

PETITION FOR WAIVER OR VARIANCE OF  
FLORIDA ADMINISTRATIVE RULE 11B-30.008(1)

THE PETITIONER



THE RULE FROM WHICH THE WAIVER IS SOUGHT:

**RULE 11B-30.008(1) THE LAWS IMPLEMENTED: 943.12 (17) FS AND 943.131(2) FS** which in part states that the Computer Based State Officer Certification Examination shall be limited to test sites authorized by the Commission and located within the State of Florida.

Petition request a waiver of rule **11B-30.008(1) State officer certification examination site administration.**

**Purpose of petition:**

The petitioner understands the Commission under FS 943.12(17) and section 943.131(2) (which explains the powers, duties, and functions of the Commission), has set forth and adopted rule 11b-30.008(1). To ensure that state corrections officer testing sites are appropriate. The Petitioner, who is currently employed as a Corrections Deputy by the Brevard County Sheriff's Department, contacted a FDLE representative in June of 2017 to inquire about testing sites. The petitioner was advised that there was a Pearson Vue testing location in East Syracuse New York that the petitioner could use as his testing site. The petitioner achieved a passing score on the state Corrections Officer test at that same location, and in doing so was able to be hired by Brevard County Sheriffs as a Corrections Deputy.

The petitioner completed a Commission approved basic recruit training program (EOT) in May of 2017 at Florida Gulf Coast State College. The petitioner passed his state certification test in June of 2017. The petitioner did not take the state certification test in the state of

Florida, due to the fact the petitioner resided in the state of New York and was advised that taking the test in New York was acceptable.

I, [REDACTED], petitioner, a graduate of a commission approved equivalency of training course, as an out of state employed Corrections Deputy by the state of New York, do respectfully request from the Commission a permanent waiver or variance of rule 11B-30.008(1), which states in part that the computer based State Officer Certification Examination shall be limited to test sites authorized by the Commission and located within the State of Florida.

1. The petitioner is currently a Florida citizen, named [REDACTED], and served 9 years as a Corrections Deputy in New York State.
2. [REDACTED] has successfully completed a commission approved Equivalency of Training course as an out of state certified Corrections Deputy from the State of New York. [REDACTED] also passed the state Corrections Officer Certification test at a Pearson Vue testing site, at a location that as of June 2017 was an acceptable location.
3. The petitioner has been employed with the Brevard County Sheriff's Department since August of 2017, with the understanding that all certification steps had been successfully completed. Also, the petitioner resigned his position with the Onondaga County Sheriff's Office in New York with the understanding that his Florida certification was complete.

I, [REDACTED], petitioner, respectfully request from the Commission a permanent waiver or variance of Rule 11B-30.008(1), and to be allowed to continue my employment as a certified Corrections Deputy after this petition is heard and approved. Approval of the requested waiver would serve the purpose of Florida Statute 943.12(17) and 943.13(2) which gives the Commission authority to grant a waiver or variance to the rule as implemented.

By Petitioner:

[REDACTED]  
[REDACTED]  
[REDACTED]

