



SECTION IV: STUDENTS

POLICY 4170

INTRADISTRICT TRANSFER OF STUDENTS

The assignment of students to a school attendance zone shall be made on the basis of residency of students. Boundaries for the various schools may be readjusted from year to year in order to meet class size requirements. Transfers to a school other than the designated attendance area will be considered upon parent or guardian request. Transfers will be granted when deemed necessary by the Board of Education and/or the Superintendent or the Superintendent's designee.

Under the general authority granted to assign students to schools, the Board of Education authorizes the Superintendent or a designated representative to grant or deny requests for individuals to attend schools outside their designated attendance areas under the following conditions:

1. The change appears to be in the best interest of the student.
2. No bus route will be extended beyond its normal run, and parents will provide the required transportation.
3. The superintendent or designee has determined that the change is in the best interest of the school district.
4. A BAPS administrator has approved the transfer.
5. The request for transfer was made before May 1 for the following school year (with the exception of BAPS employees). Applications are accepted annually March 1 – May 1. Beginning August 1 of each year, IDT requests for the current school year will only be considered for school sites with published capacity.
6. Transfers must be applied for on an annual basis and may be revoked when:
 - The basis for the transfer no longer exists,
 - The transfer does not appear to be in the best interest of the student, or
 - The transfer is not in the best interest of the school district.

The transfer of a student from one attendance zone to another shall be based on specific factors which affect the education and welfare of the student. The following criteria will be considered for transfer requests:

1. A student requires a course of study not offered at the school, such as a particular type of special education program.
2. A student, eighth grade or under, has a parent(s) or legal guardian who is working or unable to care for the student and such care is available in the attendance area of the requested school.
3. A student has an emotional or medical condition which would be adversely affected by a move to another building, and the condition is verified by a psychologist's or physician's statement, respectively.



SECTION IV: STUDENTS

POLICY 4170

INTRADISTRICT TRANSFER OF STUDENTS

4. A change of environment for the student has been recommended by the court, policy, juvenile court, Department of Human Services, or school administration.
5. An employee wishes to enroll his or her child at the school nearest or where employed.
6. Parents in the process of building a home within the Broken Arrow School District may enroll their children at the designated school(s) where the new home is located by furnishing a contract or other document as proof that construction is scheduled to be completed during the first semester of the school year.

Source: *Broken Arrow Board of Education policy adopted, April 21, 1997.*
Broken Arrow Board of Education policy revised, July 13, 2009.
Broken Arrow Board of Education policy revised, November 7, 2022.



SECTION IV: STUDENTS

POLICY 4265

USE OF MULTIPLE OCCUPANCY RESTROOMS AND CHANGING AREAS

Pursuant to SB615 (2022), each multioccupancy restroom and changing area located in public schools serving students in prekindergarten through twelfth grades shall be designated as either for the exclusive use of the male sex or for the exclusive use of the female sex.

“Sex,” for the purposes of this policy is defined as the physical condition of being male or female based on genetics and physiology, as identified on the individual’s original birth certificate.

“Multiple occupancy restroom or changing area” is defined as an area in a public school or public charter school building designed or designated to be used by more than one individual at a time, where individuals may be in various stages of undress in the presence of other individuals. The term may include but is not limited to a school restroom, locker room, changing room, or shower room.

“School” means any public school and public charter school that serves students in prekindergarten through twelfth grades in this state.

“Individual,” for the purposes of this policy is defined as any student of the District.

If an individual does not wish to comply by using the appropriate restroom or changing room based on sex as defined herein, the District shall provide a reasonable accommodation by providing access to a single-occupancy restroom or changing room.

An individual shall be disciplined by the District for refusing to (a) use the appropriate multiple occupancy restroom or changing area designated for their sex as defined herein, (b) designate multiple occupancy restrooms or changing areas for the exclusive use of one sex as defined herein, or (c) provide access to a single-occupancy restroom or changing room to an individual who does not wish to utilize the multiple occupancy restroom or changing area designated for their sex, provided that such individual is authorized to be on District premises. Students shall be disciplined pursuant to the District’s student behavior policy.

This policy does not apply to individuals entering the multioccupancy restroom or changing facility for the opposite sex under the following circumstances:

1. For custodial, maintenance, or inspection purposes; or
2. To render emergency medical assistance.

Reference: OKLA. STAT. tit. 70 § 1-125.

SBOE Emergency Rule: OKLA. ADMIN. CODE § 210: 35-3-186.

Source: *Broken Arrow Board of Education policy adoption, August 8, 2022.*
Broken Arrow Board of Education policy revised, November 7, 2022.



