

**STATE BOARD OF EDUCATION**  
**Consent Agenda**  
October 17, 2006

**SUBJECT: Commissioner's Authority Regarding Rulemaking**

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**PROPOSED BOARD ACTION**

For Approval

**AUTHORITY FOR STATE BOARD ACTION**

Section 1001.02 (1), Florida Statutes

**BACKGROUND INFORMATION**

Section 1001.02(1) of the Florida Statutes authorizes the State Board of Education to delegate its general powers to the Commissioner of Education as it finds appropriate. The State Board has delegated to the Commissioner its power to approve the publication of proposed State Board rules in the Florida Administrative Weekly. The State Board retains the ultimate authority to approve the rules for final adoption. This motion clarifies the nature of this delegation and ratifies the Commissioner's prior approval of proposed rulemaking notices.

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**Supporting Documentation Included:**

**Facilitators/Presenters:** Commissioner John L. Winn and Daniel Woodring,  
General Counsel