

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-2.0020 Eligibility for Charter School Capital Outlay
PURPOSE AND EFFECT: To confirm to HB 7069, which went into effect July 1, 2017, and revised the charter school eligibility criteria for capital outlay funds.

SUBJECT AREA TO BE ADDRESSED: Eligibility requirements for charter school capital outlay funding.

RULEMAKING AUTHORITY: 1001.02, 1013.62 FS.

LAW IMPLEMENTED: 1013.62, 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: Adam Emerson, Charter Schools Director, Department of Education, 325 West Gaines Street, Suite 1044, Tallahassee, FL, 32399, (850)245-0502, adam.emerson@fldoe.org. To request a rule development workshop, please contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or e-mail Christian.Emerson@fldoe.org or go to <https://web02.fldoe.org/rules/Default.aspx>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules/Default.aspx>.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:
62-304.415 Lower St. Johns River Basin TMDLs
62-304.505 Middle St. Johns River Basin TMDLs.
62-304.510 Upper St. Johns River TMDLs.
62-304.515 Kissimmee River Basin TMDLs
62-304.610 Hillsborough River Basin TMDLs
62-304.625 Peace River Basin TMDLs
62-304.640 Withlacoochee Basin TMDLs
62-304.815 Fisheating Creek Basin TMDLs

PURPOSE AND EFFECT: The Department is initiating rulemaking to establish Total Maximum Daily Loads (TMDLs) for certain surface waters within the Lower St. Johns River Basin, Middle St. Johns River Basin, Upper St. Johns River Basin, Kissimmee River Basin, Hillsborough River Basin,

Peace River Basin, Withlacoochee Basin, and Fisheating Creek Basin, where those waters previously have been identified as impaired for specific pollutants and included on the Department’s verified list of impaired waters. Pursuant to Section 403.067(6), F.S., TMDLs must be adopted in rule by the Secretary of the Department. Chapter 62-304, F.A.C., was established as the rule chapter within which rules adopting TMDLs shall reside. Furthermore, in accordance with paragraph 62-302.531(2)(a), F.A.C., any of these rules which establish nutrient TMDLs, if adopted, are intended to constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(48)(b), F.A.C., that will supersede the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2), F.A.C., for the particular surface water segment.

SUBJECT AREA TO BE ADDRESSED: TMDLs and their allocations will be established for the pollutants identified in the Department’s verified list of impaired waters as causing the impairment for certain impaired waters in the above listed basin.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Erin Rasnake, Division of Environmental Assessment and Restoration, Water Quality Evaluation and TMDL Program, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone: (850)245-8338.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-11.001 Application for Licensure
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address application for licensure.

SUBJECT AREA TO BE ADDRESSED: Update rule language regarding application for licensure.

RULEMAKING AUTHORITY: 468.1685(1), (2), 468.1695(1) FS.

LAW IMPLEMENTED: 456.013, 456.0635, 468.1685(2), 468.1695(1), 468.1705 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, Anthony.Spivey@flhealth.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NOS.:	RULE TITLES:
73C-23.0030	Authority; Incorporation
73C-23.0031	Definitions
73C-23.0035	Eligibility
73C-23.0041	Application Process - General Information
73C-23.0045	Specific Requirements for Neighborhood Revitalization, Commercial Revitalization and Housing Rehabilitation
73C-23.0048	Specific Requirements for Economic Development
73C-23.0049	Funding for Special Economic Development Projects
73C-23.0051	Grant Administration and Project Implementation
73C-23.0061	Emergency Set-aside Assistance
73C-23.0071	Section 108 Loans
73C-23.0081	Nonrecurring CDBG Funding
73C-23.0082	Subgrant Closeout

PURPOSE AND EFFECT: To streamline and clarify rules implementing Sections 290.0401-.048, F.S., the Florida Cities Block Grant Act.

SUBJECT AREA TO BE ADDRESSED: Sections 290.0401-.048, F.S., enacts the Florida Cities Block Grant Act for the purpose of assisting local governments in undertaking community and economic development programs necessary to preserve, redevelop, and revitalize distressed communities.

RULEMAKING AUTHORITY: 290.048, F.S.

LAW IMPLEMENTED: 290.043, 290.044, 290.0455, 290.046, 290.047, FS.

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

DATE AND TIME: Tuesday, March 20, 2018, 9:00 a.m. to 4:00 p.m.

PLACE: Betty Easley Conference Center, Conference Room 152, 4075 Esplanade Way, Tallahassee, Florida 32399

Participants may also attend via conference call by dialing: 1(888)670-3525 and entering participant passcode: 2166977181

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: M.

Linville Atkins, Assistant General Counsel, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399, Linville.atkins@deo.myflorida.com, (850)245-7150.

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-1.0014	Comprehensive Management Information System

PURPOSE AND EFFECT: To revise existing requirements of the statewide comprehensive management information system to implement changes recommended by school districts and to change state reporting and local recordkeeping procedures for state and/or federal programs as described in the updated FDOE Information Database Requirements. The rule also adopts the updated FDOE Information Database Requirements: Volume I – Automated Student Information System, 2018 and Volume II – Automated Staff Information System, 2018. The effect maintains compatibility among state and local information systems’ components. The statewide comprehensive management information system provides the data on which the measurement of school improvement and accountability is based.

SUMMARY: An amendment of the rule is proposed to update the reference to the FDOE Information Database Requirements documents. These documents describe the data elements, procedures and timelines for state reporting, local recordkeeping and statewide records transfer to be implemented by each school district and the department within the statewide comprehensive management information system.

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 agency has determined that the proposed rule is not expected to require legislative ratification. Based on past

agency experience with adjusting reporting requirements for school districts in the comprehensive management information system, the adverse impact or regulatory cost, if any, do not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes, because the proposed rule is anticipated to be implemented with existing staff and technology.

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

RULEMAKING AUTHORITY: 1001.02(1), 1002.22, 1008.385(3), 1008.386(3), 1008.41(2), FS.

LAW IMPLEMENTED: 1002.22, 1002.221, 1002.222, 1002.225, 1008.385(2), 1008.386, 1008.41(2), FS.

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

DATE AND TIME: March 27, 2018, 9:00 a.m.

PLACE: Hendry County, LaBelle High School, 4050 E. Cowboy Way, Labelle, FL 33935.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shawna Reid, Bureau of Education Data Warehouse, Florida Department of Education, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0400.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0014 Comprehensive Management Information System.

(1) Each school district and the department shall develop and implement an automated information system component which shall be part of, and compatible with, the statewide comprehensive management information system. Each information system component shall contain automated student, staff and finance information systems and shall include procedures for the security, privacy, and retention of automated records. The procedures for the security and privacy of automated student records shall be in accordance with the requirements of 20 U.S.C. 1232g(b)(3), 34 C.F.R. Part 99, and Sections 1002.22, 1002.221, 1002.222, and 1002.225, F.S.

(2) The data elements, procedures and timelines for state reporting, local recordkeeping and statewide records transfer to be implemented by each school district and the department within its automated information system component as prescribed in the publications entitled “FDOE Information Database Requirements: Volume I – Automated Student Information System, 2018 ~~2016~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07465>),” “FDOE Information Database Requirements: Volume II – Automated Staff Information System, 2018 ~~2016~~

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-07466>),” and “FDOE Information Database Requirements: Volume III – Automated Finance Information System, 1995.” These publications which include the department procedures for the security and privacy of school district student and staff records collected and maintained at the state level, are hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained from the Bureau of PK-12 Education Information Services, Florida Department of Education, 325 West Gaines Street, Suite 544, Tallahassee, Florida 32399.

Rulemaking Authority 1001.02(1), 1002.22, 1008.385(3), 1008.386(3), 1008.41(2) FS. Law Implemented 1002.22, 1002.221, 1002.222, 1002.225, 1008.385(2), , 1008.386, 1008.41(2) FS. History—New 2-19-87, Amended 12-21-87, 12-13-88, 3-25-90, 3-24-91, 3-17-92, 12-23-92, 2-16-94, 3-21-95, 7-3-96, 5-20-97, 10-13-98, 10-18-99, 10-17-00, 5-19-03, 7-20-04, 4-21-05, 3-1-07, 3-24-08, 11-26-08, 12-15-09, 2-1-11, 1-16-12, 3-26-13, 12-23-14, 9-30-15, 10-30-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Andre Smith, Deputy Commissioner of Innovation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2018

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.0503
RULE TITLE: Definition of Qualified Instructional Personnel

PURPOSE AND EFFECT: To specify additional in-field conditions currently provided in Florida Statutes that define qualifications of instructional personnel appropriate for the instruction of specified courses and for school districts’ compliance with the federal Every Student Succeeds Act (ESSA).

SUMMARY: This amendment adds definitions for “primary instructor”, “in-field” and “out-of-field”; clarifies requirements for use of the High, Objective, Uniform State Standard of Evaluation (HOUSSE) plan; adds four additional in-field designations currently provided in Florida Statutes that define qualifications of instructional personnel; and updates outdated language from vocational to career and technical.

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 been prepared by the Agency.

As noted in the SERC, the proposed revisions adopt existing statutorily-authorized in-field conditions within the same rule that set the requirements for individuals to be professional qualified instructional personnel to serve in Florida schools. The proposed rule is not expected to have 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. The proposed rule revisions may result in minimal costs associated with standard certification application and examination fees. However, the proposed revisions expand the in-field conditions to include options that may not require a cost.

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), 1012.32, 1012.55(1), 1012.56(6), FS.

LAW IMPLEMENTED: 1002.33, 1012.05, 1012.32, 1012.39, 1012.55, 1012.56, FS.

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

DATE AND TIME: March 27, 2018, 9:00 a.m.

PLACE: Hendry County, LaBelle High School, 4050 E. Cowboy Way, LaBelle, FL 33935.

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-1.0503 Definition of Qualified Instructional Personnel. ~~A qualified instructional person is defined as an instructional staff member who meets one (1) of the following conditions:~~

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

(a) "Primary instructor" refers to any instructional employee of a Florida public school district who provides direct support in the learning process by planning, delivering, and evaluating instruction, including through virtual or blended environments, for all students during the entire class period.

(b) "In-field" means a teacher is assigned to a course covering subject matter for which the teacher holds a certificate per Section 1012.55, F.S., or demonstrates sufficient subject matter expertise as determined by paragraph (2)(a)-(h) of this rule. ~~Hold a valid Florida educator's certificate with the appropriate coverage as provided for in the Course Code~~

~~Directory as adopted by reference in Rule 6A-1.09441, F.A.C., or~~

(2) A primary instructor must meet one (1) of the following conditions to be considered in-field:

(a) Hold a valid Florida educator's certificate with the appropriate coverage as provided for in the Course Code Directory as adopted by reference in Rule 6A-1.09441, F.A.C., or

(b) Hold a valid Florida educator's certificate with coverage other than that deemed appropriate by paragraph (2)(a) but have completed a minor field of study in the subject area to be taught, as per Section 1012.42, F.S., and the minor field of study consists of at least fifteen (15) semester hours in the appropriate subject area, or

(c) Hold a valid Florida educator's certificate with coverage other than that deemed appropriate by paragraph (2)(a) and have demonstrated sufficient subject matter expertise through passage of a standardized examination, pursuant to Section 1012.56, F.S., and Rules 6A-4.002, 6A-4.0021(12), and 6A-4.0243, F.A.C., or a comparable method for attainment of essential competencies in the subject area to be taught pursuant to district school board policy adopted as per Section 1012.42, F.S., or

(d) Hold a valid Florida educator's certificate with coverage other than that deemed appropriate by paragraph (2)(a) and have previously documented subject matter expertise for the academic course assigned based on a High, Objective, Uniform State Standard of Evaluation (HOUSSE) plan completed pursuant to 20 U.S.C. s. 7801(23)(effective January 8, 2002 to December 9, 2015); provided that the plan was completed under one (1) of the following conditions:

1. A Florida HOUSSE plan or out-of-state HOUSSE plan was completed by the beginning of the 2006-2007 school year and is filed in the educator's official personnel record; or

2. A HOUSSE plan documented subject matter expertise for a course in a world language when a Florida subject area examination has not been developed, a standardized examination had not been specified in state board rule, or the plan was completed prior to approval of a standardized examination in state board rule; or

(e) Hold a valid certificate issued by the school district as a nondegreed teacher of career and technical education courses employed under the provisions of Section 1012.39, F.S. The requirements in Sections 1012.39(1)(c)2.a. and b., F.S., must be satisfied prior to initial appointment to the position; or

