

# Chapter 12

## Transfer Q&A

August 3, 2022



**OKLAHOMA**  
Education



# Section 1

## Transfers for Students with Disabilities

- Open Transfer – For students without disabilities
- For students with disabilities – Just Because....
  - 1. The receiving district shall establish **availability** of the appropriate **program, staff, and services** prior to approval of the transfer; and
  - 2. The receiving district shall **consult the resident school district and the parents** of the student to determine how FAPE will be provided to the student; and **then determine if the receiving school district is able to approve the transfer.**
- Emergency Transfers – No longer
- IEP Service Agreements - When the resident district cannot provide FAPE, results in payment of tuition from resident district to servicing district.

# What ifs

- Revocation – not recognized as a student with a disability
- Eligibility/IEP is expired – still known to have a disability
- Lied on Open Transfer (said not on IEP)- check with your district council
- Has a dx, no IEP, known disability but hasn't been in school
  - Needs an evaluation under IDEA
  - Can txfer before evaluation under Open Transfer

# Section 2

## IEPs for Move-In Students

- Within Oklahoma
  - Must have IEP in place **within 10 school days** from the student's first day of attendance.
  - Must provide comparable services (in consultation with the parents) until the district has finalized the IEP in the new district – beginning with the first day of attendance.
  - If implementing as is, it is documented as an **In-State Transfer IEP** (not amendment). Ending date remains the same. It does not require a meeting. Parent must agree. Requires WN.
  - If making any changes to the move-in IEP, new district must hold an IEP meeting and develop a **Subsequent IEP**.

# Section 2

## IEPs for Move-In Students - 2

- From Out-of-State
  - Must provide comparable services beginning the first day of attendance (in consultation with the parent)
  - **If eligible** under OK standards, develop RED, Initial MEEGS and an initial IEP **within 10 school days**
  - **If not eligible** under OK standards, conduct RED, Consent, and a short-term eligibility, provide comparable services until such time as the district conducts an initial evaluation and determines eligibility in OK.
    - Conduct an initial evaluation within 45 school days
    - Scan out of state IEP into EdPlan (for use to provide comparable)
    - Do **NOT** develop an interim IEP
    - Develop an initial IEP on OK forms **only when** the student has been determined eligible under OK standards

# Students Who Move Out Mid-Year

- If a student who begins the school year as a resident of one school district (original school district) moves to another district before the school term ends that student is **entitled to continue** to attend school in the original school district through the end of the school term. If a student with a disability makes that choice, the original school district of residence **remains the student's resident district** until the school term ends (70 O.S. § 18-111). In this scenario, the student would not need a transfer to finish the school year in the original school district. However, **for the following school years**, the student would have to **apply for a transfer**.

# Section 3

## Transfers for Students in Foster Care

- May remain in school of origin (as a resident)
- Enroll immediately (even if they do not have all enrollment documents)
- More information on Foster Care students in Ch. 8, Part 3, Section 2