

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:**       **RULE TITLE:**  
6A-6.0571       Career and Technical Education and Adult  
                    General Education Standards and Industry-  
                    Driven Benchmarks

**PURPOSE AND EFFECT:** To adopt the secondary and postsecondary career education programs prescribed in Sections 1004.92 and 1011.80, Florida Statutes, and listed as follows: “Agriculture, Food & Natural Resources,” “Architecture & Construction,” “Arts, A/V Technology & Communication,” “Business, Management & Administration,” “Education & Training,” “Energy,” “Finance,” “Government & Public Administration,” “Health Science,” “Hospitality & Tourism,” “Human Services,” “Information Technology,” “Law, Public Safety & Security,” “Manufacturing,” “Marketing, Sales & Service,” “Engineering and Technology Education,” “Transportation, Distribution & Logistics,” and “Additional CTE Programs/Courses,” all of which fall under the umbrella of the “Career and Technical Education Programs, Academic Year 2018-2019.” In addition, to adopt the “Adult General Education Standards and Curriculum Frameworks 2018-2019.”

**SUBJECT AREA TO BE ADDRESSED:** Career and Technical Education and Adult General Education Curriculum Frameworks.

**RULEMAKING AUTHORITY:** 1004.92, FS.

**LAW IMPLEMENTED:** 1004.92, 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:** Kathleen Taylor, Bureau Chief, Division of Career and Adult Education, Florida Department of Education, 325 West Gaines Street, #1554 E, Tallahassee, FL 32399-0400, (850)245-9062. To request a rule development workshop, please contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email [Christian.Emerson@fldoe.org](mailto:Christian.Emerson@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>.

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:** The preliminary text of the proposed rule can be located at <https://app1.fldoe.org/rules/default.aspx>.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:**       **RULE TITLE:**  
64B8-4.009       Applications  
**PURPOSE AND EFFECT:** The Board proposes the development of a rule amendment to incorporate the revised applications into the rule.

**SUBJECT AREA TO BE ADDRESSED:** Incorporation of the revised applications.

**RULEMAKING AUTHORITY:** 456.031, 456.033, 458.309, 458.311, 458.313, 458.3145, 458.3151, 458.345 FS.

**LAW IMPLEMENTED:** 456.013(1), (13), 456.0135, 456.031, 456.033, 456.039, 456.049, 456.50, 456.0635, 458.311, 458.3124, 458.313, 458.3137, 458.3145, 458.315, 458.3151, 458.316, 458.3165, 458.317, 458.320, 458.345, 766.314 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:** Claudia Kemp, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

**RULE NO.:**       **RULE TITLE:**  
65C-15.003       Application and Licensing Study  
**PURPOSE AND EFFECT:** The Department intends to amend rule 65C-15.003, F.A.C., to clarify the licensing requirements for satellite offices.

**SUBJECT AREA TO BE ADDRESSED:** Licensing requirements for satellite offices of child-placing agencies

**RULEMAKING AUTHORITY:** 409.175(5), FS.

**LAW IMPLEMENTED:** 409.175, 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: Jodi Abramowitz. Jodi can be reached at Jodi.abramowitz@myflfamilies.com or (850)717-4470.

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 EDUCATION

#### State Board of Education

RULE NO.: RULE TITLE:  
6A-1.09430 Statewide, Standardized Alternate Assessment Program Requirements

**PURPOSE AND EFFECT:** To establish achievement level standards for reporting student proficiency levels for the Florida Standards Alternate Assessment (FSAA)—Performance Task Civics and U.S. History End-of-Course (EOC) assessments and for the FSAA—Datafolio English Language Arts (ELA), Mathematics, Science, and Social Studies assessments. The amendment will permit student achievement on the statewide, standardized FSAA?Performance Task Social Studies assessments and FSAA?Datafolio assessments to be reported in achievement levels, providing an understanding of individual student strengths or needs, as well as summaries of performance to improve instruction and for use in educational accountability. Once adopted, these performance standards may be used for placement, promotion, retention, and accountability purposes.

**SUMMARY:** Establish achievement level standards for the FSAA—Performance Task Civics and U.S. History assessments and all FSAA—Datafolio assessments.

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule amendment relates only to establishing achievement levels for statewide, standardized alternate assessments; therefore, there is no direct or immediate impact on economic growth, private sector job creation, employment,

or private sector investment. If there is any impact on such economic growth and private sector job creation, the impact would be positive because the establishment of rigorous yet attainable assessment standards positively impacts student outcomes, which, in turn, positively impacts economic growth, private sector job creation, and employment. For the same reasons, though no impact on business competitiveness is anticipated, any impact would be positive. Because the proposed rule relates only to the establishment of achievement levels for statutorily required statewide alternate assessments, it is not likely to increase regulatory costs or require legislative ratification.

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

**RULEMAKING AUTHORITY:** 1001.02, 1008.22, 1008.25, FS.

**LAW IMPLEMENTED:** 1001.02, 1001.11, 1008.22, 1008.25, FS.

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

**DATE AND TIME:** January 17, 2018; 9:00 a.m.

**PLACE:** The Capitol, Room LL03, 400 S. Monroe St., Tallahassee, FL 32399.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Vince Verges, Assistant Deputy Commissioner, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, Florida 32399-0400, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09430 Statewide, Standardized Alternate Assessment Program Requirements.

(1) Definitions. For the purpose of this rule, the following definitions shall apply:

(a) “Achievement level” means the level of content mastery a student has acquired in a particular subject as measured by a statewide, standardized alternate assessment. Achievement levels for the Florida Standards Alternate Assessment (FSAA)—Performance Task range from one (1) through four (4), with level 1 being the lowest achievement level, level 4 being the highest achievement level, and level 3 indicating satisfactory performance on the assessment. Achievement levels for the FSAA—Datafolio range from one (1) to three (3), with level 1 being the lowest achievement level, and level 3 indicating satisfactory performance on the assessment.

(b) “Alternate achievement standards” means state academic content standards that are aligned to grade-level

achievement standards with reduced levels of complexity, designed to provide students with a significant cognitive disability access to the general curriculum.

~~(c)(b)~~ “Baseline year” means the first school year in which an assessment is administered. Achievement levels are established using the results from the baseline year.

~~(d)(e)~~ “Eligible students” means students who are eligible to participate in the statewide, standardized alternate assessment based upon subsection (5) of Rule 6A-1.0943, F.A.C.

(e) “Level of Assistance” (LOA) means the assistance a teacher provides in order for a student participating in the FSAA—Datafolio to meaningfully engage in academic content.

(2) through (c) No change.

~~(d)(e)~~ As appropriate, developed in consultation with teachers and other appropriate professionals and shall be approved by the Commissioner prior to being administered to students.

(3) The alternate assessment program shall include comprehensive assessments in English Language Arts (ELA), Mathematics, Science, ~~Social Studies~~, and Access end-of-course (EOC) assessments.

(a) through (d) No change.

(4) The alternative assessment program is designed for a student with a significant cognitive disability and includes the FSAA—Performance Task and the FSAA—Datafolio assessments. The decisions of whether a student is eligible to participate in the alternative assessment program and whether the student should participate in the FSAA—Performance Task or FSAA—Datafolio assessments is determined by the student’s Individual Educational Plan (IEP) team in accordance with Rule 6A-1.0943, F.A.C.

(a) The FSAA—Performance Task is designed for a student with a significant cognitive disability who can make meaningful independent choices and requires direct instruction based on access points. The FSAA—Performance Task measures a student’s academic performance based on the access points. The four (4) achievement levels are established based on scale scores.

(b) The FSAA—Datafolio is designed for those students with the most significant cognitive disabilities who typically do not have a formal mode of communication and who may be working at pre-academic levels. The FSAA—Datafolio measures a student’s progress toward meeting individualized goals established for the student in two areas: level of assistance and knowledge of access points. A student receives a progress score assigned to each of the three (3) alternate achievement standards assessed in each content area. Progress scores range from zero (0) to five (5).

~~(5)(4)~~ The statewide FSAA—Performance Task alternate assessment program shall be administered as follows:

~~(a) Beginning with the 2015-2016 school year, All~~ eligible students in grades three through ten shall take the ~~FSAA—Performance Task alternate~~ ELA assessment (baseline year 2015-2016).

~~(b) Beginning with the 2015-2016 school year, All~~ eligible students in grades three through eight shall take the ~~FSAA—Performance Task alternate~~ Mathematics assessment (baseline year 2015-2016).

~~(c) Beginning with the 2015-2016 school year, All~~ eligible students in grades five and eight shall take the ~~FSAA—Performance Task alternate~~ Science assessment (baseline year 2015-2016).

~~(d) Beginning with the 2015-2016 school year, All~~ eligible students enrolled in a high school Access Algebra 1 or equivalent course must take the ~~FSAA—Performance Task Access alternate~~ Algebra 1 EOC assessment (baseline year 2015-2016); all eligible students enrolled in a high school Access Biology 1 or equivalent course must take the ~~FSAA—Performance Task Access alternate~~ Biology 1 EOC assessment (baseline year 2015-2016); all eligible students enrolled in a high school Access Geometry or equivalent course must take the ~~FSAA—Performance Task Access the alternate~~ Geometry EOC assessment (baseline year 2015-2016);-

~~(e) Beginning with the 2016-2017 school year, all~~ eligible students enrolled in a high school Access United States History or equivalent course must take the ~~FSAA—Performance Task Access alternate~~ United States History EOC assessment (baseline year 2016-2017);-

~~(f) Beginning with the 2016-2017 school year, and~~ all eligible students enrolled in a middle schools Access Civics education course must take the ~~FSAA—Performance Task Access alternate~~ Civics EOC assessment (baseline year 2016-2017).

~~(e)(g)~~ Provisions shall be made by the Commissioner to permit the test to be administered to home school students and private school students pursuant to Sections 1002.39 and 1002.395, F.S., under conditions which preserve the security of the assessment and require the public school districts to be responsible for the test administration procedures and requirements of Rule 6A-10.042, F.A.C.

(6) The statewide FSAA—Datafolio alternate assessment program shall be administered as follows:

(a) All eligible students in grades three through ten shall take the FSAA—Datafolio ELA assessment (baseline year 2016-2017).

(b) All eligible students in grades three through eight shall take the FSAA—Datafolio Mathematics assessment (baseline year 2016-2017).

(c) All eligible students in grades five and eight shall take the FSAA—Datafolio Science assessment (baseline year 2016-2017).

(d) All eligible students enrolled in a high school Access Algebra 1 or equivalent course must take the FSAA—Datafolio Access Algebra 1 EOC assessment (baseline year 2016-2017); all eligible students enrolled in a high school Access Biology 1 or equivalent course must take the FSAA—Datafolio Access Biology 1 EOC assessment (baseline year 2016-2017); all eligible students enrolled in a high school Access Geometry or equivalent course must take the FSAA—Datafolio Access Geometry EOC assessment (baseline year 2016-2017); all eligible students enrolled in a high school Access United States History or equivalent course must take the FSAA—Datafolio Access United States History EOC assessment (baseline year 2016-2017); and all eligible students enrolled in a middle school Access Civics education course must take the FSAA—Datafolio Access Civics EOC assessment (baseline year 2016-2017).

(e) Provisions shall be made by the Commissioner to permit the test to be administered to home school students and private school students pursuant to Sections 1002.39 and 1002.395, F.S., under conditions which preserve the security of the assessment and require the public school districts to be responsible for the test administration procedures and requirements of Rule 6A-10.042, F.A.C.

(7)(5) Examinee scores on statewide alternate ELA, Mathematics, Science, and EOC assessments shall be reported by the use of achievement levels determined by the baseline year assessment administered according to the schedule established in subsections (4) and (5) of this rule.

(a) The achievement levels for the statewide FSAA—Performance Task alternate assessments are as shown in the following tables:

Statewide FSAA—Performance Task alternate ELA assessment standards (540 to 660) for each achievement level:

Grade	Level 1	Level 2	Level 3	Level 4
11	540-582	583-598	599-617	618-660
12	540-581	582-596	597-617	618-660
13	540-582	583-598	599-617	618-660
14	540-581	582-597	598-617	618-660
15	540-581	582-597	598-613	614-660
16	540-581	582-597	598-619	620-660

Statewide FSAA—Performance Task alternate Mathematics assessment standards (540 to 660) for each achievement level:

Grade	Level 1	Level 2	Level 3	Level 4
11	540-585	586-599	600-616	617-660
12	540-586	587-598	599-617	618-660
13	540-585	586-599	600-616	617-660
14	540-585	586-599	600-616	617-660
15	540-586	587-599	600-616	617-660
16	540-586	587-599	600-616	617-660

Statewide FSAA—Performance Task alternate Science assessment standards (540 to 660) for each achievement level:

Grade	Level 1	Level 2	Level 3	Level 4
11	540-579	580-598	599-615	616-660
12	540-579	580-599	600-618	619-660

(b) The achievement levels for the statewide alternate EOC assessments are as shown in the following tables:

Statewide FSAA—Performance Task Access alternate Algebra 1 EOC assessment standards (725 to 875) for each achievement level:

Level 1	Level 2	Level 3	Level 4
725-773	774-796	797-822	823-875

Statewide FSAA—Performance Task Access alternate Biology 1 EOC assessment standards (725 to 875) for each achievement level:

Level 1	Level 2	Level 3	Level 4
725-772	773-794	795-822	823-875

Statewide FSAA—Performance Task Access alternate Geometry EOC assessment standards (725 to 875) for each achievement level:

Level 1	Level 2	Level 3	Level 4
725-776	777-798	799-826	827-875

Statewide FSAA—Performance Task Access Civics EOC assessment standards (725 to 875) for each achievement level:

Level 1	Level 2	Level 3	Level 4
725-772	773-795	796-817	818-875

Statewide FSAA—Performance Task United States History EOC assessment standards (725 to 875) for each achievement level:

Level 1	Level 2	Level 3	Level 4
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725-777      778-791      792-817      818-875

(b) The achievement levels for the statewide FSAA—Datafolio assessments are as shown below:

Statewide FSAA—Datafolio assessment standards for ELA; Mathematics; Science; and Access Civics, Access Algebra 1, Access Geometry, Access Biology 1, and Access United States History EOC assessments for each achievement level: Level 1: The progress scores for each of the three (3) standards assessed in the content area include a 1 in at least one standard but do not include a 2 or higher on any standard. Level 2: The progress scores for each of the three (3) standards assessed in the content area include at least a 2 in at least one standard. Level 3: The progress scores for each of the three (3) standards in the content area include a 3 or higher in at least two (2) standards.

