

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 eligible for  
24          flexibility in assessment administration"; providing  
25          requirements for such flexibility in assessment

26 administration; providing an effective date.

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

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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 shall 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  
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. Subsections (11) through (14) of section  
 86 1008.22, Florida Statutes, are renumbered as subsections (12)  
 87 through (15), respectively, and a new subsection (11) is added  
 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

101 eligible for flexibility in assessment administration" means a  
102 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  
117 eligible by the Department of Education.

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