

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to direct the Department of Education, in consultation with the Virginia State Crime Commission, to*
 3 *evaluate and make recommendations on compliance with and enforcement of the statutory prohibition on*
 4 *knowingly making false statements concerning a child's residency in a particular school division or*
 5 *school attendance zone for school enrollment.*

6 [H 290]

7 Approved

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. § 1.** *That the Department of Education (the Department), in consultation with the Virginia State Crime*
 10 *Commission and such other stakeholders as the Department deems appropriate, shall evaluate and make*
 11 *recommendations on compliance with and enforcement of the provisions of § 22.1-264.1 of the Code of*
 12 *Virginia prohibiting any person from knowingly making a false statement concerning the residency of a*
 13 *child in a particular school division or school attendance zone for the purpose of improving the efficacy of*
 14 *enforcing statutory residency requirements for enrollment in a particular school division while ensuring*
 15 *consequences or penalties for violations of such residency requirements are commensurate with such*
 16 *violations. In conducting its evaluation, the Department shall:*

17 *1. Collect and evaluate data on:*

18 *a. The prevalence of violations of § 22.1-264.1 of the Code of Virginia, including the number of violations*
 19 *that occur each school year in each school division;*

20 *b. The number of times the person identified as committing such violation is (i) charged with a Class 4*
 21 *misdemeanor pursuant to § 22.1-264.1 of the Code of Virginia or (ii) not charged with a Class 4*
 22 *misdemeanor and, for each such person, the consequence or penalty the school board imposed to enforce the*
 23 *applicable residency requirement instead; and*

24 *c. The rate of success of the applicable school division in recovering from such person, pursuant to*
 25 *§ 22.1-264.1 of the Code of Virginia, the tuition charges for the time in which the student was enrolled in*
 26 *such school division on the basis of the false statement concerning the child's residency, for the school*
 27 *division as a whole and, if feasible, disaggregated by consequence or penalty imposed, as identified pursuant*
 28 *to subdivision b;*

29 *2. Solicit input from school boards and public school administrators on the prevalence of violations of*
 30 *and the efficacy of enforcing the provisions of § 22.1-264.1 of the Code of Virginia; and*

31 *3. Make recommendations on improving the efficacy of enforcing statutory residency requirements for*
 32 *enrollment in a particular school division while ensuring consequences or penalties for violations of such*
 33 *residency requirements are commensurate with such violations, including recommendations identifying any*
 34 *(i) effective enforcement mechanisms that could serve as alternatives to misdemeanor charges or criminal*
 35 *penalties, including civil penalties; (ii) amendments to § 22.1-264.1 of the Code of Virginia necessary or*
 36 *appropriate to achieve such objective; and (iii) other approaches or actions necessary or appropriate to*
 37 *achieve such objective.*

38 *The Department shall submit to the Chairs of the Senate Committee on Education and Health and the*
 39 *House Committee on Education by November 1, 2026, a report on its findings and recommendations in*
 40 *accordance with the provisions of this act.*