

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 418**

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” delete the
2 rest of the line and lines 3 and 4 and insert “339.133 and sections 5 and 20,
3 chapter 718, Oregon Laws 2011; and declaring an emergency.”.

4 Delete lines 5 through 24.

5 On page 2, delete lines 1 through 11.

6 Delete lines 13 through 45 and delete pages 3 through 13 and insert:

7 **“SECTION 1. (1) The Higher Education Coordinating Commission**
8 **shall convene a work group to identify methods for improving the**
9 **success rate of, and educational outcomes for, students who receive a**
10 **state-administered waiver of tuition, or a state-administered grant for**
11 **the amount of tuition, for courses taken at a community college in**
12 **this state.**

13 **“(2) For the purpose of fulfilling the duty specified in subsection (1)**
14 **of this section, the work group shall emphasize support services pro-**
15 **vided to high school students to prepare for courses offered at com-**
16 **munity colleges.**

17 **“(3) The work group convened under this section must include the**
18 **Chief Education Officer, a representative of the Department of Edu-**
19 **cation and other education stakeholders.**

20 **“(4) No later than February 1, 2016, the commission shall submit to**
21 **the interim committees of the Legislative Assembly related to educa-**
22 **tion a report that summarizes the findings of the work group under**

1 **this section.**

2 **“SECTION 2. If Senate Bill 81 does not become law, section 1 of this**
3 **2015 Act is repealed.**

4 **“SECTION 3. (1) As used in this section, ‘accelerated college credit**
5 **programs’ includes dual credit programs, two-plus-two programs, ad-**
6 **vanced placement programs, International Baccalaureate programs**
7 **and any other programs meeting criteria specified by the State Board**
8 **of Education by rule as enabling high school students to earn college**
9 **credit.**

10 **“(2) The Higher Education Coordinating Commission, in consulta-**
11 **tion with the Department of Education and the Oregon Education In-**
12 **vestment Board, shall recommend ways to encourage students to:**

13 **“(a) Become ready for college;**

14 **“(b) Take courses for college credit; and**

15 **“(c) Transition from high school to a post-secondary institution of**
16 **higher education.**

17 **“(3) When developing the recommendations described in subsection**
18 **(2) of this section, the commission shall include methods for:**

19 **“(a) Allocating how high schools and post-secondary institutions of**
20 **education will share the costs of, and funding for, transitioning from**
21 **high school to a post-secondary institution of education;**

22 **“(b) Giving funding preference to high schools with:**

23 **“(A) Historically low numbers of offerings in accelerated college**
24 **credit programs;**

25 **“(B) High student participation rates in free or reduced lunch pro-**
26 **grams;**

27 **“(C) Low graduation rates; or**

28 **“(D) High percentages of underrepresented students;**

29 **“(c) Increasing the capacity at high schools and post-secondary in-**
30 **stitutions of education to provide advising or counseling services to**

1 students to support a culture that encourages enrollment in a post-
2 secondary institution of education and success after enrollment;

3 “(d) Supporting cross-sector collaboration between instructors in
4 high schools and post-secondary institutions of education to:

5 “(A) Ensure that the coursework for accelerated college credit pro-
6 grams meets standards for post-secondary institutions of education;
7 and

8 “(B) Increase alignment between high school coursework and ex-
9 pectations for first-year students of post-secondary institutions of ed-
10 ucation; and

11 “(e) Preparing students for successful participation in programs
12 that support transition to post-secondary institutions of education and
13 completion of their educational goals.

14 “(4) No later than February 1, 2016, the commission shall submit to
15 the interim committees of the Legislative Assembly related to educa-
16 tion a report that summarizes the recommendations of the commis-
17 sion under this section.

18 “SECTION 4. In addition to and not in lieu of any other appropri-
19 ation, there is appropriated to the Higher Education Coordinating
20 Commission, for the biennium beginning July 1, 2015, out of the Gen-
21 eral Fund, the amount of \$134,079, for the purposes described in
22 sections 1 and 3 of this 2015 Act.

23 “SECTION 5. (1) In addition to and not in lieu of any other appro-
24 priation, there is appropriated to the Emergency Board, for the
25 biennium beginning July 1, 2015, out of the General Fund, the amount
26 of \$6,865,921, to be allocated to the Higher Education Coordinating
27 Commission for the purpose of implementing the recommendations
28 developed under section 3 of this 2015 Act.