(f) Hold appropriate credentials to qualify as a prekindergarten instructor to teach Voluntary Prekindergarten courses under the provisions of Sections 1002.55(3)(c), or 1002.55(4), F.S., or

(g) Hold a valid adjunct teaching certificate in the subject area to be taught, issued pursuant to district school board policy

adopted under the provisions of Section 1012.57, F.S., to teach part-time as defined per Section 1012.36, F.S., or

(h) Hold neither a Florida educator's certificate nor a certificate issued by the school district and be employed to teach a course in the individual's field of specialty under the provisions of Rule 6A-1.0502, F.A.C. Is a selected noncertificated person employed under the provisions of Rule 6A-1.0502, F.A.C., or

~~(3) Holds a valid Florida educator's certificate with coverage other than that deemed appropriate by subsection (1) and has documented a highly qualified designation pursuant to 20 U.S.C. s. 7801(23), by a High, Objective, Uniform State Standard of Evaluation (HOUSSE) plan for the academic course assigned, or~~

~~(3)(4) A primary instructor considered out-of-field per paragraph (1)(c) of this rule, shall have~~ Holds a valid Florida educator's certificate with coverage other than that deemed appropriate by subsection (1) and does not meet the requirements of subsection (3) and has been approved by the school board or charter school governing board to teach out-of-field after determination that a teacher with appropriate certification coverage is not available. All evidence of such qualifications and approval must be reflected in the individual's official personnel record; provided, however, that such approval may be granted by the school board or charter school governing board only under one (1) of the following conditions:

(a) The individual is in the first year of employment in the out-of-field assignment and has not been granted, during any preceding year in the district or charter school, approval by either the school board or the charter school governing board to be employed out-of-field in an area for which specific certification is otherwise required, or

(b) The individual has been approved to teach in the out-of-field assignment during any preceding year in the district or charter school and has earned the following college credit from an accredited or approved institution pursuant to Rule 6A-4.003, F.A.C., or inservice training in an approved district add-on program or district approved subject content professional development program:

1. Out-of-field assignment other than ESOL (English to Speakers of Other Languages). An individual ~~A teacher assigned to teach out-of-field~~ in a subject other than ESOL shall complete at least six (6) semester hours of college credit or the equivalent inservice toward the appropriate certification required in paragraph (2)(a) ~~subsection (1)~~ within one (1) calendar year from date of initial appointment to the out-of-field assignment and each calendar year thereafter until all requirements are completed for the appropriate subject certification;

2. Out-of-field assignment in only ESOL. An individual

~~assigned to teach~~ A teacher out-of-field in only ESOL shall complete at least three (3) semester hours of college credit or the equivalent inservice toward the ESOL requirements within the first two (2) calendar years from date of initial assignment to a class with limited English proficient (LEP) students and three (3) semester hours or the equivalent inservice during each calendar year thereafter until all requirements for certification in ESOL are completed; or

3. Out-of-field assignment in ESOL and another subject. An individual assigned to teach ~~A teacher out-of-field~~ in ESOL and another subject shall complete at least six (6) semester hours of college credit or the equivalent inservice toward the appropriate certification required by paragraph (2)(a) ~~subsection (1)~~ within one (1) calendar year from date of initial appointment to the out-of-field assignment and each calendar year thereafter until all requirements are completed for the appropriate subject certification. The training shall be completed in the following manner: During the first two years, at least three (3) of the required twelve (12) semester hours or the equivalent inservice shall be completed in ESOL strategies. Beginning with the third year and each year thereafter, at least three (3) semester hours or the equivalent inservice shall be completed in ESOL strategies and at least three (3) semester hours in the other out-of-field subject requirements. When either all ESOL or all other out-of-field subject requirements are completed, a teacher shall comply with the schedule specified in subparagraph (3) ~~(4)(b)~~1. or 2. of this rule as appropriate until all requirements are completed for both ESOL and the other out-of-field subject.

4. Waivers of college credit or inservice training in an approved district add-on or subject content professional development program may be obtained by one of the following provisions:

a. In lieu of college credit or the equivalent inservice specified in subparagraph (3) ~~(4)(b)~~1., 2. or 3. of this rule, an individual shall provide a doctor's statement certifying to medical inability to earn such credit during the prescribed time;

b. In lieu of college credit or the equivalent inservice specified in subparagraph (3) ~~(4)~~ (b)1. of this rule, the district superintendent or charter school chief administrator shall provide a statement certifying to extenuating circumstances beyond the control of the teacher to earn such credit during the prescribed time; or

c. In lieu of college credit or the equivalent inservice specified in subparagraph (3) ~~(4)~~ (b)1. or the criteria in paragraph (3) ~~(4)~~(a) of this rule, the Commissioner of Education may grant to the district, individual school sites, or a charter school a waiver of the requirements for a period of one (1) year on a one-time basis. The district superintendent or charter school chief administrator shall, pursuant to school board or

charter school governing board approval for such waiver, show extenuating circumstances that create a hardship for the district or teachers in meeting the specified requirements, ~~or~~

~~(5) Is a nondegree teacher of vocational education employed under the provisions of Section 1012.39, F.S. The requirements in Sections 1012.39(1)(c)2.a. and b., F.S., must be satisfied prior to initial appointment to the position.~~

Rulemaking Authority 1002.33(12), 1012.32, 1012.55(1), 1012.56(6) FS. Law Implemented 1002.33, 1012.05, 1012.32, 1012.39, 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.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hershel Lyons, Chancellor, Division of K-12 Public Schools.
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 2, 2018

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-5.030
 RULE TITLE: District Instructional Personnel and School Administrator Evaluation Systems

PURPOSE AND EFFECT: To update the criteria; implementation procedures; format and reporting requirements; and monitoring processes for the annual evaluation of instructional personnel and school administrator evaluation systems. The effect of this proposal is to set forth the criteria and process for approval of instructional personnel and school administrator evaluation systems that provides more flexibility; simplifies required forms; and streamlines the submission, review, and approval processes.

SUMMARY: The proposed rule sets forth the requirements for the annual evaluation of instructional personnel and school administrators pursuant to Section 1012.34, F.S., by updating the criteria so that the use of the state-calculated, value-added model is no longer required; setting forth submission, review and approval criteria; delineating the responsibilities of the school district and Department of Education (Department); establishing implementing procedures for the school district systems; prescribing reporting and monitoring requirements; and revising the incorporated forms used by school districts to align with state statute, streamline for readability and user-friendliness, and reduce duplication with requirements of other Department offices.

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 been prepared by the Agency.

As noted in the SERC, the proposed rule provides school districts with more flexibility; simplifies the forms they are required to use; and streamlines the submission, review, and approval processes. Additionally, the proposed rule does not require school districts to make any changes to their evaluation systems. As such, it is not anticipated that the proposal will directly or indirectly have an adverse impact or increase regulatory costs. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

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: 1012.34(8), 1012.98(8), FS.
 LAW IMPLEMENTED: 1012.22(1)(c), 1012.34, 1012.98, FS.
 A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 27, 2018, 9:00 a.m.
 PLACE: Hendry County, LaBelle High School, 4050 E. Cowboy Way, LaBelle, FL 33935.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eileen McDaniel, Bureau Chief, Bureau of Educator Recruitment, Development and Retention, 325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400; (850)245-0562; or eileen.mcdaniel@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.030 District Instructional Personnel and School Administrator Evaluation Systems.

(1) The purpose of this rule is to set forth the requirements for the annual evaluation of instructional personnel and school administrators pursuant to Section 1012.34, F.S., by establishing this rule provides criteria; and implementing procedures for the school district systems; delineating the responsibilities of the school district and Department of Education (Department); setting forth format for the submission, review and approval criteria of district instructional personnel and school administrator evaluation systems; and prescribing reporting and monitoring requirements for the

~~annual evaluation of instructional personnel and school administrators. This rule also establishes the process and requirements for monitoring district implementation of evaluation systems in accordance with Section 1012.34, F.S.~~

(2)(1) Definitions. The following definitions, listed alphabetically, shall be used in this rule and incorporated documents:

(a) “Assessments” means the methods or tools used to evaluate, measure, and document student performance and growth.

(b) “Contemporary research” means professional research studies that provide evidence of the impact of instructional practice and instructional leadership. Research findings are considered “contemporary” when conducted within the last ten (10) years or where the continued validity of less recent findings is supported by research conducted within the last ten (10) years.

~~(b) “Courses associated with statewide, standardized assessments” or “courses associated with statewide, standardized assessments under Section 1008.22, F.S.,” are those courses which are assessed by statewide, standardized assessments and are listed in the publication, “Florida VAM Course List,” (effective August 2015), which is incorporated herein by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05722>). A copy of Florida VAM Course List may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.~~

(c) “Florida Educator Accomplished Practices” or “FEAPs” means the those six (6) practices, including the descriptors within, described in subsection 6A-5.065(2), F.A.C., which is hereby incorporated herein by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05726>). A copy of Rule 6A-5.065, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(d) “Florida Principal Leadership Standards” or “FPLSs” means the practices, including all domains and descriptors, described in Rule 6A-5.080, F.A.C., which is hereby incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05727>). A copy of Rule 6A-5.080, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(e) An “indicator” is a description of a specific behavior or strategy.

(f) “Instructional personnel” means instructional personnel as defined in section 1012.01(2)(a)-(d), F.S., excluding substitute teachers.

(g)(e) “Newly hired by the district” means the first calendar year in which classroom teachers are employed by the school

district in a full-time instructional position. Such personnel are “newly hired” for their first year of employment in a district regardless of their prior work experience elsewhere or in the employing school district.

~~(h)(f) “Observation” means the monitoring actions in evaluation systems that contribute evidence of performance or the impact of performance on others. Evidence collected through observation contributes to the summative evaluation rating and may be used for formative feedback. District evaluation systems may provide that observations are formal or informal, and announced or unannounced; and whether they are District evaluation systems may provide that observations are contributed conducted by supervisors, mentors, or peers who are trained in the evaluation system. The length of time of an observation event and the type of school activity observed may vary and is determined by the evidence of practice that is sought.~~

(i)(g) “Performance standards” are the statements or cut points establishing how well individuals must perform within each criterion of the evaluation – performance of students, instructional practice or instructional leadership, and other indicators of performance – to achieve the four designated performance levels on a given metric to achieve a designated level.

~~(h) “Principal Leadership Standards” mean those practices, including all domains and descriptors, described in Rule 6A-5.080, F.A.C., which is incorporated herein by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05727>). A copy of Rule 6A-5.080, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.~~

(j)(i) “Research-based framework” means an approach used in an evaluation system to assess and provide feedback on either instructional practice or instructional leadership. A research-based framework is based on contemporary research and includes implementation procedures designed to support the successful use of the framework for evaluation and continuous improvement.

(k)(j) “Rubric” means a tool or set of indicators criteria or descriptions of practice used to distinguish among proficiency levels or classify performance.

(l)(k) “School administrator” means school administrator as defined in Section 1012.01(3)(c), F.S.

(m) “Substantial revisions” means revisions other than editing for grammar, name changes, or year updates.

(n)(4) “Summative evaluation rating” means the final, combined rating of performance for an annual evaluation that includes student performance, instructional practice or instructional leadership, and, if applicable, other indicators of performance.. There are four (4) performance levels: highly effective; effective; needs improvement, or, for teachers in the

first three (3) years of employment, developing; and unsatisfactory.