~~(8)(7)~~ The assessments shall be administered according to a schedule approved by the Commissioner.

Rulemaking Authority 1001.02, 1008.22, 1008.25 FS. Law Implemented 1001.02, 1001.11, 1008.22, 1008.25 FS. History—New 5-3-10, Amended 6-20-17,

NAME OF PERSON ORIGINATING PROPOSED RULE: Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 9, 2017

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-1.09981      RULE TITLE: School and District Accountability

PURPOSE AND EFFECT: The adoption of a learning gains calculation model for the Florida Standards Alternate Assessments in English Language Arts and Mathematics, as well as to bring the rule into compliance with 2017 statutory changes.

SUMMARY: The first change proposed in this rule revision is the adoption of a learning gains calculation model for the FSAs in English Language Arts and Mathematics. The second change proposed is the removal of the Algebra 2 end-of-course assessment from the list of statewide standardized assessments that are included in the school grades calculations. This change includes the removal of references to the previous versions of the alternate assessment and its achievement levels.

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: After analysis of the proposed rule’s potential economic impact, it was determined that the adverse impact or regulating cost, if any, is not expected to exceed the economic analysis criteria set forth in s. 120.541(2)(a), F.S., and will not require legislative ratification. More specifically, the agency intends to implement the proposed rule within its current workload, with existing staff and the proposal does not increase the reporting requirements or any other requirements on districts.

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

RULEMAKING AUTHORITY: 1001.02, 1008.22, 1008.34, 1008.345, FS.

LAW IMPLEMENTED: 1008.22, 1008.34, 1008.345, FS.

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

DATE AND TIME: January 17, 2018, 9:00 a.m.

PLACE: The Capitol, Room LL03, 400 South Monroe St., Tallahassee, FL 32399.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jane Fletcher, Assistant Deputy Commissioner, Office of Accountability and Policy Research, Division of Accountability, Research, and Measurement, Florida Department of Education, 325 West Gaines Street, Suite 514, Tallahassee, Florida 32399-0400, (850)245-0437.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09981 School District Accountability.

(1) Purpose. The purpose of this rule is to provide the definitions and policies for school and district grades accountability systems.

(2) Definitions. For the purpose of this rule, the following definitions shall apply:

(a) “Full-year-enrolled student” means a student who is present for both the second and third period full-time equivalent (FTE) student membership surveys as specified in Rule 6A-1.0451, F.A.C., and who is still enrolled at the time of statewide standardized testing.

(b) “Learning gains” means that the student demonstrates growth from one (1) year to the next year sufficient to meet the

criteria below. Learning gains may be demonstrated in English Language Arts and Mathematics.

1. Students with two (2) consecutive years of valid Florida Standards Assessment scores may demonstrate learning gains in four (4) different ways.

a.1. Students who increase at least one (1) achievement level on the Florida Standards Assessment statewide standardized assessment in the same subject area.

b.2. Students who scored below Achievement Level 3 on the Florida Standards Assessment statewide standardized assessment in the prior year and who advance from one subcategory within Achievement Level 1 or 2 in the prior year to a higher subcategory in the current year in the same subject area. Achievement Level 1 is comprised of three (3) equal subcategories, and Achievement Level 2 is comprised of two (2) equal subcategories. Subcategories are determined by dividing the scale of Achievement Level 1 into three (3) equal parts and dividing the scale of Achievement Level 2 into two (2) equal parts. If the scale range cannot be evenly divided into three (3) equal parts for Achievement Level 1 or into two (2) equal parts for Achievement Level 2, no subcategory may be more than one (1) scale score point larger than the other subcategories; the highest subcategories shall be the smallest.

c.3. Students who score remained at Achievement Level 3 or 4 on the Florida Standards Assessment statewide standardized assessment in the current year and whose scale score is greater in the current year than the prior year in the same subject area. This does not apply to students who scored in a different achievement level in the prior year in the same subject area, and,

d.4. Students who scored at Achievement Level 5 in the prior year on the Florida Standards Assessment statewide standardized assessment and who score in the same Achievement Level in the current year in the same subject area.

2. Students with two (2) consecutive years of valid Florida Standards Alternate Assessment scores may demonstrate learning gains in four (4) different ways.

a. Students who increase at least one (1) achievement level on the Florida Standards Alternate Assessment in the same subject area.

b. Students who scored below Achievement Level 3 on the Florida Standards Alternate Assessment in the prior year and who advance from one subcategory within Achievement Level 1 or 2 in the prior year to a higher subcategory in the current year in the same subject area. Achievement Level 1 is comprised of three (3) equal subcategories, and Achievement Level 2 is comprised of two (2) equal subcategories. Subcategories are determined by dividing the scale of Achievement Level 1 into three (3) equal parts and dividing the scale of Achievement Level 2 into two (2) equal parts. If the scale range cannot be evenly divided into three (3) equal parts

for Achievement Level 1 or into two (2) equal parts for Achievement Level 2, no subcategory may be more than one (1) scale score point larger than the other subcategories; the highest subcategories shall be the smallest.

c. Students who scored at Achievement Level 3 on the Florida Standards Alternate Assessment in the prior year and who maintain the same Achievement Level 3 subcategory or move from the lower subcategory to the higher subcategory. Subcategories are determined by dividing the scale of Achievement Level 3 into two (2) equal parts. If the scale range cannot be evenly divided into two (2) equal parts for Achievement Level 3, then the highest subcategory shall be the smallest.

d. Students who scored at Achievement Level 4 in the prior year on the Florida Standards Alternate Assessment and who score in the same Achievement Level in the current year in the same subject area.

(c) “Passing” means that the student must attain a statewide standardized assessment score of Achievement Level 3 or higher, ~~except for the 2014-15 school year; for the Florida Alternate Assessment, a student must score at Level 4 or higher.~~

(d) through (e) No change.

(f) “Statewide standardized assessments” means the assessments required in Section 1008.22(3), F.S., including the comprehensive statewide assessments, end-of-course assessments, and the ~~alternate assessments Florida Alternate Assessment.~~

(g) “Students in the lowest twenty-five (25) percent” means current year full-year-enrolled students whose prior year assessment scores are in the lowest performing twenty-five (25) percent on the statewide standardized assessments in the subject areas of English Language Arts or Mathematics for each school.

(h) “Subject areas” means the four (4) areas of English Language Arts (English Language Arts in grades 3 through 10), Mathematics (Mathematics in grades 3 through 8, Algebra 1, and Geometry, ~~and Algebra 2~~), Science (Science in grades 5 and 8, and Biology 1), and Social Studies (Civics and U.S. History).

(3) No change.

(4) No change.

(a) School Grading Components for all Schools.

1. English Language Arts Achievement. (100 points) The percentage of full-year-enrolled students who took and passed a statewide standardized assessment for grades 3 through 10 in English Language Arts ~~or the Florida Alternate Assessment in Reading.~~

2. Mathematics Achievement. (100 points)- The percentage of full-year-enrolled students who took and passed the statewide standardized assessment in Mathematics for grades 3 through 8, the statewide standardized end-of-course assessment in Algebra 1 ~~or, Geometry, or Algebra 2, or the Florida~~

~~Alternate Assessment in Mathematics.~~ If a student is enrolled in more than one (1) mathematics course that has an associated statewide standardized assessment, the student's highest score shall be used in the calculation.

3. Science Achievement. (100 points) The percentage of full-year-enrolled students who took and passed the statewide standardized assessment in Science for grades 5 or 8 ~~or~~ the statewide standardized end-of-course assessment in Biology 1; ~~or the Florida Alternate Assessment in Science.~~

4. through 8. No change.

(b) No change.

1. An eligible student for this component is a full-year-enrolled student, who is a current year grade 8 student who scored at or above Achievement Level 3 on the Mathematics statewide standardized assessments in the prior year, or is a full-year-enrolled student in grade 6, 7, or 8, who took a high school level statewide standardized end-of-course assessment or an industry certification examination identified in the industry certification funding list adopted in Rule 6A-6.0573, F.A.C.

2. The middle school component shall be calculated as the percentage of eligible students who passed one (1) or more high school level statewide standardized end-of-course assessments in Algebra 1, Geometry, ~~Algebra 2~~, Biology 1, or U.S. History; or who earned a high school industry certification, identified in the Industry Certification Funding List adopted in Rule 6A-6.0573, F.A.C.

3. For the purpose of calculating the middle school component, a student shall be included no more than once each school grades school year.

(c) School Grading Components for High Schools. The high school grading components shall be calculated for schools comprised of grades 9, 10, 11, and 12 or grades 10, 11, and 12. In addition, if a school includes grades 9, 10, 11, and 12 or grades 10, 11, and 12, with other grade levels, that school shall be included for the high school grading component. In addition, schools comprised of grades 11 and 12 shall be eligible for the high school grading components. High school grades shall include the following components.

1. No change.

2. College and Career Acceleration. (100 points) The percentage of students included as graduates in the graduation rate from subparagraph (4)(c)1. of this rule, who, while in high school, earned the following:

a. A score making them eligible to earn college credit through College Board Advanced Placement (AP) examinations, International Baccalaureate (IB) examinations, or Advanced International Certificate of Education (AICE) examinations according to the requirements of Rule 6A-10.024, F.A.C.;

b. College credit through dual enrollment courses according to the requirements of Rule 6A-14.064, F.A.C.; or

c. Career and Professional Education (CAPE) industry certification or a CAPE acceleration industry certification identified in the Industry Certification Funding List adopted in Rule 6A-6.0573, F.A.C.

3. For the purpose of calculating a school's college and career acceleration component, a student shall be included no more than once.

(d) No change.

(5) No change.

(6) Withholding or Revoking a Grade. Notwithstanding paragraph (3)(a) and subsection (5) of this rule, a school or district grade shall be withheld or revoked, and designated as incomplete, (I), if the data does not accurately represent the progress of the school or district.

(a) The circumstances where data does not accurately represent the progress of a school or district are where:

1. No Change.

2. Before, during, or following the administration of any state assessment, the validity or integrity of the test administration or results are under review and investigation based upon allegations of test administration and security violations as described in Section 1008.24, F.S., or Rule 6A-10.042, F.A.C.

(b) No Change.

(7) through (f) No change.

(g) An appeal shall not be granted under the following circumstances:

1. It was not timely received;

2. It was not submitted by the district superintendent;

3. It would not result in a different grade, if granted; or

4. No change.

(h) In order to ensure that districts have the opportunity to submit and review data upon which grades are calculated, the Department shall annually publish at <http://www.fldoe.org/accountability/accountability-reporting/school-grades/index.shtml> ~~www.schoolgrades.fldoe.org~~, the timeframes and deadlines for these activities. Districts shall be afforded a minimum of fourteen (14) days to submit corrections as a result of the review opportunity set forth in paragraph (7)(c) of this rule.

Rulemaking Authority 1001.02, 1008.22, 1008.34, 1008.345 FS. Law Implemented 1008.22, 1008.34, 1008.345 FS. History—New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, 5-15-06, 6-19-08, 11-26-08, 11-12-09, 6-21-11, 7-16-12, 1-17-13, 5-21-13, 12-3-13, 2-9-16,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

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

DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: December 13, 2017  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: October 30, 2017

## DEPARTMENT OF EDUCATION

### State Board of Education

RULE NO.: RULE TITLE:  
 6A-1.099822 School Improvement Rating for Alternative  
 Schools.

PURPOSE AND EFFECT: The inclusion of concordant scores in the calculations of English Language Arts and Mathematics learning gains to implement 2017 statutory changes to Section 1008.341, F.S., by chapter 2017-116, § 28, Laws of Florida, as well as changes to Section 1008.22, F.S., by chapter 2017-116, §35 Laws of Florida.

