the current capacity of students is as follows:

- 5th Grade - No more than 402 students per grade level
- 6th Grade - No more than 410 students per grade level
- 7th Grade - No more than 416 students per grade level
- 8th Grade - No more than 344 students per grade level
- 9th Grade - No more than 389 students per grade level
- 10th Grade - No more than 391 students per grade level
- 11th Grade - No more than 396 students per grade level
- 12th Grade - No more than 338 students per grade level

For **PK through grade 4**, student capacity is set at 20 students per classroom. These class size limits are set in accordance with 70 O.S. § 18-113.1. The district will multiply those limits times the number of classroom teachers employed by the school district at each grade level for each school site. If classroom space is not sufficient to accommodate that number of students due to a classroom being disproportionately sized, the district's capacity numbers will reflect a lesser amount based upon that classroom size.

ECC	Capacity	Enrolled	Openings
PK	260	261	0
K	320	326	0

PES	Capacity	Enrolled	Openings
1	80	86	0
2	80	99	0
3	100	112	0
4	100	106	0

Northwood	Capacity	Enrolled	Openings
1	100	101	0
2	140	134	0
3	120	142	0
4	100	103	0

Stone Ridge	Capacity	Enrolled	Openings
1	140	145	0
2	140	151	0
3	160	180	0
4	140	148	0

Intermediate	Capacity	Enrolled	Openings
5	402	424	0
6	410	432	0

MSP	Capacity	Enrolled	Openings
7	416	438	0
8	344	363	0

PHS	Capacity	Enrolled	Openings
9	389	410	0
10	391	412	0
11	396	417	0
12	338	356	0