

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to require the virtual administration of certain through-year growth assessments for students*
3 *enrolled in certain virtual school programs.*

4 [H 1820]

5 Approved

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

7 **1.** § 1. Any student enrolled in a virtual school program, as defined in § 22.1-212.23 of the Code of
8 Virginia, may take any beginning-of-year or mid-year growth assessment required pursuant to
9 subsection C of § 22.1-253.13:3 of the Code of Virginia in a virtual setting that best meets the
10 educational needs of the student, subject to the following conditions:

11 1. The student takes the assessment on an assigned date and at an assigned time;

12 2. The student attends a synchronous assessment session initiated and managed by virtual school
13 program personnel;

14 3. If the Department does not provide for integrated camera proctoring, the student shall use two
15 devices for the duration of the assessment administration: one device on which the student takes the
16 assessment and a second device on which an assessment proctor monitors for the duration of the
17 assessment administration via the camera on the second device. However, if the Department provides for
18 the proctor to view the student and background, then a second device shall not be required;

19 4. The device on which the student takes the assessment meets the technical requirements of the
20 assessment platform that ensure functionality and test security and has no other applications in
21 operation for the duration of the assessment administration except for browser lockdown software to
22 eliminate the possibility of Internet browser usage on such device for the duration of the assessment
23 administration;

24 5. The device on which the student is being monitored has audio capabilities accessible by the
25 assessment administrator;

26 6. An adult approved in accordance with the terms of the virtual school program, such as the
27 student's parent, is physically present with the student for the duration of the assessment administration.
28 Adults who are present with the student during such assessment administration must sign the
29 Department of Education's current test security agreement;

30 7. The virtual school program maintains a student assessment taker to assessment proctor ratio not
31 to exceed 10 to one;

32 8. The student does not exit the assessment administration until instructed to do so by the assigned
33 assessment proctor;

34 9. The assessment submission is verified by the assessment administrator; and

35 10. The virtual school program is responsible for all costs associated with such virtual assessment
36 administration.

37 **2.** That the Department of Education shall develop guidance to implement the provisions of this
38 act by January 1, 2024.

39 **3.** That the provisions of the first enactment of this act shall expire at such time as the
40 Department of Education's current state assessment program contract expires, provided, however,
41 that the vendor selected by the Department of Education for the subsequent state assessment
42 program contract shall provide for the capability of virtual assessment administration.

ENROLLED

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