~~(o)(m)~~ “Value-added model” or “VAM” means a statistical model used for the purpose of determining an individual teacher’s or school administrator’s contribution to student learning, as established in Rule 6A-5.0411, F.A.C., which is hereby incorporated herein by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05728>). A copy of Rule 6A-5.0411, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

~~(2) Content of Approved Evaluation Systems.~~ To receive approval of its evaluation system, the district must submit evidence of the following requirements:

~~(a) Performance of Students.~~

~~1. For all instructional personnel and school administrators, the percentage of the evaluation that is based on the performance of students criterion as outlined in Section 1012.34(3)(a)1., F.S., along with an explanation of the scoring method, including how it is calculated and combined.~~

~~2. For classroom teachers newly hired by the district, the student performance measure and scoring method for each evaluation, including how it is calculated and combined.~~

~~3. For all instructional personnel and school administrators, confirmation of including student performance data for at least three (3) years, including the current year and the two (2) years immediately preceding the current year, when available. If less than the three (3) most recent years of data are available, those years for which data are available must be used. If more than three (3) years of student performance data are used, specify the years that will be used. The proportion of growth or achievement data included in the performance of students criterion may be determined by instructional assignment.~~

~~4. For classroom teachers of students for courses assessed by statewide, standardized assessments under Section 1008.22, F.S., documentation that VAM results comprise at least one-third of the evaluation. If a teacher is assigned a combination of courses that are associated with the statewide, standardized assessments and that are not, the portion of the evaluation that is comprised of the VAM results may be proportionally adjusted according to a methodology selected by the district, as long as the performance of students criterion remains at least one-third of the final evaluation.~~

~~5. For classroom teachers of students for courses not assessed by statewide, standardized assessments, the district-determined student performance measure(s).~~

~~6. For instructional personnel who are not classroom teachers, the district-determined student performance measure(s).~~

~~7. For school administrators the district-determined student performance measure(s).~~

~~(b) Instructional Practice.~~

~~1. For all instructional personnel, the percentage of the evaluation that is based on the instructional practice criterion as outlined in Section 1012.34(3)(a)2., F.S., along with an explanation of the scoring method, including how it is calculated and combined.~~

~~2. Documentation that the district evaluation framework for instructional personnel is based on contemporary research in effective educational practices.~~

~~3. For all instructional personnel, a crosswalk from the district’s evaluation framework to the Educator Accomplished Practices demonstrating that the district’s evaluation system contains indicators based upon each of the Educator Accomplished Practices.~~

~~4. For classroom teachers, observation instrument(s) that include indicators based on each of the Educator Accomplished Practices.~~

~~5. For non-classroom instructional personnel, evaluation instrument(s) that include indicators based on each of the Educator Accomplished Practices.~~

~~6. For all instructional personnel, procedures for conducting observations and collecting data and other evidence of instructional practice.~~

~~(c) Instructional Leadership.~~

~~1. For all school administrators, the percentage of the evaluation that is based on the instructional leadership criterion provided in Section 1012.34(3)(a)3., F.S., along with an explanation of the scoring method, including how it is calculated and combined.~~

~~2. Documentation that the district evaluation framework for school administrators is based on contemporary research in effective educational practices.~~

~~3. For all school administrators, a crosswalk from the district’s evaluation framework to the Principal Leadership Standards.~~

~~4. Observation or other data collection instrument(s) that includes indicators, organized by domains, based on each of the Principal Leadership Standards, and additional elements provided in Section 1012.34(3)(a)3., F.S., including performance measures related to the effectiveness of classroom teachers in the school; the administrator’s appropriate use of evaluation criteria and procedures; recruitment and retention of effective and highly effective classroom teachers; improvement in the percentage of instructional personnel evaluated at the highly effective or effective level; and other leadership practices that result in student learning growth, as identified by the district.~~

~~5. Procedures for observing and collecting data and other evidence of instructional leadership.~~

~~(d) Other Indicators of Performance.~~ A description of additional performance indicators, if the district chooses to

~~include such additional indicators pursuant to Section 1012.34(3)(a)4., F.S., the percentage of the final evaluation that is based upon the additional indicators, along with the scoring method, including how it is calculated and combined.~~

~~(e) Summative Evaluation Rating. The documentation shall include the summative evaluation form(s) and scoring method, including how it is calculated and combined, and the performance standards used to determine the summative evaluation rating. Districts shall use the four (4) performance levels provided in Section 1012.34(2)(e), F.S.~~

~~(f) Additional Requirements.~~

~~1. Confirmation that the district provides instructional personnel the opportunity to review their class rosters for accuracy and to correct any mistakes pursuant to Section 1012.34(1)(a), F.S.~~

~~2. Documentation that the evaluator is the individual who is responsible for supervising the employee. An evaluator may consider input from other personnel trained in evaluation practices. If input is provided by other personnel, identify the additional positions or persons. Examples include assistant principals, peers, district staff, department heads, grade level chairpersons, or team leaders.~~

~~3. Description of training programs and processes to ensure that all employees subject to an evaluation system are informed on evaluation criteria, data sources, methodologies, and procedures associated with the evaluation before the evaluation takes place, and that all individuals with evaluation responsibilities and those who provide input toward evaluation understand the proper use of the evaluation criteria and procedures.~~

~~4. Description of the processes for providing timely feedback to the individual being evaluated.~~

~~5. Description of how results from the evaluation system will be used for professional development.~~

~~6. Confirmation that the district will require participation in specific professional development programs by instructional personnel and school administrators who have been evaluated as less than effective as required by Section 1012.98(10), F.S.~~

~~7. Documentation that all instructional personnel and school administrators are evaluated at least once a year.~~

~~8. Documentation that all classroom teachers are observed and evaluated at least once a year, except for classroom teachers newly hired by the district, documentation that the teacher is observed and evaluated at least twice in the first year of teaching in the district pursuant to Section 1012.34(3)(a), F.S.~~

~~9. Documentation that the evaluation system for instructional personnel and school administrators include opportunities for parents to provide input into performance evaluations when the district determines such input is appropriate, and a description of the district's criteria for inclusion, and the manner of inclusion of parental input. Where~~

~~survey information from students and parents are used, such information shall be objectively reliable and based on teaching practices that are consistently associated with higher student achievement.~~

~~10. Identification of teaching fields, if any, for which special evaluation procedures and criteria are necessary.~~

~~11. Description of the district's peer assistance process, if any. Peer assistance may be part of the regular evaluation system, or used to assist personnel who are placed on performance probation, or who request assistance, or newly hired classroom teachers.~~

~~12. If included by a district, a description of the opportunity for instructional personnel to provide input into a school administrator's performance evaluation.~~

~~(g) District Evaluation Procedures. The district shall provide evidence that its evaluation procedures comply with the following statutory requirements in accordance with Section 1012.34(3)(e), F.S.:~~

~~1. The evaluator must submit a written report of the evaluation to the district school superintendent for the purpose of reviewing the employee's contract.~~

~~2. The evaluator must submit the written report to the employee no later than ten (10) days after the evaluation takes place.~~

~~3. The evaluator must discuss the written evaluation report with the employee.~~

~~4. The employee shall have the right to initiate a written response to the evaluation and the response shall become a permanent attachment to his or her personnel file.~~

~~(h) Notification of Unsatisfactory Performance. The district shall provide evidence that its evaluation procedures for notification of unsatisfactory performance comply with the requirements outlined in Section 1012.34(4), F.S.~~

~~(i) Additional Notifications. Documentation the district has complied with the requirement that the district school superintendent shall annually notify the Department of any instructional personnel or school administrator who receives two (2) consecutive unsatisfactory evaluations and shall notify the Department of any instructional personnel or school administrators who are given written notice by the district of intent to terminate or not renew their employment, as outlined in Section 1012.34(5), F.S.~~

~~(j) District Self Monitoring. The district shall provide a description of its process for annually monitoring its evaluation system. The district's self monitoring system shall determine the following:~~

~~1. Evaluators' understanding of the proper use of evaluation criteria and procedures, including evaluator accuracy and inter-rater reliability;~~

~~2. Evaluators provide necessary and timely feedback to employees being evaluated;~~

3. Evaluators follow district policies and procedures in the implementation of evaluation system(s);

4. Use of evaluation data to identify individual professional development; and,

5. Use of evaluation data to inform school and district improvement plans.

(3) Evaluation Systems Requirements. To receive approval of its evaluation systems, the school district must provide the following:

(a) Evaluation System Overview. For instructional personnel and school administrators, the purpose and a high-level summary of the evaluation system.

(b) Evaluation Procedures. For instructional personnel and school administrators, on an annual basis:

1. When and how personnel are informed of the criteria, data sources, methodologies, and procedures associated with the evaluation process;

2. When and how many observations take place; and

3. When and how many summative evaluations are conducted.

(c) Evaluation Criteria.

1. Performance of Students. For instructional personnel and school administrators:

a. Percentage of the evaluation based on student performance; and

b. Description of the step-by-step calculation for determining the student performance rating, including performance standards for differentiating performance.

2. Instructional Practice. For instructional personnel:

a. Percentage of the evaluation based on instructional practice; and

b. Description of the step-by-step calculation for determining the instructional practice rating for classroom and non-classroom instructional personnel, including performance standards for differentiating performance.

3. Instructional Leadership. For school administrators:

a. Percentage of the evaluation based on instructional leadership; and

b. Description of the step-by-step calculation for determining the instructional leadership rating for school administrators, including performance standards for differentiating performance.

4. Other Indicators of Performance. For instructional personnel and school administrators, if the school district chooses to include such additional indicators:

a. Percentage of the evaluation based on other indicators of performance;

b. Description of the additional performance indicators; and

c. Description of the step-by-step calculation for

determining the other indicators of performance rating, including performance standards for differentiating performance.

5. Summative Evaluation Rating. For instructional personnel and school administrators:

a. Description of the step-by-step calculation for determining the summative rating; and

b. Sample summative rating calculations to illustrate how a second grade teacher and a ninth grade English language arts teacher can earn a highly effective and an unsatisfactory summative performance rating.

(d) Additional requirements.

1. For instructional personnel and school administrators:

a. Confirmation that the evaluation system framework is based on sound educational principals and contemporary research in effective educational practices.

b. Confirmation that the school district provides training programs and has processes that ensure:

(I) Employees subject to an evaluation system are informed of the evaluation criteria, data sources, methodologies, and procedures associated with the evaluation before the evaluation takes place; and

(II) Individuals with evaluation responsibilities and those who provide input toward evaluations understand the proper use of the evaluation criteria and procedures;

c. Confirmation that the school district evaluation procedures comply with the following:

(I) The evaluator is the individual responsible for supervising the employee, and the evaluator is authorized to consider input from other personnel trained on the evaluation system;

(II) The evaluator provides timely feedback to the employee that supports the improvement of professional skills;

(III) The evaluator submits a written report to the employee no later than ten (10) days after the evaluation takes place;

(IV) The evaluator discusses the written evaluation report with the employee;

(V) The employee has the right to initiate a written response to the evaluation and the response becomes a permanent attachment to his or her personnel file;

(VI) The evaluator submits a written report of the evaluation to the district school superintendent for the purpose of reviewing the employee's contract; and

(VII) The evaluator may amend an evaluation based upon assessment data from the current school year if the data becomes available within ninety (90) days after the close of the school year.

d. Confirmation that the school district has procedures for the use of evaluation results to inform the planning of professional development, and the development of school and

district improvement plans.

e. Confirmation that the school district ensures personnel who have been evaluated as less than effective are required to participate in specific professional development programs.

f. Confirmation that the school district has procedures for the notification of unsatisfactory performance that comply with the requirements outlined in Section 1012.34(4), F.S.

g. Confirmation that the district school superintendent annually notifies the Department of Education of any personnel who receive two (2) consecutive unsatisfactory evaluation ratings, or are given written notice by the school district of intent to terminate or not renew their employment, as outlined in Section 1012.34(5), F.S. This reporting shall be completed in accordance with the FDOE Information Database Requirements: Volume II – Automated Staff Information System, as established in Rule 6A-1.0014, F.A.C., which is hereby incorporated by reference (DOS link). A copy of Rule 6A-1.0014, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

h. Confirmation that the school district has a process for annually monitoring its evaluation system that enables it to determine the following:

(I) Compliance with the requirements of Section 1012.34, F.S., and this rule;

(II) Evaluators' understanding of the proper use of evaluation criteria and procedures, including evaluator accuracy and inter-rater reliability;

(III) Evaluators provide necessary and timely feedback to employees being evaluated;

(IV) Evaluators follow district policies and procedures in the implementation of evaluation system(s);

(V) Use of evaluation data to identify individual professional development; and,

(VI) Use of evaluation data to inform school and district improvement plans.

2. For instructional personnel:

a. Confirmation that the observation instrument(s) to be used for classroom teachers include indicators based on each of the FEAPs.

b. Confirmation that the observation instrument(s) to be used for non-classroom instructional personnel include indicators based on each of the FEAPs, and may include specific job expectations related to student support.

c. Confirmation that the school district provides instructional personnel the opportunity to review their class rosters for accuracy and to correct any mistakes.

d. Confirmation that the district school superintendent annually reports accurate class rosters for the purpose of calculating district and statewide student performance, and the evaluation results of instructional personnel.

e. Confirmation that the school district provides opportunities for parents to provide input into performance evaluations, when the school district determines such input is appropriate.

f. Confirmation that the school district ensures all instructional personnel, classroom and non-classroom, are evaluated at least once a year, and classroom teachers newly hired by the school district are observed and evaluated at least twice in the first year of teaching in the school district.

g. Confirmation that the district's system identifies teaching fields for which special evaluation procedures or criteria are necessary, if applicable.