SECTION IV: STUDENTS

POLICY 4400

STUDENT TRANSFERS

STUDENT TRANSFERS

A request for a transfer into this district initiated by or on behalf of a nonresident student will be approved or refused in accordance with this policy.

A.

Transfer Application Requests

1. Applications for transfer shall be processed in the order in which they are received and must be completed by the parent of a student on a properly completed application form specified by the State Board of Education, which can be downloaded here: <https://sde.ok.gov/student-transfers>. The term “parent” means the parent of a student or person having custody of the student as provided for in OKLA. STAT. tit. 70, § 1-113(A)(1). Upon receipt of the application, the District shall stamp the application with the time and date on which it was received to ensure that the District can review applications in the order in which they are received. The application shall also be filed with the superintendent of the District if the receiving school district is within this state or with the State Board of Education for transfers to school districts in another state.

2. Subject to the special considerations applicable to a student on an Individualized Education Program (“IEP”) pursuant to the Individuals with Disabilities Education Act (20 U.S.C. §§ 1400 et seq.) (“IDEA”) as set forth below, a transfer shall be automatically approved if a student’s resident district does not offer the grade level the student is entitled to pursue.

3. A transferring student from another school district that offers the grade the student is entitled to pursue may seek a transfer to the same grade offered by the District. The transferring student will be allowed to attend a District school site that has not exceeded its capacity of the transferring student’s grade level. If there are more than one District school sites available for the transferring student, the District retains the sole discretion to determine the school site the transferring student will attend.

4. Any child in the custody of the Oklahoma Department of Human Services in foster care who is living in the home of a student who transfers, may attend the District of the transferred student as long as the District has capacity and the child does not meet a basis for denial as set forth in this policy. Except for a student in the custody of the Oklahoma Department of Human Services in foster care, a student shall not transfer more than two (2) times per school year to one or more school districts in which the student does not reside, provided that the student may always reenroll at any time in his or her school district of residence.

5. A student who is deaf or hearing-impaired and who wishes to transfer to a school district with a specialized deaf education program may submit a transfer application at any time and may transfer to the receiving school district at any time during the school year.

6. In the event the District exceeds its capacity at all school sites for the grade level sought by the transferring student, transfer requests shall be awarded to those students whose properly completed transfer request applications were received by the District in the order in which they were received.

7. A transfer shall be automatically approved if a student's parent or legal guardian is employed by the District, regardless of District capacity, and so long as the student does not meet one or more of the bases for a transfer denial as set forth in this policy.

8. Any brother or sister of a student who transfers into the District may also attend the District regardless of capacity, so long as the brother or sister of the transferred student does not meet one or more of the bases for a transfer denial as set forth in this policy.

9. A student who has attended the District as a resident student for at least three (3) years prior to then becoming eligible to apply as a transfer student shall be allowed to transfer into the District regardless of capacity, and so long as the student does not meet one or more of the bases for a transfer denial as set forth in this policy.

B.

Special Considerations as to Transferring Student on an IEP

Prior to approving an application for a transfer student who is a child with a disability, as defined in 34 C.F.R. § 300.8, the District will establish (a) the availability of the appropriate program, staff, and services for the transferring student, and (b) conduct a joint conference with the IEP team at the transferring student's current school. The purpose of conducting these activities is to determine whether—at the time the transferring student's application is received—the District can provide the transferring student with a free appropriate public education in the least restrictive environment as required by the IDEA. In the event the District exceeds its capacity at all school sites for the grade level of a transferring child with a disability, the District shall “hold” a place for the transferring student in the order in which the transferring student submitted his or her properly completed application. In the event an opening occurs, a decision on the transfer will be made after consideration of the factors above.

Transfers made for the purpose of providing a free appropriate public education (FAPE) to special education students pursuant to OKLA. STAT. tit. 70, § 18-110(E) and OKLA. STAT. tit. 70, § 13-101 are not considered Open Transfers subject to this policy.

C.

**Special Considerations as to Transferring Student who are
Dependent Children of an Active U.S. Military Member**

1. For purposes of this Section (C):

- a. "Active military duty" means full-time military duty status in the active uniformed service of the United States including members of the National Guard and Military Reserve on active duty orders; and
- b. "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship or other installation under the jurisdiction of the Department of Defense or the United States Coast Guard.

2. Students who are 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, shall be approved for transfer into the District regardless of capacity if:

- a. At least one parent of the student has a Department of Defense-issued identification card;
- b. 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 the 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
- c. The student will be residing with a relative of the student who lives in the District or who will be living in the District within six (6) months of the filing of the application for the transfer.

