

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

As Engrossed: S3/29/23

# A Bill

SENATE BILL 432

5 By: Senator J. Dotson  
6 By: Representative Brooks  
7

## For An Act To Be Entitled

9 AN ACT TO ESTABLISH THE CONDITIONS UNDER WHICH A  
10 PUBLIC SCHOOL THAT OPERATES PRIMARILY AS A VIRTUAL  
11 SCHOOL MAY OFFER A STATEWIDE STUDENT ASSESSMENT IN A  
12 VIRTUAL SETTING; AND FOR OTHER PURPOSES.  
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## Subtitle

16 TO ESTABLISH THE CONDITIONS UNDER WHICH A  
17 PUBLIC SCHOOL THAT OPERATES PRIMARILY AS  
18 A VIRTUAL SCHOOL MAY OFFER A STATEWIDE  
19 STUDENT ASSESSMENT IN A VIRTUAL SETTING.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 1, is amended  
25 to add an additional section to read as follows:

26 6-18-114. Virtual testing.

27 (a) Subject to requirements established under subsection (b) of this  
28 section, a public school that operates primarily as a virtual school may  
29 administer a statewide student assessment to a student enrolled in the public  
30 school in a virtual setting that best meets the educational needs of the  
31 student.

32 (b) A public school that operates primarily as a virtual school and  
33 that administers a statewide student assessment to a student in a virtual  
34 setting as permitted under subsection (a) of this section shall ensure the  
35 following requirements are met:

36 (1) The student to whom the statewide student assessment is



1 administered takes the statewide student assessment on an assigned date and  
2 at an assigned time;

3 (2) The student to whom the statewide student assessment is  
4 administered attends a synchronous assessment session initiated and managed  
5 by personnel employed by the public school that operates primarily as a  
6 virtual school;

7 (3)(A) If the statewide student assessment platform does not  
8 allow integrated camera proctoring, the student to whom the statewide student  
9 assessment is administered shall use two (2) devices for the duration of the  
10 administration of the statewide student assessment, which shall include the  
11 following:

12 (i) One (1) device on which the student takes the  
13 statewide student assessment; and

14 (ii) One (1) device on which an assessment proctor  
15 monitors the student for the duration of the administration of the statewide  
16 student assessment via the camera on the required device.

17 (B) However, if the statewide student assessment platform  
18 does allow for a proctor to view the student and the student's background  
19 environment, then the secondary device required under subdivision  
20 (b)(3)(A)(ii) of this section shall not be required;

21 (4) The device on which a student to whom the statewide student  
22 assessment is administered has audio capabilities accessible by the  
23 assessment administrator for purposes of monitoring the student;

24 (5) An adult approved in accordance with terms established by  
25 the public school that primarily operates as a virtual school and is  
26 administering a statewide student assessment to a student in a virtual  
27 setting, including without limitation the student's parent, legal guardian,  
28 or person standing in loco parentis to the student, is physically present  
29 with the student for the duration of the administration of the statewide  
30 student assessment;

31 (6) The public school that primarily operates as a virtual  
32 school and is administering a statewide student assessment to a student in a  
33 virtual setting seeks to maintain a student assessment taker to assessment  
34 proctor ratio of ten (10) to one (1) or lower;

35 (7) The student to whom the statewide student assessment is  
36 administered does not exit the assessment administration until instructed to

1 do so by the assigned assessment proctor; and  
2 (8) The submission of a statewide student assessment  
3 administered to an enrolled student by a public school that operates  
4 primarily as a virtual school is verified by the assessment administrator.

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7 */s/J. Dotson*

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10 **APPROVED: 4/11/23**  
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