

FLORIDA DEPARTMENT OF EDUCATION



Gerard Robinson
Commissioner of Education

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December 1, 2011

Kenneth J. Plante
Joint Administrative Procedures Committee
680 Pepper Building
111 W. Madison Street,
Tallahassee, FL 32399-1400

Dear Mr. Plante:

As required by sections 120.74 and 120.745, Florida Statutes, the purpose of this letter is to certify that the Department of Education has undertaken a review of all rules as required by those sections.

The Department has completed the Enhanced Biennial Review of agency rules as required by section 120.745(2), and has provided the appropriate information on the agency's website pursuant to the requirements of section 120.745(3) and (7). Rules listed for repeal or amendment and the approximate timelines for such, as well as other information solicited in the enhanced review, are provided within that report. In addition, the Department has identified approximately 50 additional rules that will require other technical corrections or amendments to conform with existing statutory requirements. Rulemaking will be initiated to amend, repeal, or make technical corrections to the appropriate rules in the following months. The Department will also continue to adjust its rulemaking procedures to appropriately evaluate impact on small businesses.

As the Department moves forward with identifying the legislative proposals for the 2012 regular session each program area is tasked to identify statutory changes that would promote efficiency, reduce paperwork or decrease cost to government and the private sector. In addition, Section 1001.42(24), Florida Statutes, requires the Department to gather from each school district its recommendations on paperwork and data collection reductions. Once all recommendations are received we will identify those that would require future statutory modifications and provide to the districts best practices gleaned from the submissions.

Lastly, in response to the statutory requirement that the Department identify the types of cases or disputes which should be conducted under the summary hearing process described in Section 120.574, Florida Statutes, the State Board of Education and Commissioner are the officials authorized to enter agency final orders on behalf of the Department and they have not found it appropriate to delegate that authority to a third party.

Please let me know if you would like additional information.

Sincerely,

A handwritten signature in blue ink that reads "Gerard Robinson".

Gerard Robinson
Commissioner

GR/rl/la