

Requested by Representative LEVY E

**PROPOSED AMENDMENTS TO
HOUSE BILL 4149**

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
5 consistent with:

6 “(A) The provisions of this section; and

7 “(B) For public schools attended voluntarily and for which there is no
8 attendance boundary, the requirements for placing similarly situated stu-
9 dents who are not homeless students in those schools.”.

10 On page 3, after line 7, insert:

11 “(h) The collaboration with any public charter schools sponsored by the
12 school district or located within the school district to:

13 “(A) Enroll or place homeless students in the public charter school in a
14 manner that is consistent with the enrollment or placement of similarly sit-
15 uated students who are not homeless students;

16 “(B) Provide services available through the school district to homeless
17 students placed in a public charter school, including access to a local liaison
18 and use of the dispute resolution process described in section 4 of this 2026
19 Act; and

20 “(C) Transfer any required records of a homeless student in a manner that
21 is consistent with subsection (1)(b) of this section.”.

1 In line 8, delete “(2)” and insert “(2)(a)”.

2 In line 10, delete “(a)” and insert “(A)”.

3 In line 12, delete “(A)” and insert “(i)”.

4 In line 13, delete “(B)” and insert “(ii)”.

5 In line 14, delete “(C)” and insert “(iii)”.

6 In line 16, delete “(b)” and insert “(B)”.

7 In line 18, delete “(c)” and insert “(C)”.

8 In line 21, delete “(d)” and insert “(D)”.

9 In line 22, delete “and” and insert:

10 “(E) Coordinating with any public charter schools sponsored by the

11 school district or located within the school district; and”

12 In line 23, delete “(e)” and insert “(F)”.

13 After line 23, insert:

14 “(b) Nothing in this subsection prohibits a public charter school from

15 designating a person to serve as a local liaison for homeless students placed

16 in the public charter school. A person designated as a local liaison by a

17 public charter school shall coordinate with any persons designated as a local

18 liaison by the school district.”.

19 Delete lines 26 through 32 and insert:

20 “(a) If the student had a school of origin, allow the student to continue

21 the student’s education in the school of origin for the duration of the time

22 that the student is a homeless student, including continuing in the school

23 of origin:

24 “(A) For the remainder of the school year during which the student be-

25 came a homeless student; or

26 “(B) For the school year following the summer during which the student

27 became a homeless student.”.

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

29 “(6)(a) A homeless student enrolled in a school of origin must be provided

30 transportation to and from:

1 “(A) The school of origin, if requested by the student’s parent or guardian
2 or, for an unaccompanied youth, the request of the local liaison; and”.

3 Delete lines 33 and 34 and insert:

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

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

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

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

11 “(B) Extracurricular activities to the extent the transportation removes
12 the barrier to full participation in the activities.”.

13 On page 6, after line 15, insert:

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

15 “339.133. (1) As used in this section:

16 “(a)(A) ‘Foster care’ means substitute care for children placed by the De-
17 partment of Human Services or a tribal child welfare agency away from their
18 parents and for whom the department or agency has placement and care re-
19 sponsibility, including placements in foster family homes, foster homes of
20 relatives, group homes, emergency shelters, residential facilities, child care
21 institutions and preadoptive homes.

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

26 “(b)(A) ‘Person in parental relationship’ means an adult who has physical
27 custody of an individual or resides in the same household as the individual,
28 interacts with the individual daily, provides the individual with food, cloth-
29 ing, shelter and incidental necessities and provides the individual with nec-
30 essary care, education and discipline.

1 “(B) ‘Person in parental relationship’ does not mean a person with a
2 power of attorney or other written delegation of parental responsibilities if
3 the person does not have other evidence of a parental relationship.

4 “(c) ‘School district of origin’ means the school district where an indi-
5 vidual **placed in foster care** was a resident before:

6 “(A) The individual was placed into foster care; or

7 “(B) The foster care placement of the individual changed.

8 “[*(d) ‘School of origin’ means the school that an individual attended*
9 *before:*]

10 “[*(A) The individual was placed into foster care; or*]

11 “[*(B) The foster care placement of the individual changed.*]

12 “(2)(a) Except as provided in subsections (3) to [(5)] **(6)** of this section,
13 individuals between the ages of 4 and 18 shall be considered resident for
14 school purposes in the school district in which their parents, their guardians
15 or persons in parental relationship to them reside.

16 “(b) Nonemancipated individuals between the ages of 4 and 18 living
17 outside the geographic area of the school district for such reasons as at-
18 tending college, military service, hospital confinement or employment away
19 from home shall be considered resident in the district in which their parents,
20 their guardians or persons in parental relationship to them reside.

21 “(c) Individuals living temporarily in a school district for the primary
22 purpose of attending a district school may not be considered resident in the
23 district in which they are living temporarily, but shall be considered resident
24 in the district in which they, their parents, their guardians or persons in
25 parental relationship to them reside.

26 “(3) Individuals considered legally emancipated from their parents shall
27 be considered resident in the district in which they actually reside, irre-
28 spective of the residence of their parents, their guardians or persons in par-
29 ental relationship.

30 “(4)(a) An individual who is between the ages of 4 and 21 and who is

placed in foster care shall be considered a resident of:

“(A) The school district of origin; or

“(B) The school district where the individual resides due to placement by the Department of Human Services or a tribal child welfare agency if a juvenile court determines it is not in the best interest of the individual to continue attending the school of origin or any other school in the school district of origin, based on consideration of all factors relating to the individual’s best interests.

“(b) If a juvenile court makes a determination that it is not in the best interest of the individual to continue attending the school of origin, the individual shall be immediately enrolled in a new school, even if the individual is unable to produce records normally required for enrollment.

“(c) Individuals who are residents of their school district of origin pursuant to paragraph (a)(A) of this subsection shall:

“(A) Remain in the individual’s school district of origin and, if applicable, the individual’s school of origin for the duration of the individual’s time in foster care; and

“(B) Be provided, free of charge, transportation between the individual’s home and the individual’s school district of origin or, if applicable, the individual’s school of origin.

“(d) The Department of Education, the Department of Human Services, tribal child welfare agencies and school districts shall collaborate to ensure that the provisions of this subsection are implemented.

“(e) As used in this subsection, ‘school of origin’ means the school that an individual placed in foster care attended before:

“(A) The individual was placed into foster care; or

“(B) The foster care placement of the individual changed.

“(5)(a) Except as provided in ORS 327.006 (6) and 335.090, an individual whose legal residence is not within the district but who attends school in the district is considered a resident in the district in which the individual

1 attends school if the individual receives written consent from both of the
2 affected district school boards as provided by policies adopted by the boards.

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

6 “(A) The legal residence of the individual had been in the district in
7 which the individual attends school before a boundary change was made to
8 the district;

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

11 “(C) The individual has had the same legal residence and has contin-
12 uously been enrolled in a school in the district since the boundary change.

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

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

20 “[~~(6)(a)~~] **(7)(a)** Individuals who are foreign exchange students and who are
21 residing in Oregon in a dormitory operated by a school district are consid-
22 ered to be residents of the school district in which the dormitory is located.

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

24 “(A) An individual may not be considered to be a foreign exchange stu-
25 dent for more than one school year.

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

30 “(C) The number of individuals who may be considered residents under

the provisions of this subsection may not increase relative to the number who would have been considered residents under the provisions of this subsection for the 2010-2011 school year.

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

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

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

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