SUMMARY: The first change proposed in this rule revision is the inclusion of concordant and comparative scores for students in grades 9 through 12. The second change is the removal of references to the Algebra 2 end-of-course assessment.

#### 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: After analysis of the proposed rule's potential economic impact, it was determined that the adverse impact or regulating cost, if any, is not expected to exceed the economic analysis criteria set forth in s. 120.541(2)(a), F.S., and will not require legislative ratification. More specifically, the agency intends to implement the proposed rule within its current workload, with existing staff and the proposal does not increase the reporting requirements or any other requirements on districts.

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

RULEMAKING AUTHORITY: 1001.02, 1008.34, 1008.341, FS.

LAW IMPLEMENTED: 1008.34, 1008.341, 1008.341, FS.

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

DATE AND TIME: January 17, 2018, 9:00 a.m.

PLACE: The Capitol, Room LL03, 400 South Monroe St. Tallahassee, FL 32399.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jane Fletcher, Assistant Deputy Commissioner, Office of Accountability and Policy Research, Division of Accountability, Research, and Measurement, Florida Department of Education, 325 West Gaines Street, Suite 514, Tallahassee, Florida 32399-0400, (850)245-0437.

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

6A-1.099822 School Improvement Rating for Alternative Schools.

(1) through (2)(b) No change.

(c) "Learning gains" means learning gains calculated based on the provisions of Rule 6A-1.09981, F.A.C., except retake assessments for the statewide standardized end-of-course and grade 10 English Language Arts assessments shall be included in the calculation when first-time statewide standardized assessments are not available for a student. For grades 9 through 12, "first-time" designates an assessment that is administered to a student for the first time during enrollment in high school (grades 9 through 12). In addition, concordant and comparison scores as identified in Rule 6A-1.094223, F.A.C., may be used to demonstrate learning gains for students in grades 9 through 12 who scored at Achievement Levels 1 or 2 in the prior year in the same subject area.

(3) School Improvement Rating Framework.

(a) through (c) No change.

(d) To ensure that student data accurately represent school performance, schools shall assess at least eighty (80) percent of their eligible students to qualify for a school improvement rating. If ~~a an alternative~~ school tests less than ninety (90) percent of its students, the school may not earn a rating higher than Maintaining.

(e) No change.

(f) ~~A An alternative~~ school shall receive a rating based solely on the components for which it has sufficient data to perform the calculation. Sufficient data exists when at least ten (10) students are eligible for inclusion in the calculation of the component. If a school does not have sufficient data to calculate a measure, that measure shall not be calculated for the school. If ~~a an alternative~~ school does not have sufficient data to receive a rating for three (3) consecutive years, then in the third year the ~~alternative~~ school will receive a rating based on the most recent three (3) years of data.

(4) School Improvement Rating System.

(a) No change.

1. Learning gains in English Language Arts. The percentage of students enrolled in the second or third period full-time equivalent (FTE) student membership surveys as



specified in Rule 6A-1.0451, F.A.C., and were tested, who demonstrate learning gains in English Language Arts as defined in paragraph 6A-1.09981(2)(b), F.A.C.

2. Learning gains in Mathematics. The percentage of students enrolled in the second or third period full-time equivalent (FTE) student membership surveys as specified in Rule 6A-1.0451, F.A.C., and were tested, who demonstrate learning gains in Mathematics (on the statewide standardized Mathematics assessment for grades 3 through 8, Algebra 1 ~~and~~ Geometry, ~~and Algebra 2~~), as defined in paragraph 6A-1.09981(2)(b), F.A.C.

(b) Procedures for calculating school improvement ratings.

1. The overall school improvement rating of Commendable, Maintaining, or Unsatisfactory as designated in Section 1008.341(2), F.S., shall be calculated based on the percentage of possible points earned by each school for the components applicable to the individual school. In the calculation of the school's improvement rating, 100 points are available for each component with sufficient data, with one (1) point earned for each percentage of students meeting the criteria for the component. The points earned for each component shall be expressed as whole numbers by rounding the percentages. Percentages with a value of 0.5 or greater will be rounded up to the nearest whole number, and percentages with a value of less than 0.5 will be rounded down to the nearest whole number. The school's improvement rating is determined by summing the earned points for each component and dividing this sum by the total number of available points for all components with sufficient data. The percentage resulting from this calculation shall be expressed as a whole number using the rounding convention described in this subparagraph.

2. No change.

(5) Notwithstanding paragraph (3)(c) of this rule, the provisions of subsections 6A-1.09981(6) and (7), F.A.C., shall apply to school improvement ratings except that the provisions of subparagraphs (6)(a)1. and (7)(f)2., regarding the percent of students tested at the school, is applicable when the percent of students tested at the school is less than eighty (80) percent of the school's eligible student population.

Rulemaking Authority 1001.02, 1008.34, 1008.341, FS. Law Implemented 1008.34, 1008.341, 1008.345 FS. History—New 4-14-08, Amended 6-22-09, 4-8-12, 11-13-12, 11-19-13, 10-30-16.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 30, 2017

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-1.099828  
 RULE TITLE: School Accountability for Exceptional Student Education (ESE) Center Schools

PURPOSE AND EFFECT: To define an emergent score on the alternate assessment so that it is consistent with 2017 changes to SBE Rule 6A-1.09430, F.A.C., and is defined as below a satisfactory score.

SUMMARY: The change proposed in this rule revision is the defining of the "emergent" level by referencing the new Florida Standards Alternate Assessments and the new achievement levels.

**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: After analysis of the proposed rule's potential economic impact, it was determined that the adverse impact or regulating cost, if any, is not expected to exceed the economic analysis criteria set forth in s. 120.541(2)(a), F.S., and will not require legislative ratification. More specifically, the agency intends to implement the proposed rule within its current workload, with existing staff and the proposal does not increase the reporting requirements or any other requirements on districts.

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

RULEMAKING AUTHORITY: 1001.02, 1008.34, 1008.341, 1008.3415, FS.

LAW IMPLEMENTED: 1008.34, 1008.341, 1008.3415, FS.

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

DATE AND TIME: January 17, 2018, 9:00 a.m.

PLACE: The Capitol, Room LL03, 400 South Monroe St., Tallahassee, FL 32399.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jane Fletcher, Assistant Deputy Commissioner, Office of Accountability and Policy Research,

Division of Accountability, Research, and Measurement, Florida Department of Education, 325 West Gaines Street, Suite 514, Tallahassee, Florida 32399-0400, (850)245-0437.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099828 School Accountability for Exceptional Student Education (ESE) Center Schools.

(1) through (2) No change.

(a) “Emergent” means a student who scores at Level 1 ~~or 2 or 3~~ on the Florida Standards Alternative Assessments as set out in Rule 6A-1.09430, F.A.C.

(b) “Exceptional Student Education (ESE) Center School” means, for accountability purposes, a school specifically designed to meet the needs of students with disabilities, that has a unique master school identification number assigned under Rule 6A-1.0016 ~~6A-1.0014~~, F.A.C., and in which all students in attendance in grades K-12 are identified as students with a disability on student demographic records submitted by Florida school districts during the October (Survey 2) FTE reporting period as specified in Rule 6A-1.0451, F.A.C.; and a special day school as defined in Rule 6A-6.0311, F.A.C., where all students in attendance in K-12 are students with disabilities as indicated in Section 1007.02, F.S.

(c) No change.

(3) No change.

(4) An ESE center school shall have the option of earning a school grade, pursuant to Section 1008.34, F.S., and Rule 6A-1.09981, F.A.C., or a school improvement rating, pursuant to Section 1008.341, F.S., and Rule 6A-1.099822, F.A.C.

(5) through (6) No change.

Rulemaking Authority 1001.02(1), (2), 1008.34, 1008.341, 1008.3415 FS. Law Implemented 1008.34, 1008.341, 1008.3415 FS. History—New 12-3-13.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 30, 2017

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-1.0998271 Florida Schools of Hope

PURPOSE AND EFFECT: This new rule is necessary for the implementation and administration of the Schools of Hope

program established in s. 1002.333, Florida Statutes. The rule will establish the process and criteria for non-profit charter school operators to apply to the State Board of Education for the initial Hope Operator designation. Additionally, the rule will establish and incorporate a Notice of Intent form, Performance-Based Agreement form and Application for Hope Operator Designation form, as required in s. 1002.333, Florida Statutes, and describe the process to establish a School of Hope. SUMMARY: During the 2017 legislative session, Section 1002.333, Florida Statutes, was enacted thus allowing for the establishment and operation of Schools of Hope in the areas of persistently low-performing public schools. The statute directs the Department of Education to adopt rules to implement the section of law and to develop and adopt standard forms to be used. The proposed rule will adopt and incorporate the following forms: Form SOH1- Application for Hope Operator Designation; Form SOH2- Notice of Intent; and Form SOH3- Performance Based-Agreement.

**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: This new rule will not have an impact on transactional costs, regulatory costs or other factors set forth in Section 120.541(2), Florida Statutes, which are used to determine whether a SERC is needed and whether legislative ratification will be required.

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: 1002.333(12), FS.

LAW IMPLEMENTED: 1002.333, Florida Statutes.

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

DATE AND TIME: January 17, 2018, 9:00 a.m.

PLACE: The Capitol, Room LL03, 400 South Monroe St., Tallahassee, FL 32399.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cathy Russell, Education Policy Analyst, Department of Education, 325 West Gaines Street, Suite 1044, Tallahassee, FL, 32399, 850.245-0502, Cathy.Russell@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0998271 Schools of Hope.

(1) Definitions: For the purpose of this rule, the following definitions apply.

(a) "Department" means the Florida Department of Education.

(b) "Entity" means a non-profit organization with tax exempt status under s. 501(c)(3) of the Internal Revenue Code that operates three (3) or more public charter schools that serve students in grades K-12 in Florida or other states with a record of serving students from low-income families.

(c) "Charter School Growth Fund" means the non-profit entity Charter Fund Inc., dba Charter School Growth Fund, whose federal employer identification number is 05-0620063.

(d) "National Fund" means the fund established in 2005 by the Charter School Growth Fund to accelerate the growth of the nation's best charter schools.

(e) "Hope Operator" means an entity that has been designated by the State Board of Education as a Hope Operator pursuant to s. 1002.333(2), Florida Statutes.

(2) Process for designation as a Hope Operator.

(a) An entity may apply to the State Board of Education to request the Hope Operator designation.

(b) Until such time as the State Board of Education adopts measurable criteria pursuant to s. 1002.333(2)(a), F.S., an entity may be designated as a Hope Operator if it meets at least one of the following criteria:

1. The entity was awarded a United States Department of Education Charter School Program grant for the Replication and Expansion of High-Quality Charter Schools pursuant to Title IV, Part C of the Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act (20 U.S.C. 7221-7221j) within the preceding three (3) years from the date the entity submits an application to the Department.

2. The entity has a current and active grant award for funding through the National Fund of the Charter School Growth Fund.

3. The entity is a non-profit charter school that is selected by a district school board to turnaround the performance of a low-performing public school pursuant to s. 1008.33, Florida Statutes.

(c) An entity requesting the Hope Operator designation must complete and submit form SOH1, Application for Hope Operator Designation, hereby incorporated by reference (DOS link) effective February 2018, and all required supporting documentation identified in form SOH1, to the Department at the address in subsection (8) of this rule. Form SOH1 may be obtained electronically on the Department of Education's website at <http://www.floridaschoolschoice.org> or from the

Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(d) Upon receipt of the Application for Hope Operator Designation, the Department shall review and verify the information and may request additional information necessary for verification purposes. The Department shall provide written notice to the entity indicating the status of the application and the date of the State Board of Education meeting at which the State Board will consider the application.

(e) Upon the State Board of Education voting to designate the entity as a Hope Operator, the Department shall provide official notice to the entity of such designation. If the Application for Hope Operator Designation is denied, the State Board of Education shall articulate in writing the specific reasons supporting its denial of the application and shall provide the letter of denial to the entity.

(3) Establishing a School of Hope. An entity that has been designated as a Hope Operator pursuant to s. 1002.333(2), F.S. and subsection (2) of this rule may establish a School of Hope in the attendance zone or within a five (5) mile radius of a school identified as a persistently low-performing public school pursuant to s. 1002.333, F.S. The School of Hope must be located in the same school district as the Notice of Intent is filed. To establish a School of Hope, the Hope Operator must:

(a) Complete form SOH2, School of Hope Notice of Intent (DOS link), hereby incorporated by reference and effective February 2018.

(b) Complete the designated sections of form SOH3, School of Hope Performance-based Agreement (PBA) (DOS link), hereby incorporated by reference and effective February 2018. The designated sections of form SOH3, School of Hope Performance-based Agreement, which are to be completed by the Hope Operator, are shaded and marked with brackets. Forms SOH2 and SOH3 may be obtained electronically on the Department of Education's website at <http://www.floridaschoolschoice.org> or from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(c) Submit the completed Notice of Intent and School of Hope Performance-based Agreement forms to the Superintendent of the school district in which the persistently low-performing school has been identified by the Department. The forms shall be either hand delivered or sent certified mail with a return receipt requested. The entity shall provide a copy of the completed forms to the Department at the same time they are submitted to the Superintendent. The forms may be provided to the Department electronically or via regular mail at the address in subsection (8) of this rule.

