

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: RULE TITLE:
64B33-2.003 Requirements for Continuing Education
PURPOSE AND EFFECT: The proposed rule amendment is intended to update and clarify language for requirements for continuing education.
SUBJECT AREA TO BE ADDRESSED: Updating the rule language.
RULEMAKING AUTHORITY: 456.013, 468.705, 468.711 FS.
LAW IMPLEMENTED: 456.013(7), 468.711(2) 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: Jennifer Wenhold, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist
PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language regarding remediable tasks delegable to a dental hygienist.
SUBJECT AREA TO BE ADDRESSED: Remediable Tasks Delegable to a Dental Hygienist.
RULEMAKING AUTHORITY: 466.004(4), 466.017(6), 466.023, 466.024 FS.
LAW IMPLEMENTED: 466.017(6), 466.023, 466.024 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: Jennifer Wenhold, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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-1.0503 Definition of Qualified Instructional Personnel
PURPOSE AND EFFECT: To insert a definition of an out-of-field teacher necessary to define qualified instructional personnel. The effect is to clarify the existing rule. The definition was inadvertently omitted during the prior rule making process.
SUMMARY: The rule amendment inserts the definition of an “out-of-field” teacher, consistent with section 1012.42, Florida Statutes, as part of the scheme outlining the qualifications of instructional personnel.
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 proposed rule is not expected to cause any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and is not expected to require legislative ratification, based upon the nature of the proposed amendment. The amendment adds a definition to the rule simply for clarify and does not have any substantive impact.
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: 1002.33(12)(f), 1012.32, 1012.55(1), 1012.56(6), FS.

LAW IMPLEMENTED: 1002.33, 1012.05, 1012.32, 1012.55, 1012.56, FS.

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

DATE AND TIME: October 25, 2018, 9:00 a.m.

PLACE: Crystal River Middle School, 344 NE Crystal Street, Crystal River, FL 34428.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0503 Definition of Qualified Instructional Personnel.

(1) As used in this rule, the following terms have the following meanings:

(a) through (b) No change.

(c) “Out-of-field” means a teacher is assigned to a course covering subject matter outside the field for which the teacher holds a certificate per Section 1012.55, F.S., or for which the teacher has not demonstrated sufficient subject matter expertise per Section 1012.42, F.S., and as determined by paragraphs (2)(a)-(h) of this rule.

(2) through (3) No change.

Rulemaking Authority 1002.33(12)(f), 1012.32, 1012.55(1), 1012.56(6) FS. Law Implemented 1002.33, 1012.32, 1012.55, 1012.56 FS. History—New 4-19-74, Repromulgated 12-5-74, Amended 9-8-76, Formerly 6A-1.503, Amended 10-30-90, 10-3-91, 2-18-93, 5-25-04, 3-1-05, 4-30-18.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Hershel Lyons, Chancellor, K12 Public Schools.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 23, 2018.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.0012 Application Information

PURPOSE AND EFFECT: To adopt legislative changes relating to the waiver of certain certification fees for select military personnel and military spouses. Once eligible for the certification fee waiver, military personnel and military spouses will be exempt from paying fees for specified certification services. Additionally, the rule amendment will establish a fee

for certificate verification services requested by Florida certified educators moving to other states.

SUMMARY: The proposed amendment inserts language relating to a new fee for a certificate verification service as well as a paragraph relating to certification fee waivers for select military personnel and spouses. The new paragraph includes the following: individuals eligible to apply for a waiver; requirement to submit an electronic waiver request and supporting document to determine eligibility; retention of documents submitted by applicants; validity period of waiver; and certification services covered by the waiver.

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 proposed amendment is not expected to have an adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and is not expected to require legislative ratification. The proposed amendment imposes a minimal cost to the specified group of applicants who voluntarily request a certificate verification. Additionally, since the rule outlines the method to attain a waiver of fees for certain military and veteran personnel, as well as their spouses, the proposed amendment is unlikely to have an adverse impact.

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

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

LAW IMPLEMENTED: 1012.31, 1012.32, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798, FS.

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

DATE AND TIME: October 25, 2018, 9:00 a.m.

PLACE: Crystal River Middle School, 344 NE Crystal Street, Crystal River, FL 34428.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0012 Application Information.

(1) Application process. To apply for evaluation of eligibility for a Florida Educator’s Certificate, an individual shall submit to the Bureau of Educator Certification the following:

(a) A completed Form CG-10, Educator Certification Application and a nonrefundable application fee. Form CG-10, Educator Certification Application, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08783>), effective November 2017, is hereby incorporated by reference and made a part of this rule. The form may be submitted online via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/on-line-application-status-lookup-site.shtml>, or may be retrieved from the website and submitted via postal delivery to the Florida Department of Education, Bureau of Educator Certification, Room 201, 325 West Gaines Street, Tallahassee, Florida 32399-0400. The nonrefundable application fee is prescribed below:

- 1. through 3. No change.
 - 4. Request for update to and a printed copy of a valid certificate solely to reflect a change in name (NMCHANGE) – \$20.00;
 - 5. through 7. No change.
 - 8. Request for a new five-year athletic coaching certificate (REAPPLY) – \$75.00;
 - 9. Request for verification of qualifications for current or expired Florida certificates – \$20.00, or
- (b) No change.
 (2) through (7) No change.
 (8) Military Fee Waivers.

(a) An individual is eligible for a waiver from the department for the application fees prescribed in subparagraphs (1)(a)1., 2., or 3., of this rule, if he or she:

- 1. is a member of the of the U.S. Armed Forces or a reserve component who is serving, or who has served, on active duty or is the spouse of such a service member;
- 2. is an honorably discharged veteran of the U.S. Armed Forces or an honorably discharged veteran of a reserve component who served on active duty or is the spouse or surviving spouse of such veteran; or
- 3. is the surviving spouse of a member of the U.S. Armed Forces or reserve component who was serving on active duty at the time of death.

(b) To apply for a fee waiver, a request must be submitted via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/military/>

along with documentation establishing that the applicant meets the requirements for a fee waiver under subparagraphs (8)(a)1., 2., or 3 of this rule. The following chart lists the required documentation:

<u>BASIS FOR WAIVER OF FEE</u>	<u>DOCUMENTATION REQUIRED</u>
<u>Member of Armed Forces</u>	<u>Military ID card</u>
<u>Spouse of member of Armed Forces</u>	<u>Military dependent ID card (DD Form 1173)</u>
<u>Member of reserves, serving or served active duty</u>	<u>Military ID card and Activity Duty Report (DD Form 220) or Military ID card and orders for active duty</u>
<u>Spouse of member of reserves, serving or served active duty</u>	<u>Military dependent ID card (DD Form 1173) or Military dependent ID card (DD Form 1173-1) and spouse’s DD Form 220 or spouse’s orders for active duty</u>
<u>Honorably discharged veteran</u>	<u>Certificate of Release or Discharge from Active Duty (DD Form 214 Member 4)</u>
<u>Spouse or surviving spouse of honorably discharged veteran</u>	<u>DD Form 214 Member 4 of spouse and marriage certificate</u>
<u>Honorably discharged veteran of reserves, served active duty</u>	<u>DD Form 214 Member 4</u>
<u>Spouse of honorably discharged veteran of reserves, served active duty</u>	<u>DD Form 214 Member 4 of spouse and marriage certificate</u>
<u>Surviving spouse of member of armed forces on active duty at time of death</u>	<u>Official documentation from Department of Defense</u>
<u>Surviving spouse of member of reserves on active duty at time of death</u>	<u>Official documentation from Department of Defense</u>

(c) Additional documentation. Where the required documentation submitted does not establish eligibility, due to a name change or other circumstance, the applicant will be notified by the Department within ninety (90) days and afforded the opportunity to submit additional documentation to verify eligibility.

