#### Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

#### **COMMISSION ON ETHICS**

RULE NO.: RULE TITLE:

34-12.405 Penalties for Late Filing

PURPOSE AND EFFECT: The purpose of the proposed new rule is to update the rule provisions governing the timeliness of compensation reports.

SUBJECT AREA TO BE ADDRESSED: Executive Branch Lobbying.

RULEMAKING AUTHORITY: 112.3215, 112.322(9) FS.

LAW IMPLEMENTED: 112.3215 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on Ethics. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lindsey Smith, Executive Secretary, Florida Commission on Ethics THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

#### Section II Proposed Rules

#### **DEPARTMENT OF STATE**

#### **Division of Historical Resources**

RULE NOS.: RULE TITLES:

1A-40.006 Accessioning Procedures

1A-40.007 Inventory of State-owned Artifacts

PURPOSE AND EFFECT: The purpose and effect of this action is to repeal Rules 1A-40.006, 1A-40.007, F.A.C.

SUMMARY: These rules are considered internal management directives that have no application outside the Division of

Historical Resources.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not

have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of these rules will not have a direct or indirect adverse financial impact on small businesses.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 267.031(1), 267.115(6) FS. LAW IMPLEMENTED: 267.061(3)(m)(6) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carlos Rey, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6515, Carlos.Rey@dos.myflorida.com

#### THE FULL TEXT OF THE PROPOSED RULE IS:

1A-40.006 Accessioning Procedures.

Rulemaking Authority 267.031(1), 267.115(6) FS. Law Implemented 267.061(3)(m)6. FS. History–New 3-28-90, Amended 5-11-92, Repealed

1A-40.007 Inventory of State-owned Artifacts.

Rulemaking Authority 267.031(1), 267.115(6) FS. Law Implemented 267.061(3)(m)6. FS. History–New 3-28-90, Amended 5-11-92, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Carlos A. Rev

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Ken Detzner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2014

#### DEPARTMENT OF EDUCATION

#### **State Board of Education**

RULE NOS.: RULE TITLES:

6A-4.0012 Application Information 6A-4.002 General Provisions

6A-4.0051 Renewal and Reinstatement of a

**Professional Certificate** 

6A-4.006 General and Professional Preparation

PURPOSE AND EFFECT: The purpose of the revisions to the specified Educator Certification rules is to be consistent with

recent changes by the Florida Legislature and propose changes to streamline regulatory implementation. The effect of these changes is outlined in the summary that follows.

SUMMARY: Rule 6A-4.0012, F.A.C., provides the application information, relevant requirements and implementation provisions for completing the application process to apply for a Florida Educator's Certificate. Proposed changes to Rule 6A-4.0012, F.A.C., include: clarifying the web-based application system as the primary method to apply for a Florida Educator's Certificate; adopting new paper-based application forms; and clarifying the responsibilities of school district employers related to processing requests for certificate issuance. Rule 6A-4.002, F.A.C., provides the requirements and implementation of general provisions to qualify for a Florida Educator's Certificate. Proposed changes to Rule 6A-4.002, F.A.C., include: clarifying the acceptable documentation required for use of certificates from other states or national organizations to satisfy Florida certification eligibility requirements; codifying the Educator Certification electronic database as the custodial source for official certificate records; clarifying the college teaching experience requirements related to mastery of general knowledge and mastery of professional preparation and education competence; and adopting clarifying language related to examinations acceptable for demonstration of mastery of general knowledge, professional education competence, and subject area knowledge; Rule 6A-4.0051, F.A.C., provides the requirements and implementation of provisions for renewal or reinstatement of a Florida Professional Educator's Certificate. Proposed changes to Rule 6A-4.0051, F.A.C., adopt special certificate renewal provisions for training in the instruction of students with disabilities. Rule F.A.C.. requirements 6A-4.006. provides the implementation for general and professional preparation documentation necessary to establish eligibility for a Florida Educator's Certificate. Proposed changes to Rule 6A-4.006, F.A.C., adopt revisions to the professional preparation courses required for demonstration of mastery of professional preparation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The revised rules continue to require an appropriate fee to accompany any application for educator certification.

However, the amount of the required application processing fee remains unchanged and no additional regulatory costs are anticipated from the proposed changes. Minimal operational or compliance monitoring costs may be incurred by the agency or by other impacted entities, but these aggregate costs are not anticipated to reach the threshold to necessitate legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.02, 1012.55, 1012.56, 1012.585, 1012.586, 1012.59 FS.

LAW IMPLEMENTED: 1012.56, 1012.585 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: November 18, 2014, 8:30 a.m.

PLACE: Seminole State College, Heathrow Campus, 1055 AAA Drive, Heathrow, FL 32746

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David LaJeunesse, Chief, Bureau of Educator Certification, 325 W. Gaines St., Suite 201, Tallahassee, FL 32399, (850)245-0431

#### THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0012 Application Information.

- (1) Application process. To apply for a Florida Educator's Certificate, an individual shall submit to the Bureau of Educator Certification the following:
- (a) A completed Form CG-10 and a nonrefundable application fee. Form CG-10, Application for Florida Educator's Certificate, (insert link) effective December 2014 October 2009, is hereby incorporated by reference and made a part of this rule. The form may be submitted online via the Department of Education, Educator Certification website, or may be retrieved obtained without cost from the website and submitted via postal delivery to the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is prescribed below:
  - 1. Request for a professional certificate \$75.00,
  - 2. Request for a temporary certificate \$75.00,
- 3. Request for an addition of a coverage or endorsement to a valid certificate \$75.00,
- 4. Request for a <u>valid certificate printed solely to reflect a change in name change only</u> \$20.00,
- 5. Request for a duplicate <u>printing of a valid</u> certificate <u>-</u> \$20.00,

