

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:       RULE TITLE:  
 6A-6.07862     Model Forms for District Innovation  
                               Schools of Technology

**PURPOSE AND EFFECT:** The purpose and effect of this rule development is to reference and implement the model application and model evaluation instrument developed by the Department for District Innovation Schools of Technology.

**SUBJECT AREA TO BE ADDRESSED:** District Innovation Schools of Technology model application and model evaluation instrument.

**RULEMAKING AUTHORITY:** 1002.451(6)(h) FS.

**LAW IMPLEMENTED:** 1002.451 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

**DATE AND TIME:** March 3, 2014, 2:00 p.m. – 3:00 p.m.

**PLACE:** Via conference call: 1(888)670-3525; code: 9945174164

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Adam Miller, Office of Independent Education and Parental Choice, 325 W. Gaines Street, Tallahassee, FL 32399 or Adam.Miller@fldoe.org. To submit a comment relating to this rule development go to

<https://app1.fldoe.org/rules/default.aspx>  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT:  
<https://app1.fldoe.org/rules/default.aspx>

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

RULE NOS.:     RULE TITLES:  
 64B20-3.007    Active Status License Fee  
 64B20-3.009    Inactive Status License Fee

**PURPOSE AND EFFECT:** The proposed rule amendments are intended to reduce licensure fees.

**SUBJECT AREA TO BE ADDRESSED:** Reduction in the biennial renewal active status license fee and the inactive status license fee.

**RULEMAKING AUTHORITY:** 468.1145(1) FS.468.1145(1) FS.

**LAW IMPLEMENTED:** 456.036456.036, 468.1145(8),(9) 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Jusevitch, Executive Director, Board of Speech-Language Pathology and Audiology/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II**  
**Proposed Rules**

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NO.:       RULE TITLE:  
 11B-18.004     Regional Training Areas

**PURPOSE AND EFFECT:** Updates the name of “Brevard Community College of Public Safety” to “Eastern Florida State College of Public Safety” and “Valencia Community College” to “Valencia College” at the request of the training schools, and removes the name of the “Florida Department of Environmental Protection Office of Training and Professional Standards” training school because the Department no longer exists.

**SUMMARY:** Updates Commission-approved criminal justice training school names at the request of the training schools and removes a training school that no longer exists.

**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: **OTHER RULES INCORPORATING THIS RULE:** N/A. **EFFECT ON THOSE OTHER RULES:** N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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: 943.03(4), 943.12(1), (2) FS.  
LAW IMPLEMENTED: 943.25(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, March 7, 2014, 10:00 a.m.  
PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615 or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-18.004 Regional Training Areas.

For the purposes of Officer Training Monies activities, there are established the following sixteen regional training areas:

(1) through (6) No change.

(7) Region VII.

(a) No change.

(b) Commission-certified training schools within Region VII: ~~Eastern Florida State Brevard Community~~ College Institute of Public Safety, Criminal Justice Institute at Valencia ~~Community~~ College, Daytona State College School of Emergency Services Institute, Criminal Justice Academy of Osceola, Lake Tech Center Institute of Public Safety, and Seminole State College Criminal Justice Institute.

(8) through (14) No change.

(15) Region XV.

(a) No change.

(b) Commission-certified training schools within Region XV: Florida Department of Law Enforcement Bureau of Professional Development, Florida Highway Patrol Training

Academy, ~~Florida Department of Environmental Protection Office of Training and Professional Standards~~, and Florida Fish and Wildlife Conservation Commission.

(16) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.25(5) FS. (Supp. 1998). History—New 1-13-81, Amended 7-28-82, 1-7-85, Formerly 11B-18.04, Amended 7-13-87, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 9-28-09, 6-3-10, 3-13-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bureau Chief Glen Hopkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 7, 2014

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NOS.:	RULE TITLES:
11B-20.001	Definitions and Minimum Requirements for General Certification of Instructors
11B-20.0012	Denial and Discipline of Instructor Certification
11B-20.0013	Commission Instructor Certification Categories
11B-20.0014	Minimum Requirements for High-Liability and Specialized Topics Instructor Certification
11B-20.0017	Maintenance and Duration of Instructor Certifications

PURPOSE AND EFFECT: 11B-20.001(2)(a): Revises the Instructor Certification Application form CJSTC-71 to add the new Criminal Justice Diving Certification category and removes the Law Topics Instructor Certification topic because the certification is no longer required to instruct Commission courses.

11B-20.001(3)(a)3.a.: Revises the Instructor Competency Checklist form CJSTC-81 to add the new Criminal Justice Diving Instructor Certification category and deletes the Law Instructor Certification Category because the certification is no longer required to instruct Commission courses.

11B-20.0012(1), 11B-20.0013(3), 11B-20.0014(3), 11B-20.0017(5), 11B-20.0017(7)(d): Deletes the unnecessary word “topics,” in the “Specialized Topics Instructor Certification” title and renames “Specialized Instructor Certification.”

11B-20.0013(3)(a): Adds the new Criminal Justice Diving Instructor Certification category and removes the Law Topics Instructor Certification category because the certification is no longer required to instruct Commission courses.

11B-20.0014 (Rule Title): Deletes the unnecessary word “topics,” in the Rule Title, and adds an “s” to the word “Certification” to reflect the multiple certifications in Rule 11B-20.0014, F.A.C.

11B-20.0014(3)(a)1.-4.: Adds the new Criminal Justice Diving Instructor Certification category and certification procedures for the new Underwater Police Science and Technology course.

11B-20.0014(3)(a)4. Old paragraph: Removes the Law Topics Instructor Certification because the certification is no longer required to instruct Commission courses.

11B-20.0014(3)(b)4.: Revises the Speed Measurement Device Instructor Field Evaluation form CJSTC-10 to allow a training center director or designee to approve the successful demonstration of a speed measurement device to assist the director in processing evaluations.

11B-20.0014(3)(c)2.: Increases the number of years for canine team experience from three to five years for obtaining a Canine Team Instructor Certification to conform with the current curriculum.

11B-20.0014(3)(c)3.: Updates the Canine Team Training Course and changes the course number from 1112 to 1198 to conform with current curriculum and updates a rule reference.

11B-20.0014(3)(c)4.: Renames the "Canine Team Training course" to "Canine Team Training Instructor course" and adds the course number 1199.

11B-20.0014(3)(c)5.-8.: Creates the new Canine Team Instructor Performance Evaluation form CJSTC-20 for evaluating canine teams to conform with the current curriculum and renumbers the paragraphs.

11B-20.0017(1): Updates the expiration dates for the original instructor certification, the instructor four-year anniversary date, and the instructor renewal deadline for instructional and continuing education requirements to conform with the current curriculum.

**SUMMARY:** Revises the Instructor Certification Application form CJSTC-71; revises the Instructor Competency Checklist form CJSTC-81; revises Specialized Instructor Certification title; adds the Criminal Justice Diving Instructor Certification; removes the Law Topics Instructor Certification; revises the rule title of Rule 11B-20.0014; adds the new Criminal Justice Diving Instructor Certification category; adds the certification procedures for the new Underwater Police Science and Technology course; revises the Speed Measurement Device Instructor Field Evaluation form CJSTC-10; updates the required years of canine team experience; adds the new Canine Team Training course; adds the new Canine Team Training Instructor course; adds the new Canine Team Instructor Performance Evaluation form CJSTC-20; and revises the four-year expiration date for the original instructor certification, instructor four-year anniversary date, and instructor renewal deadline.

**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: **OTHER RULES INCORPORATING THIS RULE:** N/A. **EFFECT ON THOSE OTHER RULES:** N/A The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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:** 943.03(4), 943.12(1), 943.14(3) FS.

**LAW IMPLEMENTED:** 943.12(3), (9), 943.13 (6), 943.14(3) FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** Friday, March 7, 2014, 10:00 a.m.

**PLACE:** Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS:** Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-20.001 Definitions and Minimum Requirements for General Certification of Instructors.

(1) No change.

(2) Instructor applicants applying for instructor certification shall:

(a) Complete the Instructor Certification Application, form CJSTC-71, revised November 7, 2013, effective \_\_\_\_\_, December 16, 2010, (effective 3/2013); hereby incorporated by reference. Form CJSTC-71 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615;

(b) through (c) No change.

(3) General Instructor Certification.

(a) Instructor applicants shall comply with the following requirements to obtain General Instructor Certification:

1. through 2. No change.

3. After successful completion of the mandatory instructor training, instructor applicants shall complete an internship.

a. The instructor applicant shall be supervised by and have his or her instructional abilities evaluated by a training center director or agency administrator, who is currently an instructor, or a designee who is currently an instructor. The training center director, agency administrator, or designee shall complete the Instructor Competency Checklist, form CJSTC-81, revised November 7, 2013, effective \_\_\_\_\_, December 16, 2010, (effective 3/2013); hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-81 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

b. through c. No change.

4. through 5. No change.

a. through c. No change.

(b) through (c) No change.

(4) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3) FS. History—New 7-21-82, Formerly 11B-20.01, Amended 10-26-88, 5-14-92, 12-8-92, 1-10-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13,\_\_\_\_\_.

11B-20.0012 Denial and Discipline of Instructor Certification.

(1) The Criminal Justice Standards and Training Commission shall deny an instructor applicant’s request for certification, in the certification categories outlined in Rule

11B-20.0013, F.A.C., if the instructor applicant does not meet the minimum qualification requirements for General, High-Liability, or Specialized ~~Topics~~ ~~Instructor~~ ~~Certification~~, pursuant to Rules 11B-20.001 and 11B-20.0014, F.A.C. The Commission shall notify the instructor applicant by sending a “Notice of Intent to Deny Instructor Certification,” which shall specify the reason(s) for the denial of instructor certification. The affected party shall have a right to a hearing pursuant to Section 120.57, F.S., upon denial of certification.

(2) through (8) No change.

~~Rulemaking Specific~~ Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.14(3) FS. History—New 10-26-88, Amended 1-2-97, 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08,\_\_\_\_\_.

11B-20.0013 Commission Instructor Certification Categories.

Except as otherwise provided in this rule section or by law, individuals who instruct training courses pursuant to Rule Chapter 11B-35, F.A.C., at or through a training school, shall be certified by the Criminal Justice Standards and Training Commission. The Commission offers the following categories of certification to instructor applicants:

(1) through (2) No change.

(3) Specialized ~~Topics~~ Instructor Certifications.

(a) Criminal Justice Diving Instructor Certification. ~~Law Topics Instructor Certification.~~

(b) through (d) No change.

~~Rulemaking Specific~~ Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-21-07, 6-9-08,\_\_\_\_\_.

11B-20.0014 Minimum Requirements for High-Liability and Specialized ~~Topics~~ Instructor Certifications ~~Certification~~.

(1) through (2) No change.

(3) Specialized ~~Topics~~ Instructor Certifications. Instructor applicants who apply for a Specialized ~~Topics~~ Instructor Certification shall have completed the applicable specialized instructor course within four years of the date the instructor applicant applies for certification. Instructor applicants who apply for a Specialized ~~Topics~~ Instructor Certification more than four years from the date training was completed shall meet the requirements for completing an internship and demonstration of proficiency skills if applicable to the specialized topic. Instructor applicants shall meet the following requirements for each Specialized ~~Topics~~ Instructor Certification requested:—

(a) Criminal Justice Diving Instructor Certification to instruct the Underwater Police Science and Technology course number 077, pursuant to Rule 11B-35.006, F.A.C., shall; ~~Law Topics Instructor Certification. A law topics instructor~~

~~certification is no longer required to instruct any Commission-approved training course effective July 1, 2012.~~

1. Possess a General Instructor Certification or be eligible for General Instructor Certification and apply for a General Instructor Certification at the same time the applicant requests a Criminal Justice Diving Instructor Certification; and

2. Possess and maintain a current Scuba Instructor Certification from a nationally recognized organization that meets the standards of the World Recreational Scuba Training Council (WRSTC) and have two years of experience as a public safety diver, or possess and maintain a Dive Master Certification from a nationally recognized organization that meets the standards of the WRSTC and have five years of experience as a public safety diver; and

3. Have been employed in the capacity of a public safety diver within the past four years, or have instructed the Underwater Police Science and Technology course within the past four years; and

4. Have successfully completed the Underwater Police Science and Technology course as a student.

(b) Speed Measurement Instructor Certification. Instructor applicants who request certification to instruct speed measurement training courses shall:

1. through 3. No change.

4. Complete the Speed Measurement Device Instructor Field Evaluation, form CJSTC-10, revised November 7, 2013, effective \_\_\_\_\_, ~~October 30, 2008,~~ hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-10 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

5. through 6. No change.

(c) Canine Team Instructor Certification. Instructor applicants who request to obtain certification to instruct Commission-approved canine team training courses shall:

1. No change.

2. Possess a minimum of five ~~three~~ years criminal justice canine team experience documented in the instructor applicant's file at the training school or agency.

3. Successfully complete the Canine Team Training Course number 1198 ~~1142~~ or an equivalent course pursuant to subsection 11B-27.013(3)(4), F.A.C.

4. Successfully complete the Canine Team Training Instructor Course number 1199, through a training school.

5. Complete the Canine Team Instructor Performance Evaluation, form CJSTC-20, created November 7, 2013, effective \_\_\_\_\_, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-20 can be obtained at the following FDLE

Internet address: <http://www.fdle.state.fl.us/Content/CJST/ublications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

~~6.5.~~ Successfully complete a Canine Team internship supervised by a certified Canine Team Instructor and document on the Instructor Competency form CJSTC-81. An instructor applicant shall instruct any topic of the Canine Team Training or Canine Team Training Instructor Course.

~~7.6.~~ Be evaluated by his or her students. Student evaluations shall be reviewed with the instructor applicant by a training center director, agency administrator, or an instructor designated by the training center director or agency administrator, and documented on form CJSTC-81.

~~8.7.~~ Provide verification that there is not a sustained "excessive use-of-force" complaint against the instructor applicant, involving the use of the canine at the time a canine was under his or her command, at the agency(s) where the instructor applicant obtained experience as a canine officer. The verification shall be documented on agency letterhead and signed by the agency administrator or designee.

(d) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.13 (6), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 3-13-13, \_\_\_\_\_.

11B-20.0017 Maintenance and Duration of Instructor Certifications.

Documentation for instructors shall be maintained in the instructor's file at the respective training school or agency. Additionally, the training school or agency shall submit or transmit to Commission staff, through the Commission's ATMS, an Instructor Compliance Application, form CJSTC-84, revised November 8, 2007, hereby incorporated by reference, to verify compliance with the mandatory retraining requirements. Form CJSTC-84 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(1) Instructors shall successfully complete the instructional and continuing education requirements outlined below every four years. The expiration of an instructor's certification shall be March 31<sup>st</sup> of the fourth year following the instructor's initial certification.

Example:

Original Instructor Certification Date	November 21, <del>2009</del> 2005
Instructor Four-year Anniversary Date	November 21, <del>2013</del> 2009
Instructor Renewal Deadline	March 31, <del>2014</del> 2010

(2) through (4) No change.

(5) Specialized ~~Topics~~ Instructor Certification. Instructors who possess a Specialized ~~Topics~~ Instructor Certification shall

comply with the following requirements, once during their four-year cycle, to maintain certification:

- (a) through (b) No change.
- (6) No change.
- (7) No change.
- (a) through (c) No change.

(d) Specialized Topics Instructor Certification. Instructors whose Specialized Topics Instructor Certification has lapsed shall complete an internship in the applicable specialized topic documented on form CJSTC-81.

- (8) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 3-13-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bureau Chief Glen Hopkins  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 7, 2014

**DEPARTMENT OF LAW ENFORCEMENT**  
**Criminal Justice Standards and Training Commission**

RULE NO.: 11B-21.005  
RULE TITLE: Criminal Justice Training School Requirements for Certification and Re-certification

PURPOSE AND EFFECT: Updates the Driving Range Facility and Equipment Requirements form CJSTC-202, to train students in slide recovery exercises in lieu of skid pad training, to conform with the current curriculum. Updates the Defensive Tactics Facility and Equipment Requirements form CJSTC-203, to add a set of flexible cuffs and removal tool to the defensive tactics training supplies list, to conform with the current curriculum.

SUMMARY: Updates the Driving Range Facility and Equipment Requirements form CJSTC-202 and Defensive Tactics Facility and Equipment Requirements form CJSTC-203 to conform to the training requirements of the current curriculum.

SUMMARY: Updates the Driving Range Facility and Equipment Requirements form CJSTC-202 and Defensive Tactics Facility and Equipment Requirements form CJSTC-203 to conform to the training requirements of the current curriculum.

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: OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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: 943.03(4), 943.12(1), (2) FS. LAW IMPLEMENTED: 943.12(3), (7), 943.14, 943.17(1)(g) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, March 7, 2014, 10:00 a.m.  
PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615 or donnahunt@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-21.005 Criminal Justice Training School Requirements for Certification and Re-certification.

Training Schools certified by the Commission shall comply with the following requirements:

(1) through (3) No change.

(4) Driving Range Facility, Equipment, and Instructor to Student Ratio Requirements.

(a) When conducting Commission-approved vehicle operations training, comply with the driving range facility, equipment, and instructor to student ratio requirements set forth in subsection 11B-35.0021(7), F.A.C., and in the Driving Range Facility and Equipment Requirements, form CJSTC-202, revised ~~November 7, 2013, effective \_\_\_\_\_, December 16, 2010, (effective 3/2013)~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-202 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) No change.

(5) Defensive Tactics Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved defensive tactics training, comply with the defensive tactics equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(7), F.A.C., and in the Defensive Tactics Facility and Equipment Requirements, form CJSTC-203, revised ~~November 7, 2013, effective \_\_\_\_\_, December 16, 2010, (effective 3/2013)~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-203 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(6) through (12) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(3), (7), 943.14, 943.17(1)(g) FS. History—New 7-21-82, Formerly 11B-21.05, Amended 1-28-86, 8-30-89, 12-24-89, 6-3-91, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 3-13-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bureau Chief Glen Hopkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 7, 2014

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NOS.:      RULE TITLES:  
11B-27.0011      Moral Character  
11B-27.002      Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers  
11B-27.00211     Fingerprint Processing and Criminal Record Results  
11B-27.004      Probable Cause Determination  
11B-27.005      Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances  
11B-27.013      Canine Team Certification  
PURPOSE AND EFFECT: 11B-27.0011(3): Clarifies the documents required for the Commission to consider reinstatement of a previously certified officer.  
11B-27.0011(4)(c)14.a.-e.: Adds “Misuse of Electronic Databases” as a new officer violation because of increased officer violations.  
11B-27.002(3)(a)11.: Revises the Equivalency-of Training form CJSTC-76 to update the comparable training required in the new Florida Law Enforcement Academy program and to clarify the procedures for submitting form CJSTC-76 to Commission staff.  
11B-27.00211(2)(a): Adds the name of Florida Department of Children and Families required to submit for processing an applicant’s fingerprints to FDLE.  
11B-27.004(9)(e): Adds additional rule language to explain when a Letter of Acknowledgement shall not be issued to an officer.  
11B-27.005(1)(a)-(b): Deletes rule language that conflicts with Rule 11B-27.004(7) and 11B-27.005, F.A.C., when issuing a Letter of Acknowledgement.  
11B-27.005(5)(c)3.: Revises the penalty range for “Misuse of Official Position,” from “suspension” to “suspension to revocation,” because this violation and penalty was originally used for “misuse of electronic databases.”  
11B-27.005(5)(c)13.: Adds the violation of “misuse of electronic databases” and the recommended penalty to correspond with the new moral character violation in Rule 11B-27.0011(4)(c)14., F.A.C.  
11B-27.005(5)(c)14.: Adds the violation of “Intentional Abuse of Temporary Employment Authorization” and the recommended penalty because of increased officer violations.  
11B-27.005(5)(c)15.: Adds the violation of “Any willful and offensive exposure or exhibition of his or her sexual organs in public or on the private premises of another...” and the recommended penalty because of increased officer violations.  
11B-27.013(1)(a), 11B-27.013(3)(a), 11B-27.013(5), (5)(a)-(c), 11B-27.013(6), and 11B-27.013(6)(c): Revises the name of “Patrol Canine Team” to “canine team” throughout Rule 11B-

27.013, F.A.C., to allow for expanded instruction in topics such as search and apprehensive, detection, and tracking and trailing.