(d) Within ten (10) days of receipt of the Notice of Intent and School of Hope Performance-based Agreement forms, the school district shall notify the Hope Operator of any errors or omissions in the notice and PBA and afford the Hope Operator ten (10) days to complete and resubmit the forms. Errors or omission of an element by a Hope Operator shall not provide a school district any relief from its obligation to enter a Performance-based Agreement unless identified as provided in this paragraph.

(e) Upon receipt of the Notice of Intent and PBA as provided in paragraph (d), the school district shall send the Hope Operator and the Department a notice of the date of receipt, which shall serve as the date when the sixty-day period to enter into a School of Hope Performance-based Agreement begins.

(4) Performance-Based Agreement. Upon receipt of a complete Notice of Intent and draft School of Hope Performance-based Agreement form from an entity that has been designated by the State Board of Education as a Hope Operator, the District shall enter into a performance-based agreement with the entity within sixty (60) days to open one or more public Schools of Hope to serve students from persistently low-performing schools.

(a) If the District proposes revisions to the Performance-based Agreement submitted by the Hope Operator, it shall indicate such proposed revisions with strike-through text for proposed deletions and underlined text for proposed additions. All proposed revisions must be consistent with the requirement in s. 1002.333(5), Florida Statutes.

(b) Upon execution of the performance-based agreement, the District shall provide a copy of the agreement to the entity and to the Department within ten (10) days.

(c) If the District fails to enter into a performance-based agreement with the Hope Operator within sixty (60) days, unless extended by agreement of the parties, the district shall reduce the administrative fees withheld pursuant to s. 1002.33(20), Florida Statutes, as directed by s.1002.333(8), Florida Statutes.

(d) The Hope Operator or school district may petition the State Board of Education for dispute resolution if the parties fail to enter into a PBA at least sixty (60) days after submission of the Notice of Intent pursuant to paragraph (5)(a), of this rule.

(e) The performance-based agreement may be amended if both parties mutually agree to the amended terms. The amended performance-based agreement must include the signatures of both parties.

(5) Dispute resolution between school districts and hope operators. Either of the parties may petition the Commissioner for referral of the dispute to the special magistrate, pursuant to s. 1002.333(11), Florida Statutes.

(a) A petition under this subsection shall specifically identify the parties involved in the dispute and describe the issues that remain to be resolved in relation to the performance-based agreement required by s. 1002.333(5), Florida Statutes, and the position of the petitioning party on the disputed issues. The Commissioner shall refer the matter to a special magistrate and advise the school district and the hope operator of the special magistrate's contact information by overnight mail. A non-petitioning party may submit a response to the petition to the special magistrate which must be received by the special magistrate within five (5) days of referral. The special magistrate shall enter an initial order detailing applicable procedures for conduct of the proceeding and the final hearing.

(b) The final hearing in a proceeding under this subsection shall be held in a location determined by the special magistrate. The Department shall record the meeting but, if any party desires that the proceedings be transcribed, that party will be responsible for making the necessary arrangements at its own expense.

(c) Within fifteen (15) days after the close of the final hearing, the special magistrate shall provide his or her recommended decision to the State Board of Education.

(d) The special magistrate shall submit the entire record from the final hearing to the State Board of Education which shall include the recording of the final hearing and any exhibits or evidence admitted during the final hearing.

(e) The State Board of Education must approve or reject the recommended decision at its next regular meeting that is more than seven (7) days from the transmission of the recommended order.

(6) The State Board shall not contract directly with a Hope Operator under s. 1002.333(11)(d), Florida Statutes, until receiving a recommendation from the special magistrate.

(7) This rule does not create a legal right to a performance based agreement with the State Board of Education.

(8) Forms or documentation submitted to the Department should be submitted electronically to HopeSchools@fldoe.org or mailed to the Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida, 32399.

Rulemaking Authority 1002.333(12) F.S. Law Implemented 1002.333, F.S. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Adam Miller, Executive Director, Office of Independent Education and Parental Choice.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: October 20, 2017

## DEPARTMENT OF EDUCATION

### State Board of Education

RULE NO.: RULE TITLE:  
6A-10.040 Basic Skills Requirements for Postsecondary  
Career and Technical Certificate Education

PURPOSE AND EFFECT: To update the License Exemptions for CTE Programs List for the 2017-18 academic year, add a new assessment instrument, add an expiration date to an existing assessment instrument and delete an instrument that is no longer reportable to the state. There is also a change to language to replace a specific exam title with the current exam referenced in rule.

SUMMARY: The State Board of Education is required by statute to adopt, by rule, standards of basic skill mastery for students completing career and technical certificate programs of 450 hours or more. Students enrolling in career and technical certificate programs must complete an entry-level exam within the first six weeks after admission to the program, and if necessary, the school district or Florida college institution offering the program must provide basic skills instruction. The statute provides exemptions for students holding certain credentials.

#### 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: This amendment provides more flexibility in assessments available and is not expected to have any impact on the factors found in section 120.541(2)(a), F.S., and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(1), 1004.91(1), FS.

LAW IMPLEMENTED: 1004.91, FS.

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

DATE AND TIME: January 17, 2018 at 9:00 a.m.

PLACE: The Capitol, LL 03, 400 S. Monroe St., Tallahassee, FL 32399.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Taylor, Bureau Chief, Standards, Benchmarks and Frameworks, Division of Career and Adult Education, 325 West Gaines Street, Room 714, Tallahassee, Florida 32399-0400, Phone: (850)245-9062, FAX: (850)245-9065.

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

6A-10.040 Basic Skills Requirements for Postsecondary Career and Technical Certificate Education.

(1) No change.

(a) Tests of Adult Basic Education (TABE), Complete Battery or Survey Form, Forms 9 and 10, 2003: expires 12/31/2018;

(b) Tests of Adult Basic Education (TABE), Forms 11 and 12, 2017 Postsecondary Education Readiness Test (P.E.R.T.);

(c) A common placement test where a minimum score has been achieved pursuant to Rule 6A-10.0315, F.A.C.:

(d) ~~(e)~~ Wonderlic Basic Skills Test (WBST), 1994;

(d) ~~Wonderlic General Assessment of Instructional Needs (GAIN), 2007-2008.~~

(e) 2014 GED® Tests: Reasoning through Language Arts and Mathematical Reasoning where a minimum score as required in Rule 6A-6.0201 ~~6A-6.021~~, F.A.C., has been attained on each test.

(2) through (3) No change.

(4) After a student completes the remediation prescribed for basic skills deficiencies, the student shall be retested using an alternative form (if possible) of the same examination that was used for initial testing. No student shall be awarded a career and technical certificate of completion until the student achieves the minimum level of basic skills required for that program by the Department of Education. An adult with a disability as defined in Section 1004.02(6)(7), F.S., may be exempted from meeting the career basic skills grade levels required for completion of the career and technical education program. Each school district and Florida college institution must adopt a policy addressing procedures for exempting eligible adults with disabilities from the basic skills exit requirements as permitted in Section 1004.91(3), F.S.

(5) through (8)(b) No change.

(c) A student who passes a state, national or industry certification or licensure examination that is identified in the list entitled "2017-2018 ~~2016-2017~~ Basic Skills Licensure Exemption List"

([http://www.fldoe.org/core/fileparse.php/5652/urlt/2017-18-License-exempt\\_CTE\\_programs.rtf](http://www.fldoe.org/core/fileparse.php/5652/urlt/2017-18-License-exempt_CTE_programs.rtf))

(<http://www.fldoe.org/core/fileparse.php/5652/urlt/2016-17->

~~License exempt CTE programs.rtf~~, which is incorporated by reference herein. The Basic Skills Licensure Exemption List may be requested from the Department of Education, Division of Career and Adult Education, 325 West Gaines Street, Tallahassee, FL 32399-0400.

(d) No change.

Rulemaking Authority 1001.02(1), 1004.91(1) FS. Law Implemented 1004.91 FS. History—New 10-8-85, Formerly 6A-10.40, Amended 5-2-89, 9-5-93, 11-25-97, 1-24-99, 4-26-06, 7-21-08, 5-18-14, 8-26-15, 6-23-16.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rod Duckworth, Chancellor, Division of Career and Adult Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 30, 2017

**DEPARTMENT OF CITRUS**

RULE NO.: RULE TITLE:

20-69.002 Requirements for Use of Imported Products  
PURPOSE AND EFFECT: To remove the requirement for additive testing being performed on processed products by USDA and to remove the statement regarding the maturity of fruit processed outside Florida.

SUMMARY: Additive testing for imports and verifying fruit maturity for fruit processed outside Florida.

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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: 601.10(1), (7), 601.11 FS.

LAW IMPLEMENTED: 601.10(7), 601.11, 601.155 FS.

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

DATE AND TIME: Wednesday, January 17, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 E Main St, Bartow, FL 33830

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: Dianne Screws, (863)537-3984, DScrews@citrus.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, Legal Assistant, Florida Department of Citrus, P O Box 9010, Bartow, Florida 33831-9010 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-69.002 Requirements for Use of Imported Products.

(1) Processed citrus products, in any form, processed in other areas and imported into Florida, may be reprocessed, blended, mixed or repackaged only if each and every shipment or lot of such product is accompanied by:

(a) A certificate of inspection, issued by an inspector licensed or recognized by the United States Department of Agriculture or the Florida Department of Agriculture pursuant to s. 601.49 and 601.51, F.S., and

(b) A signed statement issued by a duly authorized representative of the licensed citrus fruit dealer (Dealer's Statement for Importing Citrus Products (CIT/DSR/8)) who intends to reprocess the imported citrus product.

(2) The certificate of inspection shall affirmatively show:

(a) That the imported product satisfied every requirement of the U.S. Food and Drug Administration, Ch. 20 F.A.C., and every applicable U.S. Grade Standards, with respect to fitness for human consumption and freedom from foreign materials, and

(b) In the Grade Statement portion of the certificate, that the product "MEETS REQUIREMENTS OF CHAPTER 20-69, F.A.C."

(3) If the imported product is not accompanied by a USDA certificate at the time the dealer receives it, prior to use, it must be sampled and inspected by the USDA, Specialty Crop Inspection (SCI), Winter Haven Field Office, or Florida Department of Agriculture and shall affirmatively show:

(a) That the imported product satisfied every requirement of the U.S. Food and Drug Administration, Ch. 20 F.A.C., and

applicable U.S. Grade Standards, with respect to fitness for human consumption and freedom from foreign materials, and

(b) In the Grade Statement portion of the certificate, that the product "MEETS REQUIREMENTS OF CHAPTER 20-69, F.A.C."

(4) The signed Dealer Statement for Importing Citrus Products shall affirmatively show that the imported citrus product meets the following requirements:

(a) That the imported product is free of additives of any kind as defined by the Florida Statutes, and

(b) That the imported product meets all requirements of Chapter 20-69, F.A.C.

(5) All processed citrus products containing imported product shall be subject to all provisions of the Florida Statutes and Ch. 20, F.A.C., relating to grading and inspection, which are applicable to Florida citrus products.

Processed citrus products, in any form, processed in other areas and imported into Florida, may be reprocessed, blended, mixed or repackaged only under the following conditions:

(1) A certificate of inspection, issued by an inspector licensed or recognized by the United States Department of Agriculture, and a signed statement issued by a duly authorized representative of the licensed citrus fruit dealer who intends to reprocess the imported citrus product, shall accompany each and every shipment or lot of such product.

(a) The certificate of inspection shall affirmatively show:

1. That the imported product satisfied every requirement of the U.S. Food and Drug Administration, Department of Citrus rules, the Florida Statutes and applicable U.S. Grade Standards, with respect to fitness for human consumption and freedom from foreign materials, and

2. In the Grade Statement portion of the certificate, that the product "MEETS REQUIREMENTS OF FLORIDA DEPARTMENT OF CITRUS RULE CHAPTER 20 69."

(b) The signed dealer statement shall affirmatively show that the imported citrus product meets the following requirements:

1. That the fruit from which the product was produced met the minimum maturity requirements as set forth in Florida Statutes and Department of Citrus rules, except that there shall be no requirement as to minimum acid, and

2. That the imported product is free of additives of any kind as defined by the Florida Statutes, and has a sodium value less than 50 ppm when calculated at a reconstituted degree Brix and in a manner prescribed in Section 6.18.1 through 6.18.3 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993, and paragraph (6) of this section and

3. That the imported product meets all requirements of Florida Department of Citrus rule chapter 20 69.

(c) If accompanied by a USDA certificate in accordance with section 20 69.002(a) sampling and inspection by the

USDA shall be limited to additives as defined by the Florida Statutes.

(2) If the product is not accompanied by a USDA certificate and signed dealer statement in accordance with subsection 20-69.002(1) of this section, the imported product, prior to use, must be sampled and inspected by the USDA, Processed Products Branch, Winter Haven Field Office, and certified as follows:

(a) That the imported product meets all requirements of the U.S. Food and Drug Administration, and the Florida Statutes, and all applicable U.S. Grade Standards with respect to fitness for human consumption and freedom from foreign materials, and that the imported product is free of additives of any kind as defined by Florida Statutes.