- 6. Request for deletion of a ∕subject from a valid certificate deletion \$20.00; or
- (b) A completed Form CG-10R and a nonrefundable application fee. Form CG-10R, Application for Renewal or Reinstatement of a Professional Florida Educator's Certificate (insert link) effective December 2014 October 2009, is hereby incorporated by reference and made a part of this rule. The form may be submitted online via the Department of Education, Educator Certification website, or may be retrieved obtained without cost from the website and submitted via postal delivery to a district school board office or to the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is \$75.00. An application for renewal of a professional certificate that is received by the Bureau of Educator Certification or by a district school board office after the expiration of the professional certificate as specified in Rule 6A-4.0051, F.A.C., shall be submitted with a \$30.00 late fee in addition to the nonrefundable application fee.
  - (2) No change.
  - (3) Completed applications.
- (a) A completed application shall consist of the completed web-based or hardcopy application form, nonrefundable application fee, official documentation of academic preparation as specified in Rule 6A-4.003, F.A.C. transcripts, and other documents required by rule or law to process the application. The applicant shall be advised of additional information that is required to complete the application.
  - (b) through (4) No change.
- (5) <u>District</u> application process. Form CG-10RD, Application for Renewal of a Florida Professional Educator's Certificate District Version, (insert link) effective December 2014, is hereby incorporated by reference and made a part of this rule. Form CG-10D, Application for a Florida Educator's Certificate District Version, (insert link) effective Decemember 2014, is hereby incorporated by reference and made a part of this rule. Each district school board office shall process requests for the issuance of issue certificates for employees of the school district via the Department of Education, Educator Certification web-based system as follows:
- (a) An application for renewal of a professional certificate. School district employees shall submit a completed application, Form CG-10RD, and the nonrefundable application fee prescribed in paragraph (1)(b) of this rule, to their employing district school board office.

- (b) An application for an addition of a subject to a valid professional certificate based upon a passing score earned after July 1, 2002, on the bachelor's degree level Florida subject area test. School district employees shall submit a completed application, Form CG-10D, and the nonrefundable application fee prescribed in paragraph (1)(a) of this rule, to their employing district school board office.
- (c) An application for an addition of an endorsement area to a valid certificate based on the completion of approved inservice core components or a district add-on endorsement program. School district employees shall submit a completed application, Form CG-10D, and the nonrefundable application fee prescribed in paragraph (1)(a) of this rule, to their employing district school board office.
- (d) An application for a <u>valid</u> certificate <u>printed</u> issued solely to reflect a change in name, and
- (e) An application for a duplicate <u>printing</u> of a valid certificate. <u>School district employees shall submit a completed application</u>, Form CG-10D, and the nonrefundable application fee prescribed in paragraph (1)(a) of this rule, to their employing district school board office.
- (6) The employing school district shall remit on a monthly basis to the Department of Education thirty (30) dollars of each seventy-five (75) dollar fee and seven (7) dollars of each twenty (20) dollar fee collected for processing application requests for the issuance of certificates for costs to maintain the Department of Education, Educator Certification electronic database technology system, web-based application processing systems, and the official personnel records printing and mailing of persons to whom certificates are issued.
- (7) The employing school district is responsible for retention of all documentation of each application request it processes for the issuance of a certificate for any individual employed by the school district and maintaining custody of the documentation as records in the employee personnel file. The documentation shall include, but need not be limited to, the employee's completed application request form and documentation of academic preparation, professional development training, or other evidence establishing the successful completion of applicable educator certification eligibility requirements. Upon request or as required by law, the documentation of educator certification application requests incorporated in the employee personnel file shall be made available to authorized Department of Education personnel in the course of conducting an investigation of any legally sufficient complaint filed against such employee.

Rulemaking Authority 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS. Law Implemented 943.0585, 943.059, 1012.31, 1012.32, 1012.54, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798 FS. History–New 7-6-82, Amended 9-27-83, Formerly 6A-4.012, Amended 12-25-86, 10-26-88, 5-2-90, 4-24-91, 7-7-92, 5-3-94, 7-18-95, 9-17-01, 11-25-03, 12-27-04, 1-1-08, 10-21-09,

- 6A-4.002 General Provisions.
- (1) Educator's certificates.
- (a) through (h) No change.
- (i) Certificates from other states. Certificates from other states shall not be valid for teaching in Florida.
- 1. Certificates from other states used to document eligibility for a Florida certificate shall:
- a. Be the <u>valid</u> standard educator's certificate issued by that state which is comparable to a Florida Professional Certificate,
- b. Be issued in a subject comparable to a Florida certification subject, and
- c. Require the same or higher level of training required for certification in that subject in Florida.
- 2. Official documentation of another state's certificate <u>or license</u> shall be a <u>legible copy photocopy</u> of the front and back of the original certificate <u>or license</u>, <u>or a printed copy of an official record of the certificate or license provided by the issuing authority, and must include:</u>
- a. A certificate or license title that clearly designates the stage or level for which the educator qualifies,
- b. The subject area/s and endorsement/s for which the educator qualifies,
- c. The ages and/or instructional grade levels of students for which the educator qualifies to teach each subject or endorsement,
  - d. The date(s) that the certificate or license is valid, and,
- e. The name of the educator and an educator identification number or other unique identifier for validation of the certificate or license against official records maintained by the issuing authority.
- (j) Certificates from national certification organizations. Certificates issued by national certification organizations <u>shall</u> <u>not be valid for teaching in Florida.</u>
- 1. Certificates issued by national certification organizations approved in Florida Statute or by the State Board of Education to document eligibility for a Florida certificate shall:
- a. Be the valid standard educator's certificate issued by the national certification organization.
- <u>b.1.</u> Be issued in a subject comparable to a Florida certification subject,
- <u>c.2.</u> Require the same or higher degree level of training required for certification in that subject in Florida, and
- 2.3. Official documentation of the national certificate shall be a <u>legible copy photocopy</u> of the front and back of the original certificate <u>or a printed copy of an official record of the certificate or license provided by the issuing authority, and must <u>include:</u></u>