(d) Individuals eligible for veterans and military fee waivers shall not be responsible for payment of the following initial certification fees as per paragraph (1)(b) of this rule:

1. Request for evaluation of eligibility for an initial athletic coaching, temporary or professional certificate (INITIAL) – \$75.00 per subject;

2. Request for upgrade to a professional certificate to include all coverages and endorsements already issued on a temporary certificate (UPGRADE) – \$75.00;

3. Request for addition of a coverage or endorsement to a valid certificate (ADDTEMP, ADDPRO) – \$75.00 per subject;

(e) All documents submitted to verify eligibility for military fee waivers will be retained in the certification record maintained by the department and will not be returned to the applicant. Approval for military fee waivers remain valid for five (5) years from the date issued unless a document used to verify eligibility indicates an earlier expiration date or end date of its validity and in that case, validity of the fee waiver expires when the verifying document expires. In no case, shall a person use or attempt to use a fee waiver if the person does not meet the eligibility criteria set forth in subsection 1012.59(3), F.S.

Rulemaking Authority 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS. Law Implemented 1012.31, 1012.32, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798 FS. History–New 7-6-82, Amended 9-27-83, Formerly 6A-4.012, Amended 12-25-86, 10-26-88, 5-2-90, 4-24-91, 7-7-92, 5-3-94, 7-18-95, 9-17-01, 11-25-03, 12-27-04, 1-1-08, 10-21-09, 12-31-14, 11-21-17,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, K12 Public Schools.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 3, 2018.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.0021 Florida Teacher Certification Examinations

PURPOSE AND EFFECT: To adopt new Florida Teacher Certification Examinations (FTCE) administration requirements, stating that the initial examination fees for general knowledge, professional education, and subject area examinations will be waived for examinees who are current active duty military service members; honorably discharged military service members; and the spouses of current active duty, honorably discharged military service members, or the surviving spouses of such members who were serving on active duty at the time of death. And to update rule language to align with current practice. The effect will be new administration requirements to facilitate access to certification examinations

for current active duty military service members; honorably discharged military service members; and the spouses of current active duty, honorably discharged military service members, or the surviving spouses of such members who were serving on active duty at the time of death.

SUMMARY: The proposed amendment adopts new administration requirements to facilitate access to certification examinations for current active duty military service members; honorably discharged military service members; and the spouses of current active duty, honorably discharged military service members, or the surviving spouses of such members who were serving on active duty at the time of death.

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: 1) no requirement for SERC was triggered under section 120.541(1), F.S., and; 2) no new fees are imposed in the proposed rule. Further, since the rule outlines the method to attain a testing fee waiver for certain military and veteran personnel, as well as their spouses, the proposed amendments are unlikely to have an adverse impact or to 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: 1012.55, 1012.56, 1012.59, F.S.

LAW IMPLEMENTED: 1012.55, 1012.56, 1012.59, F.S.

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

DATE AND TIME: October 25, 2018, 9:00 a.m.

PLACE: Crystal River Middle School, 344 NE Crystal St., Crystal River, FL 34428.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

(1) Scope. This rule governs the written examinations for teacher certification. Additional requirements for certification are specified in Chapter 6A-4, F.A.C.

(2) through (12) No changes.

(13) Military Testing Fee Waivers.

(a) An individual is eligible for a waiver from the department for the first-time testing fees prescribed in paragraphs (4)(a-e) of this rule, if he or she:

1. is a member of the U.S. Armed Forces or a reserve component thereof who is serving, or has served, on active duty or is the spouse of such a service member;

2. is an honorably discharged veteran of the U.S. Armed Forces or an honorably discharged veteran of a reserve component thereof who served on active duty or is the spouse or surviving spouse of such a service member; or

3. is the surviving spouse of a member of the U.S. Armed Forces or a reserve component thereof who was serving on active duty at the time of death.

(b) To apply for a testing fee waiver, a request must be submitted via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/military/> along with documentation establishing that the applicant meets the requirements for a testing fee waiver per paragraph (13)(a) of this rule. The following chart lists the required documentation.

<u>BASIS FOR WAIVER OF FEE</u>	<u>DOCUMENTATION REQUIRED</u>
<u>Member of Armed Forces</u>	<u>Military ID card</u>
<u>Spouse of member of Armed Forces</u>	<u>Military dependent ID card (DD Form 1173)</u>
<u>Member of reserves, serving or served active duty</u>	<u>Military ID card and Activity Duty Report (DD Form 220) or Military ID card and orders for active duty</u>
<u>Spouse of member of reserves, serving or served active duty</u>	<u>Military dependent ID card (DD Form 1173) or Military dependent ID card (DD Form 1173-1) and spouse's DD Form 220 or spouse's orders for active duty</u>
<u>Honorably discharged veteran</u>	<u>Certificate of Release or Discharge from Active Duty (DD Form 214 Member 4)</u>
<u>Spouse or surviving spouse of honorably discharged veteran</u>	<u>DD Form 214 Member 4 of spouse and marriage certificate</u>

<u>Honorably discharged veteran of reserves, served active duty</u>	<u>DD Form 214 Member 4</u>
<u>Spouse of honorably discharged veteran of reserves, served active duty</u>	<u>DD Form 214 Member 4 of spouse and marriage certificate</u>
<u>Surviving spouse of member of armed forces on active duty at time of death</u>	<u>Official documentation from Department of Defense</u>
<u>Surviving spouse of member of reserves on active duty at time of death</u>	<u>Official documentation from Department of Defense</u>

(c) Additional documentation. Where the required documentation submitted does not establish eligibility, due to a name change or other circumstance, the applicant will be notified by the Department within ninety (90) days and afforded the opportunity to submit additional documentation to verify eligibility.

(d) All documents submitted to verify eligibility for military testing fee waivers will be retained in the certification record maintained by the department and will not be returned to the applicant. Approval for military testing fee waivers remain valid for five (5) years from the date issued unless a document used to verify indicates an earlier expiration date or end date of its validity and in that case, validity of the testing fee waiver expires when the verifying document expires. In no case shall a person use or attempt to use a testing fee waiver if the person does not meet the eligibility criteria set forth in section 1012.59(3), F.S.

(e) Fees for retake examinations under subsection (4) of this rule may not be waived. Subsequent registration for any examination under subsection (4) of this rule taken before July 1, 2018, will be considered a retake and not eligible for a fee waiver under this section.

Rulemaking Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.55, 1012.56, 1012.59 FS. History—New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, 5-24-05, 5-23-06, 5-21-07, 5-19-08, 7-21-08, 7-9-09, 6-22-10, 6-21-11, 11-22-11, 8-23-12, 5-21-13, 10-22-13, 2-25-14, 12-23-14, 7-28-15, 10-26-15, 7-26-16, 2-20-17, 8-20-17, 5-16-18,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Juan Copa, Deputy Commissioner, 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: September 25, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 26, 2018.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.00821 Florida Educational Leadership Examination

PURPOSE AND EFFECT: To adopt new Florida Educational Leadership Examination (FELE) administration requirements, stating that the initial examination fees for certification examinations will be waived for examinees who are current active duty military service members; honorably discharged military service members; and the spouses of current active duty, honorably discharged military service members, or the surviving spouses of such members who were serving on active duty at the time of death. And, to update rule language to align with current practice. The effect will be new administration requirements to facilitate access to certification examinations for current active duty military service members; honorably discharged military service members; and the spouses of current active duty, honorably discharged military service members, or the surviving spouses of such members who were serving on active duty at the time of death.

SUMMARY: The proposed amendment adopts new administration requirements to facilitate access to certification examinations for current active duty military service members; honorably discharged military service members; and the spouses of current active duty, honorably discharged military service members, or the surviving spouses of such members who were serving on active duty at the time of death.

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: 1) No requirement for SERC was triggered under section 120.541(1), F.S., and; 2) no new fees are imposed in the proposed rule. Further, since the rule outlines the method to attain a testing fee waiver for certain military and veteran

personnel, as well as their spouses, the proposed amendments are unlikely to have an adverse impact, 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: 1012.55, 1012.56, 1012.59, FS.

LAW IMPLEMENTED: 1012.55, 1012.56, 1012.59, FS.

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

DATE AND TIME: October 25, 2018, 9:00 a.m.

PLACE: Crystal River Middle School, 344 NE Crystal St., Crystal River, FL 34428.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.00821 Florida Educational Leadership Examination.

