

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.0315
RULE TITLE: Demonstration of Readiness for College-Level Communication and Computation

PURPOSE AND EFFECT: To add the Classic Learning Test and its concordant, standard scores as a common placement test option to be consistent with changes to Rule 6A-1.09422, Florida Administrative Code. Section (s.) 1008.30, Florida Statutes (F.S.), provides authority to the State Board of Education to adopt common placement tests and standard scores in rule. The effect of this change will result in a new assessment and standard scores that may be used to assess readiness for college-level work. Additionally, other non-substantive technical changes will be made to the rule language.
SUBJECT AREA TO BE ADDRESSED: Demonstration of Readiness for College-Level Communication and Computation, Common Placement Testing, Classical Learning Test.

RULEMAKING AUTHORITY: 1001.02(1), (6), 1008.30(1), (2), F.S.

LAW IMPLEMENTED: 1001.02, 1007.263, 1007.271, 1008.02, 1008.30, F.S.

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

DATE AND TIME: June 6, 2023, 11:00 a.m. ET

PLACE:

https://us06web.zoom.us/webinar/register/WN_ZB7RyLApTEmrFZi-zC173g

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike Sfiropoulos, Division of Florida Colleges, (850)245-9523, or Mike.Sfiropoulos@fldoe.org. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

Available at <https://web02.fldoe.org/rules>.

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: 5J-20.034
RULE TITLE: Transportation of Liquefied Petroleum Gas by Pipeline

PURPOSE AND EFFECT: The proposed rulemaking will repeal an unnecessary rule.

SUMMARY: The proposed rulemaking will repeal the Transportation of Liquefied Petroleum Gas by Pipeline rule.

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 department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rules do not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. The proposed repeal will not add any cost to regulated businesses or the department. The proposed rulemaking merely repeals an unnecessary rule. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mauricio Mejia, Chief, Bureau of Standards, 2005 Apalachee Parkway, Tallahassee, FL 32399, (850)921-1570.

THE FULL TEXT OF THE PROPOSED RULE IS:
 The following rule is hereby repealed:

5J-20.034 Transportation of Liquefied Petroleum Gas by Pipeline.

Rulemaking Authority 527.06 FS. Law Implemented 527.06(3) FS. History—New 8-7-80, Formerly 4A-1.29, 4B-1.20, Amended 2-5-91, Formerly 4B-1.020, 5F-11.034, Repealed

Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1513.

THE FULL TEXT OF THE PROPOSED RULE IS:

61-32.003 Issuance of Citations for Unlicensed Practice of a Profession.

(1) Notwithstanding citation rules adopted under applicable practice acts pursuant to Section 455.224, F.S., citations imposing a designated fine may be issued to persons or businesses not licensed by the Department for the violations listed below, under the following conditions:

- ~~(a) The subject has received a previous Notice to Cease and Desist for the unlicensed practice of the same profession;~~
- ~~(b) The subject has not received a prior citation, or final order, for the unlicensed practice of the same profession;~~
- ~~(c) There is no evidence of consumer harm in the amount of \$10,000.00 or less, current case; and~~
- ~~(d) The subject has not previously held a license to practice the same profession.~~

(2) The Department may issue citations in lieu of administrative complaints for the unlicensed practice of a profession, and impose the following penalties:

(a) Advertising or otherwise holding ones self out as available to practice a profession, provide a service, or engage in an activity that requires licensure by the Department. CITATION PENALTY: A fine of \$1,000, and costs of the investigation.

(b) Contracting to perform or performing a service, or offering a bid to engage or engaging in a practice, that requires licensure by the Department. CITATION PENALTY: A fine of \$2,500, and costs of the investigation.