- a. A certificate or license title that clearly designates the stage or level for which the educator qualifies,
- b. The subject area/s and endorsement/s for which the educator qualifies,
- c. The ages and/or instructional grade levels of students for which the educator qualifies to teach each subject or endorsement,
  - d. The date(s) that the certificate or license is valid, and,
- e. The name of the educator and an educator identification number or other unique identifier for validation of the certificate or license against official records maintained by the issuing authority.
  - (k) No change.
- (I) The electronic database maintained by the Bureau of Educator Certification serves as the custodial source for official Department of Education records of each person to whom a Florida Educator's Certificate is issued. Educator Certification notifies an educator by electronic mail upon issuance of a certificate and provides the educator secure access to review and retrieve a printable copy of his/her currently valid certificate(s) via the Educator Certification website. Authorized Florida school employers are provided secure, online access to verify an educator's certification information for employment screening before hiring instructional personnel and school administrators. The bureau provides online access via the Educator Certification website for the inspection of public records of educators to whom a currently valid certificate is issued.
- (m) A valid standard certificate issued by the American Board for Certification of Teacher Excellence (ABCTE), as documented according to subparagraph (1)(j)2. of this rule, is acceptable to demonstrate mastery of general knowledge and mastery of subject area knowledge in the comparable Florida subject(s). An acceptable ABCTE certificate also satisfies the requirements for completion of professional preparation courses and achievement of a passing score on the professional education competency examination. An ABCTE certificate is not acceptable to meet the requirement for completion of a professional education competence demonstration program pursuant to Section 1012.56(8)(b), F.S.
  - (2) No change.
- (3) College credit. College credit used for educator certification purposes shall be undergraduate or graduate credit earned at an accredited or approved institution or recommended by the American Council on Education (ACE) as specified in Rule 6A-4.003, F.A.C. All college credit shall be computed by semester hours. One (1) quarter hour of college credit shall equal two-thirds (2/3) of one (1) semester hour. Community and junior college credit used for educator certification purposes shall parallel those of the first and second years of course work at an accredited or approved institution and shall be comparable

to courses offered at Florida state, community and junior colleges which have been approved by the Florida Department of Education.

#### (4) Waiver of college credit.

- (a) Course exemption. Exemption from a college course as verified in writing by the institution of higher education shall be accepted the same as credit earned in that course to meet a specific course requirement for certification.
- (b) College teaching experience. Teaching a college credit course, excluding courses for academic remediation, at an accredited or approved institution or an accredited community or junior college as described in Rule 6A-4.003, F.A.C., shall be accepted the same as credit earned in that course to meet a specific course requirement for certification. A written statement from the registrar or other official designated by the president verifying the college teaching experience shall be filed with the Bureau of Educator Certification, Florida Department of Education.
- (c) Teaching faculty. Documentation of college teaching experience related to mastery of general knowledge and mastery of professional preparation and education competence shall be an official letter from the registrar or dean from the accredited or approved institution verifying the dates of employment, and the prefix, number, and credit hours of the courses taught. The college teaching experience must have:
- 1. Been earned in at least two (2) separate college or university terms,
- 2. Resulted in earned college-level credit for the students in at least one (1) course each term, and
- 3. Been earned while a member of the teaching faculty at the accredited or approved institution as a:
- a. Full-time member of the teaching faculty of a college (Section 1012.82, F.S.), or a full-time equivalent teaching faculty member at a university (Section 1012.945, F.S.), or
- b. Part-time member of the teaching faculty with total college teaching experience equivalent to at least two (2) semesters of full-time experience.
- (d) A college course for which multiple semester hour credits are earned may be used to satisfy more than one (1) subject specialization or professional preparation credit requirement. The number of specific credit requirements satisfied shall not be greater than the total number of semester hour credits earned for the college course.
- (4) Examinations. The examinations used for demonstration of mastery of general knowledge, professional education competence, and subject area knowledge shall be aligned with student standards approved by the State Board of Education pursuant to Section 1012.56(4) & (9)(f), F.S.
- (a) To align with current student standards and, therefore, be acceptable to satisfy educator certification requirements, a passing score on an examination identified in state board rule

- must have been earned during the ten (10) years immediately preceding application and qualification for a certificate, unless otherwise stipulated in relevant statute or rule.
- (b) The State Board of Education will identify a passing score, by amendment to this rule, on an appropriate national or international examination to satisfy mastery of general knowledge or, for a subject for which a Florida subject area examination has not already been developed or approved, mastery of subject area knowledge. The Department will coordinate a comprehensive study to determine if the exam assesses comparable content and relevant standards to the approved Florida Teacher Certification Examination (FTCE) competencies and skills or, for subject area knowledge, the approved specialization requirements for the subject area. The study must also recommend a passing score at approximately the same level of rigor to establish an examinee's competence to become an effective professional educator in the assessed content area.
- (c) The verification of the attainment of essential subject matter competencies is not acceptable for demonstrating mastery of subject area knowledge whenever a Florida subject area examination has been developed or a national or international examination has been approved by the State Board of Education. Achievement of a passing score is required on the examination as identified in state board rule to satisfy mastery of subject area knowledge unless this requirement is satisfied by another acceptable means provided in Section 1012.56(5), F.S.
- (d) Achievement of a score above the Intermediate level on the Oral Proficiency Interview (OPI) or the Oral Proficiency Interview by Computer (OPIc), and a score above the Intermediate level on the Writing Proficiency Test (WPT) on an examination administered by the American Council on the Teaching of Foreign Languages (ACTFL) shall satisfy subject area specialization requirements and mastery of subject area knowledge in the comparable certification in a world language for which a Florida subject area examination has not been developed.
  - (5) through (6) No change.
- Rulemaking Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.10(5)(b), 1001.10(6), 4001.02, 1012.55, 1012.56 FS. History—New 4-10-64, Amended 4-8-68, 4-11-70, 10-18-71, 3-19-72, 12-18-72, 6-17-73, 4-19-74, Repromulgated 12-5-74, Amended 6-22-76, 6-27-77, 12-26-77, 4-27-78, 7-1-79, 7-2-79, 6-26-80, 7-28-81, 1-3-82, 5-11-82, 6-22-83, 3-28-84, 1-31-85, 3-13-85, Joint Administrative Objection Filed See FAR Vol. 12, No. 11, March 14, 1986, Formerly 6A-4.02, Amended 12-25-86, 10-18-88, 10-10-89, 4-15-91, 11-10-92, 5-30-94, 11-13-96, 10-15-01, 12-27-04, 7-27-06, Joint Administrative Procedures Committee objection resolved by Chapter 86-156, Laws of Florida, Florida Administrative Register Vol. 35, No. 27, July 10, 2009, Amended 1-1-14.

6A-4.0051 Renewal and Reinstatement of a Professional Certificate.

