1	S.131
2	Introduced by Senator Chittenden
3	Referred to Committee on
4	Date:
5	Subject: Education; legal residence
6	Statement of purpose of bill as introduced: This bill proposes to allow a high
7	school student to maintain legal residency in the school district the student is
8	attending on October 1 of the student's tenth-grade year if the student also
9	completed ninth grade in the same school district, regardless of whether the
10	student's parents are domiciled in the school district.
11	An act relating to high school student legal residency
12	It is hereby enacted by the General Assembly of the State of Vermont:
13	Sec. 1. 16 V.S.A. § 1075 is amended to read:
14	§ 1075. LEGAL RESIDENCE DEFINED; RESPONSIBILITY AND
15	PAYMENT OF EDUCATION OF STUDENT
16	(a) For the purpose of this title, except as otherwise set forth, the legal
17	residence or residence of a student shall be as follows:
18	(1) In the case of a minor, legal residence is where $\frac{\text{his or her }}{\text{the}}$
19	student's parents reside, except that:

## BILL AS INTRODUCED 2023

1	(A) if the parents live apart, legal residence is where either parent
2	resides, but if a parent with sole custody lives outside the State of Vermont, the
3	student does not have a legal residence in Vermont;
4	(B) if the minor is in the custody of a legal guardian appointed by a
5	Vermont court or a court of competent jurisdiction in another state, territory, or
6	country, legal residence is where the guardian resides.
7	(2) In the case of a student who has reached the age of majority, legal
8	residence is where the student resides.
9	(3) For the purposes of this title, "resident" of the State and of a school
10	district means a natural person who is domiciled in the school district and who,
11	if temporarily absent, demonstrates an intent to maintain a principal dwelling
12	place in the school district indefinitely and to return there, coupled with an act
13	or acts consistent with that intent. The term "temporarily absent" includes
14	those special cases listed in 17 V.S.A. § 2122(a). The term "residence" is
15	synonymous with the term "domicile." A married person may have a domicile
16	independent of the domicile of his or her the person's spouse. If a person
17	removes to another town with the intention of remaining there indefinitely, that
18	person shall be considered to have lost residence in the town in which the
19	person originally resided even though the person intends to return at some
20	future time. A person may have only one residence at a given time.
21	* * *

1	(k) Notwithstanding subsections (a) and (h) of this section, for the purposes
2	of this title, a high school student may maintain legal residency through
3	graduation in the school district the student is enrolled in on October 1 of the
4	student's tenth-grade year if the student completed ninth grade in the same
5	school district, regardless of whether the student or the student's parents are
6	domiciled in that school district after October 1 of the student's tenth-grade
7	year.
8	Sec. 2. EFFECTIVE DATE

9 <u>This act shall take effect on July 1, 2023.</u>