3. For school administrators:

a. Confirmation that the observation instrument(s) to be used for school administrators include indicators based on each of the FPLSs.

b. Confirmation that the school district ensures all school administrators are evaluated at least once a year.

c. Confirmation that the school district provides opportunities for parents and instructional personnel to provide input into performance evaluations, when the school district determines such input is appropriate.

(e) Additional Documentation.

1. For instructional personnel:

a. Crosswalk from the school district's evaluation framework to each of the FEAPs; and

b. Observation rubric(s) to be used for classroom and non-classroom teachers that include indicators based on each of the FEAPs.

2. For school administrators:

a. Crosswalk from the school district's evaluation framework to each of the FPLSs; and

b. Observation rubric(s) to be used for school administrators that include indicators based on each of the FPLSs and other leadership practices that result in student learning growth, as identified by the school district;

3. For instructional personnel and school administrators:

a. List of the assessments and performance standards that will apply to the assessment results to be used for calculating the performance of students; and

b. Summative evaluation form(s).

(4)(3) Submission Process.

(a) School districts shall submit an evaluation system to the Department for review and approval within fifteen (15) days of the system being revised and prior to school board approval at any time when a new system is established or when an existing evaluation system is revised. Beginning in the 2018-19 school year, school districts shall submit a revised system on the forms outlined in paragraph (4)(a) of this rule. The Department's review and approval of a revised evaluation system is part of the Department's process for monitoring

~~school district evaluation systems pursuant to Sections 1012.34(1)(b) and (8), F.S.~~

~~(b) Instructional personnel~~ All evaluation systems shall be submitted using the Instructional Evaluation System Template, Form IEST-2018 ~~2015~~, and school administrator evaluation systems shall be submitted using the ~~or~~ Administrative Evaluation System Template, Form AEST-2018 ~~2015~~.

~~(c) The Instructional Evaluation Systems Template, Form IEST 2015 or Administrative Evaluation System Template, Form AEST 2015 and all required supporting documentation shall be submitted electronically to the Department's Division of Educator Quality for review and approval to the address DistrictEvalSysEQ@fldoe.org.~~

~~(5)(4) Review and Approval Process. The review and approval process is a part of the Department's process for monitoring evaluation systems pursuant to Sections 1012.34(1)(b) and (8), F.S. Following the submission of an evaluation system:~~

~~(a) The Department shall review the form and documentation submitted by the district to determine whether the school district has submitted a complete evaluation system with the required content required by pursuant to subsection (3) (2) of this rule and in the format required by pursuant to subsection (4) (3) of this rule, using the Checklist for Approval, Appendix A to the Instructional Evaluation System Template, Form IEST 2015 and Administrative Evaluation System Template, Form AEST 2015.~~

~~(b) The Department shall, within thirty (30) days from the receipt of the evaluation system, provide each district a written notification to the school district notice within thirty (30) days of receipt of the evaluation system that identifies omitted elements, or, if there are no omitted elements, that notice that the submission is complete.~~

~~(c) The school district shall, within thirty (30) days from the notification provided in paragraph (5)(b) of this rule, address the omitted elements and resubmit the evaluation system to the Department.~~

~~(d) The Department shall, within thirty (30) days from the resubmission of the evaluation system, provide written notification to the district school superintendent of the evaluation system approval status to the district superintendent within sixty (60) days of the date the written notice in paragraph (4)(b) of this rule is provided to the district. The approval status designations and the effect of these designations are as follows:~~

~~1. Approved. An evaluation system shall be approved, if the system meets the requirements outlined all criteria found in subsection (6) (2) of this rule. A school district may implement the evaluation system (s) after receiving notification of Department approval.~~

~~2. Denied. An A district evaluation system shall be denied if the district's evaluation system does not meet the~~

~~requirements outlined in of subsection (6) (2) of this rule. The school district shall make revisions to the system, based in part on feedback from the Department, and resubmit the plan to the Department for review and approval; a A district may not implement a denied evaluation system. Upon request by the school district, the Department shall provide assistance in developing or improving an evaluation system.~~

~~(6) Approval Criteria.~~

~~(a) An evaluation system shall be approved when the system:~~

~~1. Is submitted to DistrictEvalSysEQ@fldoe.org;~~

~~2. Is submitted on the forms required by paragraph (4)(a) of this rule;~~

~~3. Fulfills the requirements of subsection (3) of this rule; and,~~

~~4. Is found by the Department to create the conditions necessary to increase student academic performance and learning growth by improving the quality of instructional, administrative, and supervisory services in the school district.~~

~~(b) An evaluation system shall maintain its approval designation if it continues to comply with the requirements listed in Section 1012.34, F.S., and this rule; the school district is implementing the evaluation system as approved by the Department; and any areas of noncompliance identified through the monitoring process outlined in subsection (7) of this rule are addressed within the Department's prescribed timeline.~~

~~(7)(5) Implementation Monitoring.~~

~~(a) In addition to the procedures described in subsections (5) of this rule (3) and (4), the Department shall monitor the school each district's implementation of its approved the evaluation systems pursuant to Section 1012.34(1)(b), F.S.; once every five (5) years, with monitoring occurring more often based upon a request from the district or receipt of evidence of non-compliance with the requirements of Section 1012.34, F.S., or this rule. Monitoring shall include documentation that the district is in compliance with the required elements of the evaluation system listed in subsection (2), and that the district is implementing its system as approved.~~

~~(a) The Department shall annually select no less than ten (10) percent of school districts to monitor, prioritized based on the following factors: the district percentage of schools receiving a grade of "D" or "F" pursuant to Section 1008.34, F.S.; the distribution of personnel in each of the four (4) performance levels provided in Section 1012.34(2)(e), F.S.; findings of evidence of noncompliance with the requirements of Section 1012.34, F.S., or this rule during monitoring; requests for assistance; and the length of time since the last monitoring event.~~

~~(b) The Department shall provide the school notify each district with no less than at least sixty (60) days' notice of a~~

~~prior to the monitoring event process described in paragraph (5)(a).~~

(c) ~~The school district shall, w~~Within thirty (30) days of the after receipt of the notification of monitoring, ~~the district shall~~ submit a report to the Department of the results of its annual self-monitoring ~~of its evaluation systems~~ pursuant to paragraph (2)(j) during the preceding five (5) years. The report shall include any improvements the school district has made to its evaluation processes as a result of its own monitoring.

(d) The Department shall conduct monitoring of the school district, documenting evidence that the school district is in compliance with the evaluation system requirements listed in Section 1012.34, F.S., and this rule, and implementing its system as approved.

(e) The Department shall, uUpon completion of monitoring, ~~the Department shall~~ provide the school district with a report of the results that identifies ~~of the monitoring, which includes the continued approval designation for the evaluation systems~~ and any strengths and areas of noncompliance identified.

(f) The school district shall, upon receipt of the monitoring report, receive no more than sixty (60) days to implement corrective actions to address areas of noncompliance and submit documentation of compliance to the Department.

~~(8)(6) Forms.~~ The following forms are hereby incorporated by reference; ~~and made a part of this rule. Copies may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.~~

~~(a) Instructional Evaluation System Template, Form IEST-2018 (April 2018) and 2015 (http://www.flrules.org/Gateway/reference.asp?No=Ref-05729) and , effective August 2015.~~

~~(b) Administrative Evaluation System Template, Form AEST-2018 (April 2018) 2015 (http://www.flrules.org/Gateway/reference.asp?No=Ref-05730), effective August 2015. Copies may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.~~

Rulemaking Authority 1012.34(8) 1012.98(8) FS. Law Implemented 1012.22(1)(c), 1012.34, 1012.98 FS. History--New 6-19-01, Formerly 6B-4.010, Amended 9-9-15,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, Division of K-12 Public Schools.
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 11, 2018

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-5.066 Approval of Teacher Preparation Programs

PURPOSE AND EFFECT: To implement changes from Sections 1004.04, 1004.85 and 1012.56, Florida Statutes, and to update continued approval procedures for the Department of Education to review and approve state-approved teacher preparation programs.

SUMMARY: The proposed rule revises the initial and continued approval standards and processes for state-approved teacher preparation programs, including significant changes to the site review processes which will result in teacher preparation programs using actionable feedback to improve candidate and completer effectiveness.

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: Based upon past agency experience with approval of these programs, the adverse criteria or regulatory cost, if any, do not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S. and is not expected to require legislative ratification, because the proposed rule is anticipated to be implemented with existing staff and technology and at no cost to the teacher preparation program providers. Furthermore, the proposed rule significantly streamlines the initial and continued approval processes and reduces the workload of each provider, including time and effort spent in preparation of annual reports as well as preparation for continued approval site visits.

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, 1004.04, 1004.85, 1012.56, FS.

LAW IMPLEMENTED: 1004.04, 1004.85, 1012.56, FS.

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

DATE AND TIME: March 27, 2018, 9:00 a.m.

PLACE: Hendry County, LaBelle High School, 4050 E. Cowboy Way, LaBelle, FL 33935.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eileen McDaniel, Bureau Chief, Bureau of Educator Recruitment, Development and Retention, 325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400; (850)245-0562; or eileen.mcdaniel@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 6A-5.066 follows. See Florida Administrative Code for present text.

6A-5.066 Approval of Teacher Preparation Programs.

This rule sets forth the requirements and implementation of the approval process for each type of teacher preparation program offered by a Florida provider as set forth in sections 1004.04, 1004.85, and 1012.56(8), Florida Statutes.

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

(a) “Academic year” means the period of year during which program candidates attend or complete a state-approved teacher preparation program. This includes summer term, fall term and spring term.

(b) “Annual demonstration of experience in a relevant prekindergarten through Grade 12 (P-12) school setting” means P-12 school-based experiences occurring yearly that are related to and in a subject matter and grade level setting that are covered by the certification necessary for the field experience course(s) or internships that the program faculty is assigned to teach or supervise. Examples include, but are not limited to, co-teaching with a P-12 educator or providing P-12 instruction directly to P-12 students.

(c) “Annual Program Performance Report” or “APPR” means the yearly public report card issued by the Florida Department of Education (Department) for a state-approved teacher preparation program that includes results of outcome-based performance metrics specified in Sections 1004.04(4)(a), 1004.85(4)(b) and 1012.56(8)(d)2., F.S.

(d) “Cohort” means a group of program completers who successfully satisfied all teacher preparation program requirements at any point during the academic year.

(e) “Content major” means the academic discipline to which a postsecondary student formally commits, e.g., mathematics, biology, history.

(f) “Continued approval” means that subsequent to an initial approval, a teacher preparation program has been granted the authority to operate for a five-year period.

(g) “Critical teacher shortage areas” mean the specific certification areas in high-need content areas and high-priority location areas that are identified annually by the State Board of Education pursuant to Rule 6A-20.0131, F.A.C., in accordance with Section 1012.07, F.S.

(h) “Educator Accomplished Practices” mean those practices described in subsection 6A-5.065(2), F.A.C., which is incorporated herein by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04963>).

(i) “eIPEP” or “electronic Institutional Program Evaluation Plan” means a Department-maintained web-based tool for collection and reporting of candidate and completer performance data on state-approved teacher preparation programs.

(j) “Educator preparation institutes” or “EPIs” mean all Florida postsecondary or qualified private providers that provide instruction for non-education baccalaureate or higher degree holders under Section 1004.85, F.S., and result in qualification for an initial Florida Professional Educator’s Certificate.

(k) “Equivalent program” means a teacher preparation program that is offered by more than one provider that prepares candidates in the same specific educator certification subject area(s).

(l) “Field experiences” mean activities associated with an instructional personnel’s role that are conducted in prekindergarten through Grade 12 classroom settings.

(m) “In-field teacher” means an instructional employee assigned duties in a classroom teaching subject matter or providing direct support in the learning process of students in the area in which the instructional personnel is trained and certified.

(n) “Initial approval” means that a new teacher preparation program has been granted the authority to operate for a five-year period.

(o) “Initial teacher preparation programs” or “ITPs” mean all programs offered by Florida postsecondary institutions that prepare instructional personnel under Section 1004.04, F.S., and result in qualification for an initial Florida Professional Educator’s Certificate.

(p) “Instructional position” means any full-time or part-time position held by a K-12 staff member whose function includes the provision of direct instructional services to students or provides direct support in the learning process of students as prescribed in Section 1012.01(2)(a)-(d), F.S., but not including substitute teachers.

(q) “Performance of Prekindergarten-12 students on statewide assessments using results of student learning growth formula per Section 1012.34, F.S.” means that the score is based on the performance of P-12 students assigned to in-field program completers from the previous three-year period who received a student learning growth score from the most recent academic year for which results are available.