A professional certificate is renewed or reinstated and certification coverages retained on the certificate in accordance with the following provisions:

- (1) through (4) No change.
- (5) Special provisions for teachers of limited English proficient students, teachers of students with disabilities and teachers of reading.
- (a) An educator who holds a professional certificate may use college credits or inservice points completed in English-for-Speakers-of-Other-Languages training, training in the instruction of students with disabilities, and the teaching of reading in excess of six (6) semester hours during one certificate-validity period toward renewal of the professional certificate during the subsequent validity periods.
- (b) An educator who holds a temporary certificate may use college credits or inservice points completed in English-for-Speakers-of-Other-Languages training, training in the instruction of students with disabilities, and the teaching of reading toward renewal of the educator's first professional certificate. Such training must not have been included within the degree program, and the educator's temporary and professional certificates must be issued for consecutive school years.
- (c) These provisions supersede the requirements in paragraph (3)(a) of this rule for the individuals noted in paragraphs (5)(a) and (b) of this rule.
- (6) through (7) No change.

  Rulemaking Authority 1001.02, 1012.55, 1012.585 FS. Law Implemented 1012.55, 1012.585 FS. History–New 12-25-86, Amended 4-23-91, 2-12-92, 10-15-01, 12-27-04, 2-25-14.

#### 6A-4.006 General and Professional Preparation.

- (1) General preparation. A bachelor's or higher degree from an accredited or approved institution as described in Rule 6A-4.003, F.A.C., shall be considered to have met the general preparation course requirements.
  - (2) Professional preparation.
- (a) For applications received before January 1, 2016, Courses for the professional preparation and education competence requirement pursuant to the college course certification option in Section 1012.56(6)(f), F.S., are fifteen (15) semester hours with credit in the following professional education areas:
- 1. Classroom management including safe learning environments,
  - 2. Human development and learning,
- 3. Educational assessment to include the content measured by state achievement tests and the interpretation and utilization of data to improve student achievement,

- 4. Effective instructional strategies including the needs of diverse learners.
- 5. For the middle (grades 5-9) and secondary (grades 6-12) level subject coverages and the K-12 level subject coverages: art, music, dance, computer science, health, foreign languages, and humanities, curriculum and special methods of teaching the subject, and
- 6. For middle (grades 5-9) and secondary (grades 6-12) level subject coverages, foundations of research-based practices in teaching reading-competency two of the State Board approved reading endorsement competencies.
- (b) For applications received beginning January 1, 2016, professional preparation courses pursuant to Section 1012.56(6)(f), F.S., are a minimum of fifteen (15) semester hours with credit in the following professional education areas:
- 1. Classroom management with a focus on creating safe learning environments in which effective teaching and learning can take place by promoting a physically, emotionally, socially and academically secure climate for students,
- 2. Child and adolescent development including theories and principles of learning,
- 3. Educational assessment practices that include analysis and application of data from statewide standardized assessments and other multiple sources to improve instruction and learning.
- <u>4. Effective instructional techniques, strategies, and materials to meet the needs of diverse learners, including students with disabilities,</u>
- 5. For certificate subject coverages classified by rule as academic or degreed vocational, applications of research-based instructional practices in reading, and,
- 6. Instructional strategies for teaching students of limited English proficiency including instruction in the English language and development of the student's mastery of the four language skills of listening, speaking, reading and writing.
- (c)(b) Practical experience in teaching. Practical experience in teaching may be satisfied by one of the following methods:
- 1. One year of full-time teaching experience in an elementary or secondary school as specified in Rule 6A-4.002, F.A.C., or
- 2. Six semester hours earned in a college student teaching or supervised internship in which the candidate demonstrates his or her ability to positively impact student learning growth with a diverse population of students completed in an elementary or secondary school.
- (c) Additional requirements in teaching reading and professional education for grades kindergarten through grade six and for exceptional education students are included in the separate certification subject specialization State Board Rules.

(d) All the professional education requirements for preschool and prekindergarten—grade three subject coverages in lieu of the requirements in paragraph (2)(a) of this rule are included in the separate certification subject specialization State Board Rules.

(d)(e) The requirements of paragraph (2)(a) or (2)(b) of this rule are not applicable and shall not be required for school social worker or speech-language impaired certification.

- (3) Professional preparation for agriculture (grades 6-12).
- (a) Courses for professional preparation and education competence requirement pursuant to the college course certification option in Section 1012.56(6)(f), F.S., for agriculture are fifteen (15) semester hours with credit in the following professional agricultural education areas:
- 1. Curriculum development and educational assessment in agriculture,
  - 2. Instructional strategies of teaching agriculture,
  - 3. Program planning in agricultural education,
  - 4. An agriscience teacher induction course which includes:
- a. Basic principles and philosophy of agricultural education, and
  - b. Strategies for classroom management.
- (b) The practical teaching experience requirement may be satisfied as specified in paragraph (2)(b) of this rule.

Rulemaking Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—New 4-20-64, Amended 4-8-68, 7-7-68, 4-11-69, 6-17-73, Repromulgated 12-5-74, Amended 10-12-76, 7-1-79, 11-5-84, Formerly 6A-4.06, Amended 9-12-89, 5-30-94, 7-17-00, 10-15-01, 7-27-06, Joint Administrative Procedures Committee objection resolved by Chapter 86-156, Laws of Florida, Florida Administrative Register Vol. 35, No. 27, July 10, 2009, Amended \_\_\_\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Brian Dassler, Deputy Chancellor, Educator Quality

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 30, 2014

## Section III Notice of Changes, Corrections and Withdrawals

#### DEPARTMENT OF ECONOMIC OPPORTUNITY

**Division of Workforce Services** 

RULE NO.: RULE TITLE:

73B-10.032 Employing Unit Records

#### NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 194, October 6, 2014 issue of the Florida Administrative Register.

OF **STATEMENT** OF **ESTIMATED SUMMARY** REGULATORY COSTS **LEGISLATIVE** AND RATIFICATION should have included the following language: The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs, or if no SERC is required, the information expressly relied upon and described herein: The agency has performed a review of the statutory requirements and has determined that its proposed Rule 73B-10.032, F.A.C., has no adverse impact or regulatory costs which exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. The rule is therefore expected be able to take effect without the need of being ratified by the Legislature.

73B-10.032 Employing Unit Records.

(5)(b)3. DOR <u>shall</u> may terminate a Reemployment Tax Data Release Agreement <u>if the agency is not in compliance with</u> the terms of the Agreement or any provision of Chapter 433, <u>F.S.</u>, by providing written notice to the reemployment tax agent. The termination of the agreement is effective upon the date of issuance by DOR.