(1) Scope. This rule governs the written examination for certification in Educational Leadership. Additional requirements for certification in Educational Leadership are specified in Rule 6A-4.0082, F.A.C.

(2) through (10) No change.

(11) Military Testing Fee Waivers.

(a) An individual is eligible for a waiver from the department for the first-time testing fees prescribed in paragraphs (4)(a-e) of this rule, if he or she:

1. is a member of the U.S. Armed Forces or a reserve component thereof who is serving, or has served, on active duty or is the spouse of such a service member;

2. is an honorably discharged veteran of the U.S. Armed Forces or an honorably discharged veteran of a reserve component thereof who served on active duty or is the spouse or surviving spouse of such a service member; or

3. is the surviving spouse of a member of the U.S. Armed Forces or a reserve component thereof who was serving on active duty at the time of death.

(b) To apply for a testing fee waiver, a request must be submitted via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/military/> along with documentation establishing that the applicant meets the requirements for a testing fee waiver per paragraph (11)(a) of this rule. The following chart lists the required documentation.

<u>BASIS FOR WAIVER OF FEE</u>	<u>DOCUMENTATION REQUIRED</u>
<u>Member of Armed Forces</u>	<u>Military ID card</u>
<u>Spouse of member of Armed Forces</u>	<u>Military dependent ID card (DD Form 1173)</u>
<u>Member of reserves, serving or served active duty</u>	<u>Military ID card and Activity Duty Report (DD Form 220) or Military ID card and orders for active duty</u>
<u>Spouse of member of reserves, serving or served active duty</u>	<u>Military dependent ID card (DD Form 1173) or Military dependent ID card (DD Form 1173-1) and spouse's DD Form 220 or spouse's orders for active duty</u>
<u>Honorably discharged veteran</u>	<u>Certificate of Release or Discharge from Active Duty (DD Form 214 Member 4)</u>
<u>Spouse or surviving spouse of honorably discharged veteran</u>	<u>DD Form 214 Member 4 of spouse and marriage certificate</u>
<u>Honorably discharged veteran of reserves, served active duty</u>	<u>DD Form 214 Member 4</u>
<u>Spouse of honorably discharged veteran of reserves, served active duty</u>	<u>DD Form 214 Member 4 of spouse and marriage certificate</u>
<u>Surviving spouse of member of armed forces on active duty at time of death</u>	<u>Official documentation from Department of Defense</u>
<u>Surviving spouse of member of reserves on active duty at time of death</u>	<u>Official documentation from Department of Defense</u>

(c) Additional documentation. Where the required documentation submitted does not establish eligibility, due to a name change or other circumstance, the applicant will be notified by the Department within ninety (90) days and afforded the opportunity to submit additional documentation to verify eligibility.

(d) All documents submitted to verify eligibility for military testing fee waivers will be retained in the certification record maintained by the department and will not be returned to the applicant. Approval for military testing fee waivers remain valid for five (5) years from the date issued unless a document submitted indicates an earlier expiration date or end date of its validity and in that case, validity of the testing fee waiver

expires when the verifying document expires. In no case shall a person use or attempt to use a testing fee waiver if the person does not meet the eligibility criteria set forth in section 1012.59(3), F.S.

(e) Fees for retake examinations under subsection (4) if this rule may not be waived. Subsequent registration for any examination under subsection (4) of this rule taken before July 1, 2018, will be considered a retake and not eligible for a fee waiver under this section.

Rulemaking Authority 1012.56, 1012.59 FS. Law Implemented 1012.56, 1012.59 FS. History—New 12-25-86, Amended 1-11-89, 5-19-98, 10-6-99, 7-17-00, 7-16-01, 3-24-02, 10-17-02, 3-24-03, 7-21-03, 6-22-04, 5-19-08, 7-21-08, 9-6-09, 12-16-12, 12-3-13, 12-23-14, 5-16-18, ____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juan Copa, Deputy Commissioner, 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: September 25, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 26, 2018.

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-30.002 Disciplinary Guidelines

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 14, January 22, 2018 issue of the Florida Administrative Register.

64B7-30.002 Disciplinary Guidelines.

(1) No change.

(2) If the offense is for fraud or making a false or fraudulent representation, the ~~recommended~~ penalties are:

(a) through (c) No change.

(3) Disciplinary Guidelines

VIOLATION	FIRST OFFENSE	SECOND OFFENSE
(a) No change.		
(b) No change.		

<p>(c) Section 480.046(1)(c) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of massage or to the ability to practice massage. Any plea of nolo contendere shall be considered a conviction for purposes of this chapter. or Section 456.072(1)(c), F.S. Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession.</p>	<p>Reprimand to revocation</p>	<p>to <u>30 day suspension to revocation</u></p>	<p>application for a new or renewal license if an applicant has been convicted or found guilty of, or enters a plea of guilty or nolo contendere to, regardless of adjudication, a violation of s. <u>796.07(2)(a)</u> which is reclassified under s. <u>796.07(7)</u> or a felony offense under any of the following provisions of state law or a similar provision in another jurisdiction: (a) through (m) No change. (n) Section <u>825.1025(2)(b)</u>, relating to <u>lewd or lascivious offenses committed upon or in the presence of an elderly or disabled person.</u> (o) Section <u>827.071</u>, relating to <u>sexual performance by a child.</u> (p) Section <u>847.0133</u>, relating to the</p>		
<p>(d) Section 480.041(7), F.S. The board shall deny an</p>	<p>Denial of application or revocation</p>				

<p><u>protection of minors.</u> <u>(q) Section 847.0135,</u> <u>relating to computer pornography.</u> <u>(r) Section 847.0138,</u> <u>relating to the transmission of material harmful to minors to a minor by electronic device or equipment.</u> <u>(s) Section 847.0145,</u> <u>relating to the selling or buying of minors.</u></p>			<p>or Section 456.072(1) (II), F.S. Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud.</p>		
<p>(e) Section 456.072(1)(ii) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program.</p>	<p>Denial of application or revocation <u>and \$10,000 fine</u></p>		<p>(f) Section 480.046(1)(d), F.S. False, deceptive, or misleading advertising.</p>	<p>Reprimand and, \$500 fine to probation and, \$750.00 fine</p>	<p>Probation, \$1,000 fine to revocation</p>
			<p>(g) No change.</p>		
			<p>(h) No change.</p>		
			<p>(i) No change.</p>		
			<p>(j) No change</p>		
			<p>(k) Section 480.046(1)(i) Gross or repeated malpractice or the failure to practice massage with that level of care, skill, and treatment which is recognized by a reasonably prudent massage therapist as being acceptable</p>	<p>Reprimand, \$1,000 fine to <u>probation</u> \$1,000 fine, suspension</p>	<p>\$2,500 \$1,000 fine, <u>30 day</u> suspension to revocation</p>

under similar conditions and circumstances.			(n) Section 480.046(1)(m) Refusing to permit the department to inspect the business premises of the licensee during regular business hours.	\$500 fine, suspension <u>until</u> <u>compliant</u> to \$1,000 fine, suspension <u>until</u> <u>compliant</u>	\$1,500 fine, suspension <u>until</u> <u>compliant</u> to revocation
(l) Section 480.046(1)(j), 456.072(1)(o) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know that she or he is not competent to perform.	\$1,000 fine, probation to revocation	<u>\$2,500 fine, 30 day suspension to revocation</u>	Section 456.072(1)(r) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.		
(m) Section 480.046(1)(l) Violating a lawful order of the board or department previously entered in a disciplinary hearing, or failing to comply with a lawfully issued subpoena of the department.	\$250 fine and suspension until compliant to revocation	<u>\$500 fine and suspension until compliant to revocation</u>	(o) No change.		
Section 456.072(1)(q) Violating a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.			(p) Section 480.046(1)(o) Practicing massage at a site, location, or place which is not duly licensed as a massage establishment, except that a massage therapist, as provided by rules adopted by the board, may provide massage services, excluding colonic irrigation, at the residence of a client, at the office of the	Reprimand, \$250 \$100 fine for 1 st month and \$100 \$50 for each succeeding month <u>up to six months</u> \$2,000 fine, suspension	\$2,500 fine, <u>six months</u> suspension to revocation

