

# VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

## CHAPTER 717

*An Act to amend and reenact §§ 22.1-223 through 22.1-225 of the Code of Virginia, relating to high school equivalency programs; eligibility.*

[H 803]

Approved March 30, 2018

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

**1. That §§ 22.1-223 through 22.1-225 of the Code of Virginia are amended and reenacted as follows:**

**§ 22.1-223. Definitions.**

As used in this article:

"Adult basic education" means education for ~~adults~~ *individuals over the age of compulsory school attendance specified in § 22.1-254* that enables them to express themselves orally and in writing, read, access information and resources, make decisions, act independently and interact with others, and continue lifelong learning to cope with and compete successfully in a global economy.

"Adult education program" means an instructional program below the college credit level provided by public schools for ~~persons over the age of compulsory school attendance specified in § 22.1-254~~ *individuals* who are not enrolled in the regular public school program, including adult basic education, credit programs, cultural adult education, external diploma programs, general adult education, and *high school equivalency* programs ~~preparing students to pass a high school equivalency examination approved by the Board of Education.~~

"Credit program" means a program of academic courses that are available to ~~adults~~ *individuals over the age of compulsory school attendance specified in § 22.1-254* to enable them to complete the regular requirements for a high school diploma.

"Cultural adult education" means English for speakers of other languages (ESOL), the preparation of foreign-born adults for participation in American life or for becoming American citizens, and other educational services for foreign-born ~~adults~~ *individuals over the age of compulsory school attendance specified in § 22.1-254.*

"External diploma program" means a program in which ~~adults~~ *individuals over the age of compulsory school attendance specified in § 22.1-254* who did not complete high school may earn a high school diploma by demonstrating with 100 percent mastery the 65 competencies established and validated by the American Council on Education.

"General adult education" means academic, cultural, and avocational instruction *for individuals over the age of compulsory school attendance specified in § 22.1-254* that may be obtained through programs other than ~~high school credit programs, high school equivalency programs preparing students to pass a high school equivalency examination approved by the Board of Education, or an external diploma program (EDP) approved by the Board of Education programs.~~

"High school equivalency program" means a program of preparation and instruction *to take a high school equivalency examination approved by the Board of Education* for ~~adults~~ *individuals over the age of compulsory school attendance specified in § 22.1-254* who did not complete high school, ~~for students~~ *individuals* who have been granted permission by the superintendent of the school division in which they are or were last enrolled to take a high school equivalency examination approved by the Board of Education, ~~and for those individuals who are at least 16 years of age, and individuals~~ who have been ordered by a court to participate in the program.

**§ 22.1-224. Duties of State Board.**

The Board of Education shall:

1. Require the development of adult education programs in every school division;
2. Encourage coordination in the development and provision of adult education programs between school boards and other state, federal, and local public and private agencies;
3. Promulgate appropriate standards and guidelines for adult education programs;
4. Accept and administer grants, gifts, services, and funds from available sources for use in adult education programs; and
5. Assist school divisions with all diligence in meeting the educational needs of ~~adults~~ *individuals* participating in adult education programs to master the requirements for and earn a high school diploma or to pass a high school equivalency examination approved by the Board of Education.

**§ 22.1-225. Authority of school boards.**

A. Local school boards shall provide adult education programs, in compliance with subdivision D 8 of § 22.1-253.13:1, for residents of the school division and, in their discretion, may charge appropriate fees to persons admitted to such programs.

B. With such funds as may be appropriated for the purposes of this article, school boards shall seek to ensure that every ~~adult~~ *individual* participating in such program has an opportunity to earn a high school diploma or pass a high school equivalency examination approved by the Board of Education.