

1 H.328

2 Introduced by Representatives Grad of Moretown, Anthony of Barre City,
3 Canfield of Fair Haven, Donahue of Northfield, Fagan of
4 Rutland City, Goslant of Northfield, Gregoire of Fairfield,
5 Hango of Berkshire, Harrison of Chittenden, Masland of
6 Thetford, Mrowicki of Putney, Norris of Sheldon, Noyes of
7 Wolcott, Ode of Burlington, Page of Newport City, Savage of
8 Swanton, Squirrell of Underhill, Sullivan of Dorset, Till of
9 Jericho, Townsend of South Burlington, and Yantachka of
10 Charlotte

11 Referred to Committee on

12 Date:

13 Subject: Education; military families; enrollment; in-state tuition

14 Statement of purpose of bill as introduced: This bill proposes to allow a child
15 whose parent is transferring to Vermont on military orders to be remotely
16 enrolled in public schools. This bill also provides that the spouse and
17 dependent child of any person who is a member of the U.S. Armed Forces and
18 stationed in this State pursuant to military orders be considered residents for
19 in-state tuition purposes and do not lose that status if the member transfers out
20 of State on military orders.

1 An act relating to the education of military families

2 It is hereby enacted by the General Assembly of the State of Vermont:

3 Sec. 1. 16 V.S.A. § 1073 is amended to read:

4 § 1073. “LEGAL PUPIL” DEFINED; ACCESS TO SCHOOL

5 * * *

6 (d) If one or both of a child’s parents or guardians are being relocated to the
7 State under military orders, a school district shall allow remote registration of
8 the student and shall not require the student or the parent or legal guardian of
9 the student to physically appear at a location within the district to register the
10 student. Proof of required residency shall not be required at the time of the
11 remote registration but shall be required within ten days of the student’s
12 attendance in the school district.

13 Sec. 2. 16 V.S.A. § 2185 is amended to read:

14 § 2185. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

15 (a) The Board of Trustees shall adopt policies related to residency for
16 tuition purposes, consistent with State and federal requirements.

17 (b) Any member of the U.S. Armed Forces on active duty who is
18 transferred to Vermont for duty other than for the purpose of education shall,
19 upon transfer and for the period of active duty served in Vermont, be
20 considered a resident for in-state tuition purposes at the start of the next
21 semester or academic period.

1 (c) The spouse and dependent child of any person who is a member of the
2 U.S. Armed Forces and stationed in this State pursuant to military orders shall
3 be entitled to be considered, upon taking up a residence in the State, residents
4 for in-state tuition purposes at the start of the next semester or academic
5 period. The spouse and dependent child shall not lose classification as in-state
6 students if the member of the U.S. Armed Forces is thereafter transferred on
7 military orders or retires.

8 Sec. 3. 16 V.S.A. § 2282a is amended to read:

9 § 2282a. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

10 (a) Enrollment at an institution for higher learning, or presence within the
11 State for the purposes of attending an institution of higher learning, shall not
12 by itself constitute residence for in-state tuition purposes or for the purpose of
13 eligibility for assistance from the Vermont Student Assistance Corporation.

14 (b) Any member of the U.S. Armed Forces ~~of the United States~~ on active
15 duty who is transferred to Vermont for duty other than for the purpose of
16 education shall, upon transfer and for the period of active duty served in
17 Vermont, be considered a resident for in-state tuition purposes at the start of
18 the next semester or academic period.

19 (c) The spouse and dependent child of any person who is a member of the
20 U.S. Armed Forces and stationed in this State pursuant to military orders shall
21 be entitled to be considered, upon taking up a residence in the State, residents

1 for in-state tuition purposes at the start of the next semester or academic
2 period. The spouse and dependent child shall not lose classification as in-state
3 students if the member of the U.S. Armed Forces is thereafter transferred on
4 military orders or retires.

5 Sec. 4. EFFECTIVE DATE

6 This act shall take effect on passage.