11B-27.013(1)(b): Revises the “Patrol Canine Evaluator” to “Canine Evaluator” to allow for expanded instruction in the topics of search and apprehensive, detection, and tracking and trailing, revises the name of the “Proficiency Examination” to “Performance Evaluation” to be consistent with the name of other forms used for courses that require a performance evaluation, and updates the Canine Team Training course to conform with the current curriculum (the course hours increased from 400 to 480 hours, however, this course is not a Commission mandated certification and is an optional course for agencies), and updates a rule reference.

11B-27.013(2): Revises the “Patrol Canine Team Certification” name to “Canine Team Certification” to allow for expanded instruction in the topics of search and apprehensive, detection, and tracking and trailing, and clarifies the procedures for a canine team to obtain equivalent canine training.

11B-27.013(2): Revises the Canine Team Certification Application form CJSTC-70 to conform with the current curriculum.

11B-27.013(3)(b)1.-2.: Requires completion of the updated Canine Team Training course prior to being a certified canine team.

11B-27.013(3)(c): Revises the procedures for completing the updated Canine Team Training course when the course is not delivered at a Commission-certified training school.

11B-27.013(3)(c): Creates the Canine Course Equivalency Checklist form CJSTC-70A to be completed by a Commission-approved evaluator when determining equivalent canine training to conform with the current curriculum.

11B-27.013(3)(d)1.-4.: Revises the procedures for a Commission-approved evaluator to evaluate an equivalent canine training course to conform with the current curriculum.

11B-27.013(3)(e): Reincorporates the Canine Team Performance Evaluation form CJSTC-83 from Rule

11B-27.013(3)(c) to (3)(e) and substantially rewrites the form by reformatting, clarifying the proficiency demonstrations, including an attestation for both the evaluators and applicant, includes additional training information, and revises the canine team performances to conform with the current curriculum.

11B-27.013(3)(e)1.-7.: Updates the procedures for a Commission-approved canine team evaluator when documenting the training of a canine team to conform with the current curriculum.

11B-27.013(4)(a): Updates the Canine Team Certification renewal date to avoid processing renewals during the holiday months.

11B-27.013(4)(b): Deletes redundant form name references and updates the rule reference.

11B-27.013(4)(c): Clarifies the procedures for a canine team to apply for an expired canine team certification.

11B-27.013(5)(c): Revises the name of “Patrol Canine Team” to “canine team” throughout Rule 11B-27.013, F.A.C., to allow for expanded instruction in topics such as search and apprehensive, detection, and tracking and trailing and deletes unnecessary words.

11B-27.013(6)(b): Revises the Canine Team Certification Deficiency Notification Application form CJSTC-270 to require a canine team to complete the updated Canine Team Training course to conform with the current curriculum and updates referenced form names in form CJSTC-270.

11B-27.013(7) & (7)(a): Makes grammatical revisions.

11B-27.013(7)(b): Decreases the number of canine teams from twelve to six for a canine team evaluator to instruct the updated Canine Team Training course to conform with the current curriculum.

11B-27.013(7)(c): Requires an officer to evaluate a minimum of twelve canine teams under the supervision of a Commission-approved evaluator prior to being approved by the Commission as a Canine Team Evaluator to conform with the current curriculum.

11B-27.013(7)(d)-(f): Adds the words “canine team” to “evaluator applicant” for clarification and renumbers the paragraphs.

11B-27.013(7)(g): Updates to require a canine team evaluator to submit a request for evaluator status four years following the date the Commission previously approved the evaluator to conform with the current curriculum.

SUMMARY: Clarifies reinstatement of a previously certified officer’s certification; adds a new penalty guideline for the new violation of “Misuse of Electronic Databases”; updates the Equivalency-of Training form CJSTC-76; adds other private criminal justice facilities that contract with the Florida Department of Children and Families; clarifies when a Letter of Acknowledgement shall not be issued; deletes conflicting rule language; revises the penalty guideline for the violation of “Misuse of Official Position”; adds the violation of “Misuse of Electronic Databases” and penalty guideline; adds the violation for “Intentional Abuse of Temporary Employment Authorization” and the penalty guideline; adds the violation of “Any willful and offensive exposure or exhibition of his or her sexual organs in public or on the private premises of another... and the penalty guideline; revises the name of “Patrol Canine Team” to “canine team”; revises the “Patrol Canine Evaluator” to “Canine Evaluator”; revises the “Proficiency Examination” to “Performance Evaluation”; adds the new 480-hour Canine Team Training course and updates rule reference; revises the “Patrol Canine Team Certification” name to “Canine Team Certification”; revises the Canine Team Certification Application form CJSTC-70; adds new canine team



certification requirements; adds procedures for the updated Canine Team Training Course; creates a new Canine Course Equivalency Checklist form CJSTC-70A; adds procedures for equivalent canine team training; revises the Canine Team Performance Evaluation form CJSTC-83; adds procedures for completing canine team performance evaluations; updates the Canine Team Certification renewal dates; deletes redundant form name references and updates rule reference; adds procedures for obtaining certification for an expired Patrol Canine Team Certification; revises the Canine Team Certification Deficiency Notification Application form CJSTC-270; makes grammatical revision; adds new procedures for instructing the updated Canine Team Training course; adds the requirement for canine team evaluators to complete specific documents; and adds new canine team training maintenance requirements.

**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: **OTHER RULES INCORPORATING THIS RULE:** N/A. **EFFECT ON THOSE OTHER RULES:** N/A The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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:** 943.03(4), 943.12(1), 943.1395 FS.

**LAW IMPLEMENTED:** 943.12(3), 943.13, 943.13(7), (16), 943.133, 943.139, 943.1395, 943.1395(7), (8) FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** Friday, March 7, 2014, 10:00 a.m.

**PLACE:** Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS:** Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308

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

11B-27.0011 Moral Character.

(1) through (2) No change.

(3) Upon written request and submission of materials, the Commission shall evaluate the qualification of an applicant to determine compliance with “good moral character” pursuant to this rule section. Written materials submitted to the Commission upon request for reinstatement of certification shall include, if available, all prior Commission disciplinary records, agency disciplinary records, victim statement(s), or citizen input. The Notice of Petition for reinstatement shall be published in the Florida Administrative Register or in the jurisdiction of the petitioning agency.

(4) For the purposes of the Criminal Justice Standards and Training Commission’s implementation of any of the penalties specified in Section 943.1395(6) or (7), F.S., a certified officer’s failure to maintain good moral character required by Section 943.13(7), F.S., is defined as:

(a) through (b) No change.

(c) The perpetration by an officer of acts or conduct that constitute the following offenses:

1. through 13. No change.

14. Misuse of Electronic Database. Willfully and knowingly accessing an electronic database within the trust of an officer, by using said database to access restricted information for an illegitimate or personal purpose with bad intent. Bad intent may be evidenced by:

a. A pattern of misuse that demonstrates improper accesses or violations.

b. If the violation occurred after the officer received agency or Commission discipline for improperly accessing a computer database, or after the officer received formal training on the

database(s) that includes provisions on the improper use of said database(s).

c. The existence of a current or past non-amicable or otherwise contentious relationship between the officer and the subject of the query, or when the purpose of the query is to identify person(s) linked or associated to said relationship.

d. Pre-textual queries based on age, race, sex, gender, or other personal identifying characteristics.

e. Any additional action taken by the officer as a result of the information obtained from the query, for example, retaining, copying, or reproducing the information obtained from the query, or disseminating information not listed as confidential or exempt in Chapter 119, Florida Statutes, obtained as a result of the query.

(d) No change.

(5) through (7) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(7), 943.1395(7) FS. History—New 1-7-85, Formerly 11B-27.011, Amended 7-13-87, 10-25-88, 12-13-92, 9-5-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 4-11-04, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 4-16-09, 6-3-10, 5-21-12, 3-13-13,\_\_\_\_\_.

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers.

(1) through (2) No change.

(3) Employment requirements pursuant to Sections 943.13, F.S., shall be documented on an Agency New Hire Report, form CJSTC-207, revised November 8, 2007, hereby incorporated by reference. Form CJSTC-207 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) The files of newly hired officers are subject to an on-site inspection by Commission staff to ensure compliance with the requirements of Chapter 943, F.S., and Rule Chapter 11B-27, F.A.C. All documents collected in conjunction with the background investigation shall be available for review. The following documents shall be reviewed for completeness:

1. through 10. No change.

11. An Equivalency-of-Training, form CJSTC-76, revised November 7, 2013, effective,\_\_\_\_\_ hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>, ~~December 16, 2010, (effective 5/2012),~~ and an Equivalency-of-Training Proficiency Demonstration, form CJSTC-76A, revised December 16, 2010, (effective 5/2012), hereby incorporated by reference, for previous Florida and out-of-state, federal, or military officers, if the officer used this training option. Forms CJSTC-76 and CJSTC-76A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/>

Publications/Professionalism-Program-Forms.aspx, or by contacting Commission staff at (850)410-8615.

12. through 15. No change.

(b) No change.

(4) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.133, 943.139, 943.1395 FS. History—New 10-6-82, Amended 4-26-84, 1-7-85, Formerly 11B-27.02, Amended 9-3-87, 3-29-89, 5-14-92, 12-13-92, 9-5-93, 1-19-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12, 3-13-13,\_\_\_\_\_.

11B-27.00211 Fingerprint Processing and Criminal Record Results.

An employing agency shall maintain on file, at minimum, a Federal Bureau of Investigation Civil Applicant Response provided from a Live Scan device by the Florida Department of Law Enforcement (FDLE) Certified Mail Application, with the National Crime Information Center (NCIC) criminal history record attached, and an FDLE Customer Summary Report and Transaction Listing with the Florida Criminal Information Center (FCIC) criminal history record attached. If a Civil Applicant Response is not received by the agency, the FCIC Criminal History indicating no single state or multi-state offender criminal history record exists shall be proof the applicant’s fingerprints have been processed.

(1) No change.

(2) Private Correctional Institutions and Jails.

(a) Private correctional institutions under contract with the Florida Department of Management Services (DMS) or the Florida Department of Children and Families (DCF) shall submit for processing an applicant’s fingerprints to the FDLE. The private correctional institution is required to use an electronic fingerprinting submission device and is responsible for any cost associated with the fingerprint submission. The response to the fingerprint submission shall be electronically transmitted to the respective contract agency (DMS or DCF) ~~DMS~~ for review for compliance with Section 943.13(4), F.S. The contract agency ~~DMS~~ will complete the Fingerprint Notification, form CJSTC-62, revised November 8, 2007, hereby incorporated by reference, or other written notice to document compliance with Section 943.13(4), F.S., and provide it to the private correctional institution. Form CJSTC-62 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) No change.

(3) through (11) No change.

Rulemaking ~~Specific~~ Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.133, 943.139, 943.1395 FS. History—New 11-5-02, 11-30-04, 6-9-08,\_\_\_\_\_.

11B-27.004 Probable Cause Determination.

At the conclusion of the preliminary investigation and when the reports and documents are received as directed by Sections 943.139 and 943.1395, F.S., a determination of probable cause shall be made before the Commission initiates proceedings to take disciplinary action against the certification of an officer.

(1) through (8) No change.

(9) Commission staff:

(a) through (d) No change.

(e) Shall not issue a Letter of Acknowledgement to a respondent if the penalty guidelines of subsection 11B-27.005(5), F.A.C., specify suspension to revocation and the respondent was terminated from the employing agency.

(10) through (14) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.1395 FS. Law Implemented 943.1395 FS. History—New 12-13-92, Amended 1-19-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 4-11-04, 11-30-04, 6-9-08, 6-3-10,\_\_\_\_\_.

11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) For the purpose of implementing the provisions of Rule 11B-27.004, F.A.C., “significant agency action” is defined as follows:

(a) For an offense that would be sanctioned by suspension of certification under these guidelines herein: Suspension from duty without pay for at least one day, or any change in assignment or duties that results in reduction in compensation, ~~or termination from employment.~~

(b) For an offense that would be sanctioned by probation of certification under these guidelines herein: Any documented or written formal action, any change in assignment or duties that results in reduction in compensation, ~~or termination from employment.~~

(2) through (4) No change.

(5) When the Commission finds that a certified officer has committed an act that violates Section 943.13(7), F.S., the Commission shall issue a final order imposing penalties within the ranges recommended in the following disciplinary guidelines:

(a) through (b) No change.

(c) For the perpetration by the officer of an act or conduct, as described in paragraph 11B-27.0011(4)(c), F.A.C., if such act or conduct does not constitute a crime described in paragraphs (5)(a)-(b) of this rule section, the action of the Commission shall be to impose the following penalties, absent aggravating or mitigating circumstances:

Violation	Recommended Penalty Range
1. through 2. No change.	
3. Misuse of official position	Suspension to <u>revocation</u>
4. through 12. No change.	
<u>13. Misuse of Electronic Database</u>	<u>Probation to suspension</u>
<u>14. Intentional Abuse of a Temporary Employment Authorization</u>	<u>Suspension to revocation</u>
<u>15. Any willful and offensive exposure or exhibition of his or her Sexual organs in public or on the private premises of another or so near thereto as to likely be seen except in any place provided or set apart for that purpose.</u>	<u>Suspension to revocation</u>

(d) No change.

(6) through (10) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.1395(8) FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.05, Amended 3-29-89, 12-13-92, 2-17-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 4-11-04, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12,\_\_\_\_\_.

11B-27.013 Canine Team Certification.

(1) Definitions.

(a) “Canine Patrol canine team” shall refer to a certified officer and a specific ~~patrol canine~~ controlled by the handler working together in the performance of law enforcement or correctional duties. “Handler” refers to the certified officer who trains and controls the canine. This definition does not include canines used by certified officers exclusively for tracking or specific detection, which are excluded from the certification process.

(b) “Canine Patrol canine evaluator” shall refer to a person who is authorized by the Commission to administer the Patrol Duty Canine Team Performance Evaluation to Proficiency Examination to patrol duty canine teams and to attest to the proficiency of the canine team pursuant with the performance evaluation proficiency examination. The evaluator ~~shall~~ is also authorized to determine if training submitted by an agency that is requesting certification is equivalent to the 480-hour Canine Team Training Course number 1198, herein referred to as “Canine Team Training Course.” ~~Commission approved Canine Team Training, which is a minimum of 400 hours.~~ The canine team patrol canine evaluator applicant requesting approval of the Commission shall be required to possess the minimum training and experience pursuant to subsection ~~(7)(8)~~ of this rule section, and ~~shall be~~ documented in a request to Commission staff.

(2) ~~Canine Patrol canine~~ team certification requirements. Commission certification of a ~~patrol~~ canine team is not required. Prior to submitting a ~~Patrol~~ Canine Team Certification Application, form CJSTC-70, revised November 7, 2013, effective \_\_\_\_\_, ~~October 30, 2008~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref> \_\_\_\_\_, the agency employing the ~~patrol~~ canine team shall collect, verify, and have on file documents establishing compliance with the requirements of this rule section, regardless of where canine training takes place. The employing agency submitting form CJSTC-70 shall provide documentation of training to the Commission-approved evaluator for review and approval as equivalent training. Form CJSTC-70 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(3) Required documentation for certification of a ~~patrol~~ canine team. Documentation of compliance for Commission certification of ~~patrol~~ canine teams shall include:

(a) A completed Canine Team Certification Application form CJSTC-70.

~~(b)1.(a)~~ A certificate issued to the canine team by a Commission-certified training school documenting successful completion of the Canine Team Training Course.

2. A previously certified handler assigned a new canine shall comply with the objectives of the Canine Team Training Course, which excludes the academic block of instruction. Commission approved Canine Team Training, which is a minimum of 400 hours; or

~~(c)(b)~~ Documentation of successful completion of the Canine Team Training Course not delivered at a Commission-certified training school. The course shall be taught using Commission-certified Canine Instructors approved by a Commission-approved evaluator and documented on the Canine Course Equivalency Checklist, Form CJSTC-70A, created November 7, 2013, effective \_\_\_\_\_, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref> \_\_\_\_\_, prior to an evaluator conducting a canine team performance evaluation for Commission Certification. Form CJSTC-70A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. an equivalent training course approved by a Commission approved evaluator pursuant to subsection (4) of this rule section; and

(d) Successful completion of an equivalent training course approved by a Commission-approved evaluator shall be documented on form CJSTC-70A.

1. Equivalent training is any canine team training course other than a Commission-approved Canine Team Training Course.

2. Equivalent training shall be a minimum of 480 hours and complies with the goals and objectives of the Canine Team Training Course.

3. A Commission-approved evaluator shall not approve equivalent training that he or she taught.

4. The employing agency submitting form CJSTC-70 shall provide documentation of training to the Commission-approved evaluator. The evaluator shall review and document approval of the training on form CJSTC-70A prior to conducting a performance evaluation for Commission certification.

(e) A completed Canine Team Performance Evaluation form CJSTC-83, revised November 7, 2013, effective \_\_\_\_\_, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref> \_\_\_\_\_, shall be verified by evaluator(s) to ensure the canine team completed the proficiency requirements. Form CJSTC-83 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

~~1.(e)~~ Successful completion Documentation of successful completion of the canine team performance evaluation shall be ~~Patrol Canine Team Proficiency Examination~~ administered by two Commission-approved canine team evaluators and documented on form CJSTC-83. A Commission-approved canine team evaluator conducting the initial training of a canine team shall not participate in the initial certification of that team. One of the Commission-approved canine team evaluators shall not be affiliated with the employing agency of the canine team being examined for certification. A Commission-approved canine team evaluator shall not administer a performance evaluation to a canine that is assigned as the evaluator's work partner, one of whom is not affiliated with the Commission-certified training school or the agency conducting the training, and one of whom is not affiliated with the agency employing the canine team. A Commission approved canine team evaluator shall not administer a proficiency examination to a canine assigned to them as a work partner. The proficiency examination shall be documented on the Patrol Duty Canine Team Proficiency Examination and Equivalency, form CJSTC-83, revised November 8, 2007, hereby incorporated by reference. Form CJSTC 83 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

2. The canine team proficiency topics are permitted to be administered in random order by the evaluator or concurrently by the evaluator.