<p>client, at a sports event, at a convention, or at a trade show.</p>			<p>appearing in a newspaper, airwave transmission, telephone directory, or other advertising medium. Pending licensure of a new massage establishment pursuant to the provisions of s. 480.043(7), the license number of a licensed massage therapist who is an owner or principal officer of the establishment may be used in lieu of the license number for the establishment.</p>		
<p>(q) Section 480.046(1)(p) Violating any provision of this chapter or chapter 456, or any rules adopted pursuant thereto.</p> <p>Section 456.072(1)(b) Intentionally violating any rule adopted by the board or the department, as appropriate.</p> <p>Section 456.072(1)(dd) Violating any provision of this chapter, the applicable practice act, or any rules adopted pursuant thereto.</p>	<p>Reprimand, \$250 fine to revocation</p>	<p><u>Reprimand, \$1,000 fine, 30 day suspension to revocation</u></p>	<p>2. 480.0485 The massage therapist-patient relationship is founded on mutual trust. Sexual misconduct in the practice of massage therapy means violation of the massage therapist-patient relationship through which the massage therapist uses that relationship to</p>	<p>\$2,500 fine <u>and</u>, revocation</p>	
<p>1. 480.0465 Each massage therapist or massage establishment licensed under the provisions of this act shall include the number of the license in any advertisement of massage services</p>	<p>Reprimand <u>and</u>, \$500 fine to <u>revocation</u></p>	<p><u>\$1,500 fine to 30 day suspension</u></p>			

<p>induce or attempt to induce the patient to engage, or to engage or attempt to engage the patient, in sexual activity outside the scope of practice or the scope of generally accepted examination or treatment of the patient. Sexual misconduct in the practice of massage therapy is prohibited.</p>			<p>status—license. A licensee who practices—a profession with an—inactive status license, a retired—status license, or—a delinquent license—is—in violation—of this section and s. 456.072, and the board, or the department if there is no board,—may impose discipline—on the licensee.</p>		
<p><u>3.</u> <u>480.047(1)(b)</u> <u>Operate any massage establishment unless it has been duly licensed as provided herein, except that nothing herein shall be construed to prevent the teaching of massage in this state at a board-approved massage school.</u> 456.036(1) A licensee may practice—a profession only if the licensee has an active</p>	<p>\$250<u>\$100</u> fine for 1st month, <u>and \$100</u>\$50 for each succeeding month, <u>up to six (6) months</u></p>		<p>4. 480.047(1)(b); Operate any massage establishment unless it has been—duly licensed—as provided herein,—except that—nothing herein shall be construed—to prevent—the teaching—of massage in this state at a board-approved massage school. 456.036(1) A licensee may practice a profession only if the licensee has an active status license. A licensee who practices a profession with an inactive</p>	<p>Revocation</p> <p><u>a. Reprimand, to \$1,500 fine</u></p> <p><u>b. Reprimand, \$250 fine for 1st month, and \$100 for each succeeding month up to 6 months</u></p>	<p>a. Revocation b. Revocation</p>

<p>status license, a retired status license, or a delinquent license is in violation of this section and s. <u>456.072</u>, and the board, or the department if there is no board, may impose discipline on the licensee.</p> <p>a. Practicing on inactive or retired license.</p> <p>b. Practicing on delinquent license.</p>			<p>sexual activity in such owner's massage establishment or use such establishment to make arrangements to engage in sexual activity in any other place.</p> <p>(3) No licensed massage therapist shall use the therapist-client relationship to engage in sexual activity with any client or to make arrangements to engage in sexual activity with any client.</p> <p>(4) As used in this rule, "sexual activity" means any direct or indirect physical contact by any person or between persons which is intended to erotically stimulate either person or both or which is likely to cause such stimulation and includes sexual intercourse, fellatio, cunnilingus,</p>		
<p>5. 480.047(1)(c) Permit an employed person to practice massage unless duly licensed as provided herein.</p>	<p>\$1,000 fine, <u>30 day suspension</u> to revocation</p>	<p><u>\$2,500 fine to revocation</u></p>			
<p>6. through 9. No change.</p>					
<p>10. Rule 64B7-26.010 (1) Sexual activity by any person or persons in any massage establishment is absolutely prohibited.</p> <p>(2) No massage establishment owner shall engage in or permit any person or persons to engage in</p>	<p>\$2,500 fine and <u>revocation to \$10,000 fine and revocation</u></p>				

<p>masturbation, or anal intercourse. For purposes of this subsection, masturbation means the manipulation of any body tissue with the intent to cause sexual arousal. As used herein, sexual activity can involve the use of any device or object and is not dependent on whether penetration, orgasm, or ejaculation has occurred. Nothing herein shall be interpreted to prohibit a licensed massage therapist, duly qualified under Rule 64B7-31.001, F.A.C, from practicing colonic irrigation.</p>			<p>(s) 456.072(1)(i) Except as provided in s. 465.016, failing to report to the department any person who the licensee knows is in violation of this chapter, the chapter regulating the alleged violator, or the rules of the department or the board. However, a person who the licensee knows is unable to practice with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of a mental or physical condition, may be reported to a consultant operating an impaired practitioner program as described in s. 456.076 rather than to the department.</p>	<p>\$500 fine and reprimand to \$1,000 fine and 30 day suspension</p>	<p><u>\$1,500 fine and 30 day suspension to revocation</u></p>
<p>(r) 456.072(1)(g) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee</p>	<p>\$500 fine and <u>30 day suspension</u> to \$1,000 fine and revocation</p>	<p><u>\$1,500 fine and 6 months suspension to revocation</u></p>	<p>(t) 456.072(1)(k)</p>	<p><u>Suspension of the license until new payment</u></p>	<p><u>Suspension of the license until new payment terms are</u></p>

<p>Failing to perform any statutory or legal obligation placed upon a licensee. For purposes of this section, failing to repay a student loan issued or guaranteed by the state or the Federal Government in accordance with the terms of the loan or failing to comply with service scholarship obligations shall be considered a failure to perform a statutory or legal obligation, and the minimum disciplinary action imposed shall be a suspension of the license until new payment terms are agreed upon or the scholarship obligation is resumed, followed by probation for the duration of the student loan or remaining</p>	<p><u>terms are agreed upon or the scholarship obligation is resumed, followed by probation for the duration of the student loan or remaining scholarship obligation period, and a fine equal to 10 percent of the defaulted loan amount. \$250 fine to \$500 fine</u></p>	<p><u>agreed upon or the scholarship obligation is resumed, followed by probation for the duration of the student loan or remaining scholarship obligation period, and a fine equal to 15 percent of the defaulted loan amount.</u></p>	<p>scholarship obligation period, and a fine equal to 10 percent of the defaulted loan amount. Fines collected shall be deposited into the Medical Quality Assurance Trust Fund.</p>	<p></p>	<p></p>
			<p>(u) 456.072(1)(l) Making or filing a report which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing another person to do so. Such reports or records shall include only those that are signed in the capacity of a licensee.</p>	<p>\$500 fine and probation to \$2,000 fine and <u>6 months suspension</u> revocation</p>	<p><u>\$2,500 fine to revocation</u></p>
			<p>(v) 456.072(1)(n) Exercising influence on the patient or client for the purpose of financial gain of the licensee or a third party.</p>	<p><u>Reprimand, \$1,000 fine, and 30 day suspension to \$2,000 fine and 6 months suspension.</u> \$500 fine and probation to \$1,000 fine and revocation</p>	<p><u>Revocation</u></p>

