

TRANSFERS, OPEN (INTER-DISTRICT) STUDENT

A. Introduction

Beginning January 1, 2022, Edmond Public Schools, in compliance with Oklahoma's SB 783, allows open (inter-district) transfers for students in grades K-12, in any grade of any school that has a student population less than the published capacity for that grade in that school.

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. Transfers are approved for acceptance to the district and not a specific school; however, school preferences will be considered where capacities allow. Emergency transfers approved prior to January 1, 2022, will remain in effect.

B. OSSAA Governed Participation

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 per 70 O.S. § 8-103.2. This includes the children of teachers who transfer into Edmond Public Schools (EPS).

C. Transportation

Transportation is not provided for students on a transfer.

D. Capacity and Applications

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 will be posted on the school district's website. In addition, 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. Transfer applications and capacity data will be made available on the school district website.

The administration will not approve or deny transfers received for the next school year until after the July 1 capacity data is determined for each grade level and site within the school district. The school district will begin accepting applications for the next school year starting on the first weekday in July following the July 1 capacity setting date (or in the case of a three-day holiday for July 4th, the day following the holiday). Receipt of applications will be documented by the district so that the district may review those applications in the order submitted in light of capacity limitations. Notification of a transfer approval or denial will be made beginning July 15.

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If an application is denied, parents may choose to put their child on a wait list, appeal the denial as provided in this policy, or to withdraw the request. Applications are only waitlisted for the current school year. For consideration in the following year, a new application must be submitted per the July timeframe noted above.

Beginning January 1, 2022, a transfer may be requested at any time in the school year, but will only be approved if there is a grade and school site with capacity to permit the transfer. State law does limit the ability of a student to transfer 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 their school district of residence. Any brother or sister of a student who transfers may attend the school district to which their sibling transfers as long as the school district has capacity in the sibling's grade level and the sibling does not meet a basis for denial as listed below. A separate application must be filed for each student in a family so that the district can consider requests for each sibling's required grade level and in the order applications are received for that grade level.

E. Transfer Application Renewals

If accepted, a student transfer is granted for only the existing school year; however, the transfer may be renewed for the following year(s) as long as capacity exists in subsequent, consecutive grade levels. The district will not require parents to 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, as long as there continues to be capacity in the next grade level. If not, the district may deny continued transfer for the student due to capacity. Additionally, the district may deny continuation of a transfer due to disciplinary reasons or a history of absences.

F. Transfer Withdrawal from Edmond Public Schools

A transfer student choosing not to return for a subsequent school year should advise the Edmond school district of their plan to withdraw as early as possible prior to the end of the semester they plan to leave.

G. Acceptance and Denial Circumstances

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. If the district has the capacity to accept the student at the appropriate grade level at any of the district's school sites;
2. And if the transferring student has not been disciplined previously for any of the following:
 - a. violation of a school regulation,

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- 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, or
 - 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. And if 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.

H. Determining Capacity

In making the decision to determine capacity, the board of education shall review class size limits specified in 70 O.S. § 18-113.1 and multiply those limits times the number of classroom teachers employed by the school district at each grade level. If classroom square footage is not sufficient to accommodate that number of students due to a classroom being disproportionately sized, the district's capacity numbers will reflect a lesser amount based upon that classroom size.

I. Children of Certified Employees

Per state statute 70 O.S. § 8-113, a student shall be allowed to transfer to a district in which the parent or legal guardian of the student is employed as certified personnel without regard to other elements of this policy and remain in the district for as long as the employee is under contract with Edmond Public Schools. The student shall attend the school(s) in the vertical where the parent is employed.

J. Order of Application Approvals

Assuming capacity exists, the school district shall enroll transfer students in the order in which the applications are received. If the number of student transfer applications exceeds the capacities set by the district, the district shall select transfer students for openings in the appropriate grade when they become available

K. Children of Active Uniformed Military

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:

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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.

L. Appeal Process

If a transfer request is denied by the administration, the parent or legal guardian of the student may appeal the denial within ten (10) calendar 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. The parent will be informed of the right to submit a written statement of the parent's basis for the appeal, which will be provided to the board of education.

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 board determines policy was not followed to an extent that the transfer should have been granted, 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 parent believes the policy was not followed. The appeal form will be available at the EPS district offices.

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) calendar 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.

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