~~3.1. During the initial evaluation the canine team shall test in all topics of the performance evaluation. If a canine team fails to successfully demonstrate proficiency on one specific topic during the initial evaluation, one re-evaluation is permitted to be given for the specific topic during the initial evaluation. The handler shall be allowed to remediate with the canine prior to declaring intent to repeat the specific topic. If a canine team fails to complete the specific topic or any additional topics, the canine team shall be deemed to have failed the performance evaluation. Remediation is defined as the handler working with the canine to resolve the topic of deficiency specified in form CJSTC-83 in the "Re-examination and Remediation Process" section. If a canine team fails to demonstrate proficiency on any topic of the proficiency examination, one re-examination may be given for the specific proficiency topic. Remedial training is permitted prior to the re-examination being declared. No more than one re-examination is permitted during the entire proficiency examination.~~

~~4.2. If a canine team fails to successfully demonstrate proficiency for any topic(s) during the first performance evaluation, the handler shall remediate the canine team in the topic(s). The canine team shall retest after a minimum of 24 hours from the date of the first failure and successfully demonstrate proficiency in the specific failed topic(s) under the supervision of two Commission-approved evaluators. One evaluator shall be an original evaluator involved in the initial proficiency failure. The handler shall provide documentation, to include lesson plans and signed attendance rosters, of the remedial training to the Commission-approved evaluators prior to the administration of the re-evaluation. If a canine team fails to successfully demonstrate proficiency the team must repeat the block(s) of training outlined in the Commission approved training course or an approved equivalent training course for the task failed within the specific topic. Documentation of the remedial training shall be made available to Commission-approved evaluators prior to the administration of a subsequent Patrol Duty Canine Team Proficiency Examination. The examination shall be repeated in its entirety.~~

5. If a canine team fails to successfully demonstrate proficiency in the specific failed topic(s) during the second attempt, the handler shall remediate with the same canine in the specific failed topic outlined in the Canine Team Training Course. The canine team shall retest after a minimum of 30 days from the date of the second failure. The handler shall provide documentation, to include lesson plans and signed attendance rosters, of the remedial training to the Commission-approved evaluators prior to the administration of the re-evaluation. The

canine team shall repeat the performance evaluation in its entirety under the supervision of two Commission-approved evaluators. One evaluator shall be an evaluator who was involved in the initial proficiency failure for that canine team.

6. A canine team that has failed a third attempt to pass a Canine Team Performance Evaluation shall be deemed to have failed the certification process, and shall complete the Canine Team Training Course or an equivalent course prior to submitting an application for certification. Form CJSTC-83 shall be used to document the third failure of the canine team and submitted by one of the canine team evaluators to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302.

7. Prior to requesting certification, the canine team shall complete the Canine Team Training Course or equivalent training outlined in paragraph (3)(b), (c), or (d) of this rule section. Documentation of the training shall be made available to the Commission-approved evaluators prior to the administration of a subsequent canine team performance evaluation. The evaluation shall be conducted pursuant with paragraph (3)(e) of this rule section

~~(4) Equivalent Training. Equivalent training shall be reviewed and approved by a Commission approved evaluator. Equivalent training for a canine team, with a handler who has never been certified, shall comply with the objectives of the Canine Team Training, which is a minimum of 400 hours. Equivalent training for a previously certified handler, who is assigned a new canine, shall comply with the objectives of the Canine Team Training with the exception of the administrative block of instruction. It is the responsibility of the employing agency submitting the Patrol Canine Team Certification Application form CJSTC-70, to provide documentation of training to the Commission approved evaluator for review and approval as equivalent training. A Commission approved evaluator shall not approve equivalent training that the evaluator delivered.~~

~~(4)(5) Renewal of Certification.~~

~~(a) A Patrol Canine Team Certification shall lapse if it is not renewed on or before October 31 ~~December 31~~ of the year following the initial certification.~~

(b) If the patrol canine team handler applying for recertification has not changed canines or the certification expired, the employing agency requesting renewal of the certification shall complete the applicable section and submit a Patrol Canine Team Certification Application form CJSTC-70 marked "Renewal," and document the canine team proficiency on a Patrol Duty Canine Team Proficiency Examination and Equivalency form CJSTC-83, in compliance with the requirements of paragraph (3)(e) of this rule section ~~11B-27.013(3)(e), F.A.C.~~

(c) If the canine team's certification has expired, the employing agency requesting renewal of canine team's certification shall submit form CJSTC-70 marked "Renewal," and document the canine team's proficiency on form CJSTC-83, pursuant to paragraph (3)(e) of this rule section ~~4B-27.013(3)(d), F.A.C. A Patrol Canine Team Certification that has expired shall comply with the requirements of this rule section and submit to Commission staff form CJSTC 70 marked "New."~~

~~(5)(6)~~ Change of assigned ~~patrol~~ canine team. If a Commission-certified canine handler or ~~patrol~~ canine ceases to be assigned as part of a canine team by the employing agency, the certification shall lapse.

(a) Notification of changes in a canine team assignment shall be submitted to Commission staff in writing to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, provided the handler is not assigned a new ~~patrol~~ canine.

(b) A Commission-certified canine ~~team~~ handler who has been assigned a new ~~patrol~~ canine, shall submit form CJSTC-70, marked "New" and "Canine Team Change" after complying with the requirements of this rule section.

(c) A canine ~~team~~ handler who has not previously been certified by the Commission, shall provide documentation of the ~~patrol~~ canine team's compliance with the requirements of ~~set forth in~~ this rule section, to include lesson plans and signed attendance rosters, regardless of the prior certification of the ~~patrol~~ canine, and shall submit form CJSTC-70 marked "New."

~~(6)(7)~~ Inspection of ~~patrol~~ canine team applicant files.

(a) No change.

(b) Upon issuance of an unfavorable inspection on a Canine Team Certification Deficiency Notification Application, form CJSTC-270, revised November 7, 2013, effective \_\_\_\_\_, November 8, 2007, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>, the deficiencies shall be noted on a Patrol Canine Team Certification Application form CJSTC-270. CJSTC 70 shall note the deficiencies. Form CJSTC-270 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(c) The employing agency shall receive a ~~Patrol~~ Canine Team Certification if the corrected documentation has been received within the 90-day period or upon a favorable inspection.

~~(7)(8)~~ Canine Team Evaluators. Prior to being approved by the Commission as a canine team evaluator, the evaluator shall provide documentation verifying ~~that~~ the evaluator applicant has complied with the following requirements:

(a) Documentation of one year of experience as a Commission-certified canine team instructor.

(b) Document on form CJSTC-70 ~~Verification~~ that the canine team evaluator applicant has taught the Canine Team Course in its entirety to a minimum of six canine teams that trained a minimum of twelve patrol canine teams, who have successfully completed the Canine Team Certification process, and has been documented on the Patrol Canine Team Certification form CJSTC 70. Canine teams ~~Canines~~ trained exclusively for tracking or specific detection shall not be included in this total.

~~(c)~~ Verification that the canine team evaluator applicant has evaluated a minimum of twelve canine teams under the supervision of Commission-approved evaluators, which shall be documented on form CJSTC-83. Canine teams trained exclusively for tracking or specific detection shall not be included in this total.

~~(d)(e)~~ A letter of recommendation for the canine team evaluator applicant from a training center director, agency administrator, or designee.

~~(e)(4)~~ Request for evaluator status. A letter from the canine team evaluator applicant requesting approval from the Commission as a "canine team evaluator" shall be forwarded to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, P. O. Box 1489, Tallahassee, Florida 32302, Attention Bureau Chief of the Bureau of Standards, for the initial request for approval as a canine team evaluator. The letter shall include the evaluator's full name, the last four digits of the evaluator's social security number, complete address, and documentation of compliance with the standards set forth in this rule section.

~~(f)(e)~~ Approval of canine team evaluator status. Upon a review of the documents and determination that the evaluator applicant has complied with the requirements set forth in this rule section, a letter acknowledging approval by the Commission shall be forwarded to the evaluator applicant.

~~(g)(f)~~ Maintenance of canine team evaluator status. Commission-approved evaluators shall be required to submit a request for continuance as an evaluator, to the address in paragraph ~~(7)(e)(8)(4)~~ of this rule section within four years of the date of approval, with documentation that verifies the evaluator has completed a minimum of four canine team performance evaluations ~~examinations~~ within the four-year period. The verifying documentation shall be copies of form CJSTC-70 attesting that the performance evaluation ~~examination of proficiency~~ was administered by the evaluator. A canine team evaluator's "approval status" shall expire four years following the date approved by the Commission. If the Commission-approved evaluator's "approval status" expires, the evaluator shall comply with the maintenance requirements in this rule section as an evaluator applicant under the

supervision of two Commission-approved canine team evaluators and shall document the evaluation skills on form CJSTC-83. Canine team evaluators with an expired status shall submit for approval for a “request for evaluator status” and comply with the requirements in paragraph (7)(e) of this rule section. An evaluator’s “approval status” that is approved prior to November 5, 2002, shall expire on November 5, 2006, unless the requirements of paragraphs (8)(a)–(d) of this rule section are met. An evaluator’s “approval status” shall expire four years following the date approved by the Commission.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(16) FS. History—New 3-29-89, Amended 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bureau Chief Glen Hopkins  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 7, 2014

**DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission**

RULE NOS.:      RULE TITLES:  
11B-30.006      State Officer Certification Examination General Eligibility Requirements  
11B-30.007      Application for the State Officer Certification Examination and Notification Process  
11B-30.008      State Officer Certification Examination Site Administration  
11B-30.011      Examination Scoring and Grade Notification  
PURPOSE AND EFFECT: 11B-30.006(2)(b): Revises the Equivalency-of Training form CJSTC-76 to update the comparable training for the new Florida Law Enforcement Academy and clarifies the procedures for submitting form CJSTC-76 to Commission staff.  
11B-30.007(1): Updates the State Officer Certification Examination website to implement online Computer-Based Testing.  
11B-30.008(1)(b): Removes the geographic requirement for computer labs used as test centers and allows training schools to set up test sites, regardless of whether the parent college has a test center to implement online Computer-Based Testing. (Not all college test centers are – or want to be – a Pearson VUE test center. Several training centers also expressed their desire to operate their own test sites).  
11B-30.011: Updates the examination scoring and grade notification to implement online Computer-Based Testing.

11B-30.011: Repeals the Applicant State Officer Certification Overall Test Results form CJSTC-516 because it is no longer needed due to the implementation Computer-Based Testing.

SUMMARY: Revises the Equivalency-of-Training form CJSTC-76; updates the State Officer Certification Examination website; removes the geographic requirement for computer labs; updates the examination scoring and grade notification; and repeals the obsolete Applicant State Officer Certification Overall Test Results form CJSTC-516.

**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: OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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: 943.03(4)943.03(4), 943.12(1), (17) FS.

LAW IMPLEMENTED: 943.12(17)943.12(17), 943.131(2), 943.1397, 943.1397(1), (3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, March 7, 2014, 10:00 a.m.  
PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615 or donnahunt@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-30.006 State Officer Certification Examination General Eligibility Requirements.

(1) No change.

(2) The following individuals are eligible to take the State Officer Certification Examination (SOCE) for the requested criminal justice discipline:

(a) No change.

(b) Inactive Florida law enforcement, correctional, and correctional probation officers, defined in Section 943.1395(3), F.S., who comply with paragraph 11B-27.00212(12)(a), F.A.C., and Rule 11B-35.009, F.A.C., shall pass the SOCE within one year of notification of approval of the Equivalency-of-Training, form CJSTC-76, revised November 7, 2013, effective \_\_\_\_\_, December 16, 2010, (effective 5/2012), incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-76 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(c) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17), 943.131(2), 943.1397 FS. History—New 1-10-94, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12,\_\_\_\_\_.

11B-30.007 Application for the State Officer Certification Examination and Notification Process.

(1) Application to take the State Officer Certification Examination (SOCE) shall be made by submitting an application online per the instructions available on the following FDLE website, <http://www.fdle.state.fl.us/Content/certification-exam.aspx> on line application electronically, via the internet, at <http://web.fdle.state.fl.us/examregister>. All on-line applications shall be accompanied by payment of the \$100 examination fee using a credit card or debit card:

(2) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17), 943.1397(3) FS. History—New 1-10-94, Amended 1-2-97, 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 9-28-09, 5-21-12,\_\_\_\_\_.

11B-30.008 State Officer Certification Examination Site Administration.

(1) Administration of the Computer-Based State Officer Certification Examination (CB-SOCE) shall be limited to test sites authorized by the Commission and located within the State of Florida. To be eligible to administer the CB-SOCE, a test site must be:

(a) A test center exclusively dedicated to the administration of academic and/or professional certification or licensure examinations and operated or contracted by a Commission-approved criminal Justice training center or its parent organization; or

(b) A computer lab located at a Commission-approved criminal justice training school ~~only when an affiliated test center does not exist or is located further than 50 miles from the training school.~~

(2) through (3) No change.

Rulemaking Authority 943.03(4), 943.12(1), (17) FS. Law Implemented 943.12(17), 943.131(2) FS. History—New 1-10-94, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 5-21-12,\_\_\_\_\_.

11B-30.011 Examination Scoring and Grade Notification.

Individuals who graduate from a Commission-approved Basic Recruit Training Program shall be required to achieve a passing score on the ~~Paper and Pencil or Computer-Based~~ State Officer Certification Examination (SOCE) with an overall scale score equal to or higher than the established cut-off score. Official examination results shall only be stored in, and retrieved from, the Commission’s Automated Management System (ATMS). For the Paper and Pencil State Officer Certification Examination (P&P-SOCE), Commission staff shall provide ~~notify~~ the applicant, within thirty days of the test date, with an unofficial grade notification to be used for the applicant’s records only on an Applicant State Officer Certification Examination Overall Test Results, form CJSTC 516, revised August 3, 2006, hereby incorporated by reference. Form CJSTC 516 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism Program Forms.aspx>, or by contacting Commission staff at (850)410 8615. The SOCE is an entry level competency examination and therefore examination results are reported as “pass” or “fail” on form CJSTC 516. For the Computer-Based State Officer Certification Examination (CB-SOCE) the applicant shall receive an unofficial grade notification ~~be notified the examination results~~ at the conclusion of the examination.



Rulemaking Authority 943.03(4), 943.12(1), (17) FS. Law Implemented 943.12(17), 943.1397(1) FS. History-New 1-10-94, Amended 1-2-97, 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 5-21-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bureau Chief Glen Hopkins  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 7, 2014

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NOS.:	RULE TITLES:
11B-35.001	General Training Programs; Requirements and Specifications
11B-35.0011	Requirements for Applicant Admission into a Law Enforcement, Correctional, and Correctional Probation Basic Recruit Training Program
11B-35.002	Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation
11B-35.0021	Courses and Requirements for Basic Recruit Training, Advanced, and Instructor Training Requiring Proficiency Demonstration
11B-35.0024	Student Performance in Commission-approved High-Liability Basic Recruit Training Courses and Instructor Training Courses Requiring Proficiency Demonstration
11B-35.003	Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training
11B-35.007	Specialized Training Program
11B-35.009	Exemption from Basic Recruit Training

PURPOSE AND EFFECT: 11B-35.001(6)(a): Removes the requirement to provide printed copies of the Florida Statutes and Florida handbook on jury instructions because the resources are available online (the 2014 Curriculum will include links to these resources).

11B-35.001(9)(d)1. and 11B-35.007(4)(i): Retires the 400-hour Canine Team Training Course number 1112 effective 11/6/13 and replaces with the updated 480-hour Canine Team Training Course number 1198 effective 11/7/13 (this course is not a Commission mandated certification and is optional for an agency to have its canine team complete the Canine Team Training Course).

11B-35.001(10): Deletes the implementation phase of the Florida CMS Correctional Basic Recruit Training Program due to the completed implementation on July 1, 2012, and adds rule

language to allow for implementation of the new Correctional Probation Basic Recruit Training Program in 2015.

11B-35.001(15)(b): Moves the Physical Fitness Assessment rule language in subsection 11B-35.0011(2), F.A.C., to paragraph 11B-35.001(15)(b), F.A.C., under Physical Fitness Assessment.

11B-35.001(16): Makes grammatical revisions.

11B-35.0011: Revises the title to remove the correctional probation discipline (correctional probation officers are no longer required to take the Basic Abilities Test).

11B-35.0011(1)(i): Moves American with Disabilities Act rule language from paragraph 11B-35.0011(1)(i), F.A.C. to subsection 11B-35.0011(2), F.A.C.

11B-35.0011(2): Moves rule language regarding the American with Disabilities Act in paragraph 11B-35.0011(1)(i), F.A.C. to subsection 11B-35.0011(2), F.A.C., and moves the Physical Fitness Assessment rule language from subsection 11B-35.0011(2), F.A.C., to paragraph 11B-35.001(15)(b), F.A.C., under Physical Fitness Assessment.

11B-35.002(1)(a)3. & 13.: Retires the Florida CMS Law Enforcement Basic Recruit Training Program number 1177, and replaces with the new Florida Law Enforcement Academy Program number 2000.

11B-35.002(3): Removes the word “sequencing” for instruction of a basic recruit training course because it conflicts with competency-based instruction in subsection 11B-35.001(12), F.A.C.

11B-35.002(5)(e): Retires the Florida CMS Law Enforcement Basic Recruit Training Program number 1177, effective June 30, 2014.

11B-35.002(5)(f)1.-18.: Adds the new Florida Law Enforcement Academy Program number 2000 to replace the retired Florida CMS Law Enforcement Basic Recruit Training Program number 1177, effective July 1, 2014.

11B-35.002(5)(g)-(h): Renumbers the rule paragraphs.

11B-35.002(6)(f)3.: Retires the Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program number 1184, effective June 30, 2014, at the request of the Department of Corrections.

11B-35.002(6)(f)4.: Clarifies the training required for a law enforcement officer to become a correctional probation officer.

11B-35.002(6)(f)5.: Updates the paragraph number.

11B-35.0021: Adds “Specialized” to the title of Rule 11B-35.0021, F.A.C., to include Specialized Training Program Courses.

11B-35.0021(1): Adds “Program” to the name of the “High-Liability Basic Recruit Training Program Courses” for consistency with other rule language.

11B-35.0021(4)(d): Adds the new Canine Team Training Instructor Course number 1199 to the Specialized Instructor Courses category.

11B-35.0021(6): Adds the Specialized Training Program Courses category and new Canine Team Training Course number 1198.

11B-35.0021(8): Adds the Specialized Training Program Courses category to require instructor to student ratios for instruction of proficiency skills for specialized training courses and rearranges the training programs in the order of the training programs in subsections 11B-35.0021(1)-(6), F.A.C.

11B-35.0021(7)(h): Adds the instructor to student ratio requirements for instruction of the new Underwater Police Science and Technology course number 077 for students actively engaged in water activities and adds the definition of "actively engaged."

11B-35.0021(7)(i): Adds the instructor to student ratio requirements for instruction of the new Canine Team Training Course number 1198 for canine teams actively engaged in canine team patrol activities and adds the definition of "actively engaged."

