

An Act

ENROLLED SENATE
BILL NO. 759

By: Sykes, Allen, Ivester and
Newberry of the Senate

and

Coody and Bennett of the
House

An Act relating to student transfers; creating the Deployed Parents School Act of 2013; providing short title; amending 70 O.S. 2011, Section 8-103.1, which relates to the transfer of students not residing in a district; directing school districts to adopt a policy regarding the children of military and military reserve members; providing for noncodification; and providing an effective date.

SUBJECT: Student transfers

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Deployed Parents School Act of 2013".

SECTION 2. AMENDATORY 70 O.S. 2011, Section 8-103.1, is amended to read as follows:

Section 8-103.1 A. A local school district board of education which receives a request for a transfer for a student who does not reside in the school district may refuse the transfer in accordance

with the provisions of the open transfer policy adopted by the local school district board of education and subject to the provisions of subsection B of this section. Each local board of education shall adopt an open transfer policy for the school district which specifies its criteria and standards for approval of transfers of students who do not reside in the district. The policy shall include, but shall not be limited to, provisions relating to the availability of programs, staff, or space as criteria for approval or denial of transfers. A school district may include in the policy as the basis for denial of a transfer, the reasons outlined in Section 24-101.3 of ~~Title 70 of the Oklahoma Statutes~~ this title.

In considering requests for students to transfer into a school district, the board of education shall consider the requests on a first-come, first-serve basis. A school 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~~ this title.

B. A local school district board of education shall adopt a policy for the school district regarding the transfer of 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 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. The policy shall provide for the approval of the 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 natural disaster requiring the use of orders for more than thirty (30) consecutive days; and

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

SECTION 3. This act shall become effective November 1, 2013.

Passed the Senate the 7th day of May, 2013.

Kim Daniel
Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of April, 2013.

Don Abernethy
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 8th

day of May, 20 13, at 2:46 o'clock P M.

By: *Audrey Rockwell*

Approved by the Governor of the State of Oklahoma this 14th

day of May, 20 13, at 2:55 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 14th

day of May, 20 13, at 4:02 o'clock P M.

By: *Chris Morris*