

By: Representatives Kinkade, Brown (20th),
Williamson, Reynolds

To: Education

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1000

1 AN ACT TO ALLOW FOSTER AND ADOPTIVE PARENTS OR LEGAL
2 GUARDIANS TO ENROLL FOSTER OR ADOPTED CHILDREN IN THEIR CARE OR
3 LEGAL GUARDIANSHIP IN ANY SCHOOL OR SCHOOL DISTRICT OF THE FOSTER
4 OR ADOPTIVE PARENT'S OR LEGAL GUARDIAN'S CHOOSING; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** (1) Notwithstanding any provision of law to the
8 contrary, a pupil may, at the discretion of their foster
9 parent(s), adoptive parent(s) or court-appointed legal
10 guardian(s), enroll and attend the school or school district of
11 their foster parent's, adoptive parent's or court-appointed legal
12 guardian's choosing, regardless of the residence of the child,
13 provided that:

14 (a) The pupil has been placed in the legal custody of
15 the Mississippi Department of Child Protection Services by a youth
16 court or through other legal means and who was in the legal
17 custody of the department;

18 (b) The pupil has been placed in a qualified
19 residential child care agency by a parent, legal guardian, court



20 of competent jurisdiction, or other person or entity acting in the
21 best interest of the individual;

22 (c) The pupil has been adopted from the department's
23 legal custody or adopted while residing at a qualified residential
24 child care agency that provides a home for children, and the
25 agency was licensed by the Mississippi Department of Child
26 Protection Services at the time that the student was housed
27 therein; or

28 (d) The pupil has not be adjudicated as an emancipated
29 minor by a court of competent jurisdiction, and remains:

30 (i) In the custody of the Mississippi Department
31 of Child Protection Services; or

32 (ii) In a qualified residential child care agency;
33 or

34 (iii) In the legal custody of the individual(s)
35 who adopted him or her from the department's legal custody or
36 while residing at a qualified residential child care agency.

37 (2) A school district shall accept an application for
38 enrollment and course registration by electronic means for a pupil
39 who meets the requirements prescribed in subsection (1) of this
40 section, including enrollment in a specific school or program
41 within the school district.

42 (3) The foster parent, adoptive parent or court-appointed
43 legal guardian of a pupil who meets the requirement prescribed in
44 subsection (1) of this section shall provide proof of residence to



45 the school district within ten (10) days after the order of the
46 chancery court judge having jurisdiction over the matter is
47 entered.

48 **SECTION 2.** This act shall take effect and be in force from
49 and after July 1, 2023.