(r) “Placement rate” means the number of program

completers reported annually by each program to the Department who are identified by the Department's Staff Information System, as prescribed in Section 1008.385(2), F.S., as employed in a full-time or part-time instructional position in a Florida public school district in either the first or second academic year subsequent to program completion. Program completers employed in a private or out-of-state P-12 school their first or second year following program completion are also included in the calculation if data are reported by the program and have been verified. If a program provides documentation of a program completer's employment as a school administrator as defined in Section 1012.01(3)(c), F.S., in a private or out-of-state school, or a program completer's death or disability, the number of program completers included in the calculation will be adjusted.

(s) "Production of program completers in statewide critical teacher shortage areas per Rule 6A-20.0131, F.A.C., in accordance with Section 1012.07, F.S.," means a bonus score is awarded when the number of program completers in specified critical teacher shortage areas increases from the most recent year compared to the number of program completers from the previous academic year.

(t) "Professional development certification program" or "PDCP" means a program in which a school district, charter school or charter management organization may provide instruction for members of its instructional staff who are non-education baccalaureate or higher degree holders under Section 1012.56(8), F.S., and results in qualification for an initial Florida Professional Educator's Certificate.

(u) "Program candidate" means an individual who has been admitted into and is currently enrolled in, but has not yet completed a teacher preparation program that prepares instructional personnel to meet the qualifications for a Florida Professional Educator's Certificate.

(v) "Program completer" means an individual who has satisfied all teacher preparation program requirements and who meets the qualifications for the Florida Professional Educator's Certificate.

(w) "Program completer in need of remediation" means an individual who is employed in an instructional position in a Florida public school during the first two (2) years immediately following completion of the program or following initial certification, whichever occurs first, and who earns an evaluation result of developing or unsatisfactory on the school district's evaluation system implemented under Section 1012.34, F.S.

(x) "Provider" means a Florida postsecondary institution, private provider, school district, charter school, or charter management organization.

(y) "Reading endorsement competencies" mean those standards described in Rule 6A-4.0163, F.A.C., which is

incorporated herein by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04962>).

(z) "Results of program completers' annual evaluations as specified in Section 1012.34, F.S.," mean that scores are based on program completers from the previous three-year period who received an annual evaluation rating from the most recent academic year.

(aa) "Retention rate" means the average number of years that program completers are employed in a full-time or part-time instructional position in a Florida public school district at any point each year in a five-year period following initial employment in either of the two (2) subsequent academic years following program completion. Program completers employed in a private or out-of-state P-12 school their first or second year following program completion are also included in the calculation if data are reported by the program and have been verified. If a program provides documentation of a program completer's employment as a school administrator as defined in Section 1012.01(3)(c), F.S., in a private or out-of-state school, or a program completer's death or disability, the number of program completers included in the calculation will be adjusted.

(bb) "Student performance by subgroup" means the performance of students in P-12 who are assigned to in-field program completers aggregated by student subgroup, as referenced in Sections 1004.04(4)(a)3.d., 1004.85(4)(b)4. and 1012.56(8)(d)2.c., F.S., as a measure of how well the teacher preparation program prepares instructional personnel to work with a diverse population of students in a variety of settings in Florida public schools. The score is based on in-field program completers from the previous three-year period who received a student learning growth score from the most recent academic year.

(cc) "Teacher preparation program" means a state-approved course of study, the completion of which signifies that the candidate has met all training and assessment requirements for initial certification to provide direct instructional services to P-12 students.

(dd) "Ten (10) percent waiver" means that an initial teacher preparation program (ITP) may annually waive admission requirements specified in Section 1004.04(3)(b)1.-2., F.S., for up to ten (10%) percent of the students admitted in the academic year.

(ee) "Two-year guarantee" means that an initial teacher preparation program (ITP) must provide assurance of the high quality of its program completers during the first two (2) years immediately following completion of the program or following the initial certification of the program completer, whichever occurs first, as specified in Section 1004.04(4)(d), F.S.

(ff) "Uniform Core Curricula" means the following for all state-approved teacher preparation programs, except as noted:

1. The standards contained in the Educator Accomplished Practices.

2. State content standards as prescribed in Rule 6A-1.09401, F.A.C.

3. Scientifically researched and evidence-based reading instructional strategies appropriate to the candidate's teacher preparation program area as follows:

a. ITP candidates in prekindergarten-primary (age 3-Grade 3), elementary (K-6), reading (K-12) and exceptional student education (K-12) certification programs shall be prepared in reading endorsement competencies one (1) through four (4).

b. ITP candidates in middle grades (5-9), secondary (6-12), and elementary and secondary coverage (K-12) certification programs shall be prepared in reading endorsement competencies one (1) and two (2).

c. EPI and PDCP candidates shall be prepared in reading endorsement competency two (2).

4. Content literacy and mathematical practices.

5. Strategies appropriate for the instruction of English language learners so that candidates are prepared to provide instruction in the English language to limited English proficient students to develop the student's mastery of the four (4) language skills of listening, speaking, reading and writing.

a. ITP candidates in prekindergarten-primary (age 3-Grade 3), elementary (K-6), middle grades English (5-9), English (6-12) and exceptional student education (K-12) certification programs shall have completed the requirements for teaching limited English proficient students in Florida public schools by meeting the requirements specified in Rule 6A-4.0244, F.A.C., Specialization Requirements for the Endorsement in English for Speakers of Other Languages.

b. ITP candidates in teacher preparation programs not included in sub-subparagraph (1)(ff)5.a. of this rule, shall have completed a college or university level 3-credit hour overview or survey course which addresses at an awareness level the areas specified in Rule 6A-4.02451, F.A.C., Performance Standards, Skills, and Competencies for the Endorsement in English for Speakers of Other Languages.

6. Strategies appropriate for the instruction of students with disabilities so that candidates are prepared to apply specialized instructional techniques, strategies, and materials for differentiating, accommodating, and modifying assessments, instruction, and materials for students with disabilities.

7. A focus on school safety in which candidates are prepared to create environments in which effective teaching and learning can take place by promoting a physically, emotionally, socially and academically secure climate for prekindergarten through grade 12 students.

(2) Standards for approval of teacher preparation programs.

(a) The following standards must be met for a provider to receive initial and continued approval of a teacher preparation program:

1. The program admits high-quality teacher candidates who meet state-mandated admission requirements and show potential for the teaching profession;

2. The program ensures that candidates and completers are prepared to instruct prekindergarten through grade 12 (p-12) students to meet high standards for academic achievement;

3. The program ensures high-quality field and clinical experiences, including feedback and support for each program candidate, and provides candidates with opportunities to demonstrate the ability to positively impact student learning growth; and

4. The program supports continuous improvement that is sustained and evidence-based and that evaluates the effectiveness of its candidates and completers.

(3) Processes for initial approval of teacher preparation programs.

(a) At least thirty (30) days prior to an application submission, the president, chief executive officer or superintendent of a provider who seeks initial approval to offer a teacher preparation program, shall notify the Florida Department of Education of its intent to submit an application for state-approval of a teacher preparation program.

(b) A provider shall submit an application by January 15, April 15, July 15, or October 15, using the Florida Department of Education Initial Program Approval Standards, Form IAS-2018.

(c) The Department shall conduct a review of the application submitted to the Department and notify the provider in writing of the following:

1. Receipt of the application.

2. Missing or deficient elements within thirty (30) days of receipt and provide a period of ten (10) business days for the provider to submit supplemental information or documentation to address the deficit(s).

3. Within ninety (90) days of receipt of a completed application, the approval or denial of each program.

a. An approval notice shall provide the program with an initial approval period of five (5) years.

b. A denial notice shall identify the reason(s) for the denial and the deficiencies. A program that receives a denial may reapply for initial approval in accordance with this subsection.

(4) Reporting requirements for state-approved teacher preparation programs.

(a) State-approved teacher preparation programs shall report the following data to the Department:

1. Each provider shall annually submit program candidate

and completer data to the Department’s secure management information system.

2. All providers with a state-approved Educator Preparation Institute must annually report via the Department’s eIPEP platform located at <https://www.florida-eipep.org/>, results of employer satisfaction surveys designed to measure the preparation of the program completer.

(5) Requirements and processes for continued approval of teacher preparation programs.

(a) Continued approval entails requirements that are scored and requirements that are not scored. The requirements for continued approval that are not scored are as follows:

1. Except for programs in critical teacher shortage areas as defined in paragraph (1)(g), the program has at least one completer within the last three (3) years of the continued approval period.

2. Since initial approval, the provider has annually met the reporting requirements under subsection (4);

3. A provider has submitted the Florida Department of Education Continued Approval, Form CA-2018, during the last year of approval and at least sixty (60) days before a site visit; and

4. Based upon the information provided on Continued Approval Form CA-2018, the provider demonstrates that it meets the following requirements:

a. The provider admits candidates that meet the state-mandated requirements;

b. A provider with a state-approved initial teacher preparation program or an educator preparation institute provides a certification ombudsman;

c. The provider only endorses program candidates as completers if the individual has demonstrated positive impact on student learning growth in their certification subject area and passed all portions of the Florida Teacher Certification Examinations;

d. A provider with an initial teacher preparation program monitors and remediates program completers who are referred by the employing school district during the first two (2) years immediately following program completion (2-year guarantee);

e. The provider ensures that personnel who supervise, instruct or direct candidates during field experience courses and internships meet the state-mandated qualifications;

f. The provider collects and uses multiple sources of data to monitor program progress and performance, including a formal system for continuous program improvement that includes stakeholders; and

g. A provider with an educator preparation institute use results of employer satisfaction surveys designed to measure the sufficient preparation of program completers, to drive programmatic improvement.

(b) The requirements for continued approval that are scored are the Annual Program Performance Report (APPR), Continued Approval Site Visit and Evidence of Programmatic Improvement.

(6) Annual Program Performance Report (APPR).

(a) The Department shall annually issue an Annual Program Performance Report (APPR) that includes program completer data based on the performance metrics specified in Sections 1004.04(4)(a)3., 1004.85(4)(b) and 1012.56(8)(d)2., F.S. Data shall be based on each of the program’s completers who were employed as instructional personnel in a Florida public school district or as otherwise provided under subsection (1), of this rule. Performance metrics not applicable to a program shall not be rated.

(b) For purposes of the APPR only, world language (e.g., Arabic, Chinese, French and Spanish); Middle Grades certification subject areas (e.g., Middle Grades Mathematics grades 5-9) and Secondary Level certification subject areas (e.g., Mathematics grades 6-12); and science programs (e.g., Biology and Physics) are considered single programs.

(c) Each performance metric appropriate for a program shall receive a performance level score ranging from one (1) to four (4) that is based on the performance level target points established as follows:

Performance Metrics	Level 14 Performance Target (4 points)	Level 13 Performance Target (3 points)	Level 12 Performance Target (2 points)	Level 11 Performance Target (1 point)
Placement Rate (not applicable for PDCP programs per Section 1012.56(8), F.S.)	Placement rate is at or above the 68 th percentile of all equivalent programs across the state.	Placement rate is at or above the 34 th percentile and below the 68 th percentile of all equivalent programs across the state.	Placement rate is at or above the 5 th percentile and below the 34 th percentile of all equivalent programs across the state.	Placement rate is below the 5 th percentile of all equivalent programs across the state.
Retention Rate	The average number of years	The average number of years	The average number of years	The average number of years

	<u>employed in the 5-year period following initial placement is 4.5 years or more.</u>	<u>employed in the 5-year period following initial placement is 3 years to less than 4.5 years.</u>	<u>employed in the 5-year period following initial placement is 2 years to less than 3 years.</u>	<u>employed in the 5-year period following initial placement is less than 2 years.</u>
<u>Performance of prekindergarten-12 students on statewide assessments using results of student learning growth formula per Section 1012.34, F.S.</u>	<u>The probability that the average student learning growth among students taught by program completers exceeds the expectations for those students is > 95 percent.</u>	<u>The probability that the average student learning growth among students taught by program completers exceeds the expectations for those students is < 5 percent; AND the probability that the average student learning growth among students taught by program completers falls short of the expectations for those</u>	<u>Not calculated.</u>	<u>The probability that the average student learning growth among students taught by program completers falls short of the expectations for those students is > 95 percent.</u>

		<u>students expectations is < 5 percent.</u>		
<u>Student performance by subgroups data</u>	<u>At least 75 percent of the subgroups meet or exceed the state standard for performance.</u>	<u>At least 50 percent, but less than 75 percent of the subgroups meet or exceed the state standard for performance.</u>	<u>At least 25 percent but less than 50 percent of the subgroups meet or exceed the state standard for performance.</u>	<u>Fewer than 25 percent of the subgroups exceed the state standard for performance.</u>
<u>Results of program completers' annual evaluations as specified in Section 1012.34, F.S.</u>	<u>At least 30 percent of the program's completers received a highly effective rating and 90 to 100 percent of the program's completers received either highly effective or effective ratings, and no completers were rated</u>	<u>Program did not meet criteria for Level 4, but at least 80 percent of the program's completers received either highly effective or effective ratings, and no completers were rated unsatisfactory.</u>	<u>Program did not meet criteria for Level 3, but at least 60 percent of the program's completers received a highly effective or effective rating and no more than 5 percent (more than one (1) for n < 20) of the program's completers were rated</u>	<u>Program did not meet criteria for Level 2, 3 or 4.</u>

	unsatisfactory.		unsatisfactory.	
Production of program completers in statewide critical teacher shortage areas, per Rule 6A-20.0131, F.A.C., in accordance with Section 1012.07, F.S. BONUS ONLY, pursuant to subparagraph (3)(a)6. of this rule.	The critical teacher shortage program increased the number of program completers compared to the year before with a minimum of 2 completers in each year.			