(b) The Grade Statement portion of the certificate, shall state: "MEETS REQUIREMENTS OF FLORIDA DEPARTMENT OF CITRUS RULE CHAPTER 20 69."

(3) If the product is not accompanied by a signed dealer statement in accordance with subsection 20 69.002(1) of this section, a statement issued and signed by a duly authorized representative of the licensed citrus fruit dealer who intends to reprocess the imported product must be filed with the USDA which affirmatively verifies that:

(a) The fruit from which the product was produced met the minimum maturity requirements as set forth in Florida Statutes and Department of Citrus rules, except that there shall be no requirement as to minimum acid, and

(b) That the imported product is free of additives of any kind as defined by the Florida Statutes, and has a sodium value less than 50 ppm when calculated at a reconstituted degree Brix and in a manner prescribed in Section 6.18.1 through 6.18.3 of the Citrus Handbook issued by the United States Department of Agriculture, March 1993, and paragraph (6) of this section, and

(c) That the imported product meets all requirements of Florida Department of Citrus rule chapter 20 69.

(4) All processed citrus products containing imported product, shall be subject to all provisions of the Florida Statutes and Department of Citrus rules relating to grading and inspection, which are applicable to Florida citrus products.

(5) Prior to product being tested a "lot" shall be defined in a manner as defined in 7 CFR Part 52.2, September 1986. No lot of imported citrus product failing to meet the requirements of this rule shall be reprocessed in any manner, or blended with any other citrus product.

(6) Retesting of Failed Lots:

(a) Where lots of imported processed citrus products are found to exceed the maximum sodium levels prescribed by this chapter, at the request of the processor, such product may be retested, provided product has not been co-mingled with other lots of citrus products.

~~(b) Retesting of lots will be sampled and tested by individual containers and passage or failure will be determined by averaging of all analysis.~~

~~(c) In the event passing product is co-mingled with product that has failed, all such co-mingled product shall be~~

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.155 FS. History--Formerly 105-1.27(2), Amended 1-1-75, 3-16-80, Formerly 20-69.02, Amended 6-9-91, 1-19-93, 10-15-95, 6-8-97, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Elliott Mitchell, General Counsel

**NAME OF AGENCY HEAD WHO APPROVED THE**

PROPOSED RULE: Florida Citrus Commission

**DATE PROPOSED RULE APPROVED BY AGENCY**

HEAD: October 25, 2017

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT**

PUBLISHED IN FAR: October 27, 2017

**FLORIDA HOUSING FINANCE CORPORATION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
67-49.0005	General Provisions
67-49.001	Definitions
67-49.002	Procurement of Commodities or Contractual Services
67-49.003	Withdrawal of a Competitive Solicitation
67-49.0031	Emergency Purchases
67-49.0032	Single Source
67-49.004	Modification of Terms of a Competitive Solicitation
67-49.005	Responsibility of Bidders
67-49.007	Evaluation of Responses
67-49.011	Nonresponsive Bids
67-49.012	Contract Administrator and Managers
67-49.013	Contracts; Terms, Amendments, Renewals

**PURPOSE AND EFFECT:** The purpose of this Rule Chapter is to establish the procedures by which the Florida Housing Finance Corporation will procure commodities and contractual services, and to specify which portions of part I of Chapter 287, F.S., are applicable.

**SUMMARY:** The rule chapter is being amended to clarify terms, eliminate unnecessary definitions, and revise some sections to be consistent with state agencies. Emergency purchase provisions are being separated from single source purchases. A new rule is created in order to set forth certain general provisions that apply to the entire rule chapter. The Corporation is specifically exempting itself from certain training requirements that are unavailable to it.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly

regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is not likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. The rule is not likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. In addition, the rule is not likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. 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.

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:** 420.507(12) FS.

**LAW IMPLEMENTED:** 420.507(13), (27) 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**DATE AND TIME:** January 9, 2018 at 11:00 a.m.

**PLACE:** Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor Seltzer Room, Tallahassee, FL 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jenny Marshall, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 500, Tallahassee, FL 32301, email Jenny.Marshall@floridahousing.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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Jenny Marshall, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 500,



Tallahassee, FL 32301, email  
Jenny.Marshall@floridahousing.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

67-49.0005 General Provisions.

(1) Section 420.507(27), F.S., authorizes the Corporation to establish procedures and practices to implement the purchase and procurement of materials and services for use by the Corporation. Except as provided below, the provisions of part I of Chapter 287, F.S., apply to such purchases unless a different or additional procedure or practice is set forth in this Chapter.

(a) Subsections 287.057(14), (16), and (22), F.S.

(b) Section 287.0571, F.S.

(c) Section 287.059, F.S.

(d) Section 287.063, F.S.

(e) Section 287.064, F.S.

(2) Interested parties that wish to protest the terms of any competitive solicitation issued pursuant to this rule chapter may only do so pursuant to the procedures set forth in Section 120.57(3), F.S., and Chapter 28-110, F.A.C.

(3) This Chapter does not apply to any competitive solicitation issued through any Corporation program to allocate or award funding for the construction, rehabilitation, preservation, or purchase of affordable housing.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History—New

67-49.001 Definitions.

As used in this rule, the term:

(1) through (3) No change.

~~(4) “Competitive Sealed Bids” or “Competitive Sealed Proposals” refers to the receipt of two or more sealed bids or proposals submitted by responsive Bidders or Offerors.~~

~~(4)(5) “Competitive Solicitation” or “Solicitation” means any Request for Proposals, Request for Qualifications, Invitation to Bid, Invitation to Negotiate, or other process of requesting and receiving two or more sealed bids, proposals, or replies in accordance with the terms of a competitive process, regardless of the method of procurement, including any publication or transmission by electronic means.~~

~~(6) “Contractor” means a person or entity who enters into a written contract to sell commodities or provide contractual services to the Corporation.~~

~~(5)(7) “Contractual Service” means the rendering by a contractor of its time, skill and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors, and such services may include: evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training~~

programs; research and development studies or reports on the findings of consultants engaged there under; and professional, technical, and social services.

~~(6)(8) No change~~

~~(9) “Days” means calendar days unless otherwise specified.~~

~~(10) “FAR” means the Florida Administrative Register. All references to FAR in this rule chapter shall also be read to include any other written or electronic publication or information delivery system designated by Florida Statute or by rule of the Florida Department of State or Florida Department of Management Services as an acceptable alternative means of publication.~~

~~(11) “Good Purchasing Practices” means obtaining at least two (2) written quotations or making a written record of at least two quotes obtained verbally, including the name and address of the company and amount quoted, for Contractual Services or Commodities that exceed five thousand (\$5,000) and are not available through a vendor under a contract negotiated by the Florida Department of Management Services. If the Corporation does not obtain at least two (2) quotations, the Corporation shall document as to why they were not obtained.~~

~~(7)(12) “Invitation to Bid” means a written solicitation requesting competitive sealed bids specifically defining the commodity, service, group of commodities or group of services for which bids are sought. It includes instructions prescribing all conditions for bidding and shall be available to all prospective Bidders simultaneously.~~

~~(8)(13) No change~~

~~(14) “Minority Business Enterprise” has the same definition as in Section 288.703, F.S.~~

~~(9)(15) “Minor Irregularity” means a variation from a mandatory term or condition of a competitive solicitation that does not materially affect the price of the Commodity or Contractual Service, or give the Bidder or Offeror an advantage or benefit not enjoyed by other Bidders or Offerors, and does not adversely impact the interests of the Corporation or the public.~~

~~(10)(16) “Publication,” means the publishing or posting of notice regarding solicitations, decisions or intended decisions, or other matters relating to procurement under this rule, on the Corporation Website section designated for this purpose,~~

~~(11)(17) “Publication Date” means the date on which the Corporation publishes the notice of the availability of the competitive solicitation on the Corporation Website and in the FAR. For purposes of Section 120.57(3), F.S., publication occurs at the time and on the date the notice is posted on the Corporation Website.~~

~~(18) “Request for Proposals” means a written solicitation requesting competitive sealed proposals. The Request for Proposals is used when the Corporation is incapable of~~

~~specifically defining the scope of work for which the commodity, group of commodities or contractual service is required and when the corporation is requesting that a qualified Offeror propose a commodity, group of commodities or contractual service to meet the specifications of the solicitation document. The Request for Proposals includes general information, applicable laws and rules, functional or general specifications, statement of work, proposal instructions and evaluation criteria.~~

~~(12)(19)~~ “Request for Qualifications” means a written solicitation requesting competitive sealed qualifications. The Request for Qualifications is used ~~utilized~~ when the Corporation does not have a specific immediate need for a particular service, but desires to have qualified individuals or firms under contract that ~~which~~ can be assigned duties as the need arises over a period of time. The Request for Qualifications includes general information, applicable laws and rules, functional or general specifications, statement of work, instructions and evaluation criteria.

~~(13)(20)~~ “Response” means the written submission by a Bidder ~~or Offeror~~ addressing a competitive solicitation.

~~(21)~~ “Valid Emergency” means a circumstance caused by an ~~unexpected turn of events beyond the control of the Corporation involving the security, integrity or the financial status of the Corporation; or involving public health, welfare, safety, injury or loss.~~

~~(14)(22)~~ No change  
 Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History—New 1-31-99, Amended 3-12-02, 9-14-03, 2-24-14, \_\_\_\_\_.

67-49.002 Procurement of Commodities or Contractual Services.

(1)(a) When the purchase price of a commodity or contractual service does not exceed ~~thirty five thousand dollars~~ (\$35,000) in any 12-month period ~~fiscal year~~, including all delivery costs and administrative costs, then the Corporation may proceed with the procurement of commodities or contractual services without a competitive solicitation. In these instances, but the Corporation must obtain at least two written quotations or make a written record of at least two quotes obtained verbally, including the name and address of the company and amount quoted, for Contractual Services or Commodities that exceed \$15,000 and are not available through a vendor under a contract negotiated by the Florida Department of Management Services. If the Corporation does not obtain at least two quotations, the Corporation shall document why they were not obtained use Good Purchasing Practices.

(b) When the purchase price of Ceommodities or Cecontractual Sservices exceeds or is estimated to exceed ~~thirty five thousand dollars~~ (\$35,000), in any ~~twelve~~ (12) month

period, purchases of these Ceommodities or Cecontractual Sservices, except as otherwise provided in subsections 67-49.002(4) and (5), F.A.C., must be made pursuant to a competitive solicitation.

~~(2)~~ Public notice of any competitive solicitation shall be given in advance of the due date of the Responses as provided herein to permit Bidders and Offerors to prepare and submit Responses in a timely fashion. Notice shall include, at a minimum, ~~publication in the FAR.~~

~~(2)(3)~~(a). The Corporation shall post any competitive solicitation on its Website ~~not later than the publication of the FAR notice.~~ There will be a minimum of 7 ~~fourteen~~ (14) days between the publication date of the notice ~~in FAR~~ and the due date of the responses. The competitive solicitation shall describe the Ceommodities or Sservices, and require prices, fees, or both to be stated in the Response, and include the contract period(s).

(b) For those contracts that are subject to renewal, the contract award shall include an evaluation of offers or bids for the entire initial contract period, ~~including the renewals(s).~~ Pricing for any optional renewal periods may be negotiated at the time of renewal.

~~(3)(4)~~ The purchase of Ceommodities or Cecontractual Sservices are exempt from competitive solicitation if the Corporation purchases such services or commodities from a vendor under a contract negotiated and executed by the Florida Department of Management Services.

~~(4)(5)~~ The following Cecontractual Sservices and Ceommodities are not subject to the competitive sealed response bid requirements of paragraph (1)(b):

- (a) through (d) No change
- (e) Services or Ceommodities provided by governmental entities, including, but not limited to, Florida State Universities and State Colleges, or by any independent, nonprofit college or university which is accredited by the Southern Association of Colleges and Schools and is located within the state.
- (f) No change.

~~(6) This rule does not apply to any competitive solicitation issued through any corporation program to allocate or award funding for the construction, rehabilitation, preservation, or purchase of affordable housing.~~

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History—New 1-31-99, Amended 3-12-02, 9-14-03, 2-24-14, \_\_\_\_\_.

67-49.003 Withdrawal of a Competitive Solicitation.

(1) The Corporation may withdraw any competitive solicitation at any time prior to the due date of the Responses when the withdrawal is determined by the Executive Director to be in the best interest of the Corporation or the public. Notice

of such determination shall be posted on the Corporation's Website and published in the next available FAR.

(2) Any Bidder or Offeror may request to withdraw its Response, in writing, at any time prior to a vote by the Corporation's Board of Directors regarding any Responses received.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History--New 1-31-99, Amended 3-12-02, 9-14-03, 2-24-14, \_\_\_\_\_.

67-49.0031 Emergency Purchases; ~~Single Source~~.

(1) The Corporation's Executive Director may waive any requirement of this rule and permit emergency purchases of commodities and contractual services where a ~~valid~~ Emergency exists and is documented in writing. Any circumstance caused by an unexpected turn of events beyond the control of the Corporation involving the security, integrity or the financial status of the Corporation, or involving public health, welfare, safety, injury or loss, shall be construed as a valid emergency.

