



442740

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/04/2023	.	
	.	
	.	
	.	

The Committee on Education Pre-K -12 (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1008.213, Florida Statutes, is created
to read:

1008.213 Children of military families residing outside
this state; flexible assessment administration.-

(1) A Florida Virtual School full-time student of a
military family residing outside this state who is prevented by



11 his or her parent's or guardian's out-of-state military duty
12 station's location from participating in a Florida-based Florida
13 Virtual School secure and proctored exam must be offered
14 flexibility with respect to assessment administration in order
15 to demonstrate the grade-level mastery of skills that have been
16 acquired and are measured by the statewide, standardized
17 comprehensive assessment under s. 1008.22(3)(a), the statewide,
18 standardized end-of-course assessment under s. 1008.22(3)(b), or
19 an alternate assessment under s. 1008.22(3)(d).

20 (2)(a) The flexibility in assessment administration must
21 allow a Florida Virtual School full-time student from a military
22 family currently stationed outside this state to participate in
23 statewide, standardized assessments administered securely by a
24 licensed, certified instructor or an education services officer
25 test administrator at his or her parent's or guardian's current
26 military duty station.

27 (b) A licensed, certified instructor or an education
28 services officer test administrator must meet the criteria
29 specified in s. 1008.24(3)(a).

30 (3) The student's parent or guardian may submit to the
31 Florida Virtual School a written request for flexibility in
32 assessment administration at any time during the school year,
33 but not later than 90 days before the current school year's
34 assessment administration for which the request is made. A
35 request must include written, official documentation of the
36 family's current out-of-state military duty stationing.

37 (4) Based on such documentation provided by the family
38 pursuant to subsection (3), the Florida Virtual School shall
39 submit a recommendation to the Department of Education as soon



442740

40 as practicable as to whether flexibility in assessment
41 administration for a given statewide assessment should be
42 granted or denied. Upon receipt of the request, documentation,
43 and recommendation, the department shall verify the information
44 documented as soon as practicable, make a determination, and
45 notify the Florida Virtual School within 14 days. After the
46 receipt of the department's determination, the Florida Virtual
47 School shall notify the parent or guardian whether the
48 flexibility in assessment administration has been granted or
49 denied. If the department grants the request, the student's
50 progress must be assessed with flexibility in assessment
51 administration as provided in s. 1008.22.

52 (5) The Legislature may request from the Florida Virtual
53 School a report containing the number of requests for
54 flexibility in assessment administration made under this
55 section, the number of requests for flexibility in assessment
56 administration granted under this section, and data regarding
57 student performance on statewide, standardized assessments.

58 (6) The State Board of Education shall adopt rules to
59 implement this section.

60 Section 2. Present subsections (11) through (14) of section
61 1008.22, Florida Statutes, are redesignated as subsections (12)
62 through (15), respectively, and a new subsection (11) is added
63 to that section, to read:

64 1008.22 Student assessment program for public schools.—

65 (11) CHILD OF A MILITARY FAMILY RESIDING OUTSIDE THIS
66 STATE.—In addition to the flexibility in assessment
67 administration under s. 1008.213, a child of a military family
68 residing outside this state is eligible for flexibility in



69 assessment administration in accordance with this subsection
70 when participating in the statewide, standardized comprehensive
71 assessment in paragraph (3) (a), the statewide, standardized end-
72 of-course assessment in paragraph (3) (b), or an alternate
73 assessment in paragraph (3) (d).

74 (a) Definition.—For the purposes of this subsection, the
75 term “child of a military family residing outside this state who
76 is eligible for flexibility in assessment administration” means
77 a Florida Virtual School full-time student of a military family
78 residing outside this state who is prevented by his or her
79 parent’s or guardian’s out-of-state military duty station’s
80 location from participating in a Florida-based Florida Virtual
81 School secure and proctored exam.

82 (b) Flexibility in assessment administration option.—The
83 flexibility in assessment administration under this subsection
84 must allow a Florida Virtual School full-time student from a
85 military family currently stationed outside this state to
86 participate in statewide, standardized assessments administered
87 securely by a licensed, certified instructor or an education
88 services officer test administrator at his or her family’s
89 current military duty station. To be eligible for this
90 flexibility, the student’s parent or guardian must meet the
91 requirements of s. 1008.213, and the student must be determined
92 eligible by the Department of Education.

93 Section 3. This act shall take effect July 1, 2023.

94
95 ===== T I T L E A M E N D M E N T =====

96 And the title is amended as follows:

97 Delete everything before the enacting clause



442740

98 and insert:

99 A bill to be entitled
100 An act relating to the Florida Virtual School;
101 creating s. 1008.213, F.S.; providing for flexibility
102 in the administration of specified assessments for
103 Florida Virtual School full-time students of military
104 families residing outside this state; providing that
105 such assessments for students granted such flexibility
106 must be administered securely by persons who meet
107 specified criteria at a certain location; providing a
108 process for the parents or guardians of such students
109 to request the flexibility in assessment
110 administration from the Florida Virtual School;
111 providing requirements for such parents or guardians,
112 the Florida Virtual School, and the Department of
113 Education in such process; authorizing the Legislature
114 to request a report from the Florida Virtual School
115 regarding requests for flexibility in assessment
116 administration; requiring the State Board of Education
117 to adopt rules; amending s. 1008.22, F.S.; providing
118 flexibility in the administration of specified
119 assessments for certain Florida Virtual School
120 students; defining the term "child of a military
121 family residing outside this state who is eligible for
122 flexibility in assessment administration"; providing
123 requirements for such flexibility in assessment
124 administration; providing an effective date.