I	H.638
2	Introduced by Representatives LaLonde of South Burlington, Elder of
3	Starksboro, and James of Manchester
4	Referred to Committee on
5	Date:
6	Subject: Education; children of parents who are homeless; high school
7	Statement of purpose of bill as introduced: This bill proposes to allow a child
8	of parents who are homeless who was enrolled and completed grade 10 in a
9	Vermont public school to complete high school at that school even if the
10	child's parents, either during that academic year or during the following two
11	academic years, are no longer homeless and take up residency in a school
12	district other than the school district in which the child enrolled and completed
13	grade 10.
14	An act relating to the education of children of parents who are homeless
15	It is hereby enacted by the General Assembly of the State of Vermont:
16	Sec. 1. 16 V.S.A. § 1075 is amended to read:
17	§ 1075. LEGAL RESIDENCE DEFINED; RESPONSIBILITY AND
18	PAYMENT OF EDUCATION OF STUDENT
19	* * *
20	(c) State-placed students.

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(1) A State-placed student in the legal custody of the Commissioner for Children and Families, other than one placed in a 24-hour residential facility and except as otherwise provided in this subsection, shall be educated by the student's school of origin, unless the student's education team determines that it is not in the student's best interest to attend the school of origin. The student's education team shall include, as applicable, the student, the student's parents and foster parents, the student's guardian ad litem and educational surrogate parent, representatives of both the school of origin and potential new school, and a representative of the Family Services Division of the Department for Children and Families. In the case of a dispute about whether it is in the student's best interest to attend the school of origin, the Commissioner for Children and Families shall make the final decision. As used in this section, "school of origin" means the school in which the child was enrolled at the time of placement into custody of the Commissioner for Children and Families, or in the case of a student already in the custody of the Commissioner for Children and Families, the school the student most recently attended.

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(e)(1) For the purposes of this title, the legal residence or residence of a child of homeless parents who are homeless is the child's school of origin, as defined in subdivision (c)(1) of this section, unless the parents and another school district agree that the child's attendance in school in that school district

1	will be in the best interests of the child. A "child of homeless parents who are
2	homeless" means a child whose parents:

(1)(A) lack a fixed, regular, and adequate residence, or

(2)(B) have a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations such as public assistance hotels, emergency shelters, battered women's shelters, and transitional housing facilities, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.

(2) Notwithstanding any provision to the contrary under this section, if a child of parents who are homeless was enrolled and completed grade 10 in a Vermont public school and the child's parents, either during that academic year or during the following two academic years, are no longer homeless, as defined under this section, and take up residency in a school district other than the school district in which the child enrolled and completed grade 10, then the child shall be considered to be a legal resident of the school district in which the child completed grade 10 for such time that it takes for the student to graduate from high school, unless the child's parents and another school district agree that the child's attendance in school in that school district will be in the best interests of the child.

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- 1 Sec. 2. EFFECTIVE DATE
- 2 This act shall take effect on passage.