

## **TRANSFER POLICY TRANSFERS AND ASSIGNMENTS**

### **INTERDISTRICT TRANSFERS:**

Interdistrict transfers are required when public school students from other school districts seek enrollment into the Lawton Public School district and are strictly controlled by statute. Transfers will be approved on a student-by-student basis. Siblings must apply individually.

There are two types of interdistrict transfers:

**Open Transfer:** Applications for an Open Transfer can be submitted between January 1 and May 31 for the following school year. Once approved, Open Transfers are valid for the duration of enrollment into Lawton Public Schools from that initial resident district. If the student/family move to a different neighboring district, a new application will be required. This instance does not require sending district approval. The application form is available at the Oklahoma State Department of Education website under Student Transfers.

**Emergency Transfer:** Application for an Emergency Transfer can be submitted between June 1 and May 31. Once approved, Emergency Transfers are only valid for the duration of the school year for which the application is made. A new application will be required each school year. Requires district approval. The application form is available at the Oklahoma State Department of Education website under Student Transfers.

It is the policy of the board of education that any application for transfer will be submitted to the Student Services Department, reviewed, and considered on a first-come, first-served basis. All transfer applications may be obtained from the Student Services Office, shall be completed by the parent(s) of the student(s), and be filed with the Director of Student Services at the Student Services Office. For purposes of the Education Open Transfer Act, the term “parent” means the parent of the student or person having legal custody of the student.

The board of education, or designee, shall approve or deny the applications for transfer within 30 days from the receipt of the application. The district shall not accept or deny a transfer based on ethnicity, national origin, gender, income level, disabling condition, and proficiency in the English language, measure of achievement, aptitude, or athletic ability. Notwithstanding, the provisions of the Education Open Transfer Act, transfers of children with disabilities shall be granted as authorized in Section 13-103 of Title 70 of the Oklahoma Statutes. All transfer applications will be approved or denied subject to the following criteria:

1. Availability of Programs – Space, staffing and equipment needs shall be considered.

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2. Staffing Availability - If accepting the transfer will require the addition of personnel, the transfer application will be denied. The board shall seek to maintain legislated class-size requirements while allowing space for incoming resident students within the site's regular attendance area. Availability of staff with a standard certificate or license shall also be considered.
3. Space Limitations - The board shall consider the intended capacity of a building to provide appropriate space for the classrooms and programs provided by the district. The overflow status of a site as a receiving or sending school shall also be considered.
4. Disciplinary, Transcript and Attendance Records – Discipline, transcript and attendance records of students transferring to this district will be requested as part of the student's records. It shall be within the discretion of the board of education, based upon the student's disciplinary and attendance records, as to whether a transfer will be approved or denied. As a general rule, students deemed "not in good standing" at their former school will not be approved for transfer to this district.
5. Adjudicated as a Juvenile Sex Offender.

**Open Transfers:**

By the first Monday in June of the same school year, the receiving school district shall notify the resident school district that a student enrolled in resident school district has filed an application for transfer.

A student who enrolls, pursuant to the Education Open Transfer Act, in a school district in which the student is not a resident shall not be eligible to participate in school-related extramural competitions governed by the Oklahoma Secondary Schools 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.

On or before September 1, the superintendent shall file a copy of a list of students granted transfers showing the resident school district and grade level of all students granted transfer with the State Board of Education and each resident school district.

A student granted an Open Transfer may continue to attend school in this district unless the transfer is subsequently disapproved. Notice of such disapproval shall be given on or before July 15, provided the student shall be entitled to continue attending school in this district until the end of the school year.

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Except for a child in the custody of the Department of Human Services in foster care, no student shall be permitted an open transfer more than once in any school year.

**Emergency Transfers:**

On an adequate showing of emergency, the superintendent, or designee, may make and order a transfer subject to approval by the State Board of Education. An emergency shall include only:

1. The destruction or partial destruction of school facilities;
2. The inability to offer the subject a student desires to pursue, if the student becomes a legal resident of a school district after February 1 of the school year immediately prior to the school year for which the student is seeking the transfer;
3. A catastrophic medical problem of a student, which for purposes of this section shall mean an acute or chronic serious illness, disease, disorder, or injury which has a permanently detrimental effect on the body's system or renders the risk unusually hazardous;
4. The total failure of school-provided transportation/bus service facilities;
5. The concurrence of both the sending and receiving school districts with the sending district superintendent signature.
6. The unavailability of remote or on-site internet-based instruction by course title in the district of residence for a student identified as in need of drop-out recovery or alternative education services, provided such student was enrolled at any time in a public school in Oklahoma during the previous three school years; or
7. The unavailability of specialized Deaf Education Program for a student who is deaf or hearing impaired.
8. When a student has been the victim of harassment, intimidation, and bullying as defined in 70 O.S. § 24-100.3, upon verification by the receiving school district that:
  - the student has been the victim of harassment, intimidation, or bullying; and
  - the sending school district was notified of the incident or incidents prior to the filing of the application for transfer.

Emergency transfers previously made may be canceled during the school year with the concurrence of the board of education and the parents.

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## Open and Emergency Transfers:

A child who has reached the age of four (4) on or before September 1 of the school year, and resides in a district that does not offer an early childhood program, may be granted a transfer into the district provided the physical facilities and teaching personnel can accommodate the child. The district may also refuse to accept the nonresident child if the district determines the child is not ready for an early childhood education program.

Placement of transferred students will be at the discretion of the school district based upon the following criteria:

Students entering the Lawton Public School District from Bishop, Cache, Chattanooga, Indianahoma or other western communities will attend Eisenhower High School, Eisenhower Middle School, or an Eisenhower feeder elementary school with adequate space available.

Students entering the Lawton Public School District from Central High, Marlow, Elgin, Geronimo, Flower Mound or other communities to the north or east of Lawton will attend MacArthur High School, MacArthur Middle School, or a MacArthur feeder elementary school with adequate space available. Students attending Lawton Public Schools on an interdistrict transfer wishing to attend a school other than their residence school must apply for an intradistrict transfer. (See Board Policy FE-R1)

Prior to the approval of the transfer of a student on an individualized education program (IEP), a joint IEP conference shall be required between the district of residence and the receiving district.

Parents will be required to provide transportation to and from school or to and from a regular pre-existing bus stop in the school district.

Students transferring to the district between school years shall be admitted to the next higher grade upon meeting entrance requirements and showing evidence of having completed the preceding grade. Students transferring from private, non-accredited, or home schools shall be tested and placed accordingly.

No student shall be permitted to transfer more than once in any school year.

A child whose family relocates from the school district may continue attendance to the end of the current school year provided the student began the school year in the school district (Parents are responsible for transportation.)

Any parent, guardian, person, or institution having care and custody of a child who pays ad valorem tax on real property in this district, but does not reside in this district may, with approval of the Board of Education, enroll the child in this district and receive a credit on the

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nonresident tuition fee equal to the amount of the ad valorem tax paid for school district purposes provided the credit shall not exceed the total amount required for the tuition payment.

Should the Board of Education determine that cancellation of a previously approved transfer is in the best interest of the district, the resident district, and the parents/guardian of the student shall be notified of the cancellation. Such notice shall be made by July 15 prior to the school year for which the cancellations is applicable.

Discipline records of students transferring to this school will be requested as part of the student's records.

**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.  
Family Education Rights and Privacy Act

**CROSS-REFERENCE:** Policy FDA, Students: Enrollment Requirements  
Policy FOD, Suspension of Students