3. A student is in compliance with the residency provisions of this policy if he or she is a student whose parent or legal guardian is transferred or is pending transfer to a military installation within Oklahoma while on active military duty pursuant to an official military order. A parent or legal guardian of such student must provide proof of residency in the District within ten (10) days after the published arrival date provided on official documentation. A parent or legal guardian may use the following addresses as proof of residence:

- a. A temporary on-base billeting facility,
- b. A purchased or leased home or apartment, or
- c. Federal government or public-private venture off-base military housing.

D.

Denial of a Transfer Request

1. A transferring student's application may be denied if the transferring student is or has been subject to discipline for any of the acts and reasons outlined in OKLA. STAT. tit. 70, § 24-101.3(A)-(C) & (E). A transferring student's application shall be denied for any of the acts and reasons outlined in OKLA. STAT. tit. 70, § 24-101.3(F)(1) until such time as the District determines that the transferring student no longer poses a threat to self, other students, or District faculty or employees.

2. A transferring student's application may be denied if the transferring student has ten or more absences in one semester that are not excused due to illness or for the reasons provided for in OKLA. STAT. tit. 70, § 10-105(B).

3. An IDEA-qualified transferring student's application will be denied if—as of the time of the transferring student's application is received—the District determines that it cannot provide the transferring student with a free appropriate public education in the least restrictive environment as required by the IDEA.

4. A student may be granted a one-year transfer and may automatically continue to attend the District each school year with the approval of the District. At the end of each school year, the District may deny the continued transfer of the student for the reasons outlined in OKLA. STAT. tit. 70, § 24-101.3(A)-(C) & (E), or if the student has ten or more absences in one semester that are not excused due to illness or for the reasons provided for in OKLA. STAT. tit. 70, § 10-105(B). Written notice of the District's intention to deny the continued transfer shall be given to the parent or legal guardian of the student no later than July 15.

5. A transferring student's application will not be considered if incomplete and will be denied if the parent makes a fraudulent, intentional, or material misrepresentation on the application.

6. The denial of a transfer request from a student seeking a transfer shall be communicated in writing to the parent, as defined in OKLA. STAT. tit. 70, § 1-113(A)(1). Proof of the date of mailing or transmission of the denial by electronic means shall constitute proof of communication of the denial to the parent.

7. The District shall not accept or deny any transfer application based on the student's race, color, sex, pregnancy, gender, gender expression, national origin, religion, disability, veteran status, sexual orientation, age, genetic information, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude, or athletic ability. Failure to be approved for a transfer as set forth in this policy shall not be deemed to be rejection for a discriminatory reason.

E.

Transfer Application Request Notifications

1. The District will prominently post on its website the dates on which it will begin accepting transfer applications for the current and upcoming school year.
2. The District shall approve or deny the transfer application and notify the parent or legal guardian of the student within thirty (30) days of receiving an application.
3. If the District accepts a transfer application, the parent or legal guardian of the student must provide written notification to the District that the student will be enrolling within ten (10) days of receiving notice that the transfer application was approved. Failure of the parent or legal guardian to notify the District may result in the loss of the student's right to enroll in the District for that year only. If the parent or legal guardian fails to notify the District that the student will be enrolling, and the District chooses to cancel the transfer, the District shall provide written notice of the cancellation to the parent or legal guardian of the student immediately upon cancellation.
4. If the District receives notice that a student will be transferring, the District shall notify the student's resident school district within ten (10) days of receiving notice of the acceptance of the transfer.

F.

Determination of Grade Level Capacity

The superintendent of schools, or his/her designee, shall determine the criteria to be used in determining grade capacities for each school site, including the capacity for any full-time virtual education program offered by the District. The District's capacity determinations are attached hereto as Exhibit A . Each school site's grade level capacity and the capacity of any full-time virtual education program offered by the District shall be (a) approved by the board of education prior to the first day of January, April, July and October of each school year, and (b) published in a prominent place on the District's website and reported to the State Department of Education.

G.

District Level Appeal of Denial of Transfer

Option A:

A parent may appeal the denial of a transfer request to the clerk of the board of education so long as the appeal is made within ten (10) calendar days of the notification of the written denial. If a timely appeal is made, the appeal shall be considered by the District's board of education at

its next regularly scheduled meeting. The appeal shall be considered by the board of education only upon the written submissions of the District and the parent. Such written submissions shall state, at the minimum, the following in a statement not exceeding two pages in length:

- a. The date of the parent's transfer request application;
- b. The reasons for the denial by the District of the transfer request;
- c. The factual reason(s) of the District or parent as to why the transfer request was/was not properly denied; and
- d. The criteria set forth in this policy as to propriety of the denial of the transfer request.

