STUDENT TRANSFERS

The school district will not accept or deny a transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude or athletic ability. Receipt of applications will be documented by the district so that the district may review those applications in the order submitted for purposes of capacity limitations.

Transfers that have previously been approved by the school district will remain in effect for future school years unless the district provides notification to the parent or legal guardian that the transfer is not going to be continued for an upcoming school year due to disciplinary action or attendance issues. The district will not require parents resubmit a new application each school year and will advance the previous application of an enrolled student amending only the grade placement of the student.

A transfer may be requested at any time in the school year. State law does limit the ability of a student to transfer to no more than two (2) times per school year to one or more school districts in which the student does not reside. Exceptions to this limit will exist for students in foster care. Students are legally entitled to reenroll at any time in his or her school district of residence. Any brother or sister of a student who transferred in the previous school year will be provided preferential treatment and may be approved regardless of capacity with only discipline and attendance records reviewed in the determination of the sibling transfer request. A separate application must be filed for each student so that the district can timely consider requests in the order applications are received.

A student who has attended school as a resident student for at least three years prior to moving out of the school district may be allowed to transfer into the district regardless of capacity. Such student's application will be reviewed utilizing only disciplinary records and attendance in the determination of the transfer request.

It is the policy of the Board of Education that any legally transferring student shall be accepted by the district under the following circumstances:

1. The district has the capacity to accept the student at the grade level at the school site.

2. The transferring student has not been disciplined for:

    a. violation of a school regulation.

    b. possession of an intoxicating beverage, low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes, or missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities.

    c. possession of a dangerous weapon or a controlled dangerous substance while on or within two thousand (2,000) feet of public-school property, or at a school event, as defined in the Uniform Controlled Dangerous Substances Act.

3. The transferring student does not have a history of absences. "History of absences" means ten or more absences in one semester that are not excused for the reasons provided in 70 O.S. § 10-105 or due to illness.

By the first day of January, April, July and October, the Board of Education shall establish the number of transfer students the district has the capacity to accept in each grade level for each school site within the district.

TRANSFER POLICY(Cont.)

The number of transfer students for each grade level at each site that the district has the capacity to accept will be posted in a prominent place on the school district's website. The district shall report to the State Department of Education the number of transfer students for each grade level for each school site which the district has the capacity to accept.

The district has a capacity of 20 per grade level teacher in Grade PK at Choctaw Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at Choctaw Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at Choctaw Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at Choctaw Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at Choctaw Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 4th at Choctaw Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 5th at Choctaw Elementary School.

The district has a capacity of 20 per grade level teacher in Grade PK at Westfall Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at Westfall Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at Westfall Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at Westfall Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at Westfall Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 4th at Westfall Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 5th at Westfall Elementary School.

The district has a capacity of 20 per grade level teacher in Grade PK at Nicoma Park Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at Nicoma Park Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at Nicoma Park Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at Nicoma Park Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at Nicoma Park Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 4th at Nicoma Park Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 5th at Nicoma Park Elementary School.

The district has a capacity of 20 per grade level teacher in Grade PK at Indian Meridian Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at Indian Meridian Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at Indian Meridian Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at Indian Meridian Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at James Griffith Intermediate School.
The district has a capacity of 20 per grade level teacher in Grade 4th at James Griffith Intermediate School.
The district has a capacity of 20 per grade level teacher in Grade 5th at James Griffith Intermediate School.

The district has a capacity of 20 per grade level teacher in Grade PK at CNP Heartland Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at CNP Heartland Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at CNP Heartland Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at CNP Heartland Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at CNP Heartland Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 4th at CNP Heartland Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 5th at CNP Heartland Elementary School.

TRANSFER POLICY(Cont.)

The district has a capacity of 200 students in Grade 6th at Choctaw Middle School.
The district has a capacity of 200 students in Grade 7th at Choctaw Middle School.
The district has a capacity of 200 students in Grade 8th at Choctaw Middle School.

The district has a capacity of 200 students in Grade 6th at Nicoma Park Middle School.
The district has a capacity of 200 students in Grade 7th at Nicoma Park Middle School.
The district has a capacity of 200 students in Grade 8th at Nicoma Park Middle School.

The district has a capacity of 425 students in Grade 9th at Choctaw High School.
The district has a capacity of 400 students in Grade 10th at Choctaw High School.
The district has a capacity of 370 students in Grade 11th at Choctaw High School.
The district has a capacity of 350 students in Grade 12th at Choctaw High School.

The district has a capacity of 18 full-time students in Grade 4th/5th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 6th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 7th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 8th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 9th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 10th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 11th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 12th at EDGE Virtual School.

A student may be allowed to transfer to a district in which the parent or legal guardian of the student is employed 70 O.S. § 8-113.

The district will approve or deny the application and notify the parent of the student of the determination in writing within thirty (30) days of receiving an application. The school district shall enroll transfer students in the order in which they submit their applications. If the number of student transfer applications exceeds the capacity of the district, the district shall select transfer students in the order in which the district received the application. Students who are the dependent children of a member of the active uniformed military services of the United States on full-time active-duty status and students who are the dependent children of the military reserve on active-duty orders shall be eligible for admission to the school district regardless of capacity of the district. Students shall be eligible for military transfer if:

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

2. 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 official orders to another location in support of combat, contingency operation or a national disaster requiring the use of orders for more than thirty (30) consecutive days.

