



With the enactment of [Senate Bill 783](#) (2021), the Legislature made comprehensive reforms to Oklahoma's school transfer laws, namely revising the requirements for accepting and denying student transfers and requiring school districts to set and list enrollment capacities on their websites. These changes, among others, go into effect January 1, 2022, and make students eligible to request a transfer to any district in the state, regardless of where they live.

As a parent, navigating such a significant change in policy can be challenging. To help, the following are answers to common questions:

### 1. **When does the transfer change take effect?**

January 1, 2022.

### 2. **Can my student transfer to a district where they do not reside?**

Yes.

### 3. **When can I request a transfer for my student?**

Beginning Jan. 1, 2022, a parent or guardian may request a transfer at **any time** of the school year, subject to reasons for denial outlined in Question 8 below.

### 4. **How do I request a transfer for my student?**

To request a transfer, simply complete the Oklahoma Student Open Transfer Application on the State Department of Education website (to be available by January 1, 2022). Individuals without access to the internet may obtain the form from the local school district of residency or on the [Student Transfers Page](#). For questions on specifics of how to submit a transfer application, please contact your local school district.

### 5. **Is there a limit to the number of times my student can transfer each year?**

Yes. A student may only complete **two** out-of-district transfers per school year. This limit does not include re-enrolling in your district of residence. Additionally, students in foster care may complete any number of transfers in a given school year and are not subject to the two-transfer limit.

### 6. **Is there a different transfer limit for statewide virtual charter schools?**

Yes. A student may only complete **one** transfer to a statewide virtual charter school per school year. Any subsequent transfer to any other statewide virtual charter school within the same year requires the concurrence of both the resident school district and the receiving virtual charter school.

### 7. **How long does a transfer last?**

A student may be granted a one-year transfer and may continue to attend the school each school year with the approval of the receiving district. At the end of each school year, a school district may deny continued transfer of the student for **discipline** or **attendance** as described below.

### 8. **Can a district deny my transfer request?**

Transfers may be denied by the receiving district for any of the following reasons:

- The desired grade level at the school site has exceeded its enrollment capacity;
- There are incidents of student discipline for reason(s) outlined in [70 O.S. § 24-101.3](#); and/or
- The student has a *history of absences*, which is defined as ten or more unexcused absences in one semester [70 O.S. § 8-101.2 \(B\)\(2\)](#).



### 9. How do I know if the district has capacity for my student?

Local school boards must establish their enrollment capacity for **each grade level and for each school site** by the first day of January, April, July and October each year. This information will be published to the district's website in a prominent place by the required date. Lack of capacity is an allowable reason for denying an initial transfer. If the local board chooses, the school district can maintain a waiting list for transfers once capacity is reached. Transfers must be accepted on a first come, first served basis.

### 10. Are there any students who receive special consideration when applying for a transfer?

Yes. Transfer applications are distinct for the following student groups:

- a. Students with disabilities:** Prior to the approval of the transfer of a child on an individualized education program (IEP), a joint IEP conference must be conducted between the district of residence and the receiving district. The receiving district must establish the availability of the appropriate staff, and services prior to approving the transfer.
- b. Military dependent students:** A student who applies for a transfer and whose parent/guardian is an active member of the military or a member of the military reserve on active duty cannot be denied a transfer because of capacity limitations.
- c. Students of Teachers:** A child of a parent/legal guardian employed as a "teacher" in a district may transfer into that district regardless of capacity. Under the law, the definition of teacher includes teachers, nurses, librarians, counselors and administrators who are **certified employees**.
- d. Students in foster care:** Any student in foster care **currently placed in the home of another student enrolled in a district** may transfer to said district regardless of capacity. Additionally, students in foster care may complete any number of transfer in a given school year and are not subject to the two-transfer limit.

### 11. Can I appeal the denial of my student's transfer request?

Yes. After a school district denies a transfer, the parent or legal guardian of the student has 10 days to appeal the denial to the local board of education. The board must consider the appeal at its next regularly scheduled board meeting. The local school district will provide the appeal form. If the school district board of education upholds the denial of the transfer, the parent or legal guardian may appeal the denial to the state Board of Education within 10 days of receiving notice of the local board's decision. The state Board must consider the appeal at its next meeting and allow both the parent and receiving district to appear.