

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-3.4 of the Code of Virginia, relating to school enrollment; students*
 3 *formerly in foster care.*

4
 5 Approved

[S 275]

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 22.1-3.4 of the Code of Virginia is amended and reenacted as follows:**8 **§ 22.1-3.4. Enrollment of certain children placed in foster care.**

9 A. Whenever a student has been placed in foster care by a local social services agency and the
 10 placing social services agency is unable to produce any of the documents required for enrollment
 11 pursuant to § 22.1-3.1, 22.1-270, or 22.1-271.2, the student shall immediately be enrolled; however, the
 12 person enrolling the student shall provide a written statement that, to the best of his knowledge, sets
 13 forth (i) the student's age, (ii) compliance with the requirements of § 22.1-3.2, and (iii) that the student
 14 is in good health and is free from communicable or contagious disease.

15 B. The sending and receiving school divisions shall cooperate in facilitating the enrollment of any
 16 child placed in foster care across jurisdictional lines for the purpose of enhancing continuity of
 17 instruction. The child shall be allowed to continue to attend the school in which he was enrolled prior to
 18 the most recent foster care placement, upon the joint determination of the placing social services agency
 19 and the local school division that such attendance is in the best interest of the child.

20 C. In the event the student continues to attend the school in which he was enrolled prior to the most
 21 recent foster care placement, the receiving school division shall be accorded foster children education
 22 payments pursuant to § 22.1-101.1; further, the receiving school division may enter into financial
 23 arrangements with the sending school division pursuant to subsection C of § 22.1-5. Under no
 24 circumstances shall a child placed in foster care be charged tuition regardless of whether such child is
 25 attending the school in which he was enrolled prior to the most recent foster care placement or attending
 26 a school in the receiving school division.

27 D. For the purposes of subsections A, B, and C:

28 "A child or student placed in foster care" means a pupil who is the subject of a foster care placement
 29 through an entrustment or commitment of such child to the local social services board or licensed
 30 child-placing agency pursuant to clause (ii) of the definition of "foster care placement" as set forth in
 31 § 63.2-100.

32 For the purposes of this section:

33 "Receiving school division" means the school division in which the residence of the student's foster
 34 care placement is located.

35 "Sending school division" means the school division in which the student last attended school.

36 E. Notwithstanding the provisions of subsections A, B, and C or § 22.1-3 or 22.1-5, no person of
 37 school age who is the subject of a foster care placement, as such term is defined in § 63.2-100, shall be
 38 charged tuition.

39 *F. The provisions of this section shall apply to any student who was in foster care upon reaching 18*
 40 *years of age but who has not yet reached 22 years of age.*