

By the Committee on Education Pre-K -12; and Senators Rodriguez and Jones

581-03518-23

2023926c1

1 A bill to be entitled
2 An act relating to the Florida Virtual School;
3 creating s. 1008.213, F.S.; providing for flexibility
4 in the administration of specified assessments for
5 Florida Virtual School full-time students of military
6 families residing outside this state; providing that
7 such assessments for students granted such flexibility
8 must be administered securely by persons who meet
9 specified criteria at a certain location; providing a
10 process for the parents or guardians of such students
11 to request the flexibility in assessment
12 administration from the Florida Virtual School;
13 providing requirements for such parents or guardians,
14 the Florida Virtual School, and the Department of
15 Education in such process; authorizing the Legislature
16 to request a report from the Florida Virtual School
17 regarding requests for flexibility in assessment
18 administration; requiring the State Board of Education
19 to adopt rules; amending s. 1008.22, F.S.; providing
20 flexibility in the administration of specified
21 assessments for certain Florida Virtual School
22 students; defining the term "child of a military
23 family residing outside this state who is eligible for
24 flexibility in assessment administration"; providing
25 requirements for such flexibility in assessment
26 administration; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
29

581-03518-23

2023926c1

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

32 1008.213 Children of military families residing outside
33 this state; flexible assessment administration.-

34 (1) A Florida Virtual School full-time student of a
35 military family residing outside this state who is prevented by
36 his or her parent's or guardian's out-of-state military duty
37 station's location from participating in a Florida-based Florida
38 Virtual School secure and proctored exam must be offered
39 flexibility with respect to assessment administration in order
40 to demonstrate the grade-level mastery of skills that have been
41 acquired and are measured by the statewide, standardized
42 comprehensive assessment under s. 1008.22(3)(a), the statewide,
43 standardized end-of-course assessment under s. 1008.22(3)(b), or
44 an alternate assessment under s. 1008.22(3)(d).

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

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

55 (3) The student's parent or guardian may submit to the
56 Florida Virtual School a written request for flexibility in
57 assessment administration at any time during the school year,
58 but not later than 90 days before the current school year's

581-03518-23

2023926c1

59 assessment administration for which the request is made. A
60 request must include written, official documentation of the
61 family's current out-of-state military duty stationing.

62 (4) Based on such documentation provided by the family
63 pursuant to subsection (3), the Florida Virtual School shall
64 submit a recommendation to the Department of Education as soon
65 as practicable as to whether flexibility in assessment
66 administration for a given statewide assessment should be
67 granted or denied. Upon receipt of the request, documentation,
68 and recommendation, the department shall verify the information
69 documented as soon as practicable, make a determination, and
70 notify the Florida Virtual School within 14 days. After the
71 receipt of the department's determination, the Florida Virtual
72 School shall notify the parent or guardian whether the
73 flexibility in assessment administration has been granted or
74 denied. If the department grants the request, the student's
75 progress must be assessed with flexibility in assessment
76 administration as provided in s. 1008.22.

77 (5) The Legislature may request from the Florida Virtual
78 School a report containing the number of requests for
79 flexibility in assessment administration made under this
80 section, the number of requests for flexibility in assessment
81 administration granted under this section, and data regarding
82 student performance on statewide, standardized assessments.

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

85 Section 2. Present subsections (11) through (14) of section
86 1008.22, Florida Statutes, are redesignated as subsections (12)
87 through (15), respectively, and a new subsection (11) is added

581-03518-23

2023926c1

88 to that section, to read:

89 1008.22 Student assessment program for public schools.—

90 (11) CHILD OF A MILITARY FAMILY RESIDING OUTSIDE THIS
91 STATE.—In addition to the flexibility in assessment
92 administration under s. 1008.213, a child of a military family
93 residing outside this state is eligible for flexibility in
94 assessment administration in accordance with this subsection
95 when participating in the statewide, standardized comprehensive
96 assessment in paragraph (3) (a), the statewide, standardized end-
97 of-course assessment in paragraph (3) (b), or an alternate
98 assessment in paragraph (3) (d).

99 (a) Definition.—For the purposes of this subsection, the
100 term “child of a military family residing outside this state who
101 is eligible for flexibility in assessment administration” means
102 a Florida Virtual School full-time student of a military family
103 residing outside this state who is prevented by his or her
104 parent’s or guardian’s out-of-state military duty station’s
105 location from participating in a Florida-based Florida Virtual
106 School secure and proctored exam.

107 (b) Flexibility in assessment administration option.—The
108 flexibility in assessment administration under this subsection
109 must allow a Florida Virtual School full-time student from a
110 military family currently stationed outside this state to
111 participate in statewide, standardized assessments administered
112 securely by a licensed, certified instructor or an education
113 services officer test administrator at his or her family’s
114 current military duty station. To be eligible for this
115 flexibility, the student’s parent or guardian must meet the
116 requirements of s. 1008.213, and the student must be determined

581-03518-23

2023926c1

117 eligible by the Department of Education.

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