(d) Each APPR shall include a summative rating score between 1.0 and 4.0 that is the average of all performance target level scores received by a program. If the program is eligible for the bonus performance metric of production of program completers in a statewide critical teacher shortage area, the summative rating score is weighted and calculated as follows: the average of all other performance target level scores computed for the program (which will consist of between two (2) and five (5) performance targets) multiplied by 0.8, plus the bonus score of four (4) points multiplied by 0.2, to yield the summative rating score. A program shall receive an APPR if it meets the minimum requirements as follows:

1. The program shall have three (3) or more completers in the selected cohort time period for the Placement performance metric or Retention performance metric; and

2. The program shall have two (2) or more completers who received an annual evaluation for the Annual Evaluation performance metric.

(e) A program that does not receive an APPR shall receive

a summative rating score of 1.0 for that year.

(f) The provider shall have thirty (30) business days from the date the Department transmitted the APPR data to review the data on its program completers and summative rating scores, and provide the Department with documentation supporting an error or omission. The Department shall review the documentation and notify the provider within fifteen (15) business days of receipt of the supporting documentation of any change to the APPR data and scores.

(7) Continued Approval Site Visit.

(a) Each approved program shall receive a site visit during the final year of the continued approval period. If a provider has state-approved ITP and EPI programs, one program of each type shall receive a site visit.

(b) The provider's elementary education program shall be the program reviewed during the site visit in the event a provider offers the program. If an elementary education program is not offered by the provider, the provider's prekindergarten-primary education program will be reviewed during the site visit. If neither of these programs is offered, the provider's program with the largest enrollment will be reviewed during the site visit.

(c) At least two (2) months prior to the site visit, the provider shall submit a self-assessment report to the Department via the eIPEP platform located at <https://www.florida-eipep.org/> that describes the program's strengths, areas for improvement and programmatic improvement efforts for the areas noted in subparagraph (7)(d).

(d) During the site visit, using the Florida Site Visit Framework, Form FSVF-2018, the program will be reviewed and scored to determine the extent to which the program:

1. Ensures that candidates and completers are prepared to instruct prekindergarten through grade 12 (p-12) students to meet high standards for academic achievement. (Review Area 2 on Form FSVF-2018)

2. Ensures high-quality field and clinical experiences, including feedback and support for each program candidate, and provides candidates with opportunities to demonstrate the ability to positively impact student learning growth. (Review Area 3 on Form FSVF-2018)

3. Supports continuous improvement that is sustained and evidence-based and that evaluates the effectiveness of its candidates and completers. (Review Area 4 on Form FSVF-2018)

(e) Each of the three site visit review areas found in subparagraphs (7)(d) 1., 2. and 3., shall be scored. A score of one (1) indicates the review area is inadequate, a score of two (2) indicates the area is weak, a score of three (3) indicates the area is good, a score of four (4) indicates the area is strong.

(f) Prior to issuance of a final site visit report by the Department, a preliminary site visit report shall be provided to

the provider in order to afford the provider the opportunity to provide clarifying information.

(8) Evidence of Programmatic Improvement.

(a) Within thirty (30) business days of the provider's receipt of the final site visit report, the provider shall submit an improvement plan to the Department via the eIPEP platform located at <https://www.florida-eipep.org/>. The improvement plan must specify at least three (3) improvement goals; strategies for achieving these goals; and describe the evidence that will be used to measure progress towards these goals.

(b) By June 1 for providers with fall site visits, or December 1 for those with spring site visits, the provider shall provide to the Department a progress report that includes evidence measuring progress towards the goals identified in the improvement plan. The progress report shall be submitted via the eIPEP platform located at <https://www.florida-eipep.org/>.

(9) Continued Approval Summative Score and Ratings.

(a) The Department shall determine the Continued Approval Summative Score for all programs based on the following components:

1. APPR Average Summative Rating: The annual APPR summative rating scores are averaged across all of the provider's state-approved teacher preparation programs within the continued approval period; each rating score is then weighted by the total number of completers used in the annual calculation of the APPR summative rating. The APPR Average Summative Rating ranges between 1.0 and 4.0.

2. Continued Approval Site Visit Rating: The average of all scores issued for each review area as specified in paragraph (7)(d). The continued approval site visit rating ranges between 1.0 and 4.0.

3. Evidence of Programmatic Improvement Rating: A progress report that includes evidence of progress towards achieving the goals set by the provider in its improvement plan will receive a rating of four (4); lack of evidence of progress will yield a rating of one (1).

(b) In order to calculate the continued approval summative score, the weights for each component of the continued approval summative score are 50% for the APPR Average Summative Rating, 20% for the Continued Approval Site Visit Rating, and 30% for Evidence of Programmatic Improvement Rating. For example, if a program received the following four (4) scores in each of the components: APPR Average Summative Rating of 3.2, Continued Approval Site Visit Rating of 3, and Evidence of Programmatic Improvement Rating of 4, the continued approval summative score would be $(.50 * 3.2) + (.20 * 3) + (.30 * 4) = 3.4$

(c) The continued approval summative score rating scale is as follows:

1. Full Approval with Distinction rating: the program has earned a continued approval summative score of above 3.5.

2. Full Approval rating: the program has earned a continued approval summative score of 2.4 to 3.5.

3. Denial of Approval rating: the program has earned a continued approval summative score that is below 2.4. A program that receives a denial of approval rating may reapply for initial approval as specified in subsection (3) of this rule.

(10) Professional Training Option for Content Majors.

(a) A postsecondary institution with an approved initial teacher preparation program (ITP) pursuant to subsection (3) of this rule must obtain the approval of the Department in order to offer a Professional Training Option program for content majors attending its institution. An institution seeking approval shall submit its request in writing to the Department.

(b) Upon completion of the Professional Training Option, the individual shall have satisfied professional preparation course work as prescribed in subsection 6A-4.006(2), F.A.C., as well as:

1. Received training in the Educator Accomplished Practices;

2. Received training in reading endorsement competency two (2); and

3. Completed integrated school-based observation/participation field experiences associated with all competencies covered in the Professional Training Option.

(c) To receive approval, the institution must provide evidence of a series of courses that accomplish the required training and field experiences listed in paragraph (10)(b) of this rule. Upon receiving approval, an institution will not be required to resubmit its Professional Training Option for re-approval unless the competencies in subparagraphs (10)(b)1.-2. of this rule or the requirements in subsection 6A-4.006(2), F.A.C., are changed.

(d) In order to maintain approval, an institution must:

1. Report to the Department annually the number of participants enrolled in the program and the number of program completers;

2. Provide an endorsement of transcripts for each individual who completes the Professional Training Option; and,

3. Maintain compliance with the requirements pursuant to paragraph (10)(b) of this rule.

(11) Notwithstanding an applicant's deficiency in meeting the requirements for continued approval set forth in subsections (5)-(8) of this rule, the Commissioner is authorized to grant continued approval of a teacher preparation program where the applicant demonstrates that all statutory requirements are met; the failure to meet a requirement found in subsection (5) of this rule, is temporary or beyond the control of the applicant; and the Commissioner determines that the deficiency does not impair the ability of the provider to prepare effective instructional personnel.

(12) The following forms are hereby incorporated by reference and made a part of this rule, effective April 2018. Copies may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(a) Florida Department of Education Initial Program Approval Standards, Form IAS-2018 (DOS link).

(b) Florida Department of Education Continued Approval, Form CA-2018 (DOS link).

(c) Florida Site Visit Framework, Form FSVF-2018 (DOS link).

Rulemaking Authority 1001.02, 1004.04, 1004.85, 1012.56 FS. Law Implemented 1004.04, 1004.85, 1012.56 FS. History—New 7-2-98, Amended 8-7-00, 3-19-06, 2-17-15, 1-1-18,

NAME OF PERSON ORIGINATING PROPOSED RULE: Hershel Lyons, Chancellor, Division of K-12 Public Schools.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 10, 2018

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-620.100
 RULE TITLE: Scope/Applicability/References

PURPOSE, EFFECT AND SUMMARY: The proposed amendments adopt and incorporate by reference the modifications to the testing procedures approved for analysis and sampling under the Department’s National Pollutant Discharge Elimination System (NPDES) program, Title 40, Code of Federal Regulations, Part 136 (40 CFR 136) effective July 1, 2017, and revised as of August 28, 2017.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.0885, 403.8055 F.S.

LAW IMPLEMENTED: 403.061, 403.087, 403.088, 403.0885 F.S.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Catherine Murray, P.E., Florida Department of Environmental Protection, Division of Water Resource Management, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; catherine.m.murray@dep.state.fl.us; (850)245-8613

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN

14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-620.100 Scope\Applicability\References.

(1) through (2) No change.

(3) References. The Department adopts and incorporates by reference the following sections of Title 40 of the Code of Federal Regulations (CFR) revised as of July 1, 2009, or later as specifically indicated, and the Department Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., dated 7-10-06. Copies of these documents may be obtained by writing the Department of Environmental Protection, Bureau of Water Facilities Regulation, 2600 Blair Stone Road, MS 3535, Tallahassee, Florida 32399-2400.

(a) through (i) No change.

(j) 40 C.F.R. 136, which contains guidelines for establishing test procedures for the analysis of pollutants, revised as of July 1, 2017 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>), and as amended on August 28, 2017, at 82 FR 165, pages 40836 through 40941 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>) amended May 18, 2012, at 77 FR 29757 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02215>).

(k) through (dd) No change.

(4) No change.

Rulemaking Authority 403.061, 403.087, 403.0885, 403.8055 FS. Law Implemented 403.061, 403.087, 403.088, 403.0885 FS. History—New 11-29-94, Amended 12-24-96, 3-2-00, 10-22-00, 10-23-00, 6-1-01, 8-25-03, 12-8-03, 12-23-04, 2-7-06, 3-13-06, 6-19-06, 7-10-06, 10-16-07, 11-28-07, 2-17-09, 3-15-10, 2-14-13, 6-24-15, 8-16-16,_____.

Section III

Notice of Changes, Corrections and Withdrawals

NONE

Section IV

Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On February 19, 2018, the Division issued an order. The Final Order was in response to a Petition for a permanent Variance from Brookdale Senior Living, filed December 8, 2017, and advertised on December 15, 2017 in Vol. 43, No.241, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2.3, A.S.M.E. A17.1b, 2009 edition, Rule 2.2.2.4, A.S.M.E. A17.1b, 2009 edition, and Rule 2.2.2.5, A.S.M.E. A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires providing a sump pump and drain in the elevator pit because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2017-215).

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-8.0011 Standard Terms Applicable to Orders

NOTICE IS HEREBY GIVEN that on February 5, 2018, the Board of Medicine, received a petition for waiver or variance filed by Hector Diaz, M.D., from subparagraph 64B8-8.0011(7)(a)1., F.A.C, regarding the requirement for supervising physicians to be board-certified in the same specialty area as the physician being supervised. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-8.0011 Standard Terms Applicable to Orders

NOTICE IS HEREBY GIVEN that on February , 2018, the Board of Medicine received a petition for waiver or variance filed by John T. Bowman, M.D., from subparagraph 64B8-8.0011(7)(a)1., F.A.C, regarding the requirement for supervising physicians to be practicing within 20 miles of the physician being supervised. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-18.004 Intern Training Agencies.