~~(2) The Board may exempt commodities or contractual services from competitive solicitation requirements upon a determination by the executive director that such commodities or services are most readily available from a single source or that the best interests of the Corporation or the public are served by obtaining such commodities or services from a single source. Upon such determination, the Corporation shall electronically post a description of such commodities or services for at least seven (7) business days, including a request that prospective vendors provide information regarding their ability to supply the described commodities or contractual services sought. If the executive director, after reviewing any information received from prospective vendors, determines that the commodities or contractual services are practically available only from a single source, the Corporation shall provide notice of its intended decision to enter a single source purchase contract in the manner specified in Section 120.57(3), F.S.~~

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History--New 3-12-02, Repromulgated 9-14-03, Amended 2-24-14, \_\_\_\_\_.

67-49.0032 Single Source Purchases.

(1) For purchases estimated not to exceed \$35,000 in a 12-month period, the Executive Director shall exempt Commodities and Contractual Services from the requirements set forth in paragraph 67-49.002(1)(a), F.A.C., upon a determination that such Commodities or Services are most readily available from a single source or that the best interest of the Corporation or the public are served by obtaining such Commodities or Services from a single source.

(2) Upon a determination by the Executive Director that Commodities or Contractual Services that are otherwise

required to be purchased through a competitive solicitation are most readily available from a single source, or that the best interests of the Corporation or the public are served by obtaining such Commodities or Services from a single source, the Corporation shall electronically post a description of such Commodities or Services for at least 7 business days, including a request that prospective vendors provide information regarding their ability to supply the described commodities or contractual services sought. If the Executive Director, after reviewing any information received from prospective vendors, determines that the Commodities or Contractual Services are practically available only from a single source, or that the best interests of the Corporation or the public will be served by obtaining such Commodities or Services from a single source, the Board may exempt such Commodities or Contractual Services from competitive solicitation requirements. The Corporation shall provide notice of the Board's decision to enter a single-source purchase contract.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History--New \_\_\_\_\_.

67-49.004 Modification of Terms of a Competitive Solicitation.

(1) The Corporation may modify the terms of a competitive solicitation at any point prior to the due date of the Responses. A notice of modification will be posted on the Corporation's Website and ~~sent to all Bidders and Offerors by facsimile or email.~~ Any Bidder or Offeror shall have at least ~~seven (7)~~ days from the date of the posting of the notice of the modification to submit or modify its Response.

(2) Any Bidder or Offeror may modify its Response at any time prior to the Response deadline.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History--New 1-31-99, Amended 3-12-02, 9-14-03, 2-24-14, \_\_\_\_\_.

67-49.005 Responsibility of Bidders and Offerors.

The failure of a Bidder or Offeror to supply required information in connection with a competitive solicitation shall constitute nonresponsiveness with respect to its Response. If a determination of nonresponsiveness is made by the Corporation, the Response will not be considered.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History--New 1-31-99, Amended 3-12-02, Repromulgated 9-14-03, Amended 3-11-14, \_\_\_\_\_.

67-49.007 Evaluation of Responses.

(1) Notwithstanding the provisions set forth in Section 287.057, F.S., relating to the composition of review committees, the Corporation shall establish a review committee composed only of employees of the Corporation to evaluate Responses to appropriate competitive solicitation

types, and shall provide their conclusions findings, recommendations, or both to the Board of Directors of the Corporation.

(2) Notwithstanding the provisions set forth in Section 287.057, F.S. relating to the persons conducting negotiations, the Corporation shall appoint persons to conduct negotiations for appropriate competitive solicitation types. Negotiators and review committee members shall not be required to be Florida Certified Contract Negotiators or Project Management Professionals.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History—New 1-31-99, Amended 3-12-02, Repromulgated 9-14-03, Amended 2-24-14, \_\_\_\_\_.

67-49.011 Nonresponsive Bids.

If not more than one responsive Bid, Proposal, or Response to any competitive solicitation is received, the Corporation shall negotiate for the Ceommodities or Sservices sought, on the best terms and conditions. The Corporation shall document the reasons that such action is in the best interest of the Corporation in lieu of resoliciting.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History—New 9-14-03, Amended 2-24-14, \_\_\_\_\_.

67-49.012 Contract Administrator and Managers Manager

(1) The Corporation will designate at least one employee as a contract administrator who will ~~contract manager~~ shall be responsible for preparing solicitations for publication, for publishing notice of solicitations, review committee meetings, and board awards, preparing drafts of contracts, maintaining contract files, ~~financial information, and a tracking system on all contractual services contracts~~, and serving as liaison with the contractor for solicitations and contracts under this rule.

(2) For each contract, the Corporation will designate at least one employee as a contract manager who will be responsible for enforcing performance of the contract terms and conditions and serve as a liasion with the contractor.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History—New 9-14-03, Amended 2-24-14, \_\_\_\_\_.

67-49.013 Contracts; Terms, Amendments, Renewals.

(1) Each contract shall embody all provisions and conditions of the procurement including at a minimum:

(a) No change.

(b) Requirements that travel expense bills or reimbursements not exceed the maximums provided in Sections 112.061(6) and (7), F.S.;

(c) through (e) No change.

(2) through (3) No change.

(4) Contracts shall be executed by the Eexecutive Ddirector or a designee.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(13), (27) FS. History—New 2-24-14, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jenny Marshall, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 500, Tallahassee, FL 32301, (850)488-4197

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Bernard Smith, Chairman of the Board, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 10, 2017

### Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-404.103  
RULE TITLE: Mental Health Services - Definitions  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 211, October 31, 2017 issue of the Florida Administrative Register has been withdrawn.

### Section IV Emergency Rules

**DEPARTMENT OF CITRUS**

RULE NO.: 20ER17-4  
RULE TITLE: Grapefruit: 2017-2018 Maturity Standards - Processed

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: 120.54(4)(b), Florida Statutes, states that those rules pertaining to perishable agricultural commodities shall be included in the definition of rules relating to the public health, safety, or welfare.

Due to adverse growing conditions over the last 10 years due to Huanglongbing (“HLB” or “Greening”) disease significant amounts of the Florida grapefruit crop in the 2017-2018 season will have a minimum ratio of total soluble solids to anhydrous citric acid below the eight to one, seven to one, and six and one-half to one as well as the minimum brix of 7 established in rule. The unexpectedly chilly weather has exacerbated this issue, causing the fruit to mature at a lower brix and solids to acid ratio than is normal at this time of year. The inability to utilize this

fruit would cause economic waste by allowing good and safe food to be ruled immature.

After taking testimony and discussing the matter at a telephonic meeting and hearing in Bartow, Florida on December 14, 2017 the Florida Citrus Commission found that there exist unusual weather conditions which could cause a substantial portion of the grapefruit crop to fail maturity requirements. They voted unanimously to adopt Emergency Rule 20ER17-4, lowering the minimum ratio of total soluble solids to anhydrous citric acid and the minimum Brix requirement for grapefruit for processing for the period of December 15, 2017 through April 14, 2018, both dates inclusive.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Adequate notice procedures were used by the Department of Citrus to inform the public and the Florida citrus industry of the pending adoption of Emergency Rule 20ER17-4 adjusting the minimum ratio of total soluble solids to anhydrous citric acid requirement for grapefruit for processing, in that notice was made via email of the emergency rulemaking to take place at the December 14, 2017 meeting to members of the Florida Citrus Commission, all industry organizations, the Florida Press Corps and other interested persons.

SUMMARY: Emergency rule 20ER17-4 lowering the minimum ratio of total soluble solids to anhydrous citric acid and the minimum Brix requirement for grapefruit for processing for the period beginning December 15, 2017 through April 14, 2018, both dates inclusive.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Alice P. Wiggins, Legal Assistant, Florida Department of Citrus, P O Box 9010, Bartow, Florida 33831-9010 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE EMERGENCY RULE IS:

20ER17-4 Grapefruit: 2017-2018 Maturity Standards - Processed  
For the period beginning December 15, 2017 through April 14, 2018, both dates inclusive, the minimum ratio of total soluble solids to anhydrous Citric acid shall be not less than six to one, with a minimum Brix of 6.5, with no minimum juice requirement.  
Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History—New 12-15-17.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

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

### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District  
 NOTICE IS HEREBY GIVEN that on December 8, 2017, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: Hillsborough River Mitigation Bank, LLC  
 Rule No.: 62-342.700

Nature of the rule for which variance or waiver is sought:  
 Variance from the stated financial requirements set forth in Section 373.4136, Florida Statutes, and subsection 62-342.700(1), Florida Administrative Code, for financial responsibility for the perpetual management of the Hillsborough River Mitigation Bank–Phase 3 under application number 749018 in Hillsborough County, Florida.

The Petition has been assigned tracking No. 2017062.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christopher Tumminia, 7601 US Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, ext. 4658, chris.tumminia@swfwmd.state.fl.us. Any interested person or other agency may submit written comments within fourteen (14) days after the publication of this notice. A2017062-1.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on December 8, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Brookdale Assisted Living at 2400 Crystal Cove Ln, Destin, FL. Petitioner seeks a variance of the requirements of ASME A17.1, Sections 2.2.2.3, 2.2.2.4, and 2.2.2.5, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires a drain and sump pump in the pit which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-215).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on December 8, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 20 West Adams at 20 West Adams Street, Jacksonville, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 106.1(3) as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires a sump pump which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-216).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 14, 2017, the Florida Department of Business and Professional Regulation, 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 Lazo Empanadas Florida LCC located in Oakland Park. 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 a nearby establishment under a different ownership for use by customers only.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

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 December 5, 2017 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 Ron's New York Deli located in Zephyrhills. 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 a nearby establishment under a different ownership for use by customers only.

The Petition for this variance was published in Vol. 43, No. 234, F.A.R., on December 6, 2017. The Order for this Petition was signed and approved on December 14, 2017. 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 Abraham's Quik Mart (Irshad Oil Inc.), 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 that directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Ron's New York Deli (Ronald L. Brown) and/or Abraham's Quik Mart (Irshad Oil Inc.) changes, an updated signed agreement for use of the bathroom facilities will be required immediately.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety

hereby gives notice:

On December 14, 2017, the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from Sunset Harbour, filed October 24, 2017, and advertised on October 26, 2017 in Vol.43, No. 208, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, A.S.M.E. A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires providing fire fighter service because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2017-193).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On December 14, 2017, the Division issued an order. The Final Order was in response to a Petition for a permanent Variance from Broadstone City Center, filed November 3, 2017, and advertised on November 14, 2017 in Vol.43, No. 220, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.1.5, A.S.M.E. A17.1b, 2009 edition, and Rule 2.15.9.2, A.S.M.E. A17.1b, 2009 edition., as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires that the pit be 5 feet deep, and are seeking permission to use a retractable toe guard for the existing 4 foot pit because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2017-204).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On November 29, 2017 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Magic Bistro Inc. located in Tampa. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 43/230 on November 30, 2017. The Order for this Petition was signed and approved on December 14, 2017. 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 wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink and the three compartment sink is provided with hot and cold running water under pressure, and that the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Criminal Justice Standards and Training Commission, Region VI, Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 17,2018, 10:00 a.m.

PLACE: College of Central Florida, Klein Century Center, Room 101, 3001 SW College Rd, Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To establish the 2018-19 Operating Budget and review the 2017-18 expenditures to date.

A copy of the agenda may be obtained by contacting: College of Central Florida, Attention: Dawn Gonsalves, 3001 SW College Road, Ocala, FL 34474

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Local Emergency Planning Committee (LEPC), Chairpersons and Staff Contacts for the State Emergency Response Commission for Hazardous Materials announces a public meeting to which all persons are invited.

DATE AND TIME: January 16, 2018, 1:30 p.m.

PLACE: The Plaza Resort & Spa, Vista Del Mar Conference Room, 600 North Atlantic Avenue, Daytona Beach, Florida 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committee in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

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: Division of Emergency Management at (850)413-9970. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The State Emergency Response Commission for Hazardous Materials (SERC) announces a public meeting to which all persons are invited.

DATE AND TIME: January 17, 2018, 10:00 a.m.

PLACE: The Plaza Resort & Spa, Vista Del Mar Conference Room, 600 North Atlantic Avenue, Daytona Beach, Florida 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

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: Division of Emergency Management at (850)413-9970. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The State Emergency Response Commission for Hazardous Materials Training Task Force (TTF) announces a public meeting to which all persons are invited.

DATE AND TIME: January 16, 2018, 9:30 a.m.

PLACE: The Plaza Resort & Spa, Vista Del Mar Conference Room, 600 North Atlantic Avenue, Daytona Beach, Florida 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Training Task Force and other hazardous materials training issues.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

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: Division of Emergency Management at (850)413-9970. 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 MANAGEMENT SERVICES

Personnel Management System

RULE NO.: RULE TITLE:

60L-40.002 Equal Employment Opportunity and Affirmative Action

The Department of Management Services announces a hearing to which all persons are invited.

DATE AND TIME: March 20, 2018, 9:00 a.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Suite 101, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Notice of Proposed Rule which provided amendments to the



rule that implements Chapter 2016-3, Laws of Florida; creates or revises provisions regarding affirmative action planning; and adds language regarding voluntary self-identification of individuals who have a disability.