11B-35.0021(7)(j): Adds the instructor to student ratio requirements for instruction of the new Canine Team Training Instructor Course number 1199 for canine teams actively engaged in canine team patrol activities and adds the definition of "actively engaged."

11B-35.0024(3)(a)2.: Revises the CMS Defensive Tactics Performance Evaluation form CJSTC-6 CMS to allow the instructor to sign the evaluator's name and initials for the first exercise and then draw an arrow through the remaining exercises to avoid repetitive signatures and initials, and revises the restrain device, Frisks and Searches, and Ground Escapes techniques to conform with the current curriculum.

11B-35.0024(3)(g)2.: Revises the CMS Vehicle Operations Performance Evaluation form CJSTC-7 CMS to update the performance requirements (added Tactical Backing Exercise; for Nighttime Emergency Reverse Serpentine, allows the sirens to be optional; and changes "Threshold Braking" to "Braking") to conform with the current curriculum.

11B-35.0024(4): Adds the Underwater Police Science and Technology course number 077, Canine Team Training Course number 1198, and Canine Team Training Instructor Course number 1199, that require demonstration of proficiency skills.

11B-35.0024(4)(a)2.: Revises the DUI Traffic Stops Performance Evaluation form CJSTC-13 CMS, to include the Horizontal Gaze Nystagmus Test, Walk-and-Turn Test, and the One-Leg Stand Test to conform with the current curriculum.

11B-35.0024(4)(b): Revises the Speed Measurement Operator Performance Report form CJSTC-11, to allow the instructor, in addition to the training center director or designee, to approve successful completion of the field practical portion of training to assist the training center director with processing performance reports.

11B-35.0024(4)(c)2.: Revises the Speed Measurement Device Instructor Field Evaluation form CJSTC-10, to allow the training center director or designee to approve the successful demonstration of a speed measurement device to assist the training center director with processing the evaluations.

11B-35.0024(4)(j): Adds the required written end-of-course examination and demonstration of proficiency skills for the new Underwater Police Science and Technology course number 077.

11B-35.0024(4)(j): Creates the new Criminal Justice Diver Performance Evaluation form CJSTC-19 to record the Underwater Police Science and Technology performance evaluations to conform with the current curriculum.

11B-35.0024(4)(k): Substantially rewrites the Canine Performance Evaluation form CJSTC-83, by reformatting the form, clarifying the proficiency demonstrations, including an attestation for both the evaluators and applicant, adding additional training information, and revising the canine performance requirements to conform with the current curriculum.

11B-35.0024(4)(l)1.: Adds the training requirements for successfully completing the new Canine Team Instructor Course number 1199.

11B-35.0024(4)(l)2.: Creates the new Canine Team Instructor Performance Evaluation form CJSTC-20 for evaluating canine teams and provides the requirements for completing the Canine Team Training Course number 1199 to become a Canine Team Training Instructor to conform with the current curriculum.

11B-35.003(8)-(9): Updates rule references.

11B-35.007(2)(b)10.: Revises the Specialized Training Documentation form CJSTC-16 to correspond with the changes in subparagraph 11B-35.007(2)(b)9., F.A.C., i.e., reduces the minimum number of course hours from 4 to zero hours, and reduces the maximum hours of electives from 8 to 4 hours used for each forty hours of course instruction.

11B-35.007(3)(l): Retires the 40-hour Canine Team Training Instructor Course number 1107 effective 11/6/13, and adds the new 80-Canine Team Training Instructor course number 1199 effective 11/7/13.

11B-35.007(4)(i): Increases the number of hours for the Canine Team Training Course from 400 to 480 to reflect the actual number of hours required in the field to instruct the Canine Team Training Course and changes the course number from 1112 to 1198 - this course is not a Commission mandated certification and is optional for an agency to have its canine team complete the Canine Team Training Course.

11B-35.007(4)(ee): Adds the new STEP Course for Red Light Cameras number 1197 to the list of Specialized Training Program courses.

11B-35.009(3)(a): Updates the topics required for training comparable to the Florida Law Enforcement Academy program to conform with the current curriculum.

11B-35.009(3)(b): Updates the topics required for training comparable to the Florida CMS Correctional Basic Recruit Training Program to conform with the current curriculum.

11B-35.009(3)(c): Updates the topics required for training comparable to the Florida Correctional Probation Basic Recruit Training Program to conform with the current curriculum.

11B-35.009(5): Revises the Equivalency-of Training form CJSTC-76 to update the comparable training for the law enforcement, correctional, and correctional probation basic recruit training programs and to clarify the procedures for submitting form CJSTC-76 to Commission staff.

**SUMMARY:** Deletes the requirement to provide printed copies of the Florida Statutes and Florida handbook on jury instructions; retires the 400-hour Canine Team Training course 1112 and adds the 480-hour Canine Team Training Course 1198; deletes the implementation phase of the Florida CMS Correctional Basic Recruit Training Program implements the new Correctional Probation Basic Recruit Training Program in 2015; relocates Physical Fitness Assessment rule language to the appropriate rule section; makes grammatical and paragraph number revisions; removes reference to “correctional probation” in Rule 11B-35.0011, F.A.C., rule title; retires the Florida CMS Law Enforcement Basic Recruit Training Program and adds the new Florida Law Enforcement Academy Program; removes “sequencing” from the instruction of a basic recruit training; retires the Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program; specifies the training required for a law enforcement officer to become a correctional probation officer; revises the title of Rule 11B-35.0021, F.A.C., to add “Specialized Training Program Courses”; adds “Program” to the title of High-Liability Basic Recruit Training Program Courses; retires the 40-hour Canine Team Training Instructor Course 1107 and adds the updated 80-hour Canine Team Training Instructor Course 1199; adds the Specialized Training Program Courses category; adds Specialized Training Program Courses category and updated Canine Team Training Course; adds the Specialized Training Program Courses category; adds Specialized Training Program Courses category and updated Canine Team Training Course; adds the Specialized Training Program Courses category to require instructor to student ratios for instruction of proficiency skills; adds the instructor to student ratio requirements for instruction for the new Underwater Police Science and Technology course; adds the instructor to student ratio requirements for instruction of the new Canine Team Training Course; adds the instructor to

student ratio requirements for instruction of the new Canine Team Training Instructor Course; revises the CMS Defensive Tactics Performance Evaluation form CJSTC-6 CMS; revises the CMS Vehicle Operations Performance Evaluation form CJSTC-7 CMS; adds demonstration of proficiency skills for the Underwater Police Science and Technology course; revises the DUI Traffic Stops Performance Evaluation form CJSTC-13 CMS; revises the Speed Measurement Operator Performance Report form CJSTC-11; revises the Speed Measurement Device Instructor Field Evaluation for CJSTC-10; adds the written end-of-course examination and demonstration of proficiency skills requirements for the new Underwater Police Science and Technology; creates the new Criminal Justice Diver Performance Evaluation form CJSTC-19; rewrites the Canine Performance Evaluation form CJSTC-83; adds the training requirements for successfully completing the new Canine Team Instructor Course; creates the new Canine Team Instructor Performance Evaluation form CJSTC-20; revises the Specialized Training Documentation form CJSTC-16; increases the number of hours for the Canine Team Training Instructor Course from 40 to 80; adds the new STEP Course for Red Light Cameras to the Specialized Training Program courses; updates the topics for equivalency-of-training for correctional officers; updates the topics for equivalency-of-training for correctional probation officers; revises the Equivalency-of-Training form CJSTC-76; and updates rule references and renumbers paragraphs.

**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: **OTHER RULES INCORPORATING THIS RULE:** N/A. **EFFECT ON THOSE OTHER RULES:** N/A The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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: 943.03(4)943.03(4), 943.12(1), (2), 943.14(3), 943.17 FS.

LAW IMPLEMENTED: 943.12943.12, 943.12(5), 943.131(2), 943.17(1)(a), 943.17, 943.175, 943.25 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, March 7, 2014, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615 or donnahunt@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-35.001 General Training Programs; Requirements and Specifications.

(1) through (5) No change.

(6) For the Florida CMS Law Enforcement Basic Recruit Training Program, Cross-Over Programs to Florida CMS Law Enforcement Basic Recruit Training Program, and CMS Law Enforcement Auxiliary Prerequisite Course effective April 1, 2008, the training center director shall:

(a) Ensure that each student is taught from and has printed class materials to include the current copy of the curriculum; Florida Statutes, Florida handbook on jury instructions, and CJSTC Course Summary. These materials are to be provided prior to or at the start of the program.

(7) through (8) No change.

(9) Student academic performance in courses.

(a) through (c) No change.

(d) Specialized Instructor Training Courses outlined in subsection 11B-35.007(3), F.A.C., and the following Specified Specialized Training Program Courses require an end-of-course examination:

	Course Number	Course Title	Course Hours
1.	1112	Canine Team Training Course (Retired 11/6/13)	400
	<u>1198</u>	<u>Canine Team Training Course</u>	<u>480</u>

2. through 13. No change.

(e) No change.

(10) Implementation of the new Correctional Probation Basic Recruit Training Program Florida CMS Correctional Basic Recruit Training Programs. The Commission is preparing a significant update to the Commission-approved Correctional Probation Basic Recruit Training Program to be implemented in 2015. This program and courses are based on a statewide job-task analysis and provides an enhanced learning environment. Delivery of the program shall comply with the requirements set forth in the Commission's new approved Correctional Probation Basic Recruit Training Curriculum.

~~(a) Each training school that offers a Florida CMS Correctional Basic Recruit Training Program shall deliver all course materials included in the training program. Delivery and sequencing of the course materials shall comply with the requirements set forth in the Commission's approved Florida CMS Correctional Basic Recruit Training Curriculum.~~

~~(b) Finalization and field delivery of these course materials are necessary to evaluate the programs before certain course criteria can be established and final rules adopted. To accomplish these goals the Commission:~~

~~1. Authorizes implementation of the Florida CMS Correctional Basic Recruit Training Program effective July 1, 2012.~~

~~2. Approves the continued delivery of the Traditional Correctional Basic Recruit Training Program. Notwithstanding subsection 11B-27.002(4), F.A.C., a basic recruit student enrolled in a Commission approved Traditional Correctional Basic Recruit Training Program, with a beginning date prior to July 1, 2012, shall be allowed to continue in that program until the student successfully completes, fails, or withdraws from the program.~~

~~(c) Florida CMS Correctional State Officer Certification Examination SOCE. Notwithstanding subsection 11B-27.002(4), F.A.C., a basic recruit student who successfully completes the Florida CMS Correctional B RTP is eligible to apply for and take the Florida CMS Correctional SOCE pursuant to Rule 11B-30.0062, F.A.C.~~

~~(d) Notwithstanding subsection 11B-27.002(4), F.A.C., a basic recruit student enrolled in one of the following Commission approved Cross Over Basic Recruit Training~~

~~Programs with a beginning date prior to July 1, 2012, shall be allowed to continue in the program until the student successfully completes, fails, or withdraws from the program.~~

~~1. Law Enforcement Officer Cross Over Training to Traditional Correctional Basic Recruit Training Program, number 1181 (Retired 6/30/12).~~

~~2. Correctional Probation Officer Cross Over Training to Traditional Correctional Basic Recruit Training Program, number 1182 (Retired 6/30/12).~~

~~3. Correctional Officer Cross Over Training to Florida CMS Law Enforcement Basic Recruit Training Program, number 1178 (Retired 6/30/12).~~

~~4. Correctional Officer Cross Over Training to Traditional Correctional Basic Recruit Training Program, number 1183.~~

(11) through (14) No change.

(15) Basic Recruit Student Physical Fitness Program.

(a) No change.

(b) Basic Recruit Student Physical Fitness Test and Chemical Agent Exposure. Prior to beginning a Florida CMS Law Enforcement, Florida CMS Correctional, or Florida Correctional Probation Basic Recruit Training Program, a student shall receive a physical examination and complete the Physical Fitness Assessment form CJSTC-75B, which shall be maintained in the student or course file at the training school. Prior to beginning a Florida CMS Law Enforcement, Florida CMS Correctional, or Florida Correctional Probation Basic Recruit Training Program, a student shall complete the Physical Fitness Assessment form CJSTC-75B.

(c) No change.

(16) Proof of course completion. A training school shall, within thirty days following the completion of a Commission-approved Basic Recruit, Advanced, or Specialized Training Program Course, provide to a student who has successfully completed the program, a certificate, which shall contain at a minimum, the name of the training school, the student's name, the dates of the program or course, the number of program or course hours, the title of the Basic Recruit, Advanced, or Specialized Training Program Course, and the current training center director's signature. Basic Recruit Training Completion Certificates shall contain the Curriculum Version Number for the course taught. ~~The In addition to a certificate, the~~ training school shall provide a certificate to a student, who has successfully completed a Commission-approved Basic Recruit Training Program, and ~~the student shall will~~ be required to pass the State Officer Certification Examination.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, \_\_\_\_\_.

11B-35.0011 Basic Abilities Test Requirements for Applicant Admission into a Law Enforcement and

~~Correctional, Correctional, and Correctional Probation Basic Recruit Training Program.~~

(1) Basic Abilities Test. To comply with Section 943.17(1)(g), F.S., applicants who apply for entry into a Commission-approved Basic Recruit Training Program after January 1, 2002, shall obtain a passing score on a Commission-approved Basic Abilities Test (BAT) for the law enforcement or correctional disciplines, prior to entering a program. The BAT shall be administered in the state of Florida.

(a) through (h) No change.

~~(i) Requests for accommodations pursuant to the American with Disabilities Act shall be governed by subsection 11B-30.0071(4), F.A.C. Determinations as to eligibility for accommodations shall be made by the individual BAT providers on a case-by-case basis.~~

(2) Requests for accommodations pursuant to the American with Disabilities Act shall be governed by subsection 11B-30.0071(4), F.A.C. Determinations as to eligibility for accommodations shall be made by the individual BAT providers on a case-by-case basis. ~~Basic Recruit Student Physical Fitness Test and Chemical Agent Exposure. Prior to beginning a Florida CMS Law Enforcement, Florida CMS Correctional, or Florida Correctional Probation Basic Recruit Training Program, a student shall receive a physical examination and complete the Physical Fitness Assessment form CJSTC-75B, which shall be maintained in the student or course file at the training school.~~

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.17 FS. History—New 7-29-01. Amended 11-5-02, 11-30-04, 3-21-07, 6-9-08, 5-21-12, 3-13-13, \_\_\_\_\_.

11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation.

(1) There are established by the Criminal Justice Standards and Training Commission, Basic Recruit Training Programs (BRTP) that provide the minimum required knowledge and proficiency skills necessary for officer employment and certification pursuant to Sections 943.10(1)-(3), F.S. Individuals who apply for employment as a Florida law enforcement, correctional, or correctional probation officer, shall successfully complete one of the following Commission-approved Basic Recruit Training Programs:

(a)	Law Enforcement Discipline				
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1. through 2. No change.

3.	117 7	Florida CMS Law Enforcement BRTP	770	E-4/1/08 <u>R-</u> <u>6/30/14</u>
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4. through 12. No change.

13.	2000	Florida Law Enforcement Academy	770	<u>E-</u> <u>7/1/14</u>
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(b) through (c) No change.

(2) No change.

(3) Each training school that offers a Commission-approved Basic Recruit Training Program, pursuant to this rule section, shall deliver all course materials included in the program. Delivery ~~and sequencing~~ of the course materials shall comply with the requirements set forth in the Commission’s approved Basic Recruit Training Curriculum.

(4) No change.

(5) Commission-approved Basic Recruit Training Programs. Pursuant to Section 943.12, F.S., Commission-approved Basic Recruit Training Programs establish the minimum required entry-level training for law enforcement, correctional, and correctional probation officers. Individuals who are requesting employment as an officer, and have not had previous basic recruit training or have not been certified as an officer in the discipline for which certification is sought, and have met the requirements of Sections 943.13(1)-(8) and (11), 943.14(7), and 943.17(1)(g), F.S., shall successfully complete a Commission-approved Basic Recruit Training Program pursuant to this rule section. The Commission’s Basic Recruit Training Programs are:

(a) through (d) No change.

(e) Florida CMS Law Enforcement Basic Recruit Training Program number 1177 ~~Retired June 30, 2014. (Effective April 1, 2008):~~

	Course Name	Course Hours
<del>1.</del>	<del>Introduction to Law Enforcement</del>	<del>11.0</del>
<del>2.</del>	<del>Legal</del>	<del>69.0</del>
<del>3.</del>	<del>Communications</del>	<del>76.0</del>
<del>4.</del>	<del>Human Issues</del>	<del>40.0</del>
<del>5.</del>	<del>Patrol 1</del>	<del>58.0</del>
<del>6.</del>	<del>Patrol 2</del>	<del>40.0</del>
<del>7.</del>	<del>Crime Scene Investigations</del>	<del>24.0</del>
<del>8.</del>	<del>Criminal Investigations</del>	<del>56.0</del>
<del>9.</del>	<del>Traffic Stops</del>	<del>24.0</del>
<del>10.</del>	<del>DUI Traffic Stops</del>	<del>24.0</del>
<del>11.</del>	<del>Traffic Crash Investigations</del>	<del>32.0</del>
<del>12.</del>	<del>CMS Law Enforcement Vehicle Operations</del>	<del>48.0</del>
<del>13.</del>	<del>CMS First Aid for Criminal Justice Officers</del>	<del>40.0</del>
<del>14.</del>	<del>CMS Criminal Justice Firearms</del>	<del>80.0</del>
<del>15.</del>	<del>CMS Criminal Justice Defensive Tactics</del>	<del>80.0</del>
<del>16.</del>	<del>Dart Firing Stun Gun</del>	<del>8.0</del>
<del>17.</del>	<del>Criminal Justice Officer Physical Fitness Training</del>	<del>60.0</del>
	<del>TOTAL</del>	<del>770.0</del>

(f) Florida Law Enforcement Academy number 2000 (Effective July 1, 2014):

	Course Name	Course Hours
<u>1.</u>	<u>Introduction to Law Enforcement</u>	<u>10.0</u>
<u>2.</u>	<u>Legal</u>	<u>62.0</u>
<u>3.</u>	<u>Interactions in a Diverse Community</u>	<u>40.0</u>
<u>4.</u>	<u>Interviewing and Report Writing</u>	<u>56.0</u>
<u>5.</u>	<u>Fundamentals of Patrol</u>	<u>35.0</u>
<u>6.</u>	<u>Calls for Service</u>	<u>36.0</u>
<u>7.</u>	<u>Criminal Investigations</u>	<u>50.0</u>
<u>8.</u>	<u>Crime Scene to Courtroom</u>	<u>35.0</u>
<u>9.</u>	<u>Critical Incidents</u>	<u>44.0</u>
<u>10.</u>	<u>Traffic Stops</u>	<u>30.0</u>
<u>11.</u>	<u>DUI Traffic Stops</u>	<u>24.0</u>
<u>12.</u>	<u>Traffic Crash Investigations</u>	<u>32.0</u>
<u>13.</u>	<u>CMS Law Enforcement Vehicle Operations</u>	<u>48.0</u>
<u>14.</u>	<u>CMS First Aid for Criminal Justice Officers</u>	<u>40.0</u>
<u>15.</u>	<u>CMS Criminal Justice Firearms</u>	<u>80.0</u>
<u>16.</u>	<u>CMS Criminal Justice Defensive Tactics</u>	<u>80.0</u>
<u>17.</u>	<u>Dart-Firing Stun Gun</u>	<u>8.0</u>
<u>18.</u>	<u>Criminal Justice Officer Physical Fitness Training</u>	<u>60.0</u>
	<u>TOTAL</u>	<u>770</u>

(g)(f) Florida Correctional Probation Basic Recruit Training Program number 1176, Version 2008.04 (Effective July 1, 2012):

1. through 9. No change.

