

## HOUSE AMENDMENTS TO HOUSE BILL 4149

By COMMITTEE ON EDUCATION

February 17

- 1      On page 1 of the printed bill, line 2, after "339.115," insert "339.133,".
- 2      On page 2, line 3, delete "and a public charter school".
- 3      Delete lines 43 and 44 and insert:
  - 4      "(d) The placement of homeless students in schools in a manner that is consistent with:
  - 5      "(A) The provisions of this section; and
  - 6      "(B) For public schools attended voluntarily and for which there is no attendance boundary, the
  - 7      requirements for placing similarly situated students who are not homeless students in those
  - 8      schools.".
- 9      On page 3, after line 7, insert:
  - 10     "(h) The collaboration with any public charter schools sponsored by the school district or located within the school district to:
    - 12     "(A) Enroll or place homeless students in the public charter school in a manner that is consistent with the enrollment or placement of similarly situated students who are not homeless students;
    - 15     "(B) Provide services available through the school district to homeless students placed in a public charter school, including access to a local liaison and use of the dispute resolution process described in section 4 of this 2026 Act; and
    - 18     "(C) Transfer any required records of a homeless student in a manner that is consistent with subsection (1)(b) of this section.".
  - 20     In line 8, delete "(2)" and insert "(2)(a)".
  - 21     In line 10, delete "(a)" and insert "(A)".
  - 22     In line 12, delete "(A)" and insert "(i)".
  - 23     In line 13, delete "(B)" and insert "(ii)".
  - 24     In line 14, delete "(C)" and insert "(iii)".
  - 25     In line 16, delete "(b)" and insert "(B)".
  - 26     In line 18, delete "(c)" and insert "(C)".
  - 27     In line 21, delete "(d)" and insert "(D)".
  - 28     In line 22, delete "and".
- 29     After line 22, insert:
  - 30     "(E) Coordinating with any public charter schools sponsored by the school district or located within the school district; and".
  - 32     In line 23, delete "(e)" and insert "(F)".
- 33     After line 23, insert:
  - 34     "(b) Nothing in this subsection prohibits a public charter school from designating a person to
  - 35     serve as a local liaison for homeless students placed in the public charter school. A person desig-

1 nated as a local liaison by a public charter school shall coordinate with any persons designated as  
2 a local liaison by the school district.”.

3 Delete lines 26 through 32 and insert:

4 “(a) If the student had a school of origin, allow the student to continue the student’s education  
5 in the school of origin for the duration of the time that the student is a homeless student, including  
6 continuing in the school of origin:

7 “(A) For the remainder of the school year during which the student became a homeless student;  
8 or

9 “(B) For the school year following the summer during which the student became a homeless  
10 student.”.

11 On page 4, delete lines 16 through 18 and insert:

12 “(6)(a) A homeless student enrolled in a school of origin must be provided transportation to and  
13 from:

14 “(A) The school of origin, if requested by the student’s parent or guardian or, for an unaccom-  
15 panied youth, the request of the local liaison; and”.

16 Delete lines 33 and 34 and insert:

17 “(c) A homeless student enrolled in a school of residence or in a public charter school must be  
18 provided transportation to and from:

19 “(A) The school of residence or the public charter school if:

20 “(i) The transportation would be provided to a similarly situated student who is not a homeless  
21 student; or

22 “(ii) The transportation removes the barrier to the enrollment, attendance or success in school  
23 of the homeless student; and

24 “(B) Extracurricular activities to the extent the transportation removes the barrier to full par-  
25 ticipation in the activities.”.

26 On page 6, after line 15, insert:

27 “**SECTION 6.** ORS 339.133 is amended to read:

28 “339.133. (1) As used in this section:

29 “(a)(A) ‘Foster care’ means substitute care for children placed by the Department of Human  
30 Services or a tribal child welfare agency away from their parents and for whom the department or  
31 agency has placement and care responsibility, including placements in foster family homes, foster  
32 homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and  
33 preadoptive homes.

34 “(B) ‘Foster care’ does not mean care for children whose parent or guardian voluntarily placed  
35 the child outside the child’s home with a public or private agency and for whom the child’s parent  
36 or guardian retains legal guardianship.

37 “(b)(A) ‘Person in parental relationship’ means an adult who has physical custody of an indi-  
38 vidual or resides in the same household as the individual, interacts with the individual daily, pro-  
39 vides the individual with food, clothing, shelter and incidental necessities and provides the  
40 individual with necessary care, education and discipline.

41 “(B) ‘Person in parental relationship’ does not mean a person with a power of attorney or other  
42 written delegation of parental responsibilities if the person does not have other evidence of a par-  
43 ental relationship.