29 “(2) If any of the moneys appropriated by subsection (1) of this
30 section are not allocated by the Emergency Board prior to December

1 **1, 2016, the moneys remaining on that date become available for any**
2 **purpose for which the Emergency Board lawfully may allocate funds.**

3 **“SECTION 6.** Section 5, chapter 718, Oregon Laws 2011, as amended by
4 section 3, chapter 641, Oregon Laws 2013, is amended to read:

5 **“Sec. 5.** The amendments to ORS 339.133 by section 4, chapter 718,
6 Oregon Laws 2011, become operative on [*July 1, 2015*] **the effective date**
7 **of this 2015 Act.**

8 **“SECTION 7.** Section 20, chapter 718, Oregon Laws 2011, as amended by
9 section 4, chapter 655, Oregon Laws 2013, is amended to read:

10 **“Sec. 20.** (1) The amendments to ORS 327.006, 329.485, 332.405, 339.115,
11 339.134 and 343.151 by sections 11 to 14, 17 and 18, chapter 718, Oregon Laws
12 2011, become operative on January 1, 2012.

13 **“(2)** The amendments to ORS 339.133 by section 19, chapter 718, Oregon
14 Laws 2011, [*and the amendments to section 1 of this 2013 Act by section 3 of*
15 *this 2013 Act*] become operative on [*July 1, 2017*] **the effective date of this**
16 **2015 Act.**

17 **“[(3)** *The amendments to ORS 339.133 by section 19, chapter 718, Oregon*
18 *Laws 2011, first apply to the 2017-2018 school year.*]

19 **“SECTION 8.** ORS 339.133, as amended by sections 4 and 19, chapter 718,
20 Oregon Laws 2011, is amended to read:

21 **“339.133.** (1)(a) Except as provided in subsections (2) to [(5)] **(6)** of this
22 section, children between the ages of 4 and 18 shall be considered resident
23 for school purposes in the school district in which their parents, their
24 guardians or persons in parental relationship to them reside.

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

30 **“(c)** Persons living temporarily in a school district for the primary pur-

1 pose of attending a district school may not be considered resident in the
2 district in which they are living temporarily, but shall be considered resident
3 in the district in which they, their parents, their guardians or persons in
4 parental relationship to them reside.

5 “(2) Individuals considered legally emancipated from their parents shall
6 be considered resident in the district in which they actually reside, irre-
7 spective of the residence of their parents, their guardians or persons in par-
8 ental relationship.

9 “(3) Children placed by public or private agencies who are living in li-
10 censed, certified or approved substitute care programs shall be considered
11 resident in the school district in which they reside because of placement by
12 a public or private agency.

13 “(4)(a) Notwithstanding subsection (3) of this section, when a juvenile
14 court determines that it is in a child’s best interest to continue to attend the
15 school that the child attended prior to placement by a public agency, the
16 child:

17 “(A) Shall be considered resident for school purposes in the school district
18 in which the child resided prior to the placement; and

19 “(B) May continue to attend the school the child attended prior to the
20 placement through the highest grade level of the school.

21 “(b) The public agency that has placed the child shall be responsible for
22 providing the child with transportation to and from school when the need for
23 transportation is due to the placement by the public agency.

24 “(c) Paragraph (b) of this subsection applies only to a public agency for
25 which funds have been designated for the specific purpose of providing a
26 child with transportation to and from school under this subsection.

27 “(5) Except as provided in ORS 327.006 (7) and 335.090, persons whose le-
28 gal residence is not within the district but who attend school in the district
29 are considered residents in the district in which the persons attend school
30 if those persons receive:

1 “(a) Written consent from both of the affected district school boards as
2 provided by policies adopted by the boards[.]; or

3 **“(b) Written consent from the district school board for the district
4 in which the school is located as provided by section 9, chapter 718,
5 Oregon Laws 2011.**

6 **“(6)(a) Children who are foreign exchange students and who are
7 residing in Oregon in a dormitory operated by a school district are
8 considered to be residents of the school district in which the dormitory
9 is located.**

10 **“(b) For the purpose of this subsection:**

11 **“(A) A child may not be considered to be a foreign exchange student
12 for more than one school year.**

13 **“(B) A child may be considered to be a resident of a school district
14 as provided by this subsection only if, for the 2010-2011 school year, the
15 school district had foreign exchange students who would have been
16 considered residents under the provisions of this subsection.**

17 **“(C) The number of children who may be considered residents under
18 the provisions of this subsection may not increase relative to the
19 number who would have been considered residents under the pro-
20 visions of this subsection for the 2010-2011 school year.**

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

25 **“[(6)] (7) For the purposes of this section:**

26 **“(a) ‘Person in parental relationship’ means an adult who has physical
27 custody of a child or resides in the same household as the child, interacts
28 with the child daily, provides the child with food, clothing, shelter and in-
29 cidental necessities and provides the child with necessary care, education
30 and discipline. ‘Person in parental relationship’ does not mean a person with**

1 a power of attorney or other written delegation of parental responsibilities
2 if the person does not have other evidence of a parental relationship.

3 “(b) ‘Substitute care program’ means family foster care, family group
4 home care, parole foster care, family shelter care, adolescent shelter care and
5 professional group care.