(h)(g) Florida CMS Correctional Basic Recruit Training Program number 1190, (Effective July 1, 2012):

1. through 12. No change.

(6) Commission-approved Basic Recruit Cross-Over Training Programs. The Commission has established basic recruit cross-over training programs to provide lateral movement of officers between criminal justice disciplines.

(a) through (e) No change.

(f) Correctional Probation Cross-Over Basic Recruit Training Programs.

1. through 2. No change.

3. Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program number 1184 (Retired June 30, 2014) (Effective July 1, 2012). An individual who has successfully completed the Law Enforcement Basic Recruit Training Program and passed the SOCE, shall complete the following courses to satisfy the training requirements to become a correctional probation officer:

	Course Name	Course Hours
a.	Law Enforcement Cross-Over to Correctional Probation Legal and Investigations	18.0

b-	<del>Law Enforcement Cross Over to Correctional Probation Caseload Management</del>	27.0
e-	<del>Law Enforcement Cross Over to Correctional Probation Supervision</del>	40.0
d-	<del>Correctional Probation Management Information Systems</del>	27.0
e-	<del>Cross Over Program Updates</del>	8.0
f-	<del>Law Enforcement Cross Over to Correctional Probation Officer Wellness</del>	10.0
	<b>TOTAL</b>	<b>130.0</b>

4. A law enforcement officer who requests certification as a correctional probation officer shall successfully complete the Correctional Probation BRTP and pass the SOCE to satisfy the training requirements.

5.4. Correctional Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program number 1183 (Effective July 1, 2012). An individual who has successfully completed the Correctional Basic Recruit Training Program and passed the SOCE, shall complete the following courses to satisfy the training requirements to become a correctional probation officer:

a. through h. No change.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS. History—New 12-13-92, Amended 1-10-94, 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 3-13-13, \_\_\_\_\_.

11B-35.0021 Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration.

(1) High-Liability Basic Recruit Training Program Courses:

- (a) through (e) No change.
- (2) through (3) No change.
- (4) Specialized Instructor Courses:
  - (a) through (c) No change.
  - (d) Canine Team Training Instructor Course, number 1199.
  - (5) No change.
  - (6) Specialized Training Program Course: Canine Team Training Course, number 1198.

~~(7)~~(6) Applicants shall complete the training requirements set forth in subsections 11B-20.0014(2)-(3), F.A.C., to become certified by the Commission to instruct in the topics of firearms, vehicle operations, defensive tactics, first aid, speed measurement, and breath test.

~~(8)~~(7) Instructor to student ratios for instruction of proficiency skills in High-Liability Basic Recruit Training Program Courses, DUI Traffic Stops, High-Liability Instructor Training Courses, Specialized Instructor Courses, Advanced Training Program Courses, and Specialized Training Program

Courses, and Specialized Instructor Training Program Courses requiring proficiency demonstration.

(a) through (g) No change.

(h) For instruction of the Underwater Police Science and Technology course, there shall be at least one Commission-certified Criminal Justice Diving Instructor for each eight students actively engaged in water activities. Training centers are permitted to use qualified safety divers in assisting the instructor with water exercises. For each qualified safety diver, two additional students are permitted to actively engage in water activities. A maximum of three qualified safety divers are permitted per instructor. Qualified safety divers shall not be included as an instructor to comply with the instructor to student ratio requirements. Actively engaged is defined as “a student in the water participating in the practical performance of any dive activities.” Qualified safety diver is defined as “an individual who possesses a current Advanced Open Water Dive Certification, is an active or former member of a criminal justice dive team, and is approved by the training center director or designee to assist the instructor with water exercises.” A copy of the Instructor Exemption form CJSTC-82 shall be maintained in the course file.

(i) For instruction of the Canine Team Training Course number 1198, there shall be at least one Commission-certified instructor for eight student canine teams while actively engaged in canine team patrol activities. Individuals approved by the training center director or designee are allowed to assist in canine exercises and assist the instructor during practical exercises and shall not be included as an instructor to comply with the instructor to student ratio requirements. Actively engaged is defined as a canine team actively working and performing practical exercises. A canine team is defined as a student handler and a canine. A copy of the Instructor Exemption form CJSTC-82 shall be maintained in the course file.

(j) For instruction of the Canine Team Training Instructor Course number 1199, there shall be at least one Commission-certified instructor for eight student canine teams while actively engaged in canine team patrol activities. Individuals approved by the agency head or training center director are allowed to assist in canine exercises and assist the instructor during practical exercises. Actively engaged is defined as a canine team actively working and performing practical exercises. A copy of the Instructor Exemption form CJSTC-82 shall be maintained in the course file.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.14(3), 943.17 FS. Law Implemented 943.12(5), 943.17 FS. History—New 12-13-92, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 9-28-09, 3-13-13, \_\_\_\_\_.

11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration.

(1) through (2) No change.

(3) Successful completion and demonstration of proficiency skills is required for each of the following high-liability courses: CMS Criminal Justice Defensive Tactics Course, CMS Defensive Tactics Instructor Course, CMS Criminal Justice Firearms Course, Cross-Over Handgun Transition Course, CMS Firearms Instructor Course, CMS Law Enforcement Vehicle Operations Course, CMS Vehicle Operations Instructor Course, CMS First Aid for Criminal Justice Officers Course, and CMS First Aid Instructor Course.

(a) CMS Criminal Justice Defensive Tactics Course.

1. No change.

2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate at 100% proficiency, defensive tactics skills taught by a training school, with the results recorded on the required CMS Defensive Tactics Performance Evaluation, form CJSTC-6 CMS, revised November 7, 2013, effective \_\_\_\_\_, ~~December 16, 2010, (effective 3/2013)~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-6 CMS can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. Form CJSTC-6 CMS shall be maintained in the student or course file.

3. No change.

(b) through (f) No change.

(g) CMS Law Enforcement Vehicle Operations Course.

1. No change.

2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required Vehicle Operations High-Liability Proficiency Skills, with four out of five runs (80%) for each exercise, with the results recorded on the required CMS Vehicle Operations Performance Evaluation, form CJSTC-7 CMS, revised November 7, 2013, effective \_\_\_\_\_, ~~December 16, 2010, (effective 3/2013)~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-7 CMS can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. Form CJSTC-7 CMS shall be maintained in the student or course file. Form CJSTC-7 CMS shall be maintained in the student or course file.

(h) No change.

(4) Successful completion and demonstration of proficiency skills is required for each of the following basic recruit, advanced, specialized instructor, or specialized training program courses: DUI Traffic Stops, Speed Measurement Course, Speed Measurement Instructor Course, Breath Test Instructor Course, Breath Test Instructor Renewal Course, Breath Test Operator Course, Breath Test Operator Renewal Course, Agency Inspector Course, ~~and~~ Agency Inspector Renewal Course, Underwater Police Science and Technology course, Canine Team Training Course, and Canine Team Training Instructor Course.

(a) DUI Traffic Stops Course.

1. No change.

2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required DUI Traffic Stops proficiency skills at 100% proficiency, with the results recorded on the required DUI Traffic Stops Performance Evaluation, form CJSTC-13 CMS, created October 30, 2008, revised November 7, 2013, effective \_\_\_\_\_, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-13 CMS can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. Form CJSTC-13 CMS shall be maintained in the student or course file.

(b) Speed Measurement Course, number 1158. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Speed Measurement Operator Performance Report form CJSTC-11, revised November 7, 2013, effective \_\_\_\_\_, ~~December 16, 2010, (effective 3/2013)~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-11 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. Form CJSTC-11 shall be maintained in the student or course file.

(c) Speed Measurement Instructor Course, number 1159.

1. No change.

2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Speed Measurement Device Instructor Field Evaluation form CJSTC-10, revised November 7, 2013, effective \_\_\_\_\_, ~~October 30, 2008~~, hereby incorporated by reference <https://www>.



[flrules.org/Gateway/reference.asp?No=Ref](https://www.flrules.org/Gateway/reference.asp?No=Ref). Form CJSTC-10 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. A copy of the completed form CJSTC-10 shall be provided to the student and the original form CJSTC-10 shall be maintained in the student or course file.

(d) through (i) No change.

(j) Underwater Police Science and Technology course number 077. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Criminal Justice Diver Performance Evaluation form CJSTC-19, Created November 7, 2013, effective \_\_\_\_\_, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-19 can be obtained at the following FDLE Internet Address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(k) Canine Team Training Course number 1198. A handler shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Canine Performance Evaluation form CJSTC-83, revised November 7, 2013, effective \_\_\_\_\_, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. Form CJSTC-83 can be obtained at the following FDLE Internet Address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. A copy of the completed form shall be provided to the student and the original maintained in the course file.

(l) Canine Team Training Instructor Course number 1199.

1. An instructor student shall complete the Canine Team Training Instructor Course requirements pursuant to Rule 11B-20.0014, F.A.C., to instruct the Canine Team Course number 1198 and Canine Team Training Instructor Course number 1199.

2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course examination, demonstrate instruction of one classroom topic from the Canine Team Training Course number 1199, and demonstrate instructing field exercises in obedience, criminal apprehension, building search, area search, and tracking and trailing from the Canine Team Training Course, with the results recorded on the required performance evaluation form. A copy of the

completed Canine Team Instructor Performance Evaluation form CJSTC-20, created November 7, 2013, effective \_\_\_\_\_, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>, shall be provided to the student and the original form CJSTC-20 maintained in the instructor student course file.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12, 943.17 FS. History—New 2-17-93, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13, \_\_\_\_\_.

11B-35.003 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training.

(1) through (7) No change.

(8) Correctional Auxiliary Officer Basic Recruit Training Program. To become a Correctional Auxiliary Officer an individual shall complete the Florida CMS Correctional Basic Recruit Training Program, number 1190, pursuant to paragraph 11B-35.002(5)(h)(g), F.A.C.

(9) Correctional Probation Auxiliary Officer Basic Recruit Training Program. To become a Correctional Probation Auxiliary Officer an individual shall complete the Florida Correctional Probation Basic Recruit Training Program, number 1176, pursuant to paragraph 11B-35.002(5)(g)(f), F.A.C.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(5), 943.17(1)(a) FS. History—New 12-13-92, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13, \_\_\_\_\_.

11B-35.007 Specialized Training Program.

(1) No change.

(2) Courses developed from the Specialized Goals and Objectives have been designed to use Commission-established categories, topics, and objectives that encompass subject matter pertinent to training within the criminal justice profession. Such courses shall be developed using a “menu” approach to fulfill local criminal justice agency training needs.

(a) No change.

(b) A training school shall adhere to the following procedures to develop courses from the Specialized Goals and Objectives:

1. through 9. No change.

10. Document the training by completing a Specialized Training Documentation, form CJSTC-16, revised November 7, 2013, effective \_\_\_\_\_, ~~November 8, 2007~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>, and when applicable complete a Specialized Training Documentation Supplemental, form CJSTC-16A, revised May 6, 2004, hereby incorporated by reference. Forms CJSTC-16 and CJSTC-16A can be obtained

at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. A training school shall attach the goals and objectives provided by the instructor to form CJSTC-16 and complete “Section A” of the form. Forms CJSTC-16 and CJSTC-16A shall be maintained in the course file at the training school.

(3) Specialized Instructor Training Courses pursuant to paragraph (1)(b) of this rule section. The following Specialized Instructor Training Courses are developed and approved by the Commission for instructor training and shall be delivered in their entirety by a training school for an individual to qualify to apply as a Commission-certified instructor.

(a) through (k) No change.

(l)	1107 1199	Canine Team Training Instructor Course (Retired 11/6/13) Canine Team Training Instructor Course	40 80
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(m) through (q) No change.

(4) Commission-approved Specialized Training Program Courses pursuant to paragraph (1)(c) of this rule section. The following Commission-approved Specialized Training Program Courses are developed and approved by the Commission and have not been designated as Commission-approved Advanced Training Program Courses:

(a) through (h) No change.

(i)	1112 1198	Canine Team Training Course (Retired 11/6/13) Canine Team Training Course	400 480
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(j) through (dd) No change.

(ee)	1197	STEP Course for Red Light Cameras	40
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(5) through (7) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.175, 943.25 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 3-13-13, \_\_\_\_\_.

11B-35.009 Exemption from Basic Recruit Training.

(1) through (2) No change.

(3) For individuals who request an exemption from a Commission-approved Basic Recruit Training Program, the employing agency or Criminal Justice Selection Center shall:

(a) Verify that the applicant’s law enforcement training is comparable to the Commission’s Florida Law Enforcement

Academy CMS Law Enforcement Basic Recruit Training Program for which the exemption is requested, and at a minimum reflects successful completion of training, pursuant to the Equivalency-of-Training form CJSTC-76, for the topics of Legal, Interactions in a Diverse Community, Interviewing and Report Writing, Communications, Human Issues, Patrol (including Fundamentals, Calls for Service, and Critical Incidents), Criminal Investigations (including Crime Scene and Courtroom), Traffic Stops, Traffic Crash Investigations, Vehicle Operations, First Aid or equivalent, Firearms, and Defensive Tactics.

(b) Verify that the applicant’s correctional officer training is comparable to the Commission’s Florida CMS Correctional Basic Recruit Training Program whenever an exemption is requested, and at a minimum reflects successful completion of training, pursuant to the Equivalency-of-Training form CJSTC-76, for the topics of Legal, Communications, Officer Safety, Facility and Equipment, Intake and Release, Supervising in a Correctional Facility, Supervising Special Populations, Responding to Incidents and Emergencies, Firearms, Defensive Tactics, and First Aid or Equivalent Responding to Emergencies, Correctional Operations, Inmate Supervision, Intake and Release, Officer Safety, Defensive Tactics, First Aid or Equivalent, and Firearms.

(c) Verify that the applicant’s correctional probation officer training is comparable to the Commission’s Florida Correctional Probation Basic Recruit Training Program whenever an exemption is requested, and at a minimum reflects successful completion of training, pursuant to the Equivalency-of-Training form CJSTC-76, for the topics of Legal, Interpersonal Communication Skills, Caseload Management, Supervision, Investigations, Management Information Systems, Defensive Tactics, and First Aid or equivalent, and Firearms.

(d) through (e) No change.

(4) No change.

(5) Documentation requirements for out-of-state, federal, and inactive Florida Officers. Upon verification of an individual’s request for exemption of training, pursuant to this rule section, an employing agency or Criminal Justice Selection Center shall submit to Commission staff a completed Equivalency-of-Training, form CJSTC-76, revised November 7, 2013, effective \_\_\_\_\_, December 16, 2010, (effective 5/2012), hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>, for out-of-state, federal, and inactive Florida Officers. Form CJSTC-76 CMS can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. Supporting documentation verifying the individual’s compliance with

comparable basic recruit training and sworn criminal justice experience pursuant to this rule section shall be maintained on file by the employing agency or Criminal Justice Selection Center and submitted to Commission staff for review. The agency shall be notified of the approval or denial of the requested exemption of certification in writing within 30 working days. Any appeal of denial of exemption is governed by Section 120.57, F.S.

(6) through (9) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.131(2) FS. History—New 1-2-97, Amended 7-7-99, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 5-21-12, 3-13-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bureau Chief Glen Hopkins  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 7, 2014

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Systems**

RULE NO.: RULE TITLE:  
11C-4.003 Arrest Fingerprint Card Submission  
PURPOSE AND EFFECT: Amendment to Rule 11C-4.003, F.A.C., conforms to a 2013 legislative change requiring the electronic submission of palm prints and facial images (mug shots) by local law enforcement agencies sending arrest information to FDLE.

SUMMARY: Adds a reference to the submission of palm prints and facial images along with fingerprints on an arrest sent to FDLE. Deletes a reference to the submission of hard fingerprint cards.

**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: OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative

ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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: 943.03(4), 943.05(2)(d) FS.

LAW IMPLEMENTED: 943.05 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, March 7, 2014, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Jean Itzin at (850)410-7110 or jeanitzin@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS: Jean Itzin at (850)410-7110 or jeanitzin@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

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

11C-4.003 Arrest Fingerprint Card Submission.  
All law enforcement agencies of the State shall take the following action on all felony, misdemeanor, or comparable ordinance arrests of adults and on all felony and statutorily specified misdemeanor arrests of juveniles:

(1) Complete at the time of arrest an electronic submission of criminal arrest and fingerprint information containing legible quality fingerprint impressions, palm prints and facial images or a ~~hard fingerprint card bearing equivalent information~~. Each arrest charge shall be reported using Florida Statutes chapter, section and subsection when available.

(2) through (4) No change.

Rulemaking Authority 943.03(4), 943.05(2)(d), 943.051(2) FS. Law Implemented 943.05, 943.051 FS. History—New 6-24-76, Amended 6-27-78, Formerly 11C-4.03, Amended 7-7-99, 3-21-07, 6-9-08, 3-13-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jean Itzin  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Governor and Cabinet  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: December 10, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: January 7, 2014

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Systems**

RULE NO.: RULE TITLE:  
11C-6.004 Procedures for Requesting Criminal History  
Records

PURPOSE AND EFFECT: Rule 11C-6.004, F.A.C., is amended to comply with recent legislation requiring FDLE to provide for methods of payment of criminal history record fees.  
SUMMARY: The rule provides the method of payment of payment for criminal history record fees.

**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: OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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: 943.03(4)943.03(4) FS.

LAW IMPLEMENTED: 943.053, 943.0542 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, March 7, 2014, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Timothy Giesecke at (850)410-8113 or timothygiesecke@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS: Timothy Giesecke at (850)410-8113 or timothygiesecke@fdle.state.fl.us or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

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

11C-6.004 Procedures for Requesting Criminal History Records.

- (1) through (2) No change.
- (3) Fees.

(a) There shall be no charge for conducting record checks under paragraphs (2)(a) through (c).

(b) As provided in Section 943.053(3), F.S., a processing fee of \$24 shall be charged for each subject inquired upon under paragraphs (2)(d) through (f), except that a fee of \$8 shall be charged for each subject inquired upon for vendors of the Department of Children and Family Services, the Department of Juvenile Justice, and the Department of Elderly Affairs; a fee of \$15 shall be charged for each subject inquired upon pursuant to a state criminal history record check required by law to be performed by the Department of Agriculture and Consumer Services; a fee of \$18 shall be charged for each volunteer subject inquired upon under the National Child Protection Act of 1993, as amended; and no fee shall be charged for Florida criminal history information or wanted person information requested by the state offices of the Public Defender

(c) The processing fee charged for each subject inquired upon via the internet shall be the fee authorized for inquiries from persons in the private sector in Section 943.053(3), F.S. This fee shall be assessed based on the inquiry regardless of whether the results show no criminal history record or some possible records. When an inquiry on one subject is made and more than one person is presented as possibly the same person, the customer will receive one criminal history record as a result of the prescribed payment. If the customer wants additional criminal history records from the list of persons presented for this same inquiry, a processing fee of \$24 shall be charged for each additional criminal record.