NOTICE IS HEREBY GIVEN that on February 12, 2018, the Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, received a petition for waiver of certain requirements of subsection 69K-18.004(3), FAC. The petition was filed on behalf of Northstar Funeral Services of Florida, LLC (Northstar), which is acquiring certain funeral establishments that are currently training agencies. Northstar seeks a waiver such that the number of cases done by the prior owner of the funeral establishment should count against the requirement of the cited rule, so that the training agency status of the funeral establishments may be continued, thus preventing the imposition of serious hardship to the interns currently training at the said funeral establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jasmin Richardson at jasmin.richardson@myfloridacfo.com or (850)413-4992.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-18.004 Intern Training Agencies.

The Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services hereby gives notice: the request for waiver, by Barbara Falowski Funeral and Cremation Services, Inc., that the number of cases done by the prior owner of the funeral establishment should count against the requirement of the cited rule was granted at the February 1, 2018 Board Meeting.

A copy of the Order or additional information may be obtained by contacting :Jasmin Richardson, (850)413-3039.

Section VI
Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: March 1, 2018, 9:00 a.m.

PLACE: FDOT, Burns Auditorium, 605 Suwannee Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bicycle and Pedestrian safety and related issues.

A copy of the agenda may be obtained by contacting: Melanie Weaver Carr, (850)414-4817.

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 Paula San Gregorio, (850)414-4811. 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 TRANSPORTATION

The FLORIDA DEPARTMENT OF TRANSPORTATION announces a public meeting to which all persons are invited.

DATES AND TIMES: March 5, 2018, 1:00 p.m.; April 2, 2018, 1:00 p.m.; May 14, 2018, 1:00 p.m.; June 4, 2018, 1:00 p.m.; July 9, 2018, 1:00 p.m.; August 6, 2018, 1:00 p.m.; September 10, 2018, 1:00 p.m.; October 1, 2018, 1:00 p.m.; November 19, 2018, 1:00 p.m.; December 17, 2018, 1:00 p.m.

PLACE: FDOT District Three Office in Chipley, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Access Management Review Committee will review certain proposed deviations from access management and median opening spacing standards to include: Access management, driveway and median opening issues not resolved in the District's staff level process and full movement median openings not meeting the spacing standards in rule Chapter 14-97, F.A.C by a threshold of 10% or more.

A copy of the agenda may be obtained by contacting: Kim Weaver, (850)330-1438.

For more information, you may contact: Kim Weaver, (850)330-1438.

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

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

DATE AND TIME: March 21, 2018, 6:00 p.m.

PLACE: Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) Environmental Education Center, 505 Guana River Road, Ponte Vedra Beach, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group for GTMNERR will hold a meeting to provide advisory input for the management of GTMNERR.

A copy of the agenda may be obtained by contacting: Kaitlyn Dietz by email: Kaitlyn.Dietz@dep.state.fl.us or by phone: (904)823-4500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kaitlyn Dietz at (904)823-4500. 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: Kaitlyn Dietz: Kaitlyn.Dietz@dep.state.fl.us or by phone: (904)823-4500.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/LEPC District 9 announces a public meeting to which all persons are invited.

DATE AND TIME: February 22, 2018, 9:30 a.m.

PLACE: Lee County Emergency Management, 2675 Ortiz Ave., Fort Myers, FL 33905 (in the Situation Room)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Southwest Florida Local Emergency Planning Committee

A copy of the agenda may be obtained by contacting: Sean McCabe at smccabe@swfrpc.org or (239)938-1813, ext. 218.

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: SWFRPC Offices at (239)938-1813. If you are

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

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

For more information, you may contact: the LEPC's web page at <http://swfrpc.org/lepc.html>.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 7, 2018, 2:00 p.m., Project & Lands Committee Meeting

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meetings on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

Project and Lands Committee to discuss and consider District business, including regulatory and non-regulatory matters.

Public Hearing: Updating the District's Florida Forever Water Management District Work Plan, pursuant to Sections 373.199 and 373.139(3), Florida Statutes, to include additional lands within the Lake Hicpochee Hydrological Enhancement – Northern Everglades and Estuaries Protection Program project. A copy of the agenda may be obtained by contacting: Yvette Bonilla at (561)682-6286 or ybonilla@sfwmd.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 5 days before the workshop/meeting by contacting: District Clerk, (561)682-6805. 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: Yvette Bonilla at (561)682-6286 or ybonilla@sfwmd.gov.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

The Division of Purchasing announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2018, 10:00 a.m.

PLACE: 4050 Esplanade Way, Conference room 109, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Public Meeting for the evaluators to submit and confirm their technical scoring for DMS 1718-024 Healthcare Transparency Services Entity. There is a dial in number available for this meeting:

Conference call number: 1(888)670-3525, Participant Passcode: 7665653066#

All members of the public are welcome to attend at the time and place noted in the notice.

A copy of the agenda may be obtained by contacting: Maureen Livings, Maureen.livings2@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, (850)488-0439. 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: Maureen Livings.

Any changes to the schedule for this meeting will be posted on the Department's Vendor Bid System (VBS). It is the responsibility of anyone interested in the meeting to check the VBS for updates.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission announces a public meeting to which all persons are invited.

DATE AND TIME: March 2, 2018, 2:00 p.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar. Join the meeting at <https://global.gotomeeting.com/join/272658565>. Join the conference call: United States 1(866)899-4679; Meeting ID / Access Code: 272-658-565; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislation before the 2018 Florida Legislature affecting the Florida Building Commission.

Take up and consider other matters that appear on the Commission's agenda.

A copy of the agenda may be obtained by contacting: Thomas Campbell as set forth below or on the Commission website.

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: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824 or fax: (850)414-8436. 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: Thomas Campbell, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board Probable Cause Panel announces a public meeting to which all persons are invited.

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

PLACE: Zora Neale Hurston Building, 400 West Robinson Street, Suite N901, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801. Only public portions of the agenda are available upon request.

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 five (5) days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. 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 ENVIRONMENTAL PROTECTION

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

DATE AND TIME: March 6, 2018, 2:00 p.m.

PLACE: Martin County Administrative Center, Commission Chambers (First Floor), 2401 SE Monterey Road, Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of interested stakeholders to discuss the St. Lucie River and Estuary Basin Management Action Plan (BMAP) 5-Year Review. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary purpose of this meeting is to present proposed methodologies for revising allocations and assessing water quality trends in the St. Lucie BMAP.

A copy of the agenda may be obtained by contacting Breanna Crowell, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, Breanna.Crowell@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Breanna Crowell at (850)245-8521. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

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

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

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

PLACE: Dial 1(888)670-3525, when prompted, enter conference code: 4552635641#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel with a reconsideration.

A copy of the agenda may be obtained at: www.floridasmentalhealthprofessions.gov. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which

record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4474.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine and Board of Osteopathic Medicine’s Joint Health History Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 2, 2018, 12:00 Noon

PLACE: Conference call in Meet-Me number: 1(888)670-3525 and participant code #: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Joint Workgroup. Meetings may be cancelled prior to the meeting date. Please check the Board website www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

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: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families State Mental Health Treatment Facilities - Purchasing announces a public meeting to which all persons are invited.

DATE AND TIME: March 15, 2018, 3:05 p.m.

PLACE: Florida State Hospital Purchasing Conference Room,

1153 Maple Street, Building #1153, Room #105, Chattahoochee, FL32324

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposal Opening and Review meeting for RFP SMHTF 2018-001, Provision of Food Services for State Mental Health Treatment Facilities.

For more information or a copy of the agenda, you may contact: Elesha Brown, State Mental Health Treatment Facilities, P. O. Box 1000, 100 N. Main Street Chattahoochee, FL 32324, (850)663-7189, Elesha.Brown@myflfamilies.com.

A copy of the agenda may be obtained by contacting: Elesha Brown at (850)663-7189 or email: 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 3 days before the workshop/meeting by contacting: Elesha Brown at (850)663-7189 or email: 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).

For more information, you may contact: Elesha Brown at (850)663-7189 or email: Elesha.Brown@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

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

DATE AND TIME: February 28, 2018, 10:00 a.m.

PLACE: Department of Children and Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399; telephone conference number: 1(888)670-3525; PIN: 286-825-0655

GENERAL SUBJECT MATTER TO BE CONSIDERED: Criminal Justice Mental Health and Substance Abuse (CJMHTA) Reinvestment Grant RFA11H20GN1 - Meeting of the Advisory Committee to develop a recommendation for award.

A copy of the agenda may be obtained by contacting: Michele.staffieri@myflfamilies.com.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

The Florida Fish and Wildlife Conservation Commission announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, March 1, 2018, 7:00 p.m.

PLACE: Indian River County Administration Complex Commission Chambers, 1801 27th Street, Vero Beach, FL 32960

GENERAL SUBJECT MATTER TO BE CONSIDERED: This

previously scheduled public hearing, published on February 19, 2018, in volume 44, No. 34, F.A.R., is hereby cancelled until further notice. Upon the reschedule of the public hearing, a revised notice will be published accordingly.

For a copy of the agenda or more information, contact Dylan Imlah, Dylan.Imlah@MyFWC.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Services, Division of State Fire Marshal, announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 13, 2018, 10:00 a.m.

PLACE: State Fire Marshal Conference Room, Third Floor. Atrium Building, 325 John Knox Road, Tallassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board. Anyone wishing to attend may attend in person or by telephone conference call. Those attending by telephone conference call should dial (850)413-1558.

Once you have dialed the initial number you will be prompted to enter the conference ID which is 2019238. The connection will be available 5 to 10 minutes before 10:00 a.m.

A copy of the agenda may be obtained by contacting: Shelia Thomas, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling her at (850)413-3610.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sheila Thomas at the number listed above. 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).

SOUTHWEST FLORIDA CRIMINAL JUSTICE ACADEMY

The Regional 10 Criminal Justice Training School announces a public meeting to which all persons are invited.

DATE AND TIME: May 23, 2018, 10:00 a.m.

PLACE: Southwest Florida Public Service Academy

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Pledge of Allegiance
2. Approval of minutes of February 7, 2018
3. Introduction of guests
4. F.D.L.E. report – Shawn Fagan
5. Academy report from Suncoast Technical College
6. Academy report from Southwest Florida Public Service Academy
7. Old business

8. New business

9. Schedule of next Meeting

10. Adjournment

A copy of the agenda may be obtained by contacting: Rosa Henshaw at (239)334-3897.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2018, 2:00 p.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Audit Committee Conference Call. This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Katie Richardson, (850)298-6625.

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: Katie Richardson, (850)298-6625. 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).

ENTERPRISE FLORIDA, INC.

Enterprise Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: March 2, 2018, 2:00 p.m.

PLACE: Conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance & Compensation Committee meeting for the purpose of discussing ongoing issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Katie Richardson, (850)298-6625.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Katie Richardson, (850)298-6625. 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).

MRGMIAMI

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

DATE AND TIME: February 28, 2018, 6:00 p.m.

PLACE: Trinity Church, 17801 NW 2nd Avenue, Miami, FL 33169

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Six, has scheduled a Public Information Meeting regarding a Re-evaluation of major design changes which encompass SR 826/Palmetto Expressway from NW 27th Avenue to the Golden Glades Interchange, and I-95 from SR 916/NW 135th Street/Opa-Locka Boulevard to Florida's Turnpike Spur in Miami-Dade County. This meeting will be held in an informal, open house format with no formal presentation.

The project will focus on safety and operational improvements to accommodate the anticipated transportation demand, improve connectivity for traffic destined to the northbound I-95 Express Lane Connector to Florida's Turnpike, and improve mobility and multimodal use for both local and regional travelers. This meeting will provide an opportunity for the public to learn about the project, become familiar with the study process, and provide feedback.

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 Florida Department of Transportation (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.

A copy of the agenda may be obtained by contacting: Mr. Dat Huynh, P.E., Project Manager, at (305)470-5201 or by email at dat.huynh@dot.state.fl.us. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Ms. Hong Benitez, P.E. at (305)470-5219, or in writing at 1000 NW 111th Avenue, Room 6111, Miami, Florida 33172, or via 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). Any persons who require translation services (free of charge) should also contact Ms. Ivette Ruiz-Paz at least seven (7) days before 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: Mr. Dat Huynh, P.E., Project Manager, at (305)470-5201 or by email at dat.huynh@dot.state.fl.us.

CREATIVISION MEDIA

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

DATE AND TIME: Thursday, March 1, 2018, 6:00 p.m. – 8:00 p.m.

