

1 S.104

2 Introduced by Senators Ram, Chittenden and Parent

3 Referred to Committee on

4 Date:

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

6 Statement of purpose of bill as introduced: This bill proposes to allow a child  
7 whose parent is transferring to Vermont on military orders to be remotely  
8 enrolled in public schools. This bill also provides that the spouse and  
9 dependent child of any person who is a member of the U.S. Armed Forces and  
10 stationed in this State pursuant to military orders be considered a resident for  
11 in-state tuition purposes and does not lose that status if the member transfers  
12 out of State on military orders.

13 An act relating to the education of military families

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

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

16 § 1073. "LEGAL PUPIL" DEFINED; ACCESS TO SCHOOL

17 \* \* \*

18 (d) If one or both of a child's parents or guardians are being relocated to the  
19 State under military orders, a school district shall allow remote registration of  
20 the student and shall not require the parent or legal guardian of the student or

1 the student himself or herself to physically appear at a location within the  
2 district to register the student. Proof of required residency shall not be  
3 required at the time of the remote registration but shall be required within ten  
4 days of the student's attendance in the school district.

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

6 § 2185. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

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

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

14 (c) The spouse and dependent child of any person who is a member of the  
15 U.S. Armed Forces and stationed in this State pursuant to military orders shall  
16 be entitled to be considered, upon taking up a residence in the State, a resident  
17 for in-state tuition purposes at the start of the next semester or academic  
18 period. The spouse and dependent child shall not lose classification as an in-  
19 state student if the member of the U.S. Armed Forces is thereafter transferred  
20 on military orders or retires.

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

2 § 2282a. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

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

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

12 (c) The spouse and dependent child of any person who is a member of the  
13 U.S. Armed Forces and stationed in this State pursuant to military orders shall  
14 be entitled to be considered, upon taking up a residence in the State, a resident  
15 for in-state tuition purposes at the start of the next semester or academic  
16 period. The spouse and dependent child shall not lose classification as an in-  
17 state student if the member of the U.S. Armed Forces is thereafter transferred  
18 on military orders or retires.

19 Sec. 4. EFFECTIVE DATE

20 This act shall take effect on passage.