(d) Payment methods for criminal history record inquiries are as follows:

1. Criminal history record requests submitted in writing shall be payable by cash, check or money order.

2. Criminal history record requests submitted electronically shall be payable by debit or credit card.

3. Agencies or entities invoiced for criminal history record checks shall submit payment for invoices by check, money order or journal transfer.

(4) No change.

Rulemaking Authority 943.03(4), 943.053(3), 943.0542, 943.056 FS. Law Implemented 943.053(3), 943.0542, 943.056 FS. History—New 12-30-76, Amended 11-7-83, Formerly 11C-6.04, Amended 9-1-88, 4-1-93, 7-7-99, 8-22-00, 7-29-01, 12-3-03, 6-9-08, 6-3-10, 5-21-12, 3-13-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Timothy Giesecke

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 7, 2014

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Systems**

RULE NO.: 11C-7.009  
RULE TITLE: Procedures on Juvenile Diversion Expunctions

PURPOSE AND EFFECT: Substantive changes to Section 943.0582, F.S., necessitate changes to the Juvenile Diversion Expunction Application form.

SUMMARY: The amendments to the Juvenile Diversion Expunction application form reflect recent legislative changes regarding the extension of the program’s application deadline and clarification about a person’s eligibility. The new language extends the application deadline to one (1) year and clarifies that a minor is only eligible for relief if he or she was arrested for a non-violent misdemeanor.

**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: OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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: 943.03(4), 943.0582(1) FS.

LAW IMPLEMENTED: 943.0582 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, March 7, 2014, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Jean Itzin at (850)410-7110, or jeanitzin@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS: Jean Itzin at (850)410-7110 or jeanitzin@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

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

11C-7.009 Procedures on Juvenile Diversion Expunctions.

(1) A minor who has successfully completed a prearrest or postarrest diversion program as authorized by Section 985.3065, F.S., which program satisfies the requirements found at Section 943.0582, F.S., may apply directly to the Department for expunction of the minor’s juvenile nonjudicial arrest record. The application for the Juvenile Diversion Expunction must include:

(a) No change.

(b) A completed Application for Juvenile Diversion Expunction. The subject must complete section A of the application. The Application for Juvenile Diversion

Expunction, form number FDLE 40-025 (rev. July 2013  
~~February 2008~~), incorporated here by reference  
<https://www.flrules.org/Gateway/reference.asp?No=Ref>,  
may be obtained from:

1. The Clerk of the Court, or
  2. Florida Department of Law Enforcement  
Expunge Section  
Post Office Box 1489  
Tallahassee, Florida 32302-1489  
Telephone Number: (850)410-7870  
Website: <http://www.fdle.state.fl.us/expunge>
- (c) through (d) No change.  
(2) through (6) No change.

Rulemaking Specific Authority 943.0582 FS. Law Implemented  
943.0582 FS. History—New 11-5-02, Amended 6-9-08.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Assistant General Counsel Fern Rosenwasser  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Governor and Cabinet  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: December 10, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: January 7, 2014

**DEPARTMENT OF LAW ENFORCEMENT**  
**Division of Local Law Enforcement Assistance**

RULE NO.:        RULE TITLE:  
11D-8.014        Blood Alcohol Permit – Analyst: Renewal  
PURPOSE AND EFFECT: 11D-8.014(1): Reduces the number  
of proficiency testing cycles from four times per calendar year  
to two times per calendar year. According to international  
accreditation standards, forensic science disciplines should be  
proficiency tested at least once per calendar year. Having the  
permitted blood alcohol analysts complete four proficiency test  
cycles each calendar year is costly and places an undue burden  
on toxicology laboratories. Reducing the number of proficiency  
testing cycles to twice per year removes the undue burden while  
maintaining high standards that exceed accreditation standards.  
11D-8.014(2): Removes the option to not participate in a  
proficiency test cycle since the number of testing cycles is being  
reduced. This change is necessary to bring the rule language in  
agreement with the proposed proficiency testing cycles in  
subsection (1).  
11D-8.014(4): Changes to four sets of samples to coincide with  
the new proficiency testing cycles. This change is necessary to  
bring the rule language in agreement with the proposed  
proficiency testing cycles in subsection (1).  
SUMMARY: Reduces the number of proficiency testing  
cycles; removes the option to not participate in a proficiency  
test cycle; and changes to four sets of samples.

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: OTHER RULES INCORPORATING THIS RULE:  
N/A. EFFECT ON THOSE OTHER RULES: N/A The  
proposed rule is not expected to exceed any of the criteria set  
forth in Section 120.541(2)(a), F.S., and thus, a legislative  
ratification is not required under Section 120.541(3), F.S. This  
determination is based upon the nature of the subject matter of  
the proposed amendment.

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: 316.1932(1)(a)2., (f)1.,  
322.63(3)(a), 327.352(1)(b)3. FS.

LAW IMPLEMENTED: 316.1932(1)(b), 316.1932(2)(b),  
316.1934(3), 322.63(3)(b), 327.352(1)(e), 327.353(2),  
327.354(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS  
NOTICE, A HEARING WILL BE HELD AT THE DATE,  
TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, March 7, 2014, 9:00 a.m.  
PLACE: Florida Department of Law Enforcement, Criminal  
Justice Professionalism, 2331 Phillips Road, Classroom Room  
A, Tallahassee, Florida 32308

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: The Alcohol Testing Program at (850)617-1290 or  
[alcoholtestingprogram@fdle.state.fl.us](mailto:alcoholtestingprogram@fdle.state.fl.us) or write to Florida  
Department of Law Enforcement, Criminal Justice  
Professionalism, Alcohol Testing Program, 2331 Phillips Road,  
Tallahassee, Florida 32308. 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 IS: The Alcohol Testing Program at  
(850)617-1290 or [alcoholtestingprogram@fdle.state.fl.us](mailto:alcoholtestingprogram@fdle.state.fl.us) or  
write to Florida Department of Law Enforcement, Criminal

Justice Professionalism, Alcohol Testing Program, 2331 Phillips Road, Tallahassee, Florida 32308

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2013  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 7, 2014

THE FULL TEXT OF THE PROPOSED RULE IS:

11D-8.014 Blood Alcohol Permit – Analyst: Renewal.

(1) Permits to conduct blood alcohol analyses shall remain valid until otherwise suspended or revoked by the Department. In order to remain qualified for such permit, an analyst must satisfactorily determine the blood alcohol level of at least ~~two~~ ~~(2)~~ proficiency samples provided by the Department ~~semiannually each annual quarter~~. Satisfactory determination shall be made by reporting results for blood alcohol proficiency samples within the acceptable range for the samples. For blood alcohol testing acceptable ranges shall mean the calculated proficiency sample mean + or - 3 standard deviations iterated twice. The mean and standard deviations will be calculated using the results reported by the analysts and reference laboratories.

~~(2) An analyst, who is in good standing, may elect to not participate in one proficiency test cycle each calendar year. The analyst must notify the Department in writing, of his/her election prior to the date the proficiency test results must be reported to the Department.~~

~~(2)(3)~~ Upon notification by the Department that an analyst has failed to satisfactorily determine the blood alcohol level on any set of proficiency samples, the analyst shall be required to satisfactorily determine the blood alcohol level of a second set of five proficiency samples provided by the Department.

~~(3)(4)~~ Upon notification by the Department that an analyst has failed to satisfactorily determine the blood alcohol level on a second set of proficiency samples, the analyst shall not perform any duties authorized by the analyst’s permit until the analyst satisfactorily determines the blood alcohol level of a subsequent set of proficiency samples provided by the Department. This section shall not preclude the Department from taking further action in accordance with Rule 11D-8.015, F.A.C.

~~(4)(5)~~ Failure to satisfactorily determine the blood alcohol level of any ~~4 six (6)~~ sets of proficiency samples provided by the Department within a ~~12-month twelve (12) month~~ period shall result in revocation of the blood analyst permit.

~~Rulemaking Specific Authority 316.1932(1)(a)2., (f)1., 322.63(3)(a), 327.352(1)(b)3. FS. Law Implemented 316.1932(1)(b), 316.1933(2)(b), 316.1934(3), 322.63(3)(b), 327.352(1)(e), 327.353(2), 327.354(3) FS. History—New 10-31-93, Amended 1-1-97, 11-5-02, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Patrick Muphy, Ph.D, ATP Program Manager

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DEPARTMENT OF LAW ENFORCEMENT

Florida Criminal Justice Executive Institute

RULE NO.: RULE TITLE:

11K-1.003 Policy

PURPOSE AND EFFECT: 11K-1.003(1): Changes the “New Sheriffs Seminar” to “Florida Sheriffs Institute,” to a more contemporary title, adds the word “designee” to provide FDLE’s designee authority to certify that the Florida Sheriffs Institute meets the 40-hour requirement, and documents the current practice for completion of the Florida Sheriffs Institute by newly elected sheriffs after an election is certified and to count toward the calendar year they are sworn in;

11K-1.003(4)(a) & (4)(a)5.: Adds executive level courses offered through the Florida Sheriffs Association Center for Excellence and to be recognized as approved education/training courses that will apply for initial qualification or maintenance of initial qualification for salary supplement;

11K-1.003(6) & (6)(b): Allows an FDLE designee to approve education/training programs and adds the Executive Director, FDLE, or their designee to approve recommendations for education/training programs for the Florida Criminal Justice Executive Institute.

SUMMARY: Changes the “New Sheriffs Seminar” to “Florida Sheriffs Institute”; provides an FDLE designee the authority to certify that the Florida Sheriffs Institute meets the 40-hour requirement; documents the newly elected sheriffs completion of the Florida Sheriffs Institute; adds executive level courses that will apply toward salary supplement; and allows an FDLE designee to approve recommendations for education and training programs.

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: OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative

ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

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: 145.071, 943.03(4) FS.

LAW IMPLEMENTED: 145.071 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, March 7, 2014, 4:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Room B1055, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615 or donnahunt@fdle.state.fl.us or write Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. 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 IS: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us or write Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11K-1.003 Policy.

(1) The initial qualification for a sheriff to receive salary supplement shall be to complete 40 hours of approved education/ training courses as outlined in subsection (4). Additionally, sheriffs newly elected after the effective date of this rule may achieve initial qualification by successful completion of the “Florida Sheriffs Institute” “New Sheriffs Seminar” sponsored by the Florida Sheriffs Association, provided that the Executive Director, FDLE, or their designee has certified that the “Florida Sheriffs Institute” “New Sheriffs Seminar” meets the requirements for 40 hours of approved special qualification salary training. The Florida Sheriffs Institute is permitted to be completed by newly elected sheriffs after the election is certified and shall count toward the calendar year they are sworn in.

(2) In order to remain qualified, the sheriff shall thereafter be required to complete each calendar year 20 hours of approved education/training courses as outlined in subsection (4).

(3) An approved course may not be repeated by a sheriff for salary supplement for a period of at least 3 years.

(4) For purposes of this section, the following approved education/training courses will apply for either initial qualification or maintenance of initial qualification, provided however that programs for maintenance of initial qualification are attended during the calendar year for which special qualification salary is sought:

(a) Executive level courses offered through the Florida Criminal Justice Executive Institute, specific management level or leadership programs offered by the following associations, colleges, universities, or organizations:

1. National Sheriffs’ Association (National Sheriff ‘s Institute Management Program).
2. Southern Police Institute (Executive and Management/Administrative Course).
3. Northwestern Traffic Institute (Management and Administrative Course).
4. FBI National Academy.
5. The Florida Sheriffs Association Center for Excellence.

(5) In the event of exceptional or emergency circumstances, which preclude a sheriff from attending approved educational training courses, a sheriff may request from the Executive Director, FDLE, an extension of up to 90 days provided a written request is received and approved prior to the sheriff’s special qualification salary date of expiration.

(6) In addition, any other education/training program approved by the Executive Director, FDLE, or their designee in accordance with the following procedures, will satisfy the requirements of Section 145.071, F.S.

(a) Requests for course approval must be received by the Florida Criminal Justice Executive Institute 30 days prior to commencement of the course and should contain the following specific items:

1. Course outline and number of hours.
2. List of instructors.
3. Projected date of attendance.

(b) Upon approval by the Executive Director, FDLE, or their designee, the Director of the Florida Criminal Justice Executive Institute staff will make a recommendation and to the Executive Director, FDLE, who will respond in writing to the sheriff at least 10 days prior to course commencement.

Rulemaking Specific Authority 145.071, 943.03(4) FS. Law Implemented 145.071 FS. History–New 2-1-84, Formerly 11K-1.03, Amended 5-29-91, \_\_\_\_\_.



NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Bureau Chief Glen Hopkins  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Governor and Cabinet  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: December 10, 2013  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: January 7, 2014

request is submitted in writing and received within thirty (30) ~~calendar~~ days ~~of from~~ the Department’s original request for ~~the~~ information. The Department shall notify the district superintendent in writing of the approval or denial of an extension.

Form MSID01 is amended as follows:

Page 3

Section 21(b) – Charter School s. 1002.33-4, F.S.

Section 22 – Career and Technical Education Center s. 1001.44-~~(26)~~, F.S.

**Section III**

**Notice of Changes, Corrections and Withdrawals**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:  
 6A-1.0016 Master School Identification Numbers  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40, No. 13, January 21, 2014 issue of the Florida Administrative Register.

Rule 6A-1.0016 is amended to read:

(3)(a) The Department shall notify the district of any missing information and permit the district ~~a minimum of~~ fifteen (15) calendar days to supplement its application. The Department is authorized to request clarifying information at any time from the district.

(4) Department standard for assignment of an MSID number. The Department shall assign a MSID number when a district demonstrates that the proposed school is fully functioning and operating as a distinct entity and that assignment of a MSID number will not undermine school accountability. The following criteria are reviewed by the Department to determine whether the standard for assignment of a MSID number has been met:-

(a) A school has a principal that is not shared with another school;-

(b) At least fifty (50) percent of a school’s administrative and teaching staff are not shared with another public school. School administrative staff means principals, assistant principals, curriculum coordinators and deans;-

(c) The department is authorized to request information from school districts in order to conduct the review of MSID numbers, and districts shall comply with written requests from the Department for information within thirty (30) calendar days. The district superintendent may submit a ~~written~~ request to the Department for an extension of time. ~~The written request must be received by the~~ Department shall grant a request for an extension of time, not to exceed forty-five (45) days, if the

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:  
 6A-1.0995 Form of High School Diplomas and Certificates of Completion  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40, No. 12, January 17, 2014 issue of the Florida Administrative Register.

Rule 6A-1.0995 is amended to read:

(6)(a) Completion of the scholar designation requirements in accordance with Section 1003.4285, Florida Statutes.

(b) Completion of the merit designation requirements in accordance with Section 1003.4285, Florida Statutes.

(8) Each district school board shall produce or have produced the Diplomas and Certificates of Completion in the quantity and as needed to be awarded to the students in the public schools of that district. Any person producing copies shall, pursuant to Section 15.03(3), F.S., and Rule 1-2.0021 Chapter 1C-5, F.A.C., secure approval from the Department of State to print the State Seal on such copies.

Rulemaking Authority 1001.02, 1003.428, 1003.4282, 1003.435, 1003.438, 1003.53 FS. Law Implemented 1001.02, 1003.428, 1003.4282, 1003.4285, 1003.435, 1003.438, 1003.53 FS. History– New 11-14-78, Amended 6-9-81, Formerly 6A-1.995, Amended 4-3-90, 1-5-09, 7-19-10, \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:  
 6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40, No. 13, January 21, 2014 issue of the Florida Administrative Register.

The 2014-2015 Course Code Directory and Instructional Personnel Assignments is amended to read:

Page 11

ACADEMICALLY CHALLENGING CURRICULUM TO ENHANCE LEARNING (ACCEL) OPTIONS (Section 1008.25(2)(d)(e)-(g), F.S.)

Page 12

In accordance with Rule 6A-1.0943(6)(5), F.A.C., Statewide Assessment for Students with Disabilities, students with disabilities who have an Individual Educational Plan (IEP) may be eligible for consideration of a special exemption from participation in statewide assessments, including the alternate assessment, under extraordinary circumstances.

Page 41

In accordance with Section 1003.433(1), F.S., a student who transfers from another state in the 11<sup>th</sup> or 12<sup>th</sup> grade must pass the statewide, standardized assessment or an alternative assessment that is concordant with the standardized assessment; earn a 2.0 GPA; and meet all requirements of the school, district, or state from which he or she is transferring or meet Florida’s course requirements in order to earn a standard diploma. A transfer student may be considered for the statewide, standardized assessment results waiver. For additional information as it relates to military families, please refer to Section 1000.36, F.S., the Interstate Compact on Educational Opportunity for Military Children.

Page 50

The DOE will collect student membership information by course number and FEFP cost category, ~~as specified by law. Instructions for calculating FTE are found in the "FTE General Instructions," or in T~~ the “DOE Information Data Base Requirements: Volume I-Automated Student Information System,” authorized by Rule 6A-1.0014, F.A.C. are available at [http://www.fldoe.org/eias/dataweb/database\\_1314/strequei.pdf](http://www.fldoe.org/eias/dataweb/database_1314/strequei.pdf).

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:  
6A-1.09941 State Uniform Transfer of High School Credits

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40, No. 12, January 17, 2014 issue of the Florida Administrative Register.

Rule 6A-1.09941 is amended to read:

(3)(c) Satisfactory ~~Demonstrated~~ performance in courses taken through dual enrollment or at other public or private accredited schools;

(d) Satisfactory performance ~~Demonstrated proficiencies~~ on nationally-normed standardized subject area assessments;

(e) Satisfactory performance ~~Demonstrated proficiency~~ a statewide, standardized assessment; or

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-6.03028	Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities
6A-6.0331	General Education Intervention Procedures, Identification, Evaluation, Reevaluation and the Initial Provision of Exceptional Education Services
6A-6.03311	Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 206, October 22, 2013 issue of the Florida Administrative Register.

Rule 6A-6.03028, F.A.C., is amended to read:

(1) Entitlement to FAPE. All students with disabilities aged three (3) through twenty-one (21) residing in the state have the right to FAPE consistent with the requirements of Section 1003.571, Florida Statutes, the Individuals with Disabilities Education Act, 20 USC Section 1400, et. seq (IDEA), its implementing federal regulations at 34 CFR Subtitle B, part 300 et. seq. which is hereby incorporated by reference to become effective with the effective date of this rule, and under Rules 6A-6.03011 through 6A-6.0361, F.A.C. FAPE shall be made available to students with disabilities, including students who have been suspended or expelled, and any individual student with a disability who needs special education and related services, even though the student has not failed or been retained in a course or grade, and is advancing from grade to grade. The obligation to make FAPE available to all students with disabilities does not apply with respect to the following:

Rule 6A-6.0331, F.A.C., is amended to read:

(1)(e) Evidence-based interventions addressing the identified areas of concern must be implemented in the general education environment. The interventions selected for implementation should be developed by a team through a data-based problem solving process that uses student performance

data to identify and analyze the area(s) of concern, select and implement interventions, and monitor the effectiveness of the interventions. Interventions shall be implemented as designed for a period of time sufficient to determine effectiveness, ~~period of time~~ and with a level of intensity that matches the student's needs. Pre-intervention and ongoing progress monitoring measures of academic and/or behavioral areas of concern must be collected and communicated to the parents in an understandable format, which may include, but is not limited to, graphic representation.