<p>(w) 456.072(1)(t) Failing to identify through written notice, which may include the wearing of a name tag, or orally to a patient the type of license under which the practitioner is practicing. Any advertisement for health care services naming the practitioner must identify the type of license the practitioner holds. This paragraph does not apply to a practitioner while the practitioner is providing services in a facility licensed under chapter 394, chapter 395, chapter 400, or chapter 429. Each board, or the department where there is no board, is authorized by rule to determine how its practitioners may comply with this disclosure requirement.</p>	<p>Letter of concern to \$250 fine and reprimand</p>	<p>\$2,500 fine to <u>revocation</u></p>	<p>(x) 456.072(1)(x) Failing to report to the board, or the department if there is no board, in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. Convictions, findings, adjudications, and pleas entered into prior to the enactment of this paragraph must be reported in writing to the board, or department if there is no board, on or before October 1, 1999.</p>	<p>\$250\$500 fine and <u>10 hours</u> continuing education to \$1,000 fine and <u>30 day</u> suspension</p>	<p><u>\$500 fine and 10 hours continuing education to \$2,000 fine and 6 months suspension</u></p>
			<p>(y) 456.072(1)(y) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement</p>	<p><u>Reprimand, \$500 fine and 30 day suspension to \$1,000 fine and 6 months suspension</u> \$500 fine and probation to \$1,000 fine and suspension</p>	<p><u>Revocation</u></p>

<p>officers or persons involved in accidents under s. 316.066, or using information published in a newspaper or other news publication or through a radio or television broadcast that has used information gained from such reports, for the purposes of commercial or any other solicitation whatsoever of the people involved in the accidents.</p>			<p>Performing or attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition. For the purposes of this paragraph, performing or attempting to perform health care services includes the preparation of the patient.</p>	<p>\$1,000 fine and revocation</p>	
<p>(z) 456.072(1)(aa) Testing positive for any drug, as defined in s. 112.0455, on any confirmed preemployment or employer-ordered drug screening when the practitioner does not have a lawful prescription and legitimate medical reason for using the drug.</p>	<p>s <u>\$250 fine and suspension until PRN evaluation, compliance with all recommendation s contract — if recommended to revocation</u></p>	<p><u>\$500 fine and suspension until PRN evaluation, compliance with all recommendations to revocation</u></p>	<p>(bb) 456.072(1)(cc) Leaving a foreign body in a patient, such as a sponge, clamp, forceps, surgical needle, or other paraphernalia commonly used in surgical, examination, or other diagnostic procedures. For the purposes of this paragraph,</p>	<p>\$1,000 fine and reprimand to revocation</p>	<p><u>Revocation</u></p>
<p>(aa) 456.072(1)(bb)</p>	<p>\$500 fine and reprimand to</p>	<p><u>\$1,500 fine to revocation</u></p>			

<p>it shall be legally presumed that retention of a foreign body is not in the best interest of the patient and is not within the standard of care of the profession, regardless of the intent of the professional.</p>		
<p>(cc) No change.</p>		
<p>(dd) 456.072(1)(hh) Being terminated from an impaired practitioner program that is overseen by a consultant as described in s. 456.076, for failure to comply, without good cause, with the terms of the monitoring or participant contract entered into by the licensee, or for not successfully completing any drug treatment or alcohol treatment program.</p>	<p>Suspension until compliant with PRN to revocation</p>	<p><u>Revocation</u></p>
<p>(ee) 456.072(1)(nn) Violating any of the</p>	<p><u>Reprimand, \$500 fine to \$1,000 fine and 30 day suspension</u></p>	<p><u>\$1,500 fine and 6 months suspension to revocation</u></p>

<p>provisions of s. 790.338.</p>		
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(4) No change.

~~(5) When the Board finds any person guilty of the grounds set forth in subsection (1) or of any grounds set forth in the applicable practice act, including conduct constituting a substantial violation of subsection (1) or a violation of the applicable practice act which occurred prior to obtaining a license, it shall enter an order imposing one or more of the following penalties:~~

~~(a) Refusal to certify, or to certify with restrictions, an application for a license.~~

~~(b) Suspension or permanent revocation of a license.~~

~~(c) Restriction of practice.~~

~~(d) Imposition of an administrative fine not to exceed \$10,000 for each Count or separate offense.~~

~~(e) Issuance of a reprimand.~~

~~(f) Placement of the licensee on probation for a period of time and subject to such conditions as the Board may specify. Those conditions shall include requiring the licensee to undergo treatment, attend continuing education courses, submit to be reexamined, work under the supervision of another licensee, or satisfy any terms which are reasonably tailored to the violations found.~~

~~(g) Corrective action.~~

~~(6) The provisions of subsections (1) through (4) above are not intended and shall not be construed to limit the ability of the Board to informally dispose of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S.~~

~~(7) The provisions of subsections (1) through (4) above are not intended and shall not be construed to limit the ability of the Board to pursue or recommend the Department pursue collateral, civil or criminal actions when appropriate.~~

~~(8) In any proceeding where the Board is authorized to take disciplinary action, the Board will also impose costs of investigation and prosecution as authorized by Section 456.072(4), F.S.~~

~~(9) Whenever the Board, in accordance with this rule, imposes a monetary fine against a respondent in an Administrative Complaint, it shall also impose a suspension of the respondent's license until the fine is paid. However, to enable the respondent to pay the monies fine, the Board shall stay the imposition of the suspension for the same time period as specified, in accordance with Rule 64B7-24.016, F.A.C., for payment of the monies fine. If the fine is paid within the specified time, then the order of suspension shall not take effect; if the fine is paid after the order of suspension has taken effect, then the stay shall be lifted.~~

Rulemaking Authority 456.072(2), 456.079(1), (3), 480.035(7) FS. Law Implemented 456.072(2), 456.079(1), (2), (3), 480.041, 480.043, 480.046, 480.047 FS. History—New 3-26-87, Formerly 21L-30.002, Amended 9-30-93, 12-12-93, 8-16-94, 10-1-95, 2-5-96, 5-12-96, 5-29-97, Formerly 61G11-30.002, Amended 2-18-98, 11-4-98, 1-26-00, 10-7-02, 10-12-03, 12-13-05, 5-19-13, 12-2-14, _____.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NOTICE IS HEREBY GIVEN that on September 21, 2018, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for waiver or variance filed by Tracy Denise Sieper seeking a variance or waiver of Rule 64B4-2.001, F.A.C., which defines the experience requirements for clinical social work, marriage and family therapy and mental health counseling. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 or Jennifer.Wenhold@flhealth.gov.

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

DEPARTMENT OF EDUCATION

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

DATE AND TIME: October 10, 2018, 2:00 p.m. – 3:00 p.m., ET

PLACE: Conference line: 1(888)670-3525, participant code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: An orientation for new members appointed to the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: October 10, 2018, 3:00 p.m. – 4:30 p.m., ET or until complete

PLACE: Conference Line: 1(888)670-3525, participant code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: The addition of new questions to be added to the Customer Satisfaction Survey.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Student Success Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2018, 1:30 p.m. – 2:30 p.m.

PLACE: Via Webinar. You may join the meeting from your computer, tablet or smartphone. Go to: <https://global.gotomeeting.com/join/290190501>. You can also dial in using your phone: 1(877)568 4106, Access Code: 290-190-501.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Student Success Center.

A copy of the agenda may be obtained by contacting: Naomi Sleaf, Executive Director, Florida Student Success Center via email to: Naomi.Sleaf@fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Naomi Slep, Executive Director, Florida Student Success Center via email to: Naomi.Slep@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Naomi.Slep@fldoe.org.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation (FDOT) District Five announces a hearing to which all persons are invited.

DATE AND TIMES: Thursday, October 4, 2018, 5:30 p.m.; formal presentation, 6:00 p.m.

