

# 2005 SESSION

INTRODUCED

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## HOUSE BILL NO. 2568

Offered January 12, 2005

Prefiled January 12, 2005

A *BILL to amend the Code of Virginia by adding a section numbered 22.1-199.5, relating to certain educational benefits for dependents of members of the military.*

Patron—Baskerville

Referred to Committee on Education

### Be it enacted by the General Assembly of Virginia:

#### 1. That the Code of Virginia is amended by adding a section numbered 22.1-199.5 as follows:

§ 22.1-199.5. *Military dependents; participation in certain programs; transition to public schools.*

A. *Notwithstanding any other provision of state law to the contrary and to the extent consistent with any federal law and any federal or state constitutional requirements regarding equal protection and due process, dependents of active duty military personnel residing in the Commonwealth who otherwise satisfy any relevant eligibility, participation, or admissions criteria shall be given priority consideration for placement for such admission, participation, placement, or enrollment in any special academic programs or opportunities offered by the public schools of the Commonwealth, regardless of whether such program (i) is offered by the school in the attendance zone in which the student resides or (ii) has reached maximum enrollment.*

*If such program is offered through a public school outside the attendance zone in which the student resides, the student's parent shall be responsible for the student's transportation to such school.*

*For purposes of this subsection, special academic programs shall include, but shall not be limited to, charter schools, magnet schools, advanced studies programs, advanced placement, dual enrollment, and International Baccalaureate programs.*

B. *The Superintendent of Public Instruction shall facilitate the development and implementation of memoranda of agreement between school divisions and military installations that address strategies for assisting students who are the children of active duty military personnel in the transition to the Commonwealth's public schools. Such memoranda shall address, among other things, the expeditious placement of such dependents who (i) have been receiving educational services pursuant to an individualized education plan in a public or private school outside the Commonwealth and (ii) are transferring to the Commonwealth from such out-of-state or foreign school pursuant to the military parent's permanent change of station orders.*

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