

Bill No. CS for CS for SB 2048

Barcode 751428

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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3	Floor: 4/AD/2R
4	05/03/2006 01:02 PM
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11 Senator Lynn moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 14, between lines 5 and 6,

15

16 insert:

17 Section 8. Section 1001.10, Florida Statutes, is

18 amended to read:

19 1001.10 Commissioner of Education; general powers and

20 duties.--The Commissioner of Education is the chief

21 educational officer of the state and the sole custodian of the

22 K-20 data warehouse, and is responsible for giving full

23 assistance to the State Board of Education in enforcing

24 compliance with the mission and goals of the seamless K-20

25 education system. To facilitate innovative practices and to

26 allow local selection of educational methods, the State Board

27 of Education may authorize the commissioner to waive, upon the

28 request of a district school board, State Board of Education

29 rules that relate to district school instruction and school

30 operations, except those rules pertaining to civil rights, and

31 student health, safety, and welfare. The Commissioner of

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1 Education is not authorized to grant waivers for any
 2 provisions in rule pertaining to the allocation and
 3 appropriation of state and local funds for public education;
 4 the election, compensation, and organization of school board
 5 members and superintendents; graduation and state
 6 accountability standards; financial reporting requirements;
 7 reporting of out-of-field teaching assignments under s.
 8 1012.42; public meetings; public records; or due process
 9 hearings governed by chapter 120. No later than January 1 of
 10 each year, the commissioner shall report to the Legislature
 11 and the State Board of Education all approved waiver requests
 12 in the preceding year. Additionally, the commissioner has the
 13 following general powers and duties:

14 (1) To appoint staff necessary to carry out his or her
 15 powers and duties.

16 (2) To advise and counsel with the State Board of
 17 Education on all matters pertaining to education; to recommend
 18 to the State Board of Education actions and policies as, in
 19 the commissioner's opinion, should be acted upon or adopted;
 20 and to execute or provide for the execution of all acts and
 21 policies as are approved.

22 (3) To keep such records as are necessary to set forth
 23 clearly all acts and proceedings of the State Board of
 24 Education.

25 (4) To have a seal for his or her office with which,
 26 in connection with his or her own signature, the commissioner
 27 shall authenticate true copies of decisions, acts, or
 28 documents.

29 (5) To recommend to the State Board of Education
 30 policies and steps designed to protect and preserve the
 31 principal of the State School Fund; to provide an assured and

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1 stable income from the fund; to execute such policies and
2 actions as are approved; and to administer the State School
3 Fund.

4 (6) To take action on the release of mineral rights
5 based upon the recommendations of the Board of Trustees of the
6 Internal Improvement Trust Fund.

7 (7) To submit to the State Board of Education, on or
8 before August 1 of each year, recommendations for a
9 coordinated K-20 education budget that estimates the
10 expenditures for the State Board of Education, including the
11 Department of Education, the Commissioner of Education, and
12 all of the boards, institutions, agencies, and services under
13 the general supervision of the State Board of Education for
14 the ensuing fiscal year. Any program recommended to the State
15 Board of Education that will require increases in state
16 funding for more than 1 year must be presented in a multiyear
17 budget plan.

18 (8) To develop and implement a plan for cooperating
19 with the Federal Government in carrying out any or all phases
20 of the educational program and to recommend policies for
21 administering funds that are appropriated by Congress and
22 apportioned to the state for any or all educational purposes.
23 The Commissioner of Education shall submit to the Legislature
24 the proposed state plan for the reauthorization of the No
25 Child Left Behind Act before the proposed plan is submitted to
26 federal agencies. The President of the Senate and the Speaker
27 of the House of Representatives shall appoint members of the
28 appropriate education and appropriations committees to serve
29 as a select committee to review the proposed plan.

30 (9) To develop and implement policies for cooperating
31 with other public agencies in carrying out those phases of the

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1 program in which such cooperation is required by law or is
 2 deemed by the commissioner to be desirable and to cooperate
 3 with public and nonpublic agencies in planning and bringing
 4 about improvements in the educational program.

5 (10) To prepare forms and procedures as are necessary
 6 to be used by district school boards and all other educational
 7 agencies to assure uniformity, accuracy, and efficiency in the
 8 keeping of records, the execution of contracts, the
 9 preparation of budgets, or the submission of reports; and to
 10 furnish at state expense, when deemed advisable by the
 11 commissioner, those forms that can more economically and
 12 efficiently be provided.

13 (11) To implement a program of school improvement and
 14 education accountability designed to provide all students the
 15 opportunity to make adequate learning gains in each year of
 16 school as provided by statute and State Board of Education
 17 rule based upon the achievement of the state education goals,
 18 recognizing the following:

19 (a) The State Board of Education is the body corporate
 20 responsible for the supervision of the system of public
 21 education.

22 (b) The district school board is responsible for
 23 school and student performance.

24 (c) The individual school is the unit for education
 25 accountability.

26 (d) The community college board of trustees is
 27 responsible for community college performance and student
 28 performance.

29 (e) The university board of trustees is responsible
 30 for university performance and student performance.

31 (12) To establish a Citizen Information Center

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1 responsible for the preparation, publication, and distribution
2 of materials relating to the state system of seamless K-20
3 public education.

4 (13) To prepare and publish annually reports giving
5 statistics and other useful information pertaining to the
6 Opportunity Scholarship Program.

7 (14) To have printed or electronic copies of school
8 laws, forms, instruments, instructions, and rules of the State
9 Board of Education and provide for their distribution.

10 (15) To develop criteria for use by state
11 instructional materials committees in evaluating materials
12 submitted for adoption consideration. The criteria shall, as
13 appropriate, be based on instructional expectations reflected
14 in curriculum frameworks and student performance standards.
15 The criteria for each subject or course shall be made
16 available to publishers of instructional materials pursuant to
17 the requirements of chapter 1006.

18 (16) To prescribe procedures for evaluating
19 instructional materials submitted by publishers and
20 manufacturers in each adoption.

21
22 The commissioner's office shall operate all statewide
23 functions necessary to support the State Board of Education
24 and the K-20 education system, including strategic planning
25 and budget development, general administration, and assessment
26 and accountability.

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28 (Redesignate subsequent sections.)

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 25, after the semicolon,

4

5 insert:

6 amending s. 1001.10, F.S.; specifying that the

7 Commissioner of Education is the sole custodian

8 of the K-20 data warehouse; requiring the

9 Commissioner of Education to submit the

10 proposed plan for the reauthorization of the No

11 Child Left Behind Act to the Legislature before

12 it is submitted to federal agencies; requiring

13 legislative leaders to appoint members of a

14 select legislative committee to review the

15 proposed plan;

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