

OPEN TRANSFER POLICY TRANSFERS AND ASSIGNMENTS

It is the policy of the Amber-Pocasset Board of Education that any legally transferring student shall be accepted by the district (on an emergency basis only) unless, in the opinion of the board and the administration, it would be in the best interest of the school or the student not to accept the transfer. Requests for transfer will be evaluated on an annual basis. A student granted a transfer may continue to attend school in this district unless the transfer is subsequently canceled by the board of education. Notice of such cancellation 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.

The State Board of Education shall establish the necessary and appropriate application forms sufficient to enable school districts to accomplish transfers. The application form shall be obtained from and filed with the superintendent during regular business hours of the school district.

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

Written application for any transfer shall be made by the parent(s) of the student and filed with the superintendent of the district. For purposes of the Education Open Transfer Act, the term "parent" means the parent of the student or person having custody of the student or a competent student having reached the age of majority. On an adequate showing of emergency, the superintendent 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 a school building;
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 transportation facilities;
5. The concurrence of both the sending and receiving school districts;
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 a 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, and the receiving school district has verified that:
 - (i) The student has been the victim of harassment, intimidation, or bullying; and

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(ii) The sending school district was notified of the incident or incidents prior to the filing of the application for transfer.

The district may accept or refuse the transfer request based on the following criteria and standards for approval or denial of transfers of students who do not reside in the district:

1. Provisions relating to the availability of programs, staff, or space.
2. Provisions relating to each student's behavior and attendance at his/her previous school.

The district shall 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. 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.

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 the district's early childhood education program.

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.

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 schools shall be tested and placed accordingly.

Any student residing in a school district that does not offer the grade that such child is entitled to pursue shall be entitled to be transferred to any school district inside or outside of the transportation area in which such student resides which offers the grade which he/she is entitled to pursue. Such transfer shall be automatically approved.

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

Any brother or sister of such transferred student may apply to attend the same said school system.

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

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 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.

Any student transfer approved for any reason prior to January 1, 2000, shall continue to be valid and shall not be subject to the Education Open Transfer Act unless the parent having custody chooses otherwise.

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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 June 1 prior to the school year for which the cancellation is applicable.

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

THIS POLICY REQUIRED BY LAW.