PLACE: Arcola Lakes Library, Multipurpose Room, 8240 NW 7 Avenue, Miami, FL 33150

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Six, is holding the first Project Advisory Group (PAG) Meeting for the SR 934/NE/NW 79 Street Project Development & Environmental (PD&E) Study (FM Number: 410646-4-22-01) from NW 13 Court to N Bayshore Drive in Miami-Dade County, Florida. The study will consider strategies to improve capacity deficiencies, traffic operations, and multimodal use along SR 934/NE/NW 79 Street and NE/NW 81/82 Street. The purpose of the PAG is to directly engage the public in the project. The group will consist of residents, business owners, bicyclists, pedestrians, transit users, and other stakeholders in the study area. Participating members will be asked to review project information, participate in PAG meetings, and provide feedback at key phases of the project development process. Public input is an integral part of the transportation planning process.

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

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

A copy of the agenda may be obtained by contacting: Project Manager Auraliz Benitez, P.E., Department of Transportation, District Six at (305)470-5471 or by email at Auraliz.Benitez@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; 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: Project Manager Auraliz Benitez, P.E., Department of Transportation, District Six at (305)470-5471; in writing at FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email at Auraliz.Benitez@dot.state.fl.us.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has issued an order disposing of the petition for declaratory statement filed by Electrostim Medical Services, Inc. on February 13, 2018. The following is a summary of the agency’s disposition of the petition:

The petition was granted and the Agency declared that, under the facts presented, the Petitioner would require additional licensure for one proposed arrangement and would not require additional licensure for three other proposed arrangements.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration via mail at 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.Shoop@ahca.myflorida.com, (850)412-3671.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from D’Wayne Spence, Esq. on behalf of Robey Cornelius, In Re: Topaz South Condominium Association, Inc., Docket No. 2018007873, filed on February 12, 2018. The petition seeks the agency’s opinion as to the applicability of Section 718.303, Florida Statutes, as it applies to the petitioner.

Whether Article XXXI of the Topaz South Condominium’s Declaration of Condominium, as amended in March 2016, violates section 718.303, Florida Statutes?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)717-1539; Danielle.Walker@myfloridalicense.com.

Please refer all comments to: Chevonne Christian, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile

Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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

Notice of Petition for Administrative Determination has been 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**

**DEPARTMENT OF CHILDREN AND FAMILIES
NORTHEAST FLORIDA STATE HOSPITAL, BOILER
VALUE REPLACEMENT AND OTHER WORK
INVITATION TO BID**

Proposals are requested from CERTIFIED GENERAL OR BUILDING CONTRACTORS by the State of Florida, Department of Children and Family Services, hereinafter referred to as OWNER, for the construction of:

PROJECT NO: DCF – 18040200
 TITLE: Northeast Florida State Hospital Boiler valve replacement and other work
 SITE: Northeast Florida State Hospital, 7487 South State Road 121, Macclenny, FLORIDA 32063.
 PREQUALIFICATION: Each prime Bidder shall be state-certified in accordance with Chapter 489, Florida Statutes, as a Building, General, Contractor. Bids from firms not able to furnish proof of the required certification are subject to disqualification.
 PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained from the PROJECT MANAGER:
 P/M: JIMMIE PADGETT
 TEL#: (850)717-4303
 FAX#: (850)410-0547
 E-MAIL: jimmie.padgett@myflfamilies.com
BID DOCUMENTS:
 Full sets of Drawings and Specifications may be acquired from the ARCHITECT/ ENGINEER /PROJECT MANGER, by emailing the DCF project manager for this project.
 PRE-BID MEETING: A mandatory pre-bid meeting will be held on Thursday, February 22, 2018 at 10:00 a.m. EST Northeast Florida State Hospital, 7487 South State Road 121, Macclenny, FLORIDA 32063. Maintenance Building #19 conference room.
 BONDING REQUIREMENTS: See Section B-11 for bid guarantee requirements. See Section C-5 for performance and payment bond requirements.
 BID OPENING: Sealed bids will be received, publicly opened and read aloud at:
 DATE: March 13, 2018, Tuesday
 TIME: 10:00 a.m., ET
 LOCATION: Northeast Florida State Hospital
 7487 South State Road 121, Macclenny, FLORIDA, 32063.
 Maintenance build # 19 conference room.
 OWNER:
 State of Florida
 Department of Children and Family Services
 Office of Design & Construction
 1317 Winewood Blvd., Bldg. 3, Room 205 F
 Tallahassee, Florida 32399-0700
 Phone No.: (850)717-4303
 Fax No.: (850)410-0547
 E-MAIL: jimmie.padgett@myflfamilies.com
BIDDER'S QUALIFICATION REQUIREMENTS AND PROCEDURES
 Bidder qualification requirements are established herein in

accordance with the Owner's established procedures (CFOP 70-7), and the standard "General Instructions to Respondents" Form PUR 1001 (10/06) is hereby incorporated into this ITB by reference as if fully recited herein. In the event of any conflict between Form PUR 1001 and this ITB, the terms of this ITB shall take precedence over Form PUR 1001, unless the conflicting term is required by Florida law, in which case the term contained in Form PUR 1001 shall take precedence. Form PUR 1001 is available at: http://www.dms.myflorida.com/media/purchasing/pur_forms/1001_pdf.
 Form PUR 1000 is incorporated by reference into the Department's Standard Integrated Contract. The Form PUR 1000 contains standard terms and conditions that will apply to the contract which results from the solicitation. Form PUR 1000 is available at: http://www.dms.myflorida.com/media/purchasing/pur_forms/1000_pdf.
 Failure of the Bidder to strictly meet such requirements may result in bid rejection or disqualification for contract award.

**FISH AND WILDLIFE CONSERVATION COMMISSION
 ROAD CAPPING AT HILOCHEE WILDLIFE
 MANAGEMENT AREA
 ADVERTISEMENT FOR BIDS
 BIDS ARE REQUESTED FROM QUALIFIED,
 CERTIFIED/REGISTERED CONTRACTORS BY THE
 FLORIDA FISH AND WILDLIFE CONSERVATION
 COMMISSION FOR THE CONSTRUCTION OF:**
BID NO: FWC 17/18-95C
**BID NAME: ROAD CAPPING AT HILOCHEE WILDLIFE
 Management Area**
**PROJECT LOCATION: HILOCHEE WILDLIFE
 Management Area within LAKE COUNTY, FLORIDA**
**FOR: Installation of a limerock cap to existing roads and
 parking areas on Hilochee Wildlife Management Area. Project
 to include all materials, equipment, and labor necessary to
 complete the project as described.**
**SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED
 AND READ ALOUD ON:**
DATE & TIME: MARCH 20, 2018 @ 2:00 p.m., ET
**PLACE: Florida Fish and Wildlife Conservation Commission
 Purchasing Office
 2590 Executive Center Circle
 Tallahassee, Florida 32301
 Phone: (850)488-6551**
**BID DOCUMENTS: Can be downloaded from the Vendor Bid
 System at the link below:**
http://www.myflorida.com/apps/vbs/vbs_www.main_menu
 Search by the bid number: FWC 17/18-95C

PURCHASING MANAGER: (Direct questions to the following):

Ruth Heggen
 FWC, Purchasing Office
 Phone: (850)212-7699
 Email: Ruth.Heggen@myfwc.com

WHARTON-SMITH, INC.

Cocoa H.S. Facility Renewal Projects for Brevard Public Schools

INVITATION TO BID

BID DATE: March 1, 2018

PROJECT: Cocoa High School Facility Renewal Projects for Brevard Public Schools

Wharton-Smith is proudly the Design Builder serving the School Board of Brevard County with the upcoming Facility Renewal Project at Cocoa High School this summer. The project will consist of chilled water air handler replacements, central energy plant modifications, existing mechanical equipment modifications, BAS controls, plumbing and electrical infrastructure upgrades. All construction activities will take place during the summer period (5/24/18-8/1/18).

Non-Mandatory Pre-Bid Meeting is scheduled for Monday February 26, 2018 @ 2:30 p.m. at Cocoa High School (2000 Tiger Trail, Cocoa, FL 32926).

Deadline for Request for Information is Tuesday February 27, 2018 by 5:00 p.m. Please email questions to comest@whartonsmith.com.

Bids will be received at the offices of Wharton-Smith, 750 Monroe Road, Sanford, FL 32711, may be emailed to comest@whartonsmith.com or faxed to (407)829-4453 by 3:30 p.m. on Thursday March 1, 2018. Payment & Performance Bonds may be required.

Bid documents are available electronically by contacting: Tonja Williams, (407)321-8410. Do not contact the Architect or Owner for information on this project. All inquiries should be directed to comest@whartonsmith.com.

CG C032669 PC C048385 CU C056506

**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., Wednesday, February 14, 2017 and 3:00 p.m., Tuesday, February 20, 2018.

Rule No.	File Date	Effective Date
59G-1.050	2/19/2018	3/11/2018
59G-6.045	2/19/2018	3/11/2018
59G-6.090	2/19/2018	3/11/2018
64B15-15.004	2/16/2018	3/8/2018
65C-13.022	2/14/2018	3/6/2018
65C-13.023	2/14/2018	3/6/2018
65C-13.024	2/14/2018	3/6/2018
65C-13.025	2/14/2018	3/6/2018
65C-13.026	2/14/2018	3/6/2018
65C-13.027	2/14/2018	3/6/2018
65C-13.028	2/14/2018	3/6/2018
65C-13.029	2/14/2018	3/6/2018
65C-13.030	2/14/2018	3/6/2018
65C-13.031	2/14/2018	3/6/2018
65C-13.032	2/14/2018	3/6/2018
65C-13.033	2/14/2018	3/6/2018
65C-13.034	2/14/2018	3/6/2018
65C-13.035	2/14/2018	3/6/2018

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
40C-2.101	8/2/2017	**/**/****
58A-5.036	2/13/2018	**/**/****
59A-4.1265	2/2/2018	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-18-027
In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY THE CITY OF LAKE ALFRED,
FLORIDA ORDINANCE NO. 1312-12

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1312-12
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 the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1312-12 (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 City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on November 5, 2012, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to update the definition of Agricultural Tax-Exempt properties to include examples of pisciculture, update zoning for agricultural uses for annexed properties, update the Rural Residential, R-1A, R-1A-C, R-1AA, R-1AA-C, R-1AA-B, Single Family Dwelling District, and Residential Estate District zoning to allow agricultural uses to continue so long as there are no infrastructure improvements installed for approved development.

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 section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Element Policy 3.2.
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 section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

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

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1312-12 is consistent with the City’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 RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. 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 20th day of February, 2018.

/s/ _____

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

By Certified-U.S. Mail:

The Honorable Charles O. Lake, Mayor
 155 East Pomelo Street
 Lake Alfred, Florida 33850

Ryan Leavengood, City Manager
 155 East Pomelo Street
 Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk
 120 East Pomelo Street
 Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney
 245 South Central Avenue
 Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-18-029

In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY THE CITY OF LAKE ALFRED,
 FLORIDA ORDINANCE NO. 1150-06

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1150-06

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 the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1150-06 (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 City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on May 15, 2006, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development

Code text to modify Section 3.08.03, Development Standards, to specify that the required 100-foot upland buffer from the 135 feet mean sea level contour line will consist of a 50-foot conservation buffer and a 50-foot structure setback. The Ordinance also amends the 100-foot upland buffer to apply to all structures in the Green Swamp Area of Critical State Concern.

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* section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Policy 1.3.1 and Future Land Use Policy 2.2.5.
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* section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with all the Principles for Guiding Development as a whole and specifically with the following principles:

(a) minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas, and

(k) protect the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1150-06 is consistent with the City’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 RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. 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 20th day of February, 2018.

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

By Certified-U.S. Mail:
The Honorable Charles O. Lake, Mayor
155 East Pomelo Street
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager
155 East Pomelo Street

Lake Alfred, Florida 33850
Ameé Bailey-Speck, City Clerk
120 East Pomelo Street
Lake Alfred, Florida 33850
Frederick J. Murphy Jr., City Attorney
245 South Central Avenue
Bartow, Florida 33830

CITY OF POMPANO BEACH
The City of Pompano Beach, Florida, gives notice of proposed ordinance governing a telecommunications company placing or maintaining telecommunications facilities in its roads or rights-of-way.

FIRST READING TO BE HELD:
DATE AND TIME: Tuesday, February 27, 2018, 6:00 p.m.
PLACE: City of Pompano Beach Commission Chambers, 100 West Atlantic Boulevard, Pompano Beach, FL 33060
GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed ordinance amends the City of Pompano Beach City Code of Ordinances provisions regulating telecommunications facilities to expressly address installation of wireless service facilities in the public rights-of-way.

A copy of the proposed ordinance can be obtained by calling the City Clerk’s Office at (954)786-4611 or by visiting City Hall during regular business hours, 8: 00 a.m. to 5:00 p.m.

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.