(3) Citations for the unlicensed practice of a profession shall be either personally-served or served by certified mail, restricted delivery, and ~~may shall include, but is not limited to,~~ the following information if available:

- (a) Subject’s full name, age and date of birth.
- (b) Subject’s driver’s license number, or any other identifying information.
- (c) Subject’s last known address.
- (d) A brief factual statement of the activity engaged in, the sections of law allegedly violated, and the penalty imposed.
- (e) A statement that, in lieu of accepting and paying the citation, the subject may choose to proceed in accordance with Section 455.225, F.S.

(4) If the subject does not dispute the citation within 30 days after the citation is served, the citation will become a final order of the Department.

(5) Payment of an undisputed citation is due within 30 days after the citation has become a final order.

(6) Citations which have become final orders pursuant to Section 455.228, F.S., will be used in any subsequent

NAME OF PERSON ORIGINATING PROPOSED RULE: Mauricio Mejia, Chief of Standards
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Wilton Simpson
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2023

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-32.003
 RULE TITLE: Issuance of Citations for Unlicensed Practice of a Profession

PURPOSE AND EFFECT: The proposed amendments will revise and clarify existing language and remove unnecessary language to save state time and resources by making processes more efficient.

SUMMARY: The proposed amendments will revise and clarify existing language and remove unnecessary language to save state time and resources by making the process of issuing citations to unlicensed persons for the unlicensed practice of a profession more efficient.

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 economic review conducted by the agency.

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: 455.228(3), F.S.

LAW IMPLEMENTED: 455.228, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brooke Adams, Chief Legal Counsel,

proceedings as evidence of a prior violation of that statute or rule.

(7) Citations which have become final orders pursuant to Section 455.228 F.S., shall be forwarded to the proper prosecuting authority in accordance with Section 455.2277, F.S.

Rulemaking Authority 455.228(3) FS. Law Implemented 455.228 FS. History—New 8-15-05, Amended 1-5-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Brooke Adams, Chief Legal Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202, (850)717-1513

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melanie S. Griffin, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 5, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 3, 2023

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE NO.:	RULE TITLE:
63H-3.001	Definitions
63H-3.002	Phase I and Pre-Operational Training for State and Contracted Direct Care Staff
63H-3.003	Phase II Training for State Detention and Probation Direct Care Staff
63H-3.004	Pre-Service Training for State Support Staff
63H-3.005	Annual In-Service Training
63H-3.006	Instructor Qualifications, Documentation, Training Plans, Course Hours and Returning Staff
63H-3.007	Protective Action Response

PURPOSE AND EFFECT: The amendments update the verbal and physical intervention curriculum so that generic "PAR" is replaced by "Right Interactions." Training topics are streamlined. The stages of training are clarified and the name of the supervising authority is updated.

SUMMARY: Training topics, recertification requirements, and the verbal and physical intervention curriculum are amended.

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 SERC Checklist and current information available to the Department indicates that the statutory threshold for ratification will not be exceeded.

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: 985.64, 985.601, 985.645, F.S.

LAW IMPLEMENTED: 985.601, 985.645, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Thursday, June 15, 2023 at 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3226, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, email: john.milla@fldjj.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

63H-3.001 Definitions.

(1) Academy: A department-approved virtual or physical training site where the second phase of Phase II certification training is provided by the Office of Talent, Leadership, and Culture Staff Development and Training.

(2) Academy Training: The coursework required of state detention and probation direct care staff that prepares them for certification.

(3) Adjunct Instructor: An instructor who has successfully completed the adjunct instructor course for a specific course or courses.

(4)(2) Administrator: One whose primary responsibility is overseeing the daily operations of a facility, program, or judicial circuit.

(5) Advanced and Specialized: Professional development coursework that exceeds annual training requirements designed to enhance both individual and team skill sets.

(6)(3) Central Communications Center (CCC): The unit located in department headquarters and within the Incident Operations Center (IOC) charged with receiving reports regarding incidents and events involving youth in department custody or under supervision and state and contracted employees from all department and provider facilities,

programs funded in whole or in part, and offices or sites operated by the department, a provider, or grantee.

