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THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

September 26, 2011

Ms. Lynn Abbott
Agency Clerk
Department of Education
325 West Gaines Street, Suite 1514
Tallahassee, Florida 32399-0400

RE: State Board of Education Rule 6A-1.099823

Dear Ms. Abbott:

I have reviewed the above-referenced rule and offer the following comments for your consideration and response:

Effective June 24, 2011, Chapter 2011-225, Laws of Florida, amended subparagraph 120.54(3)(a)1., Florida Statutes, to require a notice of proposed rule to include:

a statement as to whether, based on the statement of the estimated regulatory costs or other information expressly relied upon and described by the agency if no statement of regulatory costs is required, the proposed rule is expected to require legislative ratification pursuant to s. 120.541(3).

Since a SERC was not prepared for this rule, please publish a notice of correction describing the information expressly relied upon by the Board in determining whether the rule is expected to require legislative ratification.

Please add directions for obtaining a copy of the incorporated document to the rule. See 1B-30.005(2)(c), F.A.C.

Should you have any questions, please do not hesitate to contact me. Otherwise, I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Jowanna N. Oates".

Jowanna N. Oates
Senior Attorney