

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2818**

BY DELEGATES FAST, KESSINGER, ARVON, HILL, O'NEAL

AND HOWELL

[Introduced March 8, 2017; Referred  
to the Committee on Education.]

1 A BILL to amend and reenact §18-8-12 of the Code of West Virginia, 1931, as amended, relating  
 2 to prohibiting West Virginia institutions of higher learning and state agencies from  
 3 discriminating against graduates of private, nonpublic or home schools by requiring them  
 4 to submit to alternative testing as a precondition for acceptance into the institution of  
 5 higher learning.

*Be it enacted by the Legislature of West Virginia:*

1 That §18-8-12 of the Code of West Virginia, 1931, as amended, be amended and  
 2 reenacted to read as follows:

**ARTICLE 8. COMPULSORY SCHOOL ATTENDANCE.**

**§18-8-12. Issuance of a diploma or other appropriate credential by public, private or home  
 school administrator.**

1 A person who administers a program of secondary education at a public, private or home  
 2 school that meets the requirements of this chapter may issue a diploma or other appropriate  
 3 credential to a person who has completed the program of secondary education. Such diploma or  
 4 credential is legally sufficient to demonstrate that the person meets the definition of having a high  
 5 school diploma or its equivalent. No state agency or institution of higher learning in this state may  
 6 reject or otherwise treat a person differently solely on the grounds of the source of such a diploma  
 7 or credential. Neither may state agencies or institutions of higher learning in this state require a  
 8 person who has obtained a diploma or other appropriate credentialing from private, nonpublic or  
 9 home schooling, and who has acceptable test results on ACT, SAT or other tests recognized by  
 10 the institution of higher learning which would qualify the person for admission, to submit to  
 11 alternate testing as a condition of admission. Nor may any person who has obtained a diploma or  
 12 other appropriate credentialing be rejected for admission to an institution of higher education  
 13 solely because their secondary education was not accredited by the State Board of Education or  
 14 any accrediting agency approved by said board. Nothing in this section prevents any agency or  
 15 institution of higher learning from inquiring into the substance or content of the program to assess

16 the content thereof for the purposes of determining whether a person meets other specific  
17 requirements.

NOTE: The purpose of this bill is to prohibit state agencies and institutions of higher learning from discriminating against graduates of private, nonpublic or home schools by requiring them to submit to alternative testing as a precondition for acceptance into the institution of higher learning.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.