#### Section IV Emergency Rules

#### **NONE**

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

NOTICE IS HEREBY GIVEN that on October 16, 2014, the South Florida Water Management District (District), received a petition for waiver from Broward County (Application No. 14-0812-2M) for utilization of Works or Lands of the District known as the C-42 Canal for placement of greenway and equestrian signs within the C-42 right of way from I-595 to NW 44th Street; Section 7, 30, & 19, Township 49 & 50 South, Range 41 East, Broward County. The petition seeks relief from subsections 40E-6.011(4) & (6), Fla. Admin. Code, which governs placement of permanent & semi-permanent above-

ground structures within 40 feet of top of canal bank within Works or Lands of the District and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs placement of permanent & semi-permanent above-ground structures within the District's 100 foot designated equipment staging areas.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE: 61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on October 16, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for ARIA. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-372).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

#### DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-13.001 Criteria for License Renewal

The Board of Medicine hereby gives notice:

That on October 20, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Mojgan Kaveh-Talley, M.D., on September 10, 2014, seeking a waiver or variance from Rule 64B8-13.001, F.A.C., with regard to the licensure renewal requirements. The Notice was published in Vol. 40, No. 180, of the Florida Administrative Register, on September 16, 2014. The Board, at its meeting held on October 10, 2014, voted to deny the Petition for Waiver finding that the Petitioner failed to demonstrate a substantial hardship; that application of the rule would violate

the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

## Section VI Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 5, 2014, 4:30 p.m. -6:30 p.m.

PLACE: Florida Lions Conklin Center for the Blind, 405 White Street, Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 430667-1-52-01

Project Description: Beville Road (State Road (SR) 400) – Maintenance and Safety Improvements Volusia County, Florida

This project provides maintenance and safety improvements to Beville Road (SR 400). It extends from Woodcrest Drive to S. Ridgewood Avenue (US 1 / SR 5). In addition to resurfacing of the existing pavement, this project includes construction of sidewalks and pedestrian signal replacement.

A copy of the agenda may be obtained by contacting: Either Catalina Chacon, E.I., FDOT Project Manager at (386)943-5039 or e-mail: catalina.chacon@dot.state.fl.us AND/OR Boyd G. Jenkins, P.E. at Moffatt & Nichol at (407)562-2030 or email: bjenkins@moffattnichol.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Christina Seilkop at Moffatt & Nichol, 1025 Greenwood Boulevard, Lake Mary, FL 32746 at (407)562-2030 or email: cseilkop@moffattnichol.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Either Catalina Chacon, E.I., FDOT Project Manager at (386)943-5039 or e-mail: catalina.chacon@dot.state.fl.us AND/OR Boyd G.

Jenkins, P.E. at Moffatt & Nichol at (407)562-2030 or email: bienkins@moffattnichol.com.

#### DEPARTMENT OF HEALTH

**Board of Dentistry** 

The Board of Dentistry, Rules Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 6, 2014, 6:00 p.m.

PLACE: 1(888)670-3525 when prompted, enter conference code: 9653369235

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule Draft 64B5-17.002, FAC, Written Dental Records; Minimum Content, Retention; Rule 64B5-2.013, FAC, Dental Rule 64B5-2.0146, FAC, Examination; Licensure Requirements for Applicants from Non-Accredited Schools or Colleges; Rule 64B5-13.0046, FAC, Citation Authority; Rule 64B5-9.011, FAC, Radiography Training for Dental Assistants; Rule 64B5-12.013, FAC, Continuing Education Requirements. A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

#### FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 12, 2014, 10:00 a.m.

PLACE: Rick Seltzer Conference Room, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Review Committee meeting will be to discuss the proposals received from qualified Offerors in response to RFQ 2014-10 for Real Estate Brokerage Services, answer any questions the Review Committee may have regarding the proposals, give the scores, and submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Jenny Marshall, (850)488-4197 or Jenny.Marshall@floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jenny Marshall at Florida Housing Finance Corporation, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

#### DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:

69O-123.001 Purpose

69O-123.002 Procedure

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: December 9, 2014, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Final Public Hearing on the adoption of proposed repeal of Rule 69O-123, Florida Administrative Code, published on May 23, 2014, in Vol. 40, No. 101, of the Florida Administrative Register has been changed from November 12, 2014 to December 9, 2014.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at http://www.myflorida.com/myflorida/cabinet/mart.html.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debra Seymour at E-mail Debra.Seymour@floir.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Debra Seymour at Email Debra.Seymour@floir.com.

#### DEPARTMENT OF FINANCIAL SERVICES

OIR - Insurance Regulation

RULE NO.: RULE TITLE:

69O-148.001Funding of Preneed Contracts With Life Insurance or Annuities

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: December 9, 2014, during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Final Public Hearing on the adoption of proposed amendments to Rule 69O-148.001, Florida Administrative Code, published on May 23, 2014, in Vol. 40, No. 101, of the Florida Administrative Register has been changed from November 12, 2014 to December 9, 2014.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at http://www.myflorida.com/myflorida/cabinet/mart.html.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Betty Pate at E-mail Betty.Pate@floir.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Betty Pate at E-mail Betty.Pate@floir.com.

#### DEPARTMENT OF FINANCIAL SERVICES

OIR - Insurance Regulation

RULE NOS.:RULE TITLES:

69O-228.010Purpose

69O-228.020 Scope

69O-228.030 Definitions

69O-228.040 Course Providers

69O-228.050 School Officials

69O-228.060 Instructors and Supervising Instructors

69O-228.080 Course Approval; Requirements; Guidelines

69O-228.090 Course Offerings and Attendance Records

69O-228.100 Certification of Students

69O-228.110 Textbooks

69O-228.120 Course Fees

69O-228.130 Facilities

69O-228.150 Advertising

69O-228.160 Prohibited Practices

69O-228.180Forms

69O-228.190 Transition Time in the Event of Rule Changes

69O-228.210 Penalties for Course Providers, School Officials, Supervising Instructors, Instructors, and Monitors

690-228.220 Licensee Compliance; Requirements; Penalties

for Non-Compliance

69O-228.230 Extensions

690-228.240 Applicability of Continuing Education Requirement for New Licensees

69O-228.250 Exempted Licensees

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: December 9, 2014, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Final Public Hearing on the adoption of proposed repeal of Rule 69O-228, Florida Administrative Code, published on May 23, 2014, in Vol. 40, No. 101, of the Florida Administrative Register has been changed from November 12, 2014 to December 9, 2014.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at http://www.myflorida.com/myflorida/cabinet/mart.html.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debra Seymour at E-mail Debra.Seymour@floir.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Debra Seymour at E-mail Debra.Seymour@floir.com.

### FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The Florida Atlantic Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 6, 2014, 8:00 a.m.

PLACE: 3651 FAU Blvd., Suite 400, Boca Raton, FL 33431 GENERAL SUBJECT MATTER TO BE CONSIDERED: Governance Committee Meeting.

A copy of the agenda may be obtained by contacting: cc@research-park.org.

#### FLORIDA SURPLUS ASSET FUND TRUST

The Florida Surplus Asset Fund Trust announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 24, 2014, 12:00 Noon

PLACE: Akerman LLP, CNL Center II Building, 420 South Orange Avenue, Suite 1200, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: A. BUSINESS ITEMS

- 1. Call to Order/Roll Call
- 2. Public Comments

- 3. Results of Board Seats Election- Board Secretary/Administrator
- 4. Approval Prior Board Meeting Minutes
- (a) July 25, 2014
- 5. Participant and Guest Introductions
- 6. Approval of 2015 FL SAFE Annual Budget- FMAS/PMA
- 7. Auditor Engagement 2014
- **B. OTHER ITEMS**
- 1. Investment Advisor/Operations Manager Update PMA
- (a) Economic and Market Update
- (b) FLSAFE LGIP Portfolio Update, Comparative Market Review
- (c) Operations Manager Report
- (d) Ratification August 2014 Term Series
- (e) Term Series Discussion Proposed December 2014 Issue
- (f) PMA Comments
- 2. Administrator Update-FMAS
- (a) Marketing Update, Conferences, Events, Presentations
- (b) Summary of FL SAFE Participant Survey and October 23rd Investment Seminar
- (c) FMAS Comments
- 3. FLSAFE Counsel's Comments
- 4. Participants' Comments
- 5. Board Members' Comments
- C. SET NEXT MEETING DATE/ ADJOURNMENT
- 1. Future meeting dates: January 23, 2015

A copy of the agenda may be obtained by contacting: Jeff Larson, FLSAFE Administrator at (407)496-1597, jlarson@floridamanagementservices.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Jeff Larson, FLSAFE Administrator at (407)496-1597, jlarson@floridamanagementservices.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jeff Larson, FLSAFE Administrator at (407)496-1597, ilarson@floridamanagementservices.com.

#### MRGMIAMI

The Florida Department of Transportation (FDOT), District Six, announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 28, 2014, 6:00 p.m. – 8:00 p.m.

PLACE: Kendall United Methodist Church, Fellowship Hall, located at 7600 SW 104 Street, Pinecrest, FL 33156

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting to discuss the design and scope of work for a safety improvement project along State Road (SR) 5/US-1 at SW 104 Street in Miami-Dade County. The project identification number is 433489-1-52-01.

The proposed work includes: realignment of the southbound lanes along SR 5/US-1, north of SW 104 Street; installation of a barrier wall between the southbound lanes on US-1 and the back of the existing bus stop located south of SW 104 Street; addition of northbound exclusive right turn lane from SW 106 Street to SW 104 Street; extension of auxiliary lane for northbound SR 826; mill resurface and refurbish pavement markings; and upgrade traffic signals and signs along the corridor. Construction is expected to begin in May 2018 and last about five months. The estimated construction cost is \$1.8 million.

The public meeting will be held as an open house and attendees are welcome to arrive any time between 6 p.m. and 8 p.m. to review the proposed plans and project displays. FDOT representatives will be available to discuss the project, answer questions, and receive comments on the proposed improvements.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Public Information Specialist Alexandra Medina at (786)607-3002 or by email: amedina@mrgmiami.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven (7) days before the workshop/meeting by contacting: Ms. Fang Mei, P.E., at (305)470-5219, or in writing at the Florida Department of Transportation, District Six, 1000 NW 111 Avenue, Room 6111-A, Miami, Florida 33172 or via email: fang.mei@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Public Information Specialist Alexandra Medina at (786)607-3002 or by email: amedina@mrgmiami.com.

#### ATKINS - TAMPA

The Florida Department of Transportation (FDOT), District Seven announces a hearing to which all persons are invited. DATE AND TIME: Tuesday, October 28, 2014, 10:00 a.m. – 11:00 a.m.

PLACES: Online at: https://www2.gotomeeting.com/register/587069322 OR one of the following viewing locations: Dr. Martin Luther King, Jr. Recreation Center, 1601 East Dr. Martin Luther King, Jr. Boulevard, Plant City, FL OR

FDOT, District Seven, Pelican Conference Room, 11201 N. McKinley Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A VPH for the SR 566 (Thonotosassa Road) proposed median modification in the vicinity of the eastbound I-4 exit ramp, FPN: 425503-2, Hillsborough County, Florida. The project limits are from south of Townsgate Court to north of I-4.

You may participate in the VPH in the following ways: 1) From any computer with an internet connection by registering at: https://www2.gotomeeting.com/register/235145858, or 2) Attend in person at one of the locations listed above. If you plan to participate over the internet, advance registration is required. Once registered, you will receive a confirmation email containing information about joining the VPH. The VPH will open at 10:00 a.m., and the project presentation will start promptly at 10:15 a.m. Please allow adequate time for log-in. After the PowerPoint presentation has concluded, there will be an opportunity for participants at both viewing locations, and those online, to provide verbal comments to be included in the official VPH record. After the verbal portion of the VPH has concluded, the project PowerPoint presentation will be shown continuously for the duration of the VPH.

This VPH is conducted to afford affected property and business owners, interested persons, local governments, and organizations the opportunity to provide comments to FDOT, District Seven, regarding the potential effects of the proposed median change to SR 566 in the vicinity of the eastbound I-4 exit ramp. The existing median opening across from Starbucks will be closed to allow the northbound U-turn lane at the I-4 eastbound exit ramp and the southbound left turn lane at Townsgate Court to be lengthened. The eastbound I-4 exit ramp at this intersection will become signalized to provide for the U-turn at this location.

Other proposed improvements include the realignment of the eastbound I-4 exit ramp and the construction of a dual right and single left turn at this intersection. Additionally, the road will be resurfaced and sidewalks constructed on both sides of the roadway, within the above stated project limits.

