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HOUSE BILL NO. 669

Offered January 25, 1994

A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 12 of Title 18.2 a section numbered 18.2-511, relating to furnishing assistance on certain standardized educational measurement tests; penalty.

Patrons—DeBoer, Bennett, Reynolds and Woodrum

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 12 of Title 18.2 a section numbered 18.2-511 as follows:

§ 18.2-511. Unlawful procurement or unauthorized possession of certain educational achievement examinations or answers; penalty.

A. It shall be unlawful:

1. For any person to give or receive from any person any information, oral, written or printed, during the administration of an examination, which is intended to, or will, assist the person taking the examination in passing the examination;

2. For any person to procure or have in his possession prior to the beginning of an examination, without written authority of the entity administering the examination, any question intended to be used by the entity conducting the examination, or to receive or furnish to any person taking the examination, prior to or during the examination, any written or printed material purporting to be answers to, or aid in answering such questions;

3. For any person to attempt to procure, through theft, fraud or other illegal means, any questions intended to be used by the entity conducting the examination, or the answers to the questions;

4. To promise or offer any valuable or other consideration to a person having access to the questions or answers as an inducement to procure for delivery to the promisor, or any other person, a copy or copies of any questions or answers; or

5. To present forged, counterfeit, or altered evidence of identification or otherwise misrepresent one's identity for the purpose of obtaining admission to a test administration site.

If an examination is divided into separate parts, each of the parts shall be deemed an examination for the purposes of this section.

For the purposes of this section, "test" and "examination" mean standardized educational tests administered in Virginia for the purpose of assessing educational achievement, including those tests administered in the public schools as part of the Virginia State Assessment Program and the Virginia Literacy Testing Program; the general education development (GED) examination; and undergraduate, graduate, and professional degree program entrance and achievement examinations, such as the Scholastic Aptitude Test (SAT), Graduate Record Examination (GRE), Law School Admission Test (LSAT), Medical College Admission Test (MCAT), or other similarly patterned test or examination.

Any person violating this section shall be guilty of a Class 1 misdemeanor.

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