

STUDENT TRANSFERS

All requests for transfer into this District initiated by or on behalf of a nonresident student shall be approved or denied in accordance with this policy. The Board of Education delegates to the Superintendent or the Superintendent's designee authority to approve or deny all transfer applications pursuant to the criteria listed in this policy.

The Mid-Del Public School District No. I-52 does not discriminate on the basis of race, color, national origin, sex, pregnancy, gender, gender expression or identity, religion, veteran status, sexual orientation, disability, age or genetic information in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Title IX Coordinator
 Address: 7217 S.E. 15th Street
 Midwest City, OK 73110
 Phone: 405-737-4461
 Email Address: phuston@mid-del.net

504 Title IX Coordinator
 Address: 7217 S.E. 15th Street
 Midwest City, OK 73110
 Phone: 405-737-4461
 Email Address: twilson@mid-del.net

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. The school district will begin accepting applications for the next school year starting July 1st. Receipt of applications will be documented by the district so that the district may review those applications in the order submitted for purposes of capacity limitations. The administration will not approve or deny transfers received for the next school year until after the July 1st capacity data is determined for each grade level and site within the school district.

Transfers that have previously been approved by the school district will remain in effect for future school years unless the district provides notification to the parent or legal guardian that the transfer is not going to be continued for an upcoming school year due to capacity, disciplinary action, or attendance issues. The district will not require parents 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.

A transfer may be requested at any time in the school year. 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 his or her school district of residence. Sibling transfer requests for kindergarten through twelfth grade will be considered with only discipline and attendance records reviewed in the determination of the request if there is capacity. Sibling transfer requests for pre-kindergarten aged students will not receive preferential treatment. A separate application must be filed for each student so that the district can in a timely manner consider requests in the order applications are received.

Any student that has attended in the district for three or more consecutive years prior to moving out of the district will be allowed to transfer regardless of grade level or site capacity provided any required special program space exists and the student does not meet the basis for denial below.

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. The district has the capacity to accept the student at the grade level at the school site.
2. The transferring student has not been disciplined for:
 - a. Violation of a school regulation.

- 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. 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.

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 student for each grade level for each school site which the district has the capacity to accept.

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 level. If classroom space 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.

A student shall be provided preferential treatment and approved regardless of capacity with only discipline and attendance records reviewed in the determination of the request whose parent is employed by the school district.

Transfer requests into the district's full-time virtual program will not be accepted nor considered, except for approved transfers from Crutchko Public Schools in grades 9-12.

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 a 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 at 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. Transportation will not be provided for any student attending based on approval of an out-of-district transfer.

Students currently enrolled in a private school not accredited by a state agency or in a home school are not guaranteed enrollment in the grade, courses and/or program(s) in which they desire to enroll. Students desiring to transfer from private schools not accredited by a state agency or from a home school will be required to take all placement tests required of resident students enrolling in this district after attendance in private schools not accredited by a state agency or home schools, and the administration will determine the appropriate placement primarily upon placement test results per district policy. Accordingly, students applying for a transfer from such schools will be granted a provisional transfer until test results are reviewed to determine the appropriate grade, courses and/or program(s) and

the criteria of this policy is then applied to determine if the student is eligible for transfer approval. An applicant who does not agree to accept placement based upon such test results and criteria review will be deemed ineligible for an approved transfer and the provisional transfer will be of no effect.

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 shall consider the appeal at a special meeting of the Board of Education.

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 § 8-101.2
 70 O.S. § 24-101.3
 70 O.S. § 24-101, et seq; §24-102
 Family Education Rights and Privacy Act
 Atty. Gen. Op. No. 87-134, April 1, 1988