

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF EDUCATION  
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SUPTS. MEMO NO. 168  
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INFORMATIONAL

TO: Division Superintendents

FROM: Billy K. Cannaday, Jr.  
Superintendent of Public Instruction

SUBJECT: Children of Military Personnel Relocated to  
Military Housing

House Bill 240 was passed during the 2006 General Assembly and amends 22.1-3 of the *Code of Virginia* concerning persons to whom public schools shall be free. The bills purpose was to provide for educational continuity for the children of military personnel in Virginia when those military personnel are ordered to move to military housing in a different school division than the one the child was attending at the time of the order.

Specifically, the amendment provides that:

- No child of a person on active military duty attending a school free of charge shall be charged tuition by that school division upon the child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing and forfeit his military housing allowance.
- Such children shall be allowed to continue attending school in the school division they attended immediately prior to the relocation and shall not be charged tuition for attending such school. However, that school division shall not be responsible for providing for their transportation to and from school.
- Such children shall be counted in the average daily membership of the school division in which they are enrolled.

Please ensure that appropriate school personnel are informed of this new *Code* provision. If you have questions, please contact Michelle Vucci, director of policy, at [michelle.vucci@doe.virginia.gov](mailto:michelle.vucci@doe.virginia.gov) or (804) 371-0558.

BKC/MJP/jcj