6 **“SECTION 9. The amendments to ORS 339.133 by section 8 of this**
7 **2015 Act first apply to the 2015-2016 school year.**

8 **“SECTION 10.** ORS 339.133, as amended by sections 4 and 19, chapter
9 718, Oregon Laws 2011, and section 8 of this 2015 Act, is amended to read:

10 “339.133. (1)(a) Except as provided in subsections (2) to (6) of this section,
11 children between the ages of 4 and 18 shall be considered resident for school
12 purposes in the school district in which their parents, their guardians or
13 persons in parental relationship to them reside.

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

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

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

28 “(3) Children placed by public or private agencies who are living in li-
29 censed, certified or approved substitute care programs shall be considered
30 resident in the school district in which they reside because of placement by

1 a public or private agency.

2 “(4)(a) Notwithstanding subsection (3) of this section, when a juvenile
3 court determines that it is in a child’s best interest to continue to attend the
4 school that the child attended prior to placement by a public agency, the
5 child:

6 “(A) Shall be considered resident for school purposes in the school district
7 in which the child resided prior to the placement; and

8 “(B) May continue to attend the school the child attended prior to the
9 placement through the highest grade level of the school.

10 “(b) The public agency that has placed the child shall be responsible for
11 providing the child with transportation to and from school when the need for
12 transportation is due to the placement by the public agency.

13 “(c) Paragraph (b) of this subsection applies only to a public agency for
14 which funds have been designated for the specific purpose of providing a
15 child with transportation to and from school under this subsection.

16 “(5) Except as provided in ORS 327.006 (7) and 335.090, persons whose le-
17 gal residence is not within the district but who attend school in the district
18 are considered residents in the district in which the persons attend school
19 if those persons receive[:]

20 “[*a*] written consent from both of the affected district school boards as
21 provided by policies adopted by the boards. [*; or*]

22 “[*b*] *Written consent from the district school board for the district in which*
23 *the school is located as provided by section 9, chapter 718, Oregon Laws*
24 *2011.*]

25 “[*(6)(a) Children who are foreign exchange students and who are residing*
26 *in Oregon in a dormitory operated by a school district are considered to be*
27 *residents of the school district in which the dormitory is located.*]

28 “[*b*] *For the purpose of this subsection:*]

29 “[*A*] *A child may not be considered to be a foreign exchange student for*
30 *more than one school year.*]

1 “[B) A child may be considered to be a resident of a school district as
2 provided by this subsection only if, for the 2010-2011 school year, the school
3 district had foreign exchange students who would have been considered resi-
4 dents under the provisions of this subsection.]

5 “[C) The number of children who may be considered residents under the
6 provisions of this subsection may not increase relative to the number who
7 would have been considered residents under the provisions of this subsection
8 for the 2010-2011 school year.]

9 “[c) As used in this subsection, ‘foreign exchange student’ means a student
10 who attends school in Oregon under a cultural exchange program and whose
11 parent, guardian or person in parental relationship resides in another
12 country.]

13 “[7)] (6) For the purposes of this section:

14 “(a) ‘Person in parental relationship’ means an adult who has physical
15 custody of a child or resides in the same household as the child, interacts
16 with the child daily, provides the child with food, clothing, shelter and in-
17 cidental necessities and provides the child with necessary care, education
18 and discipline. ‘Person in parental relationship’ does not mean a person with
19 a power of attorney or other written delegation of parental responsibilities
20 if the person does not have other evidence of a parental relationship.

21 “(b) ‘Substitute care program’ means family foster care, family group
22 home care, parole foster care, family shelter care, adolescent shelter care and
23 professional group care.

24 **“SECTION 11. (1) The amendments to ORS 339.133 by section 10 of
25 this 2015 Act and the amendments to section 1, chapter 655, Oregon
26 Laws 2013, by section 8, chapter 655, Oregon Laws 2013, become oper-
27 ative on July 1, 2017.**

28 **“(2) The amendments to ORS 339.133 by section 10 of this 2015 Act
29 first apply to the 2017-2018 school year.**

30 **“SECTION 12. If this 2015 Act does not become effective until after**

1 July 1, 2015, the amendments to ORS 339.133 by section 8 of this 2015
2 Act shall be operative retroactively to July 1, 2015, to cause the oper-
3 ation and effect of ORS 339.133, as in effect prior to July 1, 2015, to
4 continue unaffected from July 1, 2015, to the effective date of this 2015
5 Act. Any otherwise lawful action taken or otherwise legal obligation
6 incurred under the authority of ORS 339.133, as amended by section 8
7 of this 2015 Act, after July 1, 2015, and before the effective date of this
8 2015 Act, is ratified and approved.

9 “SECTION 13. This 2015 Act being necessary for the immediate
10 preservation of the public peace, health and safety, an emergency is
11 declared to exist, and this 2015 Act takes effect on its passage.”.

12