A copy of the agenda may be obtained by contacting: Martina Rogers at [Martina.Rogers@dms.myflorida.com](mailto:Martina.Rogers@dms.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Martina Rogers at

[Martina.Rogers@dms.myflorida.com](mailto:Martina.Rogers@dms.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Martina Rogers at [Martina.Rogers@dms.myflorida.com](mailto:Martina.Rogers@dms.myflorida.com).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 11, 2018, 9:00 a.m.

PLACE: Telephone conference; call 1(888) 909-7654, enter pass code 128126 when prompted

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will address official business of the Florida Mobile Home Relocation Corporation which will include, among other matters, a review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use and such other business as may come before the Board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting Vicky Krentz at 1(888)862-7010.

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: Vicky Krentz at 1(888)862-7010. 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 Vicky Krentz, Executive Director, FMHRC, PO Box 7848, Clearwater, FL, 33758, 1(888)862-7010, [vicky@fmhrc.org](mailto:vicky@fmhrc.org).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: December 19, 2017; 9:00 a.m.

PLACE: SW Florida Water Management District Office. Board Room 2379 Broad Street Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Announcing a joint Technical Meeting for the Basin Management Action Plans (BMAP) for Weeki Wachee Spring and River and Homosassa/Chassahowitzka. Topic of discussion will be load reductions and project status for the Springs Coast BMAPs. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs).

A copy of the agenda may be obtained by contacting: Terry Hansen, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, [terry.hansen@dep.state.fl.us](mailto:terry.hansen@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 hours before the workshop/meeting by contacting Terry Hansen at (850)245-8561. 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 Terry Hansen, (850)245-8561.

**DEPARTMENT OF HEALTH**

The Department of Health IRB announces a public meeting to which all persons are invited.

DATE AND TIME: January 3, 2018, 9:00 a.m.

PLACE: 1(888)670-3525, participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, [Rotanya.Bryan@flhealth.gov](mailto:Rotanya.Bryan@flhealth.gov), (850)558-9628.

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: Rotanya Bryan, [Rotanya.Bryan@flhealth.gov](mailto:Rotanya.Bryan@flhealth.gov), (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 17, 2018, 1:30 p.m.

PLACE: 1(888)670-3525, participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 7, 2018, 9:00 a.m.

PLACE: 1(888)670-3525, participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 21, 2017, 1:30 p.m.

PLACE: 1(888)670-3525, participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 7, 2018, 9:00 a.m.

PLACE: 1(888)670-3525, participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 21, 2018, 1:30 p.m.

PLACE: 1(888)670-3525, participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 4, 2018, 9:00 a.m.

PLACE: 1(888)670-3525, participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 18, 2018, 1:30 p.m.

PLACE: 1(888)670-3525, participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 2, 2018, 9:00 a.m.

PLACE: 1(888)670-3525, participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

National Council on Compensation Insurance

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

The Board of Chiropractic Medicine announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 5, 2018, 12:30 p.m.

PLACE: Conference call number: 1(888)670-3525, participant code: 7342425515

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure.

A copy of the agenda may be obtained by contacting: <http://floridaschiropracticmedicine.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: Anthony.Spivey@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).

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: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces public meetings to which all persons are invited.

DATES AND TIMES: February 6, 2018, 1:30 p.m.; February 7, 2018, 9:00 a.m.

PLACE: Hilton University of Florida Conference Center, 1714 SW 34th Street, Gainesville, Florida 31607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business meeting involving discussion and actions regarding current and proposed legislation.

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292. 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: C. Erica White, Executive Director, (850)245-4292.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces public meetings to which all persons are invited.

DATES AND TIMES: February 6, 2018, 1:30 p.m.; February 7, 2018, 9:00 a.m.

PLACE: Hilton University of Florida Conference Center, 1714 SW 34th Street, Gainesville, Florida 31607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business meeting involving discussion and actions regarding current and proposed legislation.

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292. 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: C. Erica White, Executive Director, (850)245-4292.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2018, 1:30 p.m. – April 4, 2018, 9:00 a.m.

PLACE: FAMU College of Pharmacy, 1415 S. Martin Luther King, Jr. Blvd., New Pharmacy Building, Room 103 Tallahassee, Florida 32307, (850)561-2514

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business and disciplinary matters.

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292. 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: C. Erica White, Executive Director, (850)245-4292.

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DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2018, 1:30 p.m. – June 13, 2018, 9:00 a.m.

PLACE: Mission Inn Resort & Club, 10400 County Road 48, Howey-in-the-Hills, Florida 34737, 1(800)-874-9053

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public meeting.

A copy of the agenda may be obtained by contacting C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292. 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: C. Erica White, Executive Director, (850)245-4292.

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DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: August 7, 2018, 1:30 p.m. – August 8, 2018, 9:00 a.m.

PLACE: Tampa, Florida; location TBA

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business and disciplinary matters.

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292. 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: C. Erica White, Executive Director, (850)245-4292.

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DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2018, 1:30 p.m. – October 3, 2018, 9:00 a.m.

PLACE: Ft. Lauderdale, Florida; location TBA

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business and disciplinary matters.

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292. 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: C. Erica White, Executive Director, (850)245-4292.

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DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2018, 1:30 p.m. – December 12, 2018, 9:00 a.m.

PLACE: Orlando, Florida; location TBA

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General board business and disciplinary matters.

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292.

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#### DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 18, 2018, 9:00 a.m.

PLACE: Telephone conference: 1(888)670-3525, participant code: 5134896685

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Review of those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: the Board of Pharmacy at (850)245-4292.

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: the Board of Pharmacy at (850)245-4292. 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: the Board of Pharmacy at (850)245-4292.

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#### FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Board of Governors announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 27, 2017, 10:00 a.m.

PLACE: Dial-in number: 1(877) 208-7023, participant code: 3858114850

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors of the Florida Medical Malpractice Joint Underwriting Association will call an interim Board meeting to discuss 2018 Strategies.

A copy of the agenda may be obtained by contacting: frankie@fmmjua.org or calling (850)385-8114.

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: frankie@fmmjua.org or calling (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

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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: Monday, January 8, 2018, 10:00 a.m. (CORRECTION TO DATE posted in Volume 43, No. 234, F.A.R.)

MEETING: Finance Committee

PLACE: 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308; call-in number 1(888)670-3525, participant code 5073148497

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business of Committees or the Council

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at jenny@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308 (850)488-5624, or toll-free 1(877)822-1993.

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.

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**NATIONAL COUNCIL ON COMPENSATION INSURANCE**

The Florida Workers Compensation Appeals Board announces a public meeting to which all persons are invited.

DATE AND TIME: January 23, 2018, 1:00 p.m.

PLACE: Courtyard Marriott Tallahassee Capital, 1018 Apalachee Pkwy, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workers Compensation premium disputes.

A copy of the agenda may be obtained by contacting: no agenda prior to the meeting.

**FLORIDA DEVELOPMENT FINANCE CORPORATION**

The Board of Directors for the Florida Development Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 18, 2017, 10:00 a.m. – 12:00 Noon

PLACE: BBVA Compass, Community Room - 1st Floor, 10060 Skinner Lake Drive, Jacksonville, FL 32246

GENERAL SUBJECT MATTER TO BE CONSIDERED: This emergency public meeting will discuss the following:

- Update on Brightline Passenger Rail Project – North Segment and Supplemental Authorization of \$1,150,000,000 Surface Transportation Facility Revenue Bonds for such Segment to be placed in escrow.

A copy of the agenda may be obtained by contacting: Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658.

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: Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658. 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: Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658.

**QUEST CORPORATION OF AMERICA, INC.**

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

DATE AND TIME: January 16, 2018, 5:30 p.m. – 7:30 p.m.

PLACE: The American Legion Department of Florida, 1912A Lee Road, Orlando, Florida 32810

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 239496-3.

Project Description: State Road 423 (John Young Parkway) widening from State Road 50 to Shader Road.

This is a construction project to widen John Young Parkway from four to six lanes. The limits of the project are from State Road 50 (West Colonial Drive) to Shader Road. Other improvements include curb and gutter, drainage system improvements, two new ponds, sidewalks, lighting, signing and pavement markings, intelligent transportation system (ITS) improvements and signals.

A copy of the agenda may be obtained by contacting: N/A – Informal Open House.

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 Shemir Wiles, Public Information Coordinator, (321)319-8130, Shemir.Wiles@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Carlton Daley, FDOT Project Manager, (321)319-8129 or Carlton.Daley@dot.state.fl.us.

**Section VII**

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

NONE

**Section VIII**

**Notice of Petitions and Dispositions Regarding the Validity of Rules**

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filed 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**

**REGIONAL PLANNING COUNCILS**

Apalachee Regional Planning Council  
 RFQ Jefferson CTC

Request for Letters of Interest and Qualifications  
 For the Community Transportation Coordinator  
 Under the Transportation Disadvantaged Program  
 In the Service Area of Jefferson County, Florida

The Apalachee Regional Planning Council is seeking qualifications from entities interested in serving as the Community Transportation Coordinator (CTC) for Jefferson County, Florida. The selected entity will be recommended to the Florida Commission for the Transportation Disadvantaged (CTD). If approved by the CTD, the selected contractor will coordinate the administration and operation of the Jefferson County Transportation Disadvantaged system, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2, Florida Administrative Code, beginning July 1, 2018.

Interested entities are required to provide the following as proof of qualifications:

- Description of organization;
- Proposed local organizational chart;
- Coordination experience;
- Proposed scheduling and routing software to be used;
- Description of experience with vehicle acquisition and a list of vehicles to be used (if applicable);
- Description of experience with grant applications and administration;
- Proof of insurability;
- Credit references;
- A current financial statement;
- The company's Federal Employer Identification Number, and

A statement that the company is registered to do business in Florida.

Interested entities should submit one (1) original and five (5) copies of their expression of interest and qualifications in a sealed envelope to the Apalachee Regional Planning Council, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303 by 5:00 p.m. Eastern Time on Friday, January 5, 2018. The envelope must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR JEFFERSON COUNTY CTC." Faxed and emailed responses WILL NOT be accepted. Responses received after the deadline will not be considered and the interested entities will be notified. Only responses to the request for letters of interest will be considered if a request for proposals is issued for the CTC.

Questions should be addressed to: Mr. Kwentin Eastberg, TD Program Coordinator, Apalachee Regional Planning Council, at the address listed above. The Apalachee Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the service area and the State.

**REGIONAL PLANNING COUNCILS**

Apalachee Regional Planning Council  
 RFQ Jackson CTC

Request for Letters of Interest and Qualifications  
 For the Community Transportation Coordinator  
 Under the Transportation Disadvantaged Program  
 In the Service Area of Jackson County, Florida

The Apalachee Regional Planning Council is seeking qualifications from entities interested in serving as the Community Transportation Coordinator (CTC) for Jackson County, Florida. The selected entity will be recommended to the Florida Commission for the Transportation Disadvantaged (CTD). If approved by the CTD, the selected contractor will coordinate the administration and operation of the Jackson County Transportation Disadvantaged system, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2, Florida Administrative Code, beginning July 1, 2018.

Interested entities are required to provide the following as proof of qualifications:

- Description of organization;
- Proposed local organizational chart;
- Coordination experience;
- Proposed scheduling and routing software to be used;
- Description of experience with vehicle acquisition and a list of vehicles to be used (if applicable);
- Description of experience with grant applications and administration;
- Proof of insurability;
- Credit references;
- A current financial statement;
- The company's Federal Employer Identification Number; and



A statement that the company is registered to do business in Florida.

Interested entities should submit one (1) original and five (5) copies of their expression of interest and qualifications in a sealed envelope to the Apalachee Regional Planning Council, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303 by 5:00 p.m. Eastern Time on Friday, January 5, 2018. The envelope must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR JACKSON COUNTY CTC." Faxed and emailed responses WILL NOT be accepted. Responses received after the deadline will not be considered and the interested entities will be notified. Only responses to the request for letters of interest will be considered if a request for proposals is issued for the CTC.

Questions should be addressed to: Mr. Kwentin Eastberg, TD Program Coordinator, Apalachee Regional Planning Council, at the address listed above. The Apalachee Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the service area and the State.