The board of education will meet in executive session to review the appeal to protect the privacy of the student. The board of education will then return to open session to conduct its vote on whether to deny or accept the appeal.

If the District denies the parent's appeal, the parent may appeal the board of education's decision to the Oklahoma State Board of Education within ten (10) calendar days of notification of the denial. The parent shall submit to the State Board of Education and the superintendent of the District a notice of appeal on a form prescribed by the State Board of Education. The appeal shall be considered by the State Board of Education at its next regularly scheduled meeting, where the parent and a representative from the District may address the Board. The State Board of Education shall promulgate rules to establish the appeals process authorized by this subsection.

H.

District Reporting to the Oklahoma State Department of Education

1. Prior to the first day of January, April, July and October of each school year, the District shall report to the State Department of Education the capacity of the grade level of each District school site.

2. Prior to the first day of January, April, July and October of each school year, the superintendent of schools of the District shall report to the State Department of Education a statement showing the names of the students granted transfers to the District, the resident school district of the transferred students, and the transfer student's grade level.

3. At the frequency required by the Oklahoma State Department of Education, the District shall also submit to it (a) the number of student transfers approved and denied, and (b) whether each denial was based on capacity, the acts and reasons outlined in OKLA. STAT. 70, § 24-101.3, or a history of absences in the last full school semester that were not excused due to illness or for the reasons provided for in OKLA. STAT. 70, § 10-105(B).

I.

Athletic and Other Competitions

A transfer student granted enrollment in a school district in which the student is not a resident shall not be eligible to participate in school-related interscholastic competitions governed by the Oklahoma Secondary School Activities Association (“Association”) for a period of one (1) year from the first day of attendance at the District, unless the transfer is from a school district not offering the grade the student is entitled to pursue. Whether a student granted a transfer under this policy will be eligible to participate in school-related interscholastic competitions shall be determined by the Association.

Reference: OKLA. STAT. tit. 70, §§ 8-101.1, 8-101.2, 8-103, 8-103.1, 8-103.2
OKLA. STAT. tit.70, § 18-110(E)
OKLA. STAT. tit. 70, § 8-113
OKLA. STAT. tit. 70, § 13-103(B)
OKLA. STAT. tit. 70, § 13-101
O.A.C. 210: 10-1-18

Source: *Broken Arrow Board of Education policy adoption, June 27, 2022.*
Broken Arrow Board of Education policy revised, November 7, 2022.

Exhibit A

Capacity Determination

Capacity, hereafter deemed Program Capacity, determinations are specifically for the purpose of Complying with Oklahoma Senate Bill 783 (2021) guidelines to determine the capacity for Broken Arrow Public Schools to accept transfer students as defined by this legislation. Program Capacity is not intended to define district decisions related to staffing allocations or class size determinations for non-transfer students.

The following calculations will be used to determine Program Capacity of schools that do not Require specialized course study and/or application i.e., Virtual Academy, Options Academy, Vanguard Academy, and Early College High School.

For PK, student capacity is set at **18** students per classroom. The district will multiply those limits times the number of classroom teachers employed by the school district at each grade level for each school site. 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.

For grades KG through grade 5, student capacity is set a **20** students per classroom. These class size limits are set in accordance with 70 O.S. § 18-113.1. The district will multiply those limits times the number of classroom teachers employed by the school district at each grade level for each school site. 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.

For grades 6-12, capacity is set based on student enrollment in the regular education English Language Arts (ELA) course for each grade level. To be able to plan for in-district growth, provide adequate staffing and ensure that teachers do not exceed class size limits set forth in 70 O.S. § 18-113.3 for other core subjects, the student capacity is set at **28** students per regular ELA section primarily and Science secondarily. The district will multiply those limits times the number of sections taught by certified classroom teachers within the school district at each grade level.

As it relates to Program Capacity, "English Language Arts" and "Science" includes all levels of English and Science instruction for each specific grade level (e.g. English 3 and AP English Language).

For grades PK-12 within the Broken Arrow Virtual Academy, capacity will be set at 25 students/180 courses (6 per student) per certified teacher. Students may request no more than one in-person course with transfer acceptance into the virtual program. A student must complete an intra-district transfer application to be considered for placement into an in-person school site. Capacity, attendance, and discipline will be considered for such applications.



SECTION IV: STUDENTS

POLICY 4450

STUDENT MENTAL HEALTH CRISIS PROTOCOL

STUDENT MENTAL HEALTH CRISIS PROTOCOL

A mental health crisis is a behavioral, emotional, or psychiatric situation which results in a high level of stress or anxiety for a student and which cannot be resolved without intervention.