44 “(c) ‘School district of origin’ means the school district where an individual **placed in foster**  
45 **care** was a resident before:

1       “(A) The individual was placed into foster care; or  
2       “(B) The foster care placement of the individual changed.  
3       “[(d) ‘School of origin’ means the school that an individual attended before:]  
4       “[(A) *The individual was placed into foster care; or*]  
5       “[(B) *The foster care placement of the individual changed.*]”  
6       “(2)(a) Except as provided in subsections (3) to [(5)] (6) of this section, individuals between the  
7       ages of 4 and 18 shall be considered resident for school purposes in the school district in which their  
8       parents, their guardians or persons in parental relationship to them reside.  
9       “(b) Nonemancipated individuals between the ages of 4 and 18 living outside the geographic area  
10      of the school district for such reasons as attending college, military service, hospital confinement  
11      or employment away from home shall be considered resident in the district in which their parents,  
12      their guardians or persons in parental relationship to them reside.  
13       “(c) Individuals living temporarily in a school district for the primary purpose of attending a  
14      district school may not be considered resident in the district in which they are living temporarily,  
15      but shall be considered resident in the district in which they, their parents, their guardians or per-  
16      sons in parental relationship to them reside.  
17       “(3) Individuals considered legally emancipated from their parents shall be considered resident  
18      in the district in which they actually reside, irrespective of the residence of their parents, their  
19      guardians or persons in parental relationship.  
20       “(4)(a) An individual who is between the ages of 4 and 21 and who is placed in foster care shall  
21      be considered a resident of:  
22       “(A) The school district of origin; or  
23       “(B) The school district where the individual resides due to placement by the Department of  
24      Human Services or a tribal child welfare agency if a juvenile court determines it is not in the best  
25      interest of the individual to continue attending the school of origin or any other school in the school  
26      district of origin, based on consideration of all factors relating to the individual’s best interests.  
27       “(b) If a juvenile court makes a determination that it is not in the best interest of the individual  
28      to continue attending the school of origin, the individual shall be immediately enrolled in a new  
29      school, even if the individual is unable to produce records normally required for enrollment.  
30       “(c) Individuals who are residents of their school district of origin pursuant to paragraph (a)(A)  
31      of this subsection shall:  
32       “(A) Remain in the individual’s school district of origin and, if applicable, the individual’s school  
33      of origin for the duration of the individual’s time in foster care; and  
34       “(B) Be provided, free of charge, transportation between the individual’s home and the  
35      individual’s school district of origin or, if applicable, the individual’s school of origin.  
36       “(d) The Department of Education, the Department of Human Services, tribal child welfare  
37      agencies and school districts shall collaborate to ensure that the provisions of this subsection are  
38      implemented.  
39       “(e) **As used in this subsection, ‘school of origin’ means the school that an individual**  
40      **placed in foster care attended before:**  
41       “(A) **The individual was placed into foster care; or**  
42       “(B) **The foster care placement of the individual changed.**  
43       “(5)(a) Except as provided in ORS 327.006 (6) and 335.090, an individual whose legal residence  
44      is not within the district but who attends school in the district is considered a resident in the dis-  
45      trict in which the individual attends school if the individual receives written consent from both of

1 the affected district school boards as provided by policies adopted by the boards.

2       “(b) An individual whose legal residence is not within the district but who attends school in the  
3 district is considered a resident in the district in which the individual attends school if:

4       “(A) The legal residence of the individual had been in the district in which the individual at-  
5 tends school before a boundary change was made to the district;

6       “(B) The legal residence of the individual is no longer in the district in which the individual  
7 attends school because of the boundary change; and

8       “(C) The individual has had the same legal residence and has continuously been enrolled in a  
9 school in the district since the boundary change.

10       **“(6)(a) An individual who is a homeless student shall be considered a resident of the  
11 school district where the individual’s school of origin is located if the individual is placed in  
12 the individual’s school of origin as provided by sections 2 to 5 of this 2026 Act.**

13       **“(b) As used in this subsection, ‘homeless student’ and ‘school of origin’ have the  
14 meanings given those terms in section 2 of this 2026 Act.**

15       “[(6)(a)] (7)(a) Individuals who are foreign exchange students and who are residing in Oregon  
16 in a dormitory operated by a school district are considered to be residents of the school district in  
17 which the dormitory is located.

18       “(b) For the purpose of this subsection:

19       “(A) An individual may not be considered to be a foreign exchange student for more than one  
20 school year.

21       “(B) An individual may be considered to be a resident of a school district as provided by this  
22 subsection only if, for the 2010-2011 school year, the school district had foreign exchange students  
23 who would have been considered residents under the provisions of this subsection.

24       “(C) The number of individuals who may be considered residents under the provisions of this  
25 subsection may not increase relative to the number who would have been considered residents under  
26 the provisions of this subsection for the 2010-2011 school year.

27       “(c) As used in this subsection, ‘foreign exchange student’ means an individual who attends  
28 school in Oregon under a cultural exchange program and whose parent, guardian or person in par-  
29 ental relationship resides in another country.”.

30       In line 16, delete “6” and insert “7”.

31       On page 7, line 22, delete “7” and insert “8”.

32       On page 10, line 24, delete “8” and insert “9”.