PLACE: City of Altamonte Springs City Chambers, 225 Newburyport Avenue, City of Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 434931-1

Project Description: State Road (S.R.) 436/E. Altamonte Drive at Ronald Reagan Boulevard Intersection Improvements, Seminole County, Florida

The Florida Department of Transportation (FDOT) invites all persons to a public hearing regarding the proposed design of dual left turn lanes at the intersection of S.R. 436 and Ronald Reagan Boulevard. The purpose of this hearing is to introduce the project, present the design concept to the public and to receive interested person's input. Right of way has been acquired for the project improvements. The hearing will begin as an open house at 5:30 p.m. A formal presentation will begin at 6:00 p.m., followed by a comment period. A certified court reporter will be present to collect and document comments, and will prepare a verbatim transcript of the presentation for the project record. Persons wishing to submit written statements or other exhibits, in place of or in addition to oral statements, may do so at the hearing or by sending them to Mr. Ty Garner, FDOT project manager, whose contact information is provided below.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator, at jennifer.smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: FDOT Project Manager, Ty Garner, by phone at (386)943-5299 or by email at ty.garner@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: FDOT Project Manager Ty Garner by phone at (386)943-5299 or by email at ty.garner@dot.state.fl.us. Persons who require translation services (free of charge) should also contact FDOT Project Manager Ty Garner by phone at (386)943-5299 or by email at ty.garner@dot.state.fl.us, at least seven (7) days prior to the meeting. 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: FDOT Project Manager Ty Garner by phone at (386)943-5299 or by email at ty.garner@dot.state.fl.us. You may also contact Joseph Keezel, P.E., consultant project manager, by phone at (321)354-9762 or by email at jkeezel@dewberry.com. Additional information is available on the project website at www.CFLRoads.com.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2018, 1:00 p.m. – 2:00 p.m., ET; CANCELLED

PLACE: Neil Kirkman Building, Conference Room B-202, 2900 Apalachee Parkway, Tallahassee, Florida 32399; GoToMeeting call-in information was also provided.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above scheduled meeting has been CANCELLED.

For more information, you may contact: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100, terrencsamuel@flhsmv.gov.

FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, October 17, 2018, 9:00; Thursday, October 18, 2018, 9:00 a.m.

PLACE: City Hall, 800 US-27, Minneola, Florida 34715

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review, (850)488-1293.

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: Florida Commission on Offender Review at ada@fcor.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).

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.

METROPOLITAN PLANNING ORGANIZATIONS

Broward Metropolitan Planning Organization
 The Broward Metropolitan Planning Organization (MPO) announces a public meeting to which all persons are invited.
DATE AND TIME: October 22, 2018, 2:00 p.m.
PLACE: Board Room of the Broward MPO, Trade Centre South, 100 West Cypress Creek Road, 6th Floor, Suite 650, Fort Lauderdale, FL 33309-2181

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular business meeting of the Transportation Disadvantaged (TD) Local Coordinating Board (LCB).

A copy of the agenda may be obtained by contacting: Charlene Burke, (954)876-0055, burkec@browardmpo.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Charlene Burke, (954)876-0055, burkec@browardmpo.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).

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: Charlene Burke, (954)876-0055, burkec@browardmpo.org.

DEPARTMENT OF HEALTH

RULE NO.: RULE TITLE:

64-4.027 Pigford Class Application for Registration of Medical Marijuana Treatment Center

The Department of Health, Office of Medical Marijuana Use announces a hearing to which all persons are invited.

DATE AND TIME: October 5, 2018, 9:00 a.m. – 11:00 a.m., or until the conclusion of the hearing, whichever occurs first

PLACE: The Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing will address the Department of Health, Office of Medical Marijuana Use’s Proposed Rule 64-4.027 Pigford Class Application for Registration of Medical Marijuana Treatment Center as noticed in the September 19, 2018, Volume 44, Number 183 edition of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: Courtney Coppola at Courtney.Coppola@flhealth.gov. A copy of the agenda will be available no later than one week prior to the hearing.

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: Courtney Coppola at Courtney.Coppola@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Courtney Coppola at Courtney.Coppola@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

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

DATE AND TIME: February 21, 2019, 9:00 a.m.

PLACE: Bonaventure Resort and Spa, 250 Racquet Club Rd., Weston-Fort Lauderdale, Florida 33326

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 General business of the board.

A copy of the agenda may be obtained by contacting: Christa Peace, christa.peace@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Christa Peace, christa.peace@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: Christa Peace, christa.peace@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Department of Health, Board of Osteopathic Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: May 17, 2019, 9:00 a.m.

PLACE: Embassy Suites by Hilton LBV, 4955 Kyngs Heath Road, Orlando, Florida 34748

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 General business of the board.

A copy of the agenda may be obtained by contacting: Christa Peace, christa.peace@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Christa Peace, christa.peace@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: Christa Peace, christa.peace@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Circuit 8 Child Abuse Death Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 11, 2018, 10:00 a.m. – 12:30 p.m.

PLACE: CMS Building (3rd Floor Conference Room), 1699 SW 16th Avenue, Gainesville, FL 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Stephanie Cox, Email: coxsg@ufl.edu.

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: Stephanie Cox, Email: coxsg@ufl.edu. 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 CHILDREN AND FAMILIES

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

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

PLACE: Northeast Florida State Hospital, 7487 South State Road 121, MacClenny, FL 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: Solicitation Conference for Housekeeping/Janitorial Services for State Hospitals RFP #SMHTF2019-0001HK.

A copy of the agenda may be obtained by contacting: Elesha Brown, FCCM, Procurement Manager, Florida, Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.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 1 days before the workshop/meeting by contacting: Elesha Brown, FCCM, Procurement Manager, Florida Department of Children and Families, Post Office, Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Elesha Brown, FCCM Procurement Manager, Florida Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: October 3, 2018, 2:00 p.m.

PLACE: 1200 Northeast 55th Blvd., Gainesville, FL 32641, Second Floor Classroom III

GENERAL SUBJECT MATTER TO BE CONSIDERED: Solicitation Conference for Housekeeping/Janitorial Services for State Hospitals RFP #SMHTF2019-0001HK.

A copy of the agenda may be obtained by contacting: Elesha Brown, FCCM, Procurement Manager, Florida, Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.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 1 days before the workshop/meeting by contacting: Elesha Brown, FCCM, Procurement Manager, Florida Department of Children and Families, Post Office, Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.com. If you are hearing or speech

impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Elesha Brown, FCCM, Procurement Manager, Florida Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: November 6, 2018, 4:15 p.m.

PLACE: Northeast Florida State Hospital, 7487 South State Road 121, MacClenny, FL 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of Evaluation Team to Open and Review Proposals for Award for RFP #SMHTF2019-0001HK.

A copy of the agenda may be obtained by contacting: Elesha Brown, FCCM, Procurement Manager, Florida Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.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 1 days before the workshop/meeting by contacting: Elesha Brown, FCCM, Procurement Manager, Florida Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Elesha Brown, FCCM, Procurement Manager, Florida Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: November 12, 2018, 10:00 a.m.

PLACE: Northeast Florida State Hospital, 7487 South State Road 121, Macclenny, FL 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of Evaluation Team to debrief and rank the proposals for Housekeeping/Janitorial Services for State Hospitals RFP #SMHTF2019-0001HK.

A copy of the agenda may be obtained by contacting: Elesha Brown, FCCM, Procurement Manager, Florida Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.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 1 days before the workshop/meeting by contacting: Elesha Brown, FCCM, Procurement Manager, Florida Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Elesha Brown, FCCM, Procurement Manager, Florida Department of Children and Families, Post Office Box 1000, 100 N. Main Street, Chattahoochee, FL 32324, elesha.brown@myflfamilies.com.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: October 24, 2018, 2:00 p.m., Eastern Time

PLACE: The workshop will be available by telephone or interested parties may attend in person at Florida Housing's offices located at 227 N. Bronough Street, Seltzer Room, Suite 6000, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Housing Finance Corporation will hold a Workshop on SAIL Program Pilot to Allow First Mortgage Refinancing for Recapitalization.

Florida Housing Finance Corporation's Portfolio Preservation Action Plan includes a strategy that would permit the refinancing of non-acquisition first mortgages without a SAIL paydown with moderate rehabilitation (i.e., \$5,000 - \$10,000/unit) of stabilized affordable multifamily developments, that are at least 20 years old. The Action Plan can be found at: <http://www.floridahousing.org/docs/default-source/data-docs-and-reports/boardpackages/2018/september-14/information-supplement---full-package-fhfc-portfolio>

preservation-action-plan-sept-2018-amended.pdf?sfvrsn=3756057b_2

The workshop is intended to discuss the pilot program approach with an opportunity for the public to provide comments and suggestions.

A copy of the agenda may be obtained by contacting: Laura Cox at (850)488-4197.

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: Laura Cox at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

PALM BEACH STATE COLLEGE

The Region XII Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 25, 2018, 8:45 a.m.