Mental health crises may be identified by school administrators, teachers, support employees, and school-based mental health professionals.

As required by OKLA. STAT. tit. 70, § 24-159, the District maintains a protocol for responding to students in mental health crisis with the goal of preventing student suicide, self-harm, and harm to others.

The District's protocol is maintained in partnership with local mental health treatment providers certified by the Oklahoma Department of Mental Health and Substance Abuse Services. The district ensures that at least one Provider Partner meets the following criteria:

- A. Has the ability to serve all school-aged children regardless of insurance status; and
- B. Has the ability and certification to provide mental health crisis services in the region where students attend school.

In response to an immediate or potential mental health crisis, the district will notify the student's parent or guardian as soon as possible. Except in cases of immediate or life-threatening danger to self or others, the district will seek parent or guardian consent in order to facilitate access to a mental healthcare provider who can assess the student and provide recommendations regarding their needs.

The school district and partner organizations will comply with the Health Insurance Portability and Accountability Act ("HIPAA") and Family Educational Rights and Privacy Act ("FERPA") privacy requirements when addressing student mental health crises.

The Board of Education and each of the District's Provider Partner(s) will enter into an annual working agreement establishing all obligations of the parties under the established Protocol and a strategy for regularly reviewing its effectiveness using anonymous, nonidentifiable data.

Not less than every two years, the District and its Provider Partner(s) will jointly review the Protocol and Working Agreement and consider whether updates to the Protocol are necessary to better meet the needs of students. This process will include a review of information gathered from the Oklahoma Prevention Needs Assessment Survey or an alternative survey conducted by the District as provided for in OKLA. STAT. tit. 70, § 24-158.

The District will submit the most recent version of its Protocol and Working Agreement to the Oklahoma State Department of Education, which will in turn submit those documents to the Oklahoma Department of Mental Health and Substance Abuse Services. These agencies may



SECTION IV: STUDENTS

POLICY 4450

STUDENT MENTAL HEALTH CRISIS PROTOCOL

require revisions to the Protocol in order to ensure compliance with applicable laws/regulations and/or established evidence-based practices.

The District will provide administrators, teachers, support employees and school-based mental health providers with ready access to and regular training regarding the Protocol.

Reference: OKLA. STAT. tit. 70, §§ 24-158 and 24-159.

Source: *Broken Arrow Board of Education policy adoption, November 7, 2022.*



SECTION IV: STUDENTS

POLICY 4455

MENTAL HEALTH ACCOMMODATIONS

MENTAL HEALTH ACCOMMODATIONS

Pursuant to OKLA. STAT. tit. 70, § 3-169, beginning with the 2023-2024 school year, the parent or guardian of a student shall have the option to disclose to the District prior to enrollment that the student has received certain types of mental health treatment so that a meeting can be scheduled to discuss whether the student requires accommodations.

For purposes of this policy, a “mental health facility” is defined as a public or private hospital or related institution offering or providing inpatient mental health services, a public or private facility accredited as an inpatient or residential psychiatric facility by the Joint Commission on Accreditation of Healthcare Organizations, or a facility operated by the Department of Mental Health and Substance Abuse Services and designated by the Commissioner of the Department of Mental Health and Substance Abuse Services as appropriate for the inpatient evaluation or treatment of minors.

The following procedures apply to parent disclosures of mental health treatment and the holding of meetings to discuss accommodations that may be needed as a result of a student’s mental health condition:

- A. Prior to the enrollment of a student who has received inpatient or emergency outpatient services from a mental health facility in the previous twenty-four (24) months, the parent of that student has the option (but is not required) to disclose the student’s history of mental health treatment to the District.
- B. If a student’s parent/guardian makes a disclosure to the District as set forth above, the District will schedule a meeting to determine whether the student is in need of any accommodations, including, but not limited to, an individualized education program (“IEP”). The participants in this meeting will included:
 1. The parent or legal guardian of the student.
 2. One or more designated District employees, which may include members of the student’s IEP team.
 3. One or more representatives of the mental health facility.
- C. The meeting required by this policy may take place in person, via teleconference, or via video conference.
- D. The meeting shall be conducted in accordance with applicable state and federal laws, including, but not limited to the Health Insurance Portability and Accountability Act (“HIPAA”) and the Family Educational Rights and Privacy Act (“FERPA”).



SECTION IV: STUDENTS

POLICY 4455

MENTAL HEALTH ACCOMMODATIONS

Reference: OKLA. STAT. tit. 70, § 3-169: OKLA. STAT. tit. 43A. § 5-502.

Source: *Broken Arrow Board of Education policy adoption, November 7, 2022.*