

By Senator Sobel

31-00532-09

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1 A bill to be entitled
2 An act relating to the Commissioner of Education;
3 amending s. 1001.10, F.S.; authorizing the
4 Commissioner of Education, upon the request of a
5 district school board, to waive the final examination
6 requirement for a student who meets certain criteria;
7 providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Subsection (3) of section 1001.10, Florida
12 Statutes, is amended to read:

13 1001.10 Commissioner of Education; general powers and
14 duties.—

15 (3) (a) To facilitate innovative practices and to allow
16 local selection of educational methods, the State Board of
17 Education may authorize the commissioner to waive, upon the
18 request of a district school board, State Board of Education
19 rules that relate to district school instruction and school
20 operations, except those rules pertaining to civil rights, and
21 student health, safety, and welfare.

22 (b) The Commissioner of Education is not authorized to
23 grant waivers for any provisions in rule pertaining to:

24 1. The allocation and appropriation of state and local
25 funds for public education;

26 2. The election, compensation, and organization of school
27 board members and superintendents;

28 3. Graduation and state accountability standards; however,
29 upon the request of a district school board, the commissioner

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30 may waive the final examination requirement for a student who is
31 maintaining at least an average grade of "B" for the semester
32 and who has not had more than 3 days of unexcused absences
33 during the semester;

34 4. Financial reporting requirements;

35 5. Reporting of out-of-field teaching assignments under s.
36 1012.42;

37 6. Public meetings ~~or~~ public records; or

38 7. Due process hearings governed by chapter 120.

39 (c) No later than January 1 of each year, the commissioner
40 shall report to the Legislature and the State Board of Education
41 all approved waiver requests in the preceding year.

42 Section 2. This act shall take effect July 1, 2009.