If the transfer application is accepted, the district shall notify the parents of the acceptance. The parent shall provide the district with written notification that the student will be enrolling within ten (10) days of notification of acceptance. Failure to notify the school district within ten (10) days of acceptance shall result in the cancellation of the transfer. The district will provide a written noticed of the cancellation to the parent of the student immediately upon cancellation. If accepted, a student transfer is granted for the existing school year and may continue to attend in future years. At the end of the school year, the district may deny continued transfer of the student due to disciplinary reasons or a history of absences. Written notice of the intention to deny continued transfer of the student shall be given to a parent of a student no later than July 15. The parent may appeal the denial of a continued transfer.

TRANSFER POLICY(Cont.)

If a transfer request is denied by the school district, the district shall provide notification of the denial in writing to the parent by either hand-delivery, by U.S. Mail or electronic mail. The notification shall include:

1. An explanation including but not limited to any citation to the statute, regulation, or school district policy under which the denial was made;
2. A copy of the policy adopted by the district for determining the number of transfer students the school district has the capacity to accept;
3. A copy of 210:10-1-18.1 from the Administrative Code; and
4. The date upon which the appeal will be due.

If a transfer request is denied by the administration, the parent or legal guardian of the student may appeal the denial within ten (10) days of notification of denial to the board of education. If notification was hand-delivered, the appeal period shall begin the day after the notification is delivered. If notification is sent by U.S. Mail, the appeal period shall begin three (3) days after the notification is mailed. If notification is sent via electronic mail, the appeal period shall begin the day after the notification is sent. The Board of Education shall consider the appeal at its next regularly scheduled board meeting if notice is provided prior to the statutory deadline for posting the agenda for the meeting. The Board of Education shall accept an otherwise untimely appeal if a parent of a student can establish that they did not receive actual notice of the notification denying the transfer request, and the appeal was submitted within ten (10) days after the parent of the student actually received notice.

The appeal to the Board of Education shall be submitted to the office of the superintendent. The appeal shall include the following:

1. The name, address and telephone number of the parent of the student and the student for whom the appeal is being taken.
2. The date the district gave notice denying the transfer request.
3. The basis for appealing the decision of the school district.
4. The name, address and telephone number of the legal representative, if applicable.

During the appeal, the board will review the action of the administration to make sure that the district policy was followed with regard to the denial of the transfer. The board of education will meet in an executive session to review the educational records of the student. If the policy was not followed, the board of education shall vote to overturn the denial and the transfer will be granted. This will be a paper appeal and will include the written documentation utilized by the school district as well as a written response from the parent or legal guardian which explains why the policy was not followed.

If the Board of Education votes to deny an appeal of a request to transfer, the Board of Education shall instruct the superintendent to provide notification of denial in writing to the parent of the student by either hand-delivery, by U.S. Mail, or by electronic mail. The notification shall include:

1. An explanation, including the legal citation to the statute, regulation, or school district policy under which the denial was made;
2. A copy of the policy adopted by the board of education for determining the number of transfer students the district has capacity to accept;
3. A copy of the State Board of Education's prescribed form for an appeal; and
4. A copy of 210:10-1-18.1 which identifies the Accreditation standard for appealing the denial of a student transfer.

TRANSFER POLICY(Cont.)

If the Board of Education votes to uphold the denial of the transfer, the parent or legal guardian may appeal the denial within ten (10) days of the notification of the appeal denial to the State Board of Education. The parent or legal guardian shall submit to the State Board of Education and to the superintendent of the district a notice of appeal on the form prescribed by the State Board of Education. The superintendent shall immediately provide a copy of the appeal to each member of the Board of Education.

Upon receipt of notice of an appeal, but not later than five (5) days prior to the date at which the State Board of Education is scheduled to consider the appeal the board of education may submit a written response to the appeal. Responses should not exceed five (5) pages. If not submitted by the parent, the Board of Education shall provide a copy of the policy adopted to determine the number of transfer students the district has the capacity to accept in each grade level for each school site within the district. The parent and the school district will have an opportunity to appear in person or by authorized representative or by attorney to address the State Board at the meeting.

A student who enrolls in a school district in which the student is not a resident shall not be eligible to participate in school-related extramural athletic competition governed by the Oklahoma Secondary School Activities Association for a period of one (1) year from the first day of attendance at the receiving school unless the transfer is from a school district which does not offer the grade the student is entitled to pursue as per 70 O.S. § 8-103.2.

REFERENCE: 70 O.S. §1-114
70 O.S. §1-113
70 O.S. §5-117.1
70 O.S. §8-101, et seq.
70 O.S. §24-101, et seq.; §24-102
Family Education Rights and Privacy Act
Atty. Gen. Op. No. 87-134, April 1, 1988
State Accreditation Standards 210:10-1-18 and 210:10-1-18.1

A POLICY ON THIS TOPIC IS REQUIRED BY LAW