(3)(a) The school district must ~~promptly~~ seek consent from the parent or guardian to conduct an evaluation whenever the district suspects that a kindergarten through grade 12 student, or a child age three (3) to kindergarten entry age, is a student with a disability and needs special education and related services. Circumstances which would indicate that a student may be a student with a disability who needs special education and related services include, but are not limited to, the following:

(b) Within twenty (20) school days of a school-based team's determination that a circumstance described in subparagraphs (3)(a)1., or (3)(a) 2., of this rule exists for a student in grades kindergarten through grade 12, the school district must request consent from the parent to conduct an evaluation, unless the parent and the school agree otherwise in writing.

~~(d)(e)~~ Prior to a school district request for initial evaluation of a student in grades K through 12 suspected of having a disability, school personnel must make one (1) of the following determinations and include appropriate documentation in the student's educational record to the effect that:

1. The general education intervention procedures have been implemented as required under this rule and the data indicate that the student may be a student with a disability who needs special education and related services; ~~or~~

2. The evaluation was initiated at parent request and the activities described in subsection (1) of this rule will be completed concurrently with the evaluation but prior to the determination of the student's eligibility for special education and related services; or-

(h)(g) The school district shall ensure that students suspected of being gifted are evaluated within a reasonable period of time as specified in the district's ESE Policies and Procedures Document as defined in subsection 6A-6.03411(2), F.A.C., but no more than ninety (90) school days that the student is in attendance after the school district's receipt of parental consent for the evaluation.

(4)(e)2. The rights of the parents of the student have been terminated in accordance with Chapter 39, Part XI, F.S.; or

(10)(b) The district shall obtain written parental consent for the actions described above on the Parental Consent Form – Instruction in the State Standards Access Points Curriculum and Florida Alternate Assessment Administration, Form 313181, English, Arabic, Chinese, French, Haitian Creole, Portuguese, Russian, Spanish, Tagalog, and Vietnamese, and Parental Consent Form – Student Placement in an Exceptional Education Center, Form 313182, English, Arabic, Chinese, French, Haitian Creole, Portuguese, Russian, Spanish, Tagalog, and Vietnamese, adopted by the Department of Education and incorporated by reference to become effective March 2014 ~~December 2013~~ and available at <http://www.fldoe.org/ese/> or may be obtained from the Department of Education, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Room 614, Tallahassee, FL 32399. Both forms were translated into Arabic, Chinese, French, Haitian Creole, Portuguese, Russian, Spanish, Tagalog, and Vietnamese.

Rule 6A-6.03311, F.A.C., is amended to read:

(2)(b)5. In accordance with the provisions of Section 1008.212, Florida Statutes, upon the school district superintendent's recommendation to the ~~C~~ommissioner of ~~E~~ducation that an extraordinary exemption for a given state assessment be granted or denied.

(5) State complaint procedures. The Department of Education shall provide parents and other interested persons, including an organization or individual from another state, the opportunity to resolve any complaint that a school district has violated a requirement of Part B of the Individuals with Disabilities Education Act (IDEA) or its implementing regulations, or a state requirement, regarding the education of students with disabilities through its state complaint procedures. The Department of Education shall disseminate its state complaint procedures, which may be accessed at <http://www.fldoe.org/ese/resolution.asp> to parents and other interested individuals, including the parent training and information centers, protection and advocacy agencies, independent living centers, and other appropriate entities.

(9)(a) A due process hearing request may be initiated by a parent or a school district as to matters related to the identification, evaluation, eligibility determination, or educational placement of a student or the provision of FAPE to the student. In addition, in accordance with Section 1008.212, F.S., in the event that a district school superintendent requests an extraordinary exemption from participation in a statewide standardized assessment and the ~~C~~ommissioner of ~~E~~ducation denies such request, the parent may request an expedited due process hearing. In this event, the Department of Education

must inform the parent of any free or low-cost legal services and other relevant services available. The Department of Education shall arrange a hearing on this matter with the Division of Administrative Hearings. The hearing must begin within twenty (20) school days following the receipt of the parent’s request by the Department of Education. The administrative law judge (ALJ) must make a determination within ten (10) school days after the expedited hearing is completed.

(9)(d) The due process hearing request. The school district must have procedures that require either party, or the attorney representing a party, to provide to the other party a due process hearing request (which must remain confidential). The party filing a due process hearing request must forward a copy of the request by mail to the Florida Department of Education at 325 West Gaines Street, Room 614, Tallahassee, Florida 32399 or via fax transmission to (850) 245-0953. A due process hearing request must contain the following:

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3), 1003.57, 1003.571, 1003.5715, 1008.212 FS. Law Implemented ~~1001.03(8), 1001.42(4)(d)~~, 1003.01(3), 1003.57, 1003.571, 1003.5715, 1008.212, ~~1011.62(1)(e)~~ FS. History—New 7-13-83, 12-20-83, 4-26-84, Formerly 6A-6.3311, Amended 7-17-90, 9-20-04, 12-22-08, \_\_\_\_\_.  
Cf. P.L. 105-17, 20 USC 1414 and 1415

Form 313181

The third paragraph is amended to read as follows:

My consent is being sought because the IEP team has determined that the proposed actions are necessary in order for my child to receive a free appropriate public education. If I refuse to consent to the proposed actions, my child may not receive all the services and supports that the IEP team has determined are needed, which may impact my child’s educational progress. I understand that, if I give consent, my child will not be eligible for a standard high school diploma but may receive instruction within the general education setting based on his or her IEP. I understand that access to future opportunities such as enrollment in college or enlistment in the military may be limited if my child does not have a standard high school diploma. This consent will remain in effect until the next annual review of the IEP, or until the next IEP meeting if instruction in state standards access points curriculum and administration of the FAA is addressed, whichever event occurs first.

The following statement is added below the signature section:

If you sign “I do not consent for placement,” within ten school days, the school district must develop and implement new instruction and assessment procedures in accordance with a new IEP or must request a due process hearing.

Form 313182

The following statement is added below the signature section:

If you sign “I do not consent for placement,” within ten school days, the school district must develop and implement a new placement in accordance with a new IEP or must request a due process hearing.

Form 313189

Section Question 2 is amended to read:

2. The student’s ~~primary~~ method(s) to access and use language is one or more of the following (check all that apply):

Section II, question 1 is amended to read:

1. Consider auditory access – what does the student currently use and what supports are required?  
No amplification (skip to question ~~4~~ 6)

## Section IV Emergency Rules

NONE

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

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

The Criminal Justice Standards and Training Commission hereby gives notice:

The Criminal Justice Standards and Training Commission has issued an order. On January 27, 2014, the Criminal Justice Standards and Training Commission received a petition for a permanent waiver of Rule 11B-27.002(4), F.A.C., by Andrew Feuer. Petitioner wished to waive that portion of the rule which requires an officer to obtain employment within four years of beginning basic recruit training. Notice of receipt of the petition was published in the Florida Administrative Register, Volume 40, Number 19, January 29, 2014.

On February 8, 2014, at its regularly scheduled business agenda meeting held in Lake Mary, FL, the Commission found that the

Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, Section 943.13, F.S., to ensure that officers meet strict qualification criteria and minimum training requirements, would be addressed in an alternative method by granting this rule waiver. The Commission granted the Petitioner's waiver request. The Petitioner has six months beginning fifteen days after the final order is signed in this case to become employed.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

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DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

The Criminal Justice Standards and Training Commission hereby gives notice:

The Criminal Justice Standards and Training Commission has issued an order. On February 3, 2014, the Criminal Justice Standards and Training Commission received a petition for a permanent waiver of Rule 11B-27.002(4), F.A.C., by Robert Rockhill. Petitioner wished to waive that portion of the rule which requires an officer to obtain employment within four years of beginning basic recruit training. Notice of receipt of the petition was published in the Florida Administrative Register, Volume 40, Number 28, February 11, 2014.

On February 8, 2014, at its regularly scheduled business agenda meeting held in Lake Mary, FL, the Commission found that the Petitioner's situation is not unique. The Petitioner did not demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, Section 943.13, F.S., to ensure that officers meet strict qualification criteria and minimum training requirements, would not be addressed in an alternative method by granting this rule waiver. The Commission denied the Petitioner's waiver request.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

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DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.00213 Temporary Employment Authorization

The Criminal Justice Standards and Training Commission hereby gives notice:

On February 8, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On January 13, 2014, the Criminal Justice Standards and Training Commission received a petition for permanent waiver of paragraph 11B-27.00213(4)(a), (b), F.A.C., by Devon Hartwell. The rule requires recruits employed by agencies on a temporary employment authorization (TEA) to have a four-year break in service before they may enter into another TEA if their TEA is terminated prior to the recruit becoming certified. Petitioner's employer lost its contract to run a facility while Petitioner was on a TEA. Petitioner seeks a waiver of this rule so that he may seek another TEA immediately at another facility and, thereby, remain employed while he fulfils the requirements of Section 943.13, F.S., to become certified. Notice of receipt of the petition was published in the Florida Administrative Register Volume 40, Number 16, January 24, 2014.

On February 8, 2014, at its regularly scheduled business agenda meeting held in Lake Mary, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure TEAs are well prepared to work for agencies, will be met by granting this waiver request. The Commission granted the Petitioner's waiver as a one-time temporary rule waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

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DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

The Criminal Justice Standards and Training Commission hereby gives notice: the Criminal Justice Standards and Training Commission has issued an order. On January 16, 2014, the Criminal Justice Standards and Training Commission received a petition for a permanent waiver of subsection 11B-27.002(4), F.A.C., by Steven Bottcher and the High Springs Police Department. Petitioner wished to waive that portion of the rule which requires an officer to obtain employment within four years of beginning basic recruit training. Notice of receipt

of the petition was published in the Florida Administrative Register, Volume 40, Number 16, January 24, 2014.

On February 8, 2014, at its regularly scheduled business agenda meeting held in Lake Mary, FL, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, Section 943.13, F.S., to ensure that officers meet strict qualification criteria and minimum training requirements, would be addressed in an alternative method by granting this rule waiver. The Commission granted the Petitioner's waiver request. The Petitioner has six months beginning fifteen days after the final order is signed in this case to become employed.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

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DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.00213 Temporary Employment Authorization  
The Criminal Justice Standards and Training Commission hereby gives notice: on February 8, 2011, the Criminal Justice Standards and Training Commission has issued an order.  
On February 5, 2014, the Criminal Justice Standards and Training Commission received a petition for permanent waiver of paragraphs 11B-27.00213(4)(a), (b), F.A.C., by Latoya Holley. The rule requires recruits employed by agencies on a temporary employment authorization (TEA) to have a four-year break in service before they may enter into another TEA if their TEA is terminated prior to the recruit becoming certified. Petitioner's employer lost its contract to run a facility while Petitioner was on a TEA. Petitioner seeks a waiver of this rule so that she may seek another TEA immediately at another facility and, thereby, remain employed while she fulfils the requirements of Section 943.13, F.S., to become certified. Notice of receipt of the petition was published in the Florida Administrative Register Volume 40, Number 28, February 11, 2014.

On February 8, 2014, at its regularly scheduled business agenda meeting held in Lake Mary, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure TEAs are well prepared to work for agencies, will be met by granting this waiver request. The Commission granted the Petitioner's waiver as a one-time temporary rule waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

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DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.00213 Temporary Employment Authorization  
The Criminal Justice Standards and Training Commission hereby gives notice: on February 8, 2011, the Criminal Justice Standards and Training Commission has issued an order.  
On January 30, 2014, the Criminal Justice Standards and Training Commission received a petition for permanent waiver of paragraphs 11B-27.00213(4)(a), (b), F.A.C., by Jovina M. Green. The rule requires recruits employed by agencies on a temporary employment authorization (TEA) to have a four-year break in service before they may enter into another TEA if their TEA is terminated prior to the recruit becoming certified. Petitioner's employer lost its contract to run a facility while Petitioner was on a TEA. Petitioner seeks a waiver of this rule so that she may seek another TEA immediately at another facility and, thereby, remain employed while she fulfils the requirements of Section 943.13, F.S., to become certified. Notice of receipt of the petition was published in the Florida Administrative Register Volume 40, Number 22, February 3, 2014.

On February 8, 2014, at its regularly scheduled business agenda meeting held in Lake Mary, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure TEAs are well prepared to work for agencies, will be met by granting this waiver request. The Commission granted the Petitioner's waiver as a one-time temporary rule waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

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DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.00213 Temporary Employment Authorization  
The Criminal Justice Standards and Training Commission hereby gives notice: on February 8, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On January 24, 2014, the Criminal Justice Standards and Training Commission received a petition for permanent waiver of paragraphs 11B-27.00213(4)(a), (b), F.A.C., by Uxavier Bromfield. The rule requires recruits employed by agencies on a temporary employment authorization (TEA) to have a four-year break in service before they may enter into another TEA if their TEA is terminated prior to the recruit becoming certified. Petitioner’s employer lost its contract to run a facility while Petitioner was on a TEA. Petitioner seeks a waiver of this rule so that he may seek another TEA immediately at another facility and, thereby, remain employed while he fulfils the requirements of Section 943.13, F.S., to become certified. Notice of receipt of the petition was published in the Florida Administrative Register Volume 40, Number 18, January 26, 2014.

On February 8, 2014, at its regularly scheduled business agenda meeting held in Lake Mary, Florida, the Commission found that the Petitioner’s situation is unique. The Petitioner demonstrated that the strict application of the Commission’s rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure TEAs are well prepared to work for agencies, will be met by granting this waiver request. The Commission granted the Petitioner’s waiver as a one-time temporary rule waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NOS.:RULE TITLES:

40D-2.091 Publications Incorporated by Reference

40D-2.101 Content of Application

40D-2.361 Renewal of Permits

NOTICE IS HEREBY GIVEN that on February 07, 2014, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: Hometown Little Manatee, L.L.C.

Rule No.: 40D-2.361, F.A.C.

40D-2.091(a), F.A.C.

40D-2.101(6)(a), F.A.C.

Nature of the rule for which variance or waiver is sought: Timely application for permit renewal and Net Benefit.

The Petition has been assigned Tracking No. 20012513.000.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Amissa Smith, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, x. 4658.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On January 15, 2014 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2009 FDA Food Code from Eagles Pizza located in Orlando.

The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

The Petition for this variance was published in Vol. 40, No. 18, F.A.C., January 28, 2014. The Order for this Petition was signed and approved on February 3, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the public bathrooms located on the second floor of the One South Orange Building are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, handwash sign and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed in the main restaurant area clearly stating the location of the bathrooms.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, Lydia.Gonzalez@myfloridalicense.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice of a request for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from

Jorge Quintero located in Tampa. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 40, No. 18, F.A.C., on January 28, 2014. The Order for this Petition was signed and approved on February 3, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, Lydia.Gonzalez@myfloridalicense.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

**RULE NO.: RULE TITLE:**

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On January 28, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Mami Ney’s Cafe located in Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment under a different ownership for use by customers only.

The Petition for this variance was published in Vol. 40/21 on January 31, 2014. The Order for this Petition was signed and approved on February 6, 2014. After a complete review of the

variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Pica 305 Barber Shop (Pica 305 Barber Shop Inc. - Christofer Luis Lopez, owner) are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Pica 305 Barber Shop (Pica 305 Barber Shop Inc. - Christofer Luis Lopez, owner) changes, an updated, signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF FINANCIAL SERVICES**

OIR – Insurance Regulation

**RULE NO.: RULE TITLE:**

69O-125.003 Unfair Discrimination Because of Travel Plans

NOTICE IS HEREBY GIVEN that on November 18, 2013, the Office of Insurance Regulation, received a petition for Amending and Extending the Order Granting Variance from Fla. Admin. Code Ann. r. 69O-125.003 by Monumental Life Insurance Company. The Notice of Petition for Variance was published in Vol. 40, No. 14, January 22, 2014, Florida Administrative Register. The petition seeks a variance from Rule 69O-125.003, F.A.C., which prohibits insurance providers from making underwriting decisions based upon an applicant’s intent to engage in future lawful foreign travel or past lawful foreign travel. On February 15, 2008, the Office issued an Order granting insurance providers a two year variance or waiver of Rule 69O-125.003, F.A.C., as it pertains to travel to Iraq and Afghanistan. On December 17, 2009, the Office issued an Order extending the variance of Rule 69O-125.003, F.A.C., as applied to travel to Iraq and Afghanistan, for an additional two years. On January 28, 2012 the Office issued an Order extending the variance of Rule 69O-125.003, F.A.C. as applied to travel to Iraq and Afghanistan for an additional two years. The petition seeks to extend the variance for a fourth time. The Office has considered the petition and concluded that the application of Rule 69O-125.003, F.A.C., as it pertains to Iraq and Afghanistan, would create a substantial hardship for insurance providers. As a result, the Office has issued an Order, filed on February 10, 2014, approving the requested waiver or variance for an additional two years. Until February 15, 2016,



insurers of all forms of insurance designated in Rule 690-125.003, F.A.C., may factor into their underwriting an applicant's travel plans to Iraq or Afghanistan.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Debra Seymour at [debra.seymour@flor.com](mailto:debra.seymour@flor.com).

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida Agriculture in the Classroom, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 4, 2014, 10:00 a.m.

PLACE: Nora Mayo Hall, 500 Third St. N.W., Winter Haven, FL 33881

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agriculture in the Classroom board of directors will gather for a regularly scheduled board meeting.

A copy of the agenda and/or more information may be obtained by contacting contact: Lisa Gaskalla, [gaskalla@ufl.edu](mailto:gaskalla@ufl.edu).

#### DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 20, 2014, 10:30 a.m. – 11:00 a.m., EST

PLACE: Teleconference Call: 1(888)670-3525; Code:792353220

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Membership Work group General Membership Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove, (850)245-3317, [Roy.Cosgrove@vr.fldoe.org](mailto:Roy.Cosgrove@vr.fldoe.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 7 days before the workshop/meeting by contacting: Roy Cosgrove, (850)245-3317, [Roy.Cosgrove@vr.fldoe.org](mailto:Roy.Cosgrove@vr.fldoe.org). 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: Roy Cosgrove, (850)245-3317, [Roy.Cosgrove@vr.fldoe.org](mailto:Roy.Cosgrove@vr.fldoe.org).

#### REGIONAL PLANNING COUNCILS

##### Central Florida Regional Planning Council

The Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: February 27, 2014, 9:30 a.m.

PLACE: South Florida State College, 2968 US Hwy 17 North, Room 104, Bowling Green, FL 33834

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee (LEPC) and/or its subcommittees, to discuss the provision of the Emergency Planning Community Right-to-Know Program. Also, items pertaining to the State Emergency Response Commission (SERC) may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Director at [ccarter@cfRPC.org](mailto:ccarter@cfRPC.org) or at (863)534-7130, ext. 107.

