

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [H 1778]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 22.1-3 of the Code of Virginia is amended and reenacted as follows:**

8 § 22.1-3. Persons to whom public schools shall be free.

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

11 1. When the person is living with a natural parent, or a parent by legal adoption;

12 2. When the parents of such person are dead and the person is living with a person in loco parentis
13 who actually resides within the school division;14 3. When the parents of such person are unable to care for the person and the person is living, not
15 solely for school purposes, with another person who resides in the school division and is *either (i) the*
16 *court-appointed guardian, or has legal custody, of the person or (ii) acting in loco parentis pursuant to*
17 *placement of the person for adoption by a person or entity authorized to do so under § 63.1-220.1;*18 4. When the person is living with a parent, guardian, or person in loco parentis in a temporary
19 shelter in the school division, not solely for school purposes; or20 5. When the person is living in the school division not solely for school purposes, as an emancipated
21 minor.22 For purposes of this section, "temporary shelter" means (i) any home, single or multi-unit dwelling or
23 housing unit in which persons who are without housing or a fixed address receive temporary housing or
24 shelter or (ii) any facility specifically designed or approved for the purpose of providing temporary
25 housing or shelter to persons who are without permanent housing or a fixed address.

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