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HOUSE BILL NO. 1820**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education

on January 30, 2023)

(Patron Prior to Substitute—Delegate Avoli)

A *BILL* to amend the Code of Virginia by adding in Article 1.4 of Chapter 13 of Title 22.1 a section numbered 22.1-212.27:1, relating to virtual school programs; virtual through-year growth assessment administration.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1.4 of Chapter 13 of Title 22.1 a section numbered 22.1-212.27:1, as follows:

§ 22.1-212.27:1. Virtual school programs; virtual through-year growth assessment administration.

Any student enrolled in a virtual school program, as defined in § 22.1-212.23, may take any through-year growth assessment required pursuant to subsection C of § 22.1-253.13:3 in a virtual setting that best meets the educational needs of the student, subject to the following conditions:

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

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

3. If the assessment platform does not allow integrated camera proctoring, the student shall use two devices for the duration of the assessment administration: one device on which the student takes the assessment and a second device on which an assessment proctor monitors for the duration of the assessment administration via the camera on the second device. However, if the assessment platform allows for the proctor to view the student and background, then a second device shall not be required;

4. The device on which the student takes the assessment has browser lockdown software in operation for the duration of the assessment administration to eliminate the possibility of Internet browser usage on such device for the duration of the assessment administration;

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

6. An adult approved in accordance with the terms of the virtual school program, such as the student's parent, is physically present with the student for the duration of the assessment administration;

7. The virtual school program seeks to maintain a student assessment taker to assessment proctor ratio of 10 to one or lower;

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

9. Assessment submission is verified by the assessment administrator.