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.

#### WATER MANAGEMENT DISTRICTS

##### St. Johns River Water Management District

The North Florida Regional Water Supply Partnership Stakeholder Advisory Committee (the Advisory Committee) is a committee of stakeholders selected by the St. Johns River Water Management District and the Suwannee River Water Management District in consultation with the Florida Department of Environmental Protection, to advise these agencies on issues affecting water supplies in both water management districts. The Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 24, 2014, 1:00 p.m.

PLACE: Florida Gateway College, Wilson S. Rivers Library and Media Center, 149 SE College Place, Building 200, Room 102, Lake City, FL 32025

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Advisory Committee described above. The purpose of the meeting is to conduct administrative and procedural matters related to the committee and discuss recommendations concerning the MFLs and Recovery Strategy planned for the Lower Santa Fe River and the Ichetucknee River and Priority Springs. There will also be a briefing of the proposed population and water demand projection methodologies and an update on the status of the Clay-Putnam MFLs and Prevention and Recovery Strategies. An opportunity for public comment will be provided near the end of the meeting.

NOTE: One or more members of the Governing Board from each of the water management districts named above may attend and participate in the meeting of the Advisory Committee.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Julie Green, 4049 Reid Street, Palatka, FL 32177, (386)329-4240, email:

jgreen@sjrwm.com or by visiting the North Florida Regional Water Supply Partnership website at www.northfloridawater.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 48 hours before the workshop/meeting by contacting: Vanessa Fultz, Communications/Creative Services Specialist, Suwannee River Water Management District, (386)362-1001. 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: Julie Green, (386)329-4240, email: jgreen@sjrwm.com.

**DEPARTMENT OF ELDER AFFAIRS**

Division of Volunteer and Community Services

The Department of Elder Affairs Communities for a Lifetime announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 20, 2014, 9:30 a.m. – 11:30 a.m.

PLACE: City of West Park, City Hall Commission Chamber, 1965 South State Road 7, West Park, FL 33023

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss the benefits of senior zones. Senior zones raise a driver's awareness that they are entering an area where they need to exercise additional caution. The zone slows traffic and increases safety for all drivers and pedestrians around retirement and assisted living communities through the use of traffic calming devices and signage. Two additional workshops are planned in March 2014 for Broward and Indian River counties.

A copy of the agenda may be obtained by contacting: Janine Harris, Community Relations Manager, Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, FL 32399-7000, by email at harrisj@elderaffairs.org or by phone at (850)414-2373.

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 72 hours before the workshop/meeting by contacting: Janine Harris, Community Relations Manager, Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, FL 32399-7000, by email at harrisj@elderaffairs.org or by phone at (850)414-2373. 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: Janine Harris, Community Relations Manager, Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee,

FL 32399-7000, by email at harrisj@elderaffairs.org or by phone at (850)414-2373.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

The Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, Community Association Living Study Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 21, 2014, 9:00 a.m. until completion of business

PLACE: Department of Business and Professional Regulation via teleconference at 1(888)670-3525; conference code is 7501452290, then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Community Association Living Study Council.

A copy of the agenda may be obtained by contacting: Debbie Miller, Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1030, (850)488-1631.

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 48 hours before the workshop/meeting by contacting: Debbie Miller, Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1030, (850)488-1631. 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).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Architecture and Interior Design

The Board of Architecture and Interior Design announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 24, 2014, 3:00 p.m.

PLACE: Telephone Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To participate in the Telephone Conference Call, contact toll free: 1(888)670-3525, then enter the public participant code: 3086756820

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32310-0751, Telephone: (850)717-1982.

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: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32310-0751, Telephone: (850)717-1982. 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: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32310-0751, Telephone: (850)717-1982.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
 The Department of Environmental Protection announces a public meeting to which all persons are invited.  
**DATE AND TIME:** February 25, 2014, 10:00 a.m.  
**PLACE:** Okeechobee Civic Center, 1750 US Highway 98 North, Okeechobee, FL 34974  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public meeting of interested stakeholders to discuss the Lake Okeechobee Watershed Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary purpose of this meeting is to provide an update on the status of BMAP development.

A copy of the agenda may be obtained by contacting: Katie Hallas or Kimberleigh Dinkins, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by email at [Katie.Hallas@dep.state.fl.us](mailto:Katie.Hallas@dep.state.fl.us) or [Kimberleigh.Dinkins@dep.state.fl.us](mailto:Kimberleigh.Dinkins@dep.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 48 days before the workshop/meeting by contacting: Katie Hallas at (850)245-8432. 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).

**DEPARTMENT OF HEALTH**  
 Board of Clinical Laboratory Personnel  
 The Board of Clinical Laboratory Personnel announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday, March 11, 2014, 9:00 a.m. at Meet Me number: 1(888)670-3525, participate code: 9238150597  
**PLACE:** Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General board business.  
 A copy of the agenda may be obtained by contacting: Sherra W. Mears, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the website at <http://www.floridasclinlicallabs.gov/meeting-information/>  
 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 48 hours before the workshop/meeting by contacting: Sherra W. Mears. 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 HEALTH**  
 Board of Nursing  
 The Florida Board of Nursing Central Probable Cause Panel announces a telephone conference call to which all persons are invited.  
**DATE AND TIME:** February 27, 2014, 10:00 a.m.  
**PLACE:** Department of Health, Tallahassee at Meet Me Number: 1(888)670-3525, code: 9638257208  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** For cases previously heard by the panel.  
 A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.  
 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 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. 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 HEALTH**

## Division of Environmental Health

The Bureau of Environmental Health, Onsite Sewage Programs announces a public meeting to which all persons are invited.

DATE AND TIME: February 26, 2014, 9:30 a.m., ET

PLACE: Florida Department of Health Southwood Complex, 4025 Esplanade Way, Room #130 L, Tallahassee, FL 32399 or via conference call / web conference: toll-free call-in number: 1(888)670-3525, conference code: 8605907413; Website: [http://connectpro22543231.na5.acrobat.com/rrac\\_new/](http://connectpro22543231.na5.acrobat.com/rrac_new/)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Research Review and Advisory Committee. The purpose of this meeting is to discuss and guide current, proposed, and potential future onsite sewage research projects. The focus of this meeting is to discuss the Department of Health's Nitrogen Reduction Strategies Study. Other ongoing and possible future research projects may also be discussed. Part of this meeting may be accessible via web conference with details to be posted on the Bureau website: <http://www.doh.state.fl.us/environment/ostds/research/index.html>.

A copy of the agenda may be obtained by contacting: Elke Ursin, Department of Health, Bureau of Environmental Health, Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at (850)245-4444, ext. 2708 or by email at [Elke.Ursin@flhealth.gov](mailto:Elke.Ursin@flhealth.gov).

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: Elke Ursin, Department of Health, Bureau of Environmental Health, Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at (850)245-4444, ext. 2708 or by email at [Elke.Ursin@flhealth.gov](mailto:Elke.Ursin@flhealth.gov). 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: Elke Ursin, Department of Health, Bureau of Environmental Health, Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at (850)245-4444, ext. 2708 or by email at [Elke.Ursin@flhealth.gov](mailto:Elke.Ursin@flhealth.gov).

**DEPARTMENT OF HEALTH**

## Division of Emergency Medical Operations

The Emergency Medical Services Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2014, 9:00 a.m.

PLACE: Public Safety Complex, 911 Easterwood Drive, Tallahassee, FL 32311

GENERAL SUBJECT MATTER TO BE CONSIDERED: The EMS Advisory Council will meet to discuss and approve the July 2014-June 2019 EMS Strategic Plan.

A copy of the agenda may be obtained by contacting: Desi Lassiter, (850)245-4055.

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 48 hours before the workshop/meeting by contacting: Desi Lassiter, (850)245-4055. 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: Desi Lassiter, (850)245-4055.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

## Family Safety and Preservation Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: March 3, 2014, 1:00 p.m. – 4:00 p.m.

PLACE: 1317 Winewood Boulevard, Bldg. 1, Room 132, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Independent Living Services Advisory Council to conduct general Council business and continue their efforts of reviewing the implementation and operation of the Road-to-Independence Program.

A copy of the agenda may be obtained by contacting: Cyndee Odom, Department of Children and Families, phone: (850)922-0185 or email: [cyndee\\_odom@dcf.state.fl.us](mailto:cyndee_odom@dcf.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 1 day before the workshop/meeting by contacting: Cyndee Odom, Department of Children and Families, phone: (850)922-0185 or email: [cyndee\\_odom@dcf.state.fl.us](mailto:cyndee_odom@dcf.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: Cyndee Odom, Department of Children and Families, (850)922-0185, [cyndee\\_odom@dcf.state.fl.us](mailto:cyndee_odom@dcf.state.fl.us).

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

## Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: February 19, 2014, 10:00 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deliberation for cases pending before the Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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**CITIZENS PROPERTY INSURANCE CORPORATION**

The Citizens Property Insurance Corporation Actuarial & Underwriting Committee announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Thursday, February 20, 2014, 4:00 p.m.

**PLACE:** Conference call: 1(866)361-7525, conference ID:8632017402#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Business before the Actuarial & Underwriting Committee.

A copy of the agenda may be obtained by contacting: Kimberly Kelley at (904)407-0131 or by visiting Citizens' website at [www.citizensfla.com](http://www.citizensfla.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 5 days before the workshop/meeting by contacting: Kimberly Kelley, (904)407-0131. 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: Kimberly Kelley, (904)407-0131.

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**CITIZENS PROPERTY INSURANCE CORPORATION**

The Citizens Property Insurance Corporation Claims Committee announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Wednesday, February 19, 2014, 12:00 Noon

**PLACE:** Conference call: 1(866)361-7525, conference id: 5219676193#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Business before the Claims Committee.

A copy of the agenda may be obtained by contacting: Connie Bryan, (904)208-7238 or by visiting Citizens' website: [www.citizensfla.com](http://www.citizensfla.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 5 days before the workshop/meeting by contacting: Connie Bryan, (904)208-7238. 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: Connie Bryan, (904)208-7238.

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**FLORIDA INDEPENDENT LIVING COUNCIL**

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** February 25, 2014, 2:00 p.m. – 3:30 p.m.

**PLACE:** 1416 N. Adams Street, Tallahassee, Florida 32303; call-in number: 1(888)670-3525; code: 5073148497

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the council.

**COMMITTEE AND TASK FORCE MEETINGS:** Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at the council address.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or toll-free: 1(877)822-1993 or Molly Gosline at (850)488-5624.

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**INDEPENDENT COLLEGES AND UNIVERSITIES OF FLORIDA**

The Florida Higher Educational Facilities Financing Authority announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, February 27, 2014, 12:00 Noon – 1:00 p.m.

**PLACE:** The Offices of: The Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee,

Florida 32301, and by teleconference: 1(866)578-5716, conference code: 6813188

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** (A)Review and Consideration of a resolution to amend the Saint Leo Bond Indenture; (B)Payment of Invoices; (C)Any other matters that may come before the Authority.

A copy of the agenda may be obtained by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188. 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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

**FLORIDA LEAGUE OF CITIES**

The Florida Association of Counties Trust announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, February 17, 2014, 8:30 a.m.

**PLACE:** Staybridge Suites, 1600 Lake Summit Drive, Tallahassee, FL 32312

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Florida Association of Counties Trust Strategic Needs Committee Meeting.

A copy of the agenda may be obtained by contacting: jgarner@flcities.com, (850)701-3623.

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: jgarner@flcities.com, (850)701-3623. 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: jgarner@flcities.com, (850)701-3623.

ENTERPRISE FLORIDA, INC.

The Florida Development Finance Corporation (“DFDC”) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, February 19, 2014, 1:00 p.m. – 3:00 p.m.

**PLACE:** Enterprise Florida, Inc., 800 N. Magnolia Avenue, Suite 1100, Orlando, FL 32803

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** THIS MEETING HAS BEEN CANCELLED.

**Section VII**

**Notice of Petitions and Dispositions  
Regarding Declaratory Statements**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that The Home Inspectors Licensing Unit, Department of Business and Professional Regulation has received the petition for declaratory statement from Mark Cramer. The petition seeks the agency’s opinion as to the applicability of Florida Statute § 468.831(2), as it applies to the petitioner.

Petitioner asks about the agency’s interpretation of the term “scope of licensure” as it applies to his ability as a licensed division 1 contractor to provide home inspection services under the exception provided in F.S. § 468.831(2). The Petition was filed on January 28, 2014.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk’s Office, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2202, Telephone: (850)921-0342, email: AGC.Filing@myfloridalicense.com.

Please refer all comments to: John MacIver, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 42, Tallahassee, Florida 32399, (850)488-0062.

Except for good cause shown, motions for leave to intervene must be filed within 21 days of this notice.

**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 Administrative Procedures Committee**

NONE

**Section XI**

**Notices Regarding Bids, Proposals and Purchasing**

NONE

**Section XII**

**Miscellaneous**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Notice of Routine Program Change Request**

The Department of Environmental Protection’s Florida Coastal Office has requested the concurrence of the federal Office of Ocean and Coastal Resource Management (OCRM) of the National Oceanic and Atmospheric Administration (NOAA), in updating the statutory authorities included within the Florida Coastal Management Program (FCMP) as a routine program change. The Department of Environmental Protection has determined that the proposed program changes are a routine program change as defined by 15 CFR 923.84. This routine program change submission will incorporate relevant statutory changes enacted by the Florida Legislature during the 2013 legislative session to statutes included in the Florida Coastal Management Program, including incorporation of Sections 253.0346, 377.2407, 377.2431, 377.2432, 377.2433, 377.2435, 403.7047, and 403.8141, Florida Statutes, as enforceable policies. The routine program change submittal is available at <http://www.dep.state.fl.us/cmp/federal/fedconsv.htm> and describes the nature of the changes as well as identifies the enforceable policies to be added to the management program of

the State if approved. A list of all statutes that make up the FCMP is available at [http://www.dep.state.fl.us/cmp/federal/24\\_statutes.htm](http://www.dep.state.fl.us/cmp/federal/24_statutes.htm).

Staff has evaluated these changes pursuant to 15 CFR 923, Subpart H and concluded that the changes are not amendments to the FCMP. These changes will not result in any substantial change to the enforceable policies or authorities of the FCMP related to uses subject to management, special management areas, boundaries, authorities and organization, or coordination, public involvement and the national interest.

Notice is being provided to the general public and affected parties, including local governments, state agencies, and regional offices of relevant federal agencies as required by 15 CFR 923.84(b)(2). A list of persons and organizations notified is available for inspection or can be provided upon request from the Department contact below.

Pursuant to 15 CFR 923.84, comments on whether the changes constitute a routine program change of the FCMP may be submitted to Joelle Gore, NOAA/OCRM, 1305 East-West Highway, Silver Spring, MD 20910 within 21 days of the date of issuance of this notice.

For more information on this RPC submittal, please contact: Ms. Ann Lazar, Department of Environmental Protection, Florida Coastal Office, 3900 Commonwealth Boulevard, M.S. 235, Tallahassee, FL 32399-3000, (850)245-2168 or [ann.lazar@dep.state.fl.us](mailto:ann.lazar@dep.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).

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

**Notice of Emergency Action**

On February 11, 2014, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Na Li, LMT, license number LMT 71793. This Emergency Restriction 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 HEALTH**

**Board of Nursing**

**Notice of Emergency Action**

On February 11, 2014, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Eric Daniel Jensen, LPN, license number LPN 5193435. This Emergency Restriction 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 HEALTH  
Board of Nursing

Notice of Action

On February 11, 2014, the State Surgeon General issued an Order Lifting Emergency Restriction Order with regard to the license of Dawn Careen Wilkerson, RN, license number RN 9268331. This Emergency Restriction 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, DEO-14-010

DEPARTMENT OF ECONOMIC OPPORTUNITY  
DIVISION OF COMMUNITY DEVELOPMENT

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-010 on February 6, 2014, in response to an application submitted by Strathmore Gate East at Lake St. George Homeowners Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the application met the statutory requirements for covenant revitalization. Accordingly, the Department's Final Order approved the application 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 James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development

Final Order, DEO-13-131-S

DEPARTMENT OF ECONOMIC OPPORTUNITY  
DIVISION OF COMMUNITY DEVELOPMENT

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-13-131-S on February 11, 2014, in response to an application submitted by Sunchase Townhomes Owner's Association, for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the application for Sunchase Townhomes Owner's Association did meet the statutory requirements for covenant revitalization. This order substitutes

for and replaces the Department's previous order DEO-13-131 issued on December 20, 2013, as Sunchase Townhomes timely submitted proof of that the Sunchase Townhomes Owners Association has the authority to enforce the revitalized covenants.

Accordingly, the Department's Final Order approved the application for covenant revitalization.

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

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development

Final Order Nos.: DEO-14-012, DEO-14-013, DEO-14-014

DEPARTMENT OF ECONOMIC OPPORTUNITY  
DIVISION OF COMMUNITY DEVELOPMENT

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order Nos. DEO-14-012, DEO-14-013, and DEO-14-014 on February 11, 2014, in response to applications submitted by Deer Run Homeowners Association #7-A, Inc., Poinciana Place Patio Homes, Inc., and River Landing Homeowners Association, Inc., respectively, for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the applications met the statutory requirements for covenant revitalization. Accordingly, the Department's Final Orders approved the applications for covenant revitalization.

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

CITY OF ARCADIA

City Administrator

Arcadia, Florida, population 7,621. The City of Arcadia is seeking a City Administrator; the position is established by city ordinance and appointed by the Council. A 5- member Council is elected at large on non-partisan basis for staggered 4-year terms. The City is 4 sq. miles. The Historic District listed on the National Register of Historic Places. Arcadia is the only incorporated area within DeSoto County. Serves as the Chief Operating Officer for the daily operations of the City. The City has a \$11.1 M budget, with 88 employees; Provides direction to the public works, sanitation, parks and recreation, water and sewer utilities, police, municipal airport, mobile home park and golf course. The police department operates under the supervision of an elected city marshal with building inspection, animal control, fire protection & ambulance provided through an interlocal agreement with the County. Oversees the management of the day-to-day operations and services of the



City by setting the vision and framework that enable departments to successfully deliver program-base services. Serves as the conduit for successful cross-departmental communications by setting appropriate policies and procedures and through personal consultations with the City Council and department heads. Confers with the Leadership Team to identify solutions that will satisfy the customers' requirements. Position Description available upon request. Minimum Requirements: Bachelor's degree/Master's degree from an accredited college/ university in public administration, business or related field. 7 years progressive experience in municipal or county government. Prefer 5 years minimum experience as a manager or assistant manager. Desire strong generalist with consensus – building skills and ability to communicate effectively with council, public and staff. Upon employment, relocation to the city within twelve (12) months. Salary range: \$60-80,000. Send resume and salary history to: Penny Delaney, City Clerk, 23 N Polk Ave., Arcadia, FL 34266; (863)494-4114. Qualifying questions will be sent to applicants. All materials submitted become public record under Florida public records law/EOE/drug-free workplace. Open till February 28, 2014.

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### Section XIII Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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