

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 368

An Act to amend and reenact § 22.1-3 of the Code of Virginia, relating to persons for whom public schools shall be free.

[H 1778]

Approved March 24, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-3 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-3. Persons to whom public schools shall be free.

The public schools in each school division shall be free to each person of school age who resides within the school division. Every person of school age shall be deemed to reside in a school division:

1. When the person is living with a natural parent, or a parent by legal adoption;
2. When the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
3. When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is *either (i) the court-appointed guardian, or has legal custody, of the person or (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under § 63.1-220.1;*
4. When the person is living with a parent, guardian, or person in loco parentis in a temporary shelter in the school division, not solely for school purposes; or
5. When the person is living in the school division not solely for school purposes, as an emancipated minor.

For purposes of this section, "temporary shelter" means (i) any home, single or multi-unit dwelling or housing unit in which persons who are without housing or a fixed address receive temporary housing or shelter or (ii) any facility specifically designed or approved for the purpose of providing temporary housing or shelter to persons who are without permanent housing or a fixed address.