

OSSBA POLICY SERVICES FE (January of 2022)

TRANSFER POLICY(Cont.)

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. 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 students per grade level teacher in grades K-6.
The district has a capacity of 40 students per grade in grades 7-12.

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

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; and
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 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 capacity or for disciplinary reasons or a history of absences.

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. 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. If notice is after the deadline for posting, the board may consider the appeal at a special meeting of the board of education.

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Appeal Process: 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 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.

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

LEGAL NOTE: Senate Bill 783 repealed 70 O.S. § 8-104 effective March 31, 2021. Oklahoma law no longer allows emergency transfer of students. Oklahoma law regarding transfers will change again on January 1, 2022. A new sample policy has been created which addresses those changes that are effective with regard to student transfers on January 1, 2022.

THIS POLICY REQUIRED BY LAW.

Adoption Date: Revision Date(s): Page 3 of 3

Ringling Elementary	Capacity	Enrolled	Available
Pre- K	20	22	0
KG	40	25	15
1st	40	30	10
2nd	40	29	11
3rd	40	22	18
4th	20	28	0
5th	40	31	9
6th	40	26	14

Ringling Junior High	Capacity	Enrolled	Available
7th	40	30	10
8th	40	29	11
9th	40	43	0

Ringling High School	Capacity	Enrolled	Available
10th	40	36	4
11th	40	27	13
12th	40	26	14