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Friday, December 8, 2017 and 3:00 p.m., Thursday, December 14, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
6A-1.09422	12/12/2017	1/1/2018
6A-5.066	12/12/2017	1/1/2018
6A-6.0786	12/12/2017	1/1/2018
6M-4.700	12/8/2017	12/28/2017
6M-8.602	12/8/2017	12/28/2017
6M-8.605	12/8/2017	12/28/2017
61-11.008	12/12/2017	1/1/2018
61C-5.0015	12/11/2017	12/31/2017
61E1-3.001	12/12/2017	1/1/2018

61E14-6.001	12/7/2017	12/27/2017
61D-11.001	12/13/2017	1/2/2018
61D-11.002	12/13/2017	1/2/2018
61D-11.0021	12/13/2017	1/2/2018
61D-11.0025	12/13/2017	1/2/2018
61D-11.003	12/13/2017	1/2/2018
61D-11.004	12/13/2017	1/2/2018
61D-11.005	12/13/2017	1/2/2018
61D-11.006	12/13/2017	1/2/2018
61D-11.007	12/13/2017	1/2/2018
61D-11.009	12/13/2017	1/2/2018
61D-11.012	12/13/2017	1/2/2018
61D-11.013	12/13/2017	1/2/2018
61D-11.014	12/13/2017	1/2/2018
61D-11.0175	12/13/2017	1/2/2018
61D-11.018	12/13/2017	1/2/2018
61D-11.019	12/13/2017	1/2/2018
61D-11.025	12/13/2017	1/2/2018
61D-11.0275	12/13/2017	1/2/2018
61D-11.0279	12/13/2017	1/2/2018
61G7-5.006	12/8/2017	12/28/2017
61G15-19.0051	12/11/2017	12/31/2017
61G15-22.006	12/13/2017	1/2/2018
61J1-4.008	12/14/2017	1/3/2018
61J1-9.001	12/11/2017	12/31/2017
64B7-30.006	12/11/2017	12/31/2017
64B7-32.001	12/11/2017	12/31/2017
64B7-32.002	12/11/2017	12/31/2017
64B7-32.005	12/11/2017	12/31/2017
64F-1.001	12/11/2017	12/31/2017
65C-14.003	12/13/2017	1/2/2018
65C-14.010	12/13/2017	1/2/2018

65C-16.021	12/13/2017	1/2/2018
69U-135.101	12/13/2017	1/2/2018
69U-135.102	12/13/2017	1/2/2018
69U-135.103	12/13/2017	1/2/2018
69U-140.004	12/13/2017	1/2/2018
69U-140.022	12/13/2017	1/2/2018
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
40C-2.101	8/2/2017	**/**/*****
60FF1-5.009	7/21/2016	**/**/*****
64B8-10.003	12/9/2015	**/**/*****

EXECUTIVE OFFICE OF THE GOVERNOR  
 Division of Emergency Management  
 STATE OF FLORIDA  
 DIVISION OF EMERGENCY MANAGEMENT  
 In re:  
 SUSPENSION OF STATUTES, RULES DEM  
 NO. 0005\_  
 AND ORDERS, MADE NECESSARY  
 BY HURRICANE MARIA  
 EMERGENCY ORDER

I hereby find that the Division of Emergency Management’s (“Division”) timely execution of the mitigation, response, and recovery aspects of the State’s emergency management plan, as it relates to the Hurricane Maria, is negatively impacted by the application of certain regulatory statutes prescribing the procedures for the conduct of state business as well as by certain orders and rules of this agency.

Therefore, pursuant to the authority granted by Executive Order No. 17-259, I hereby suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay necessary action by the Division in coping with this emergency.

By its express terms, this Order suspends any statute, rule, or order if: (1) strict compliance with the statute, rule, or order (as unsuspended) would in any way prevent, hinder, or delay any mitigation, response, or recovery action undertaken by the Division; and, (2) such action is necessary to cope with this emergency. The suspension includes, but is not limited to, any and all statutes, rules, or orders that affect budgeting, leasing,

printing, purchasing, travel, conditions of employment, and the compensation of employees.

Because section 252.36(5)(a), Florida Statutes, allows the Governor to suspend the provisions of “any regulatory statute prescribing the procedures for [the] conduct of state business”, and because Executive Order No. 17-259 designates the Director of the Division of Emergency Management as the State Coordinating Officer for this emergency, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to this Order.

The effective dates of this Order shall correspond with the effective dates of Executive Order No. 17-259.

Executed this 8th day of December, 2017, in Tallahassee, Leon County, Florida.

FLORIDA DIVISION OF  
EMERGENCY MANAGEMENT

Wesley Maul  
 \_\_\_\_\_  
 Wesley Maul, Interim Director  
 2555 Shumard Oak Blvd.  
 Tallahassee, Florida 32399

Filed on this date, with the designated Division Clerk, receipt of which is hereby acknowledged.

Judi Crosby  
 \_\_\_\_\_  
 Division Clerk

Date: December 8, 2017

A copy of the Emergency Order may be obtained by contacting the Agency Clerk at the Division of Emergency Management, Southwood State Office Complex, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

**DEPARTMENT OF ELDER AFFAIRS**  
 Federal Aging Programs  
 Renewal of Rule 58AER17-1 Procedures Regarding Emergency Environmental Control for Assisted Living Facilities

The Department of Elder Affairs hereby provides notice of renewal of Emergency Rule 58AER17-1, Procedures Regarding Emergency Environmental Control for Assisted Living Facilities, as adopted on September 16, 2017, and noticed in Volume 43, Number 180 issue of the Florida Administrative Register on September 18, 2017. On November 14, 2017, the Department of Elder Affairs published a Notice of Proposed Rule pursuant to Section 120.54(3)(a)1., Florida Statutes, in Volume 43, Number 220 issue of the Florida

Administrative Register for Proposed Rule 58A-5.036 to adopt a permanent rule to establish a process for the Department to ensure that licensees of assisted living facilities develop and implement plans that ensure ambient air temperatures will be maintained at or below 81 degrees Fahrenheit for a minimum of ninety-six (96) hours in the event of the loss of primary electrical power to an assisted living facility to ensure the health, safety, comfort and welfare of residents of assisted living facilities. On December 8, 2017, Proposed Rule 58A-5.036 was submitted to the Legislature and is awaiting ratification by the Legislature pursuant to 120.541(3), Florida Statutes. Pursuant to Section 120.54(4)(c)2., Florida Statutes, Emergency Rule 58AER17-1, Florida Administrative Code, is renewed.

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**AGENCY FOR HEALTH CARE ADMINISTRATION**

Health Facility and Agency Licensing  
Seven Rivers Regional Medical Center

The Agency for Health Care Administration has received an application for an emergency service exemption from Seven Rivers Regional Medical Center located at 6201 N Suncoast Blvd, Crystal River, FL 34428 pursuant to Section 395.1041 (3), Florida Statutes and 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Otolaryngology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to the Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS 31, Tallahassee, Florida 32308, (850)412-4549, Julie.Young@ahca.myflorida.com.

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**AGENCY FOR HEALTH CARE ADMINISTRATION**

Health Facility and Agency Licensing  
59AER17-1 Nursing Home Emergency Power Plan

The Agency for Health Care Administration hereby provides notice of renewal of Emergency Rule 59AER17-1, Nursing Home Emergency Power Plan, as adopted on September 16, 2017, and noticed in Volume 43, Number 180 issue of the Florida Administrative Register on September 18, 2017. On November 14, 2017, the Agency for Health Care Administration published a Notice of Proposed Rule pursuant to Section 120.54(3)(a)1., Florida Statutes, in Volume 43, Number 220 issue of the Florida Administrative Register for Proposed Rule 59A-4.1265 to adopt a permanent rule to establish a process for the Agency to ensure that licensees of nursing homes develop and implement plans that ensure ambient air temperatures will be maintained at or below 81 degrees Fahrenheit for a minimum of ninety-six (96) hours in the event of the loss of primary electrical power to a nursing home to ensure the health, safety, comfort, and welfare of residents of nursing homes. On December 8, 2017, Proposed

Rule 59A-4.1265 was submitted to the Legislature and is awaiting ratification by the Legislature pursuant to 120.541(3), Florida Statutes. Pursuant to Section 120.54(4)(c)2., Florida Statutes, Emergency Rule 59AER17-1, Florida Administrative Code, is renewed.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Office of the Secretary  
Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)717-9076. This public notice fulfills the requirements of 15 CFR 930.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

Vessel Registration and Boating Safety  
DERELICT VESSEL REMOVAL GRANT OPPORTUNITY  
ANNOUNCEMENT

The Florida Fish and Wildlife Conservation Commission (FWC) is announcing the opportunity to apply for Derelict Vessel Removal Grants. The application period for the Bulk Derelict Vessel Removal Grant Program will begin on January 8, 2018, at 8:00 a.m. ET, and end on February 21, 2018, at 5:00 p.m. ET. Applications received after February 21, 2018, will not be eligible for consideration in round one, but may be considered for a potential subsequent round, if funding remains available. All removal applications must demonstrate proof that due process was provided for each vessel's owner. At a minimum, this would include an opportunity for the vessel owner to challenge the derelict vessel determination, either in criminal court or in an administrative hearing. Vessel cases not demonstrating that these opportunities have been offered to the owners of the vessels will not be considered for state funding assistance. Should funding be available for a second or subsequent rounds of applications, new announcements will be made. The grant guidelines and application form may be downloaded at: <http://www.MyFWC.com/DVGrant>.

You may also receive the guidelines and application by contacting Phil Horning at (850)617-9540 or emailing [DVGrant@MyFWC.com](mailto:DVGrant@MyFWC.com).

Applications that meet the requirements for the Rapid Removal Grant Program may be submitted at any time after the opportunity announcement start date, but no later than November 31, 2018, at 5:00 p.m. ET (based on available funding). Rapid removal cases must also meet due process requirements. Total funding allocated for derelict vessel removal for fiscal year 2017-2018 is \$488,550. Applications

may be mailed to the Florida Fish and Wildlife Conservation Commission, Boating and Waterways Section, Derelict Vessel Grant Program Administrator, at 620 S. Meridian Street – Room 235, Tallahassee, Florida 32399-1600 or emailed to DVGrant@MyFWC.com.

For further information, please contact Phil Horning, Derelict Vessel Program Administrator, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, (850) 617-9540, Phil.Horning@MyFWC.com.

**DEPARTMENT OF FINANCIAL SERVICES**

FSC - Financial Institution Regulation

Office of Financial Institutions

**NOTICE OF FILINGS**

Financial Services Commission

Office of Financial Regulation

December 15, 2017

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		The Fletcher Building, Suite 118
Tallahassee, Florida 32314-8050		101 East Gaines Street
Phone (850)410-9889		Tallahassee, Florida 32399-0379
Fax: (850)410-9663		Phone: (850)410-9889

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., January 5, 2018):

**APPLICATION TO ESTABLISH**

**AN INTERNATIONAL REPRESENTATIVE OFFICE**

Applicant and Location: Bank Hapoalim B.M., 46 Rothschild Boulevard, Tel-Aviv 66883

Proposed Florida Location: 18851 NE 29 Avenue, Suite 800, Aventura, Florida 33180

Received: December 13, 2017

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Community Development

**Notice of Funding Availability**

The Department of Economic Opportunity announces the availability of \$602,716 in Emergency Set-Aside funding for non-entitlement units of local government in St. Johns County to address projects related to Hurricane Matthew. The City of St. Augustine is eligible to apply for the available funding.

The Emergency Set-Aside funding may be used for any Community Development Block Grant (CDBG)-eligible activity for which no other funding is available to recover from the effects of Hurricane Matthew. The purpose of the funds is to address serious, urgent community needs that pose a threat to the health, safety and welfare of low- and moderate-income residents. The activities to be funded must be documented as being directly related to Hurricane Matthew.

Eligible communities that are interested in receiving the Emergency Set-Aside funding must provide a Statement of Intent to apply for the funds by 5:00 p.m. Eastern Time on January 29, 2018. The following information must be included in the Statement of Intent:

1. Name of the local government
2. Contact name and telephone number
3. Mailing address
4. Email address
5. Proposed project budget, including the total dollar amount being requested
6. A description of the community needs, the activities that will be undertaken, the proposed service area and the approximate number of low- and moderate-income persons that will benefit from the project
7. Damage assessment data that supports the funding request, and
8. Cover letter signed by the Chief Elected Official.

The Statement of Intent can be transmitted by regular mail to the Department of Economic Opportunity, Florida Small Cities CDBG Program, 107 East Madison Street, MSC-400, Tallahassee, Florida 32399-6508 or by email to jason.seabolt@deo.myflorida.com.

Federal and State regulations apply to Emergency Set-Aside funding, including 24 Code of Federal Regulations Part 570, Subpart I, and Chapter 73C-23, Florida Administrative Code.

If you have questions, please contact Roger Doherty, Small Cities CDBG Team Leader, (850)717-8417, roger.doherty@deo.myflorida.com.

HILLSBOROUGH COUNTY ATTORNEY'S OFFICE

Hillsborough County

In accordance with Section 337.401(3)(d), FS, notice is hereby given that the Board of County Commissioners of Hillsborough County, Florida, will hold a public hearing for the first and only reading on Thursday, January 11, 2018, at 10:00 a.m. in the Commission Chambers in Tampa, Florida, for the purpose of considering adoption of an amendment to the County's ordinance governing a telecommunications company placing or maintaining telecommunications facilities in its roads or rights-of-way.

DATE AND TIME: Thursday, January 11, 2018, 10:00 a.m.

PLACE: 601 E. Kennedy Blvd., Tampa, FL 33602

SUBJECT: The proposed amendment removes the requirement for providing a security fund in order to register to place or maintain a small wireless facility in the public rights-of-way, and modifies the stealth and location context design requirements in the existing ordinance. A copy of the proposed ordinance amendment can be obtained by calling: the Clerk's Office at (813)276-8100, ext. 4567 or by visiting the Clerk's Office during regular business hours at 419 Pierce St., Room 140, Tampa, Florida 33602.

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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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