This VPH is held pursuant to Chapters 120, 335.18, and 335.199, Florida Statutes. FDOT, District Seven, will receive verbal and written comments online and at each VPH location.

Written comments not received at the hearing can be emailed to roadwork@dot.state.fl.us ATTN: VPH # 425503-2, or mailed to: Brian L. Shroyer, CPM, Project Manager, FDOT, District Seven, 11201 N. McKinley Drive, MS 7-600, Tampa, FL 33612. All comments must be emailed or postmarked by November 10, 2014 to become part of the official VPH record. Participation via webinar is also considered part of the official VPH record.

A copy of the agenda may be obtained by contacting: Brian L. Shroyer, CPM, Project Manager at 1(800)226-7220, (813)975-6449 or brian.shroyer@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brian L. Shroyer, CPM, Project Manager at 1(800)226-7220, (813)975-6449 or brian.shroyer@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brian L. Shroyer, CPM, Project Manager at 1(800)226-7220, (813)975-6449 or brian.shroyer@dot.state.fl.us.

## Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Broward County Board of Rules and Appeal/Rolando Soto on October 15, 2014. The petition seeks the agency's opinion as to the applicability of Sections 489.105 and 489.505, Florida Statutes, as it applies to the petitioner.

The Petitioner seeks a declaratory statement on Sections 489.105 and 489.505, Florida Statutes, regarding whether a Mechanical Contractor or Class A or B Air Conditioning Contractor can install, remove or replace the air conditioning control wiring used to shut down air conditioning equipment by duct detectors in systems that are controlled by a Fire Control Panel. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

Notice is hereby given that the Construction Industry Licensing Board has received a Petition for Declaratory Statement filed on behalf of the Mark L. Biebighauser on October 15, 2014. The Petitioner seeks a declaratory statement regarding a classification for Prestress/Precast Concrete Panel Erection so that they can apply for the correct license. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

Copies of the petition may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

#### DEPARTMENT OF HEALTH

Board of Medicine

Notice is hereby given that the Board of Medicine has received a Petition for Declaratory Statement filed by Reviva Medical Spa, on October 17, 2014. The Petitioner requests the Board's interpretation as to what professionals and under what circumstances some laser services may be offered. Copies of the petition may be obtained by writing Chandra Prine, Acting Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

#### DEPARTMENT OF HEALTH

Board of Medicine

NOTICE IS HEREBY GIVEN THAT on October 20, 2014, the Board of Medicine issued a Final Order on the petition for declaratory statement filed on behalf of Richard de la Cruz, M.D., Diana C. Maccario, M.D., and J. Michael Benfield, M.D. The Notice of the Petition was published in Volume 40, No. 119, of the June 19, 2014, issue of the Florida Administrative Register. The Board reviewed the Petition at its meeting held on August 1, 2014. The Board's Final Order finds that the Petitioner's proposed practice model is precluded by Section 456.44, F.S., because the Petitioners delegate duties set forth in subsection (3) that are non-delegable. The Petitioner's proposed practice model subverts Florida's regulatory scheme for the prescribing of controlled substances to patients with non-malignant pain.

A copy of the Final Order may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

## Section VIII Notice of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

#### **NONE**

Notice of Disposition of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

#### **NONE**

## Section IX Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

#### **NONE**

# Section X Announcements and Objection Reports of the Joint Adminstrative Procedures Committee

#### **NONE**

## Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

University of Central Florida

### Electrical Contractors NOTICE TO CONTRACTORS

The University of Central Florida has a need for several firms to provide contractor services in the trade of Electrical on an ongoing basis for campus renovation and construction projects with construction budgets of less than \$2,000,000.

Typical projects may include new construction, renovations, remodeling, equipment installation, fire code corrections, building code corrections, aesthetic enhancements, technology enhancements, exterior enhancements, communications

modifications, air quality, and sustainability modifications. Areas requiring renovation or modifications may include, but are not limited to, animal research or holding areas, research laboratories, classrooms, libraries, media centers, offices, clinics, reception and waiting areas, lobbies, corridors, atriums, courtyards, plazas, student housing, site work, parking areas, and hardscapes. Projects being implemented may border or be within occupied areas, and projects will in many cases need to be phased to allow partial occupancy during construction. ALL projects will need to ensure the safety of faculty, staff, and students. Projects may be located on the University of Central Florida main campus or branch campuses.

Instructions for submitting a proposal can be found on the Project Fact Sheet. The Project Fact Sheet and General Contractor's Form may be obtained on our website: www.fp.ucf.edu or by contacting: Gina Seabrook, Email: gina.seabrook@ucf.edu, Phone: (407)823-5894.

We are accepting only electronic submissions, to be uploaded at: https://ucf.bonfirehub.com/p/717

Submittals must be received by 5:00 p.m. local time November 10, 2014. Late submissions or additional documention will not be accepted.

Continued work from the university will be based on a periodic contractor performance evaluation. Evaluations will assess the contractor's: quality of work, ability to maintain budget, ability to stay on schedule, safety, no-change orders for same scope of work, and customer service. Contractors that do not receive satisfactory evaluations may not be given additional work, and their contracts may be terminated.

#### DEPARTMENT OF MANAGEMENT SERVICES

Division of Building Construction

South-Environmental Services
STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES
DIVISION OF REAL ESTATE DEVELOPMENT
AND MANAGEMENT

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES

CONTINUING CONTRACTS FOR ASBESTOS, LEAD, INDOOR AIR QUALITY, MOLD

AND INDUSTRIAL HYGIENE CONSULTING SERVICES SOUTH FLORIDA REGION

October 21, 2014

Project Number: N/A

Project Name: Asbestos, Lead, Indoor Air Quality, Mold and Industrial Hygiene Consulting Services Continuing Contracts

Project Location: South Florida

The State of Florida, Department of Management Services, Division of Real Estate Development and Management, requests qualifications from asbestos licensed consulting firms that are also accredited to provide lead, indoor air quality, mold and industrial hygiene consulting services primarily in the South Florida Region. These services may be used for projects anywhere in the State of Florida, however, it is anticipated that the firms selected during this process will be activated for projects in the South part of the State. The South Florida Region is defined as all counties south of and including Charlotte, Glades, Palm Beach, and St. Lucie County. Projects will vary in size up to \$2,000,000.00 for construction and up to \$200,000.00 for planning or study fees.