PLACE: Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include but it's not limited to FDLE/CJSTC updates: Palm Beach State College/Criminal Justice Institute Assessment Center Updates, Region XII budget approval and any other business.

A copy of the agenda may be obtained by contacting: Sonja Woodard at (561)868-3403.

THIRD DISTRICT JUDICIAL NOMINATION COMMISSION

The Third District Court of Appeal Judicial Nominating Commission announces a public meeting to which all persons are invited.

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

PLACE: McDonald Hopkins LLC, 200 S. Biscayne Blvd., Suite 2600, Miami, Florida 33131. A conference line also will be available for those wishing to attend the meeting by phone: Toll-free Dial In 1(877)292-4169 (works for US, Canada and PR), International Dial In (330)693-9228, Conference Code: 2729230#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Third District Court of Appeal Judicial Nominating Commission (JNC) will hold an organizational meeting on October 3, 2018, at 9:00 a.m. to elect a new Chair and Vice

Chair for 2018 - 2019. The Commission may take up other matters on the agenda.

A copy of the agenda may be obtained by contacting: Raquel A. Rodriguez, Chair.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: 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: Raquel A. Rodriguez, Chair Third District Court of Appeal Judicial Nominating Commission, TELEPHONE: (305)704-3990, EMAIL: rrodriguez@mcdonladhopkins.com.

INWOOD CONSULTING ENGINEERS, INC.

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

DATE AND TIME: Thursday, October 4, 2018, 5:00 p.m. – 7:00 p.m.

PLACE: Turner Agri-Civic Center, Exhibition Hall, 2250 NE Roan Street, Arcadia, Florida 34266

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District One, will hold a corridor public information meeting to discuss the Alternative Corridor Evaluation (ACE) Feasibility Study being conducted to identify the need and to evaluate a potential new alignment for the extension of State Road (SR) 31 in DeSoto County. Financial Project ID No. 431298-1-22-01.

The public can drop by from 5:00 p.m. to 7:00 p.m. to view displays and talk with FDOT staff. In the event that the meeting cannot be held on Thursday, October 4, 2018 due to severe weather or other unforeseen conditions, it will be held on Thursday, October 18, 2018 at the Turner Agri-Civic Center, Exhibition Hall.

The purpose of the meeting is to present potential corridor alternatives identified by the study team and to obtain comments. The objective of the SR 31 Extension ACE Feasibility Study is to identify and to establish the purpose and need, as well as viability of the project. Since beginning the study, FDOT has been conducting analyses, meeting with stakeholders, and identifying corridor alternatives.

FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Cynthia Sykes, Title VI Coordinator, at 1(863)519-2287 or by email at Cynthia.Sykes@dot.state.fl.us at least seven (7) days prior to

the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Services, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For additional more information or to obtain a copy of the agenda, you may contact Gwen Pipkin, FDOT Project Manager, at 1(863)519-2375 or toll-free at 1(800)292-3368, Ext. 2375 or by e-mail at Gwen.Pipkin@dot.state.fl.us. Comments can also be submitted by visiting the study website at www.swflroads.com/sr31extension/sr70tous17.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: Thursday, October 11, 2018, 6:00 p.m. – 8:00 p.m.

PLACE: Betty T. Ferguson Recreational Complex, 3000 NW 199 Street, Miami Gardens, FL 33056

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a Public Meeting for two roadway projects along State Road (SR) 817/NW 27 Avenue from NW 203 Street to NW 215 Street, in Miami-Dade County. The project identification number is 426186-3-52-01 and 426186-4-52-01. The meeting will be an open house from 6:00 p.m. to 8:00 p.m. Graphic displays will be shown and FDOT representatives will be available to discuss the project and answer questions.

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

A copy of the agenda may be obtained by contacting: Community Outreach Specialist, Rodolfo Roman at (305)470-5477, email: Rodolfo.Roman@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Hong Benitez, P.E. at (305)470-5219 or in writing at FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email at: Hong.Benitez@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: Community Outreach Specialist Rodolfo Roman at (305)470-5477, email: Rodolfo.Roman@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**

NONE

**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 3:00 p.m., Thursday, September 20, 2018 and 3:00 p.m., Wednesday, September 26, 2018.

Rule No.	File Date	Effective Date
1T-1.042	9/20/2018	10/10/2018
5J-18.0012	9/24/2018	10/14/2018
5J-18.004	9/24/2018	10/14/2018
5J-18.005	9/24/2018	10/14/2018
5J-18.024	9/24/2018	10/14/2018
5N-1.120	9/20/2018	10/10/2018
5N-1.142	9/20/2018	10/10/2018
59G-4.201	9/25/2018	10/15/2018
61G7-10.002	9/25/2018	10/15/2018
61K1-3.008	9/24/2018	10/14/2018
64B-3.005	9/26/2018	10/16/2018
64B-9.002	9/26/2018	10/16/2018
64B16-28.750	9/20/2018	10/10/2018
68D-17.001	9/21/2018	10/11/2018
68D-24.004	9/25/2018	10/15/2018
68D-35.001	9/25/2018	10/1/2018

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF EDUCATION

Education Practices Commission

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to subparagraph 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Education Practices Commission's 2018-2019 Annual Regulatory Plan is available, effective October 1, 2018, at the following web address: <http://www.fldoe.org/policy/state-board-of-edu/rule-review.stml>.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Jaguar Power Sports, LLC d/b/a Jaguar Power Sports. Atlantic Beach, 1221 Mayport Road for establishment of JIAJ motorcycles

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Bintelli LLC, intends to allow the establishment of Jaguar Power Sports, LLC d/b/a Jaguar Power Sports, as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co. (line-make JIAJ) at 1221 Mayport Road, Atlantic Beach, (Duval County), Florida 32233, on or after October 26, 2018.

The name and address of the dealer operator(s) and principal investor(s) of Jaguar Power Sports, LLC d/b/a Jaguar Power Sports are dealer operator(s): Shaun Jackrel, 7843 Chase Meadows Drive East, Jacksonville, Florida 32256; principal investor(s): Shaun Jackrel, 7843 Chase Meadows Drive East, Jacksonville, Florida 32256.

The notice indicates intent to establish the new point location in a county with a population of more than 300,000, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Justin Jackrel, Bintelli LLC, 620 Dobbin Road, Charleston, South Carolina 29414.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION
 Notice of Publication of Regulatory Plan

NOTICE IS HEREBY GIVEN that on September 26, 2018, the Agency for Health Care Administration published its 2018-2019 regulatory plan in accordance with Section 120.74, Florida Statutes. The regulatory plan is available on the Agency's website at: https://ahca.myflorida.com/Executive/General_Counsel/Docs/AHCA_ARP_FY_2018-2019.pdf.

AGENCY FOR HEALTH CARE ADMINISTRATION
 Certificate of Need
 EXEMPTIONS

The Agency for Health Care Administration approved the following exemptions pursuant to Section 408.036(3), Florida Statutes:

ID # E180029, District: 11-1 (Miami-Dade County) Issue Date: 9/11/18

Facility/Project: Regents Park at Aventura
 Applicant: Regents Park at Aventura, Inc.

Project Description: Add 18 community nursing home beds
 Proposed Project Cost: \$2,458,500

ID # E180030, District: 7-4 (Seminole County) Issue Date: 9/26/18

Facility/Project: Premier Living Centers, Inc.
 Applicant: Premier Living Centers, Inc.

Project Description: Combine CON #10516 (61 beds) and CON #10531 (39 beds) resulting in a 100-bed community nursing home
 Proposed Project Cost: \$18,839,156

DEPARTMENT OF MANAGEMENT SERVICES
 E911 Board
 NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to subparagraph 120.74(2)(a)3., Florida Statutes, notice is hereby given that the E911 Board's Regulatory Plan is available, effective October 1, 2018, at the following web address:

https://www.dms.myflorida.com/content/download/142532/951308/2018-2019_E911_ARP_signed.pdf.

DEPARTMENT OF FINANCIAL SERVICES
 Office of Financial Regulation
 NOTICE OF PUBLICATION OF 2018-19 AGENCY REGULATORY PLAN

Notice is hereby given that on September 26, 2018, in accordance with subsection 120.74(2), Florida Statutes (2018), the OFFICE OF FINANCIAL REGULATION published its 2018-19 Regulatory Plan, which is directly accessible at <https://www.flofr.com/sitePages/AnnualRegulatoryPlan.htm>.

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Workforce Services
 Notice of Publication of the Reemployment Assistance Appeals Commission's 2018-2019 Annual Regulatory Plan

NOTICE IS HEREBY GIVEN that on September 25, 2018, the Reemployment Assistance Appeals Commission published a hyperlink to its 2018-2019 Annual Regulatory Plan on its primary website homepage in accordance with subparagraph 120.74(2)(a)1., F.S. The 2018-2019 Annual Regulatory Plan is available at: <http://www.floridajobs.org/docs/default-source/ra-appeals-commission/annual-regulatory-plan-2018-2019.pdf?sfvrsn=2>.

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development
 Final Order No. DEO-18-051
 In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY POLK COUNTY, FLORIDA
 ORDINANCE NO. 18-054
 FINAL ORDER

APPROVING POLK COUNTY ORDINANCE NO. 18-054
 The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving land development regulations adopted by Polk County, Florida, (the "County") Ordinance No. 18-054 (the "Ordinance").

FINDINGS OF FACT

1. The Green Swamp Area is designated by Section 380.0551, Florida Statutes, as an area of critical state concern. The County is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the County on August 7, 2018, and rendered to the Department on August 10, 2018.
3. The Ordinance amends the County's Land Development Code to amend regulations relating to exemption from review under Section 227. The Ordinance amends the Code by adding an exemption for soil excavation approved as part of site grading operations for development sites (not solely mining operations) with approved Level 2 Review plans, so long as the duration of soil removal does not exceed 6 consecutive months.

The Ordinance also provides for the possibility of an extension by the Land Development Director. The Ordinance also amends regulations relating to exemption from criteria for conditional uses under Section 303. The Ordinance amends the Code by adding an exemption for soil excavation approved as part of site grading operations for development sites (not solely mining operations) with approved Level 2 Review plans

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See subsection 380.05(6), Florida Statutes; See also Chapter 28-26, Florida Administrative Code.
5. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Subsection 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the County's Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, Policy 2.101A.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See subsection 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in subsection 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and is not inconsistent with any of the Principles for Guiding Development.

WHEREFORE, IT IS ORDERED that the Department finds that Polk County Ordinance No. 18-054 is consistent with the County's Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

[Remainder of this page intentionally left blank]

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

DONE AND ORDERED in Tallahassee, Florida.

/s/James D. Stansbury, Bureau Chief
 Bureau of Community Planning and Growth,
 Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to Section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to subsections 28-106.104(2), 28-106.201(2), and Section 28-106.301, Florida administrative code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either Section 120.569 and subsection 120.57(1), Florida statutes, or Section 120.569 and subsection 120.57(2), Florida statutes. Mediation is not available.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the Florida administrative register. A petition is filed when it is received by:

Agency clerk, Department of economic opportunity, Office of the general counsel, 107 east Madison St., Msc 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the Florida administrative register.

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 26th day of September, 2018.

/s/ Stephanie Webster, Agency Clerk,
 Department of Economic Opportunity
 107 East Madison Street, MSC 110,
 Tallahassee, FL 32399-4128

By U.S. Mail:

Honorable Todd Dantzler, Chairman
 Polk County, Florida
 P.O. Box 9005, Drawer BC01
 Bartow, FL 33831

John Bohde, Director
 Land Development, Polk County,
 P.O. Box 9005, Drawer GM03
 Bartow, FL 33831

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development
 Final Order No. DEO-18-053
 In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY POLK COUNTY, FLORIDA
 ORDINANCE NO. 18-057
 FINAL ORDER

APPROVING POLK COUNTY ORDINANCE NO. 18-057
 The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations

adopted by Polk County, Florida, (the “County”) Ordinance No. 18-057 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by Section 380.0551, Florida Statutes, as an area of critical state concern. The County is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the County on August 7, 2018, and rendered to the Department on August 10, 2018.
3. The Ordinance amends the County’s Land Development Code to amend Section 802 to modify existing exemptions for subdivision of certain parcels. The Ordinance also amends Section 908 to establish dates and requirements concerning review and submission for a Level 5 review.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See subsection 380.05(6), Florida Statutes; See also Chapter 28-26, Florida Administrative Code.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Subsection 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the County’s Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, Policy 2.101A, Objective 2.128-C and Policy 2.128-C1.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See subsection 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in subsection 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and is not inconsistent with any of the Principles for Guiding Development.

WHEREFORE, IT IS ORDERED that the Department finds that Polk County Ordinance No. 18-057 is consistent with the County’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/James D. Stansbury, Bureau Chief
 Bureau of Community Planning and Growth
 Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to Section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to subsections 28-106.104(2), 28-106.201(2), and Section 28-106.301, Florida administrative code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either Section 120.569 and subsection 120.57(1), Florida statutes, or Section 120.569 and subsection 120.57(2), Florida statutes. Mediation is not available.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the Florida administrative register. A petition is filed when it is received by:

Agency clerk, Department of economic opportunity, Office of the general counsel, 107 East Madison St., Msc 110 Tallahassee, Florida 32399-4128, Fax (850)921-3230

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the Florida administrative register.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 26th day of September, 2018.

/s/Stephanie Webster, Agency Clerk
 Department of Economic Opportunity
 107 East Madison Street, MSC 110
 Tallahassee, FL 32399-4128

By U.S. Mail:
 Honorable Todd Dantzler, Chairman
 Polk County, Florida
 P.O. Box 9005, Drawer BC01
 Bartow, FL 33831

John Bohde, Director
 Land Development, Polk County
 P.O. Box 9005, Drawer GM03
 Bartow, FL 33831

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development
 Final Order No. DEO-18-052

In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY POLK COUNTY, FLORIDA
 ORDINANCE NO. 18-056

FINAL ORDER

APPROVING POLK COUNTY ORDINANCE NO. 18-056

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving land development regulations adopted by Polk County, Florida, (the “County”) Ordinance No. 18-056 (the “Ordinance”).

FINDINGS OF FACT

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

2. The Ordinance was adopted by the County on August 7, 2018, and rendered to the Department on August 10, 2018.

3. The Ordinance amends the County’s Land Development Code to amend sections 906 and 907 to amend regulations relating to expiration dates for Residency Based Mixed Use Planned Developments. The Ordinance amends the Code by providing that Level 3 and Level 4 review approvals for Residency Based Mixed Use Planned Developments do not expire unless otherwise limited. The Ordinance also removes from the Land Development Code a series of time extensions for planned developments that had previously expired.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See subsection 380.05(6), Florida Statutes; See also Chapter 28-26, Florida Administrative Code.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Subsection 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the County’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically, Policy 2.101A.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See subsection 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in subsection 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and is not inconsistent with any of the Principles for Guiding Development.

WHEREFORE, IT IS ORDERED that the Department finds that Polk County Ordinance No. 18-056 is consistent with the County’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

[Remainder of this page intentionally left blank]

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

DONE AND ORDERED in Tallahassee, Florida.

/s/James D. Stansbury, Bureau Chief

Bureau of Community Planning and Growth
 Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to Section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to subsections 28-106.104(2), 28-106.201(2), and Section 28-106.301, Florida administrative code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either Section 120.569 and subsection 120.57(1), Florida statutes, or Section 120.569 and subsection 120.57(2), Florida statutes. Mediation is not available.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the Florida administrative register. A petition is filed when it is received by:

Agency clerk, Department of economic opportunity, Office of the general counsel, 107 East Madison St., Msc 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230

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/s/Stephanie Webster, Agency Clerk

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

By U.S. Mail:

Honorable Todd Dantzler, Chairman

Polk County, Florida

P.O. Box 9005, Drawer BC01

Bartow, FL 33831

John Bohde, Director,

Land Development, Polk County

P.O. Box 9005, Drawer GM03

Bartow, FL 33831

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.