Note: Firms considered for selection must have a Professional Engineer licensed to do business in Florida on staff.

Response Due Date: Monday, November 24, 2014 by 4:00 p.m. Eastern Time.

Please visit the Department's website http://www.myflorida.com/apps/vbs/vbs\_www.main\_menu and click on "Search Advertisements" – "Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

AULD & WHITE CONSTRUCTORS, LLC JAX Lab Hardy Building HVAC Renovation

NOTICE TO SUBCONTRACTORS

PROJECT NAME: JAX Lab Hardy Building HVAC Renovation

#### REQUEST FOR BIDS

NOTICE IS HEREBY GIVEN that Auld & White Constructors, LLC, in conjunction with the Florida Department of Health, will be accepting sealed proposals, which will be received until 2:00 p.m., November 10th, 2014, at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216, for the referenced project. Bids shall be opened publicly at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216.

SCOPE DESCRIPTION: Material purchase of HVAC equipment. Air handler and exhaust fans.

Interested Bidders are required to notify Auld& White Constructors, LLC, of their Intent to Bid no later than October 29th, 2013. Project drawings and specifications will be available at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216, on July 13, 2011. All interested bidders shall submit their Notice of Intent to Bid by fax to (904)296-1896, Attention Lauren Wray or e-mail at awcestimating@auld-white.com.

The Florida Department of Health and Auld & White Constructors, LLC are committed to provide equal opportunity and strongly encourage all interested M/WBE and small business firms and suppliers to submit bids.

Auld & White Constructors, LLC reserves the right to reject any and all bids, waive formalities and irregularities in bidding and to accept bids, which are considered by Auld& White Constructors, LLC to be in the best interest of the project.

#### VISIT FLORIDA

VISIT FLORIDA is accepting proposals from Payroll/HR Services provider with expertise in outsourced payroll processing and related payroll services to successfully provide these services to meet the payroll, human resource and general ledger needs of VISIT FLORIDA in the most cost-effective and efficient manner possible. For more information, please click here. Responses due November 7, 2014.

#### Section XII Miscellaneous

#### DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

**Emergency Action** 

On October 20, 2014, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Armando I. Torres, H.A.S., License #: AS 4799. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

#### DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-14-153

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-153 on October 14, 2014, in response to applications submitted by the Venetian House, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the applications for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.Zimmer@DEO.MyFlorida.com.

#### DEPARTMENT OF ECONOMIC OPPORTUNITY

**Division of Community Development** 

Final Order No.: DEO-14-152

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-152 on October 14, 2014, in response to applications submitted by the Master Declaration of Covenants and Restrictions for East Lake Woodlands Woods Landing Townhomes Unit One for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the applications for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.Zimmer@DEO.MyFlorida.com.

#### DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-14-151

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-151 on October 14, 2014, in response to applications submitted by Carriage House Lane Owner's Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.zimmer@DEO.MyFlorida.com.

### DEPARTMENT OF ECONOMIC OPPORTUNITY Division of Community Development

Final Order No.: DEO-14-150

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-150 on October 14, 2014, in response to an application submitted by Villas of St. Andrews Property Owners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization. Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.zimmer@DEO.MyFlorida.com.

#### DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-14-148

In re: A LAND DEVELOPMENT REGULATION

ADOPTED BY POLK COUNTY ORDINANCE NO. 14-045

#### FINAL ORDER

#### APPROVING POLK COUNTY ORDINANCE NO. 14-045

The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Florida Statutes, approving land development regulations adopted by Polk County, Florida, Ordinance No. 14-045 (the "Ordinance").

#### FINDINGS OF FACT

1. The Green Swamp Area is designated by § 380.0551, Florida Statutes, as an area of critical state concern. Polk County is a local government within the Green Swamp Area of Critical State Concern.

- 2. The Ordinance was adopted by Polk County on August 7, 2014, and rendered to the Department on August 18, 2014.
- 3. The Ordinance amends the Land Development Code, Section 205 (Use Tables for Standard Land Use Districts), to include the use of "Leisure/Special Interest School" as a conditional use in residential areas. The Ordinance also amends Section 303 (Criteria for Conditional Uses; School, Leisure/Special Interest), to further define the use by including additional development criteria which is intended to mitigate potential adverse impacts of the use in residential areas.

#### CONCLUSIONS OF LAW

- 4. The Department is required to approve or reject land development regulations that are adopted by any local government in the Green Swamp Area of Critical State Concern.
  - §§ 380.05(6) and (11), Florida Statutes.
- 5. Polk County is a local government within the Green Swamp Area of Critical State Concern. §380.0551, Florida Statutes and Florida Administrative Code Chapter 28-26.
- 6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
- 7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6). The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003. Florida Administrative Code.
- 8. The Ordinance is consistent with Objective 2.129-A of the Polk County Comprehensive Plan.
- 9. The Ordinance is consistent with the Principles for Guiding Development in Rule 28-26.003(1), as a whole and furthers all of the Principles:

- (a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.
- (b) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.
  - (c) Protect the water available for aquifer recharge.
- (d) Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.
  - (e) Protect the normal supply of ground and surface water.
- (f) Prevent further salt-water intrusion into the Floridan Aquifer.
- (g) Protect or improve existing ground and surface-water quality.
  - (h) Protect the water-retention capabilities of wetlands.
  - (i) Protect the biological-filtering capabilities of wetlands.
  - (j) Protect the natural flow regime of drainage basins.
- (k) Protect the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

WHEREFORE, IT IS ORDERED that the Department finds that Polk County Ordinance No. 14-045 is consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below. DONE AND ORDERED in Tallahassee, Florida.

/s/

William B. Killingsworth, Director Division of Community Development Department of Economic Opportunity

#### NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

#### CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 17th day of October, 2014.

Katie Zimmer, Agency Clerk Department of Economic Opportunity 107 East Madison Street, MSC 110 Tallahassee, FL 32399-4128

/s/

By Certified-U.S. Mail: Honorable R. Todd Dantzler Chairman, Polk County, Florida 330 W. Church St. P. O. Box 9005 Bartow, FL 33831

Tom Deardorff, Director Planning and Development Polk County P. O. Box 9005 Drawer GM 01 Bartow, FL 33831

John M. Bohde, Director Land Development Polk County P. O. Box 9005 Bartow, FL 33831

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