~~(7)(4)~~ Certification: The official process documenting that a direct care staff has fulfilled a minimum standard level of competency as indicated by the successful completion of Direct Care Pre-Service (DCPS) and Academy Phase I and Phase II training for state direct care staff and Right Interactions (RI) Protective Action Response Training for all state and provider direct care staff, to include all exams.

~~(8)(5)~~ Certified Staff: A designation given to direct care staff after the successful completion of a certification exam.

~~(9)(6)~~ Community-Based Program: A contracted or state-operated non-residential environment providing supervision of youth who have been identified to receive services within the community. This includes, but is not limited to, probation, supervised release, non-secure detention, home detention, juvenile assessment centers, diversion programs, community-based conditional release programs, and screening and intake units. This does not include prevention programs.

~~(10)~~ Detention Services: The branch within the department that oversees the secure facilities utilized for youth who are held pursuant to a court order or have been taken into custody for a violation of the law and when less restrictive interim placement alternatives prior to adjudication and disposition are not appropriate.

~~(11)(7)~~ Detention Staff: Staff assigned to work at a state-operated secure juvenile detention center.

~~(12)~~ Direct Care Pre-Service Training: The coursework required of all state and provider direct care staff within 180 days of hire.

(8) through (12) renumbered (13) through (17). No change.

~~(18)~~ Instructor: An individual who has successfully completed Instructor Techniques or has received an exemption for a specific course from the Director of the Office of Talent, Leadership, and Culture.

~~(19)(13)~~ Instructor Techniques (IT): The 64-hour Instructor Techniques course.

~~(20)(14)~~ Lead Master Right Interactions (RI) Protective Action Response (PAR) Instructor: An advanced, qualified Master RI PAR Instructor whose position reports directly to the Office of Talent, Leadership, and Culture Staff Development and Training and can certify RI PAR Instructors.

~~(21)(15)~~ Master RI PAR Instructor: An advanced, qualified instructor who assists and monitors RI PAR Instructors in maintaining quality delivery of RI PAR training and assists in the monitoring of the RI PAR program.

~~(22)(16)~~ Medical Review: The review conducted by a licensed medical health professional after a RI PAR physical intervention to determine if injuries or complications occurred as a result of the physical intervention or application of

mechanical restraints and if the youth requires further medical treatment.

~~(23)(17)~~ Office of Talent, Leadership, and Culture Staff Development and Training: The office within the department that designates the number and location of the training programs and courses; develops, implements, evaluates, and updates the curriculum to be used in the training of juvenile justice staff; establishes timeframes for participation in and completion of training; develops, implements, scores, analyzes, maintains, and updates job-related examinations; manages the budget and contracts for all the training deliverables; and establishes uniform minimum job-related preservice and in-service training courses and examinations for juvenile justice staff.

~~(24)(18)~~ On-the-Job Training: Training on a specific and specialized task required of the staff member's members position conducted by an FTO, certified officer, or a support staff as designated by their supervisor.

~~(19)~~ Phase I Training: The coursework required of all state and provider direct care staff within 180 days of hire.

~~(20)~~ Phase II Training: The second phase of coursework required of state detention and probation direct care staff that prepares them for certification.

~~(25)(21)~~ Pre-Operational: The period of time from when a contract is initiated until the delivery of services commences.

~~(26)(22)~~ Pre-Service Training: The initial training for newly hired non-direct care state employees.

~~(27)(23)~~ Prevention Services: An office of the department that offers voluntary youth crime prevention programs throughout the state of Florida.

~~(28)(24)~~ Probation and Community Intervention: Assessment and intervention services provided to youth who are court-ordered to community supervision after the court has determined that the youth committed a delinquent act.

~~(29)(25)~~ Protective Action Response: The department's verbal and physical intervention program utilized by direct care staff in contracted, state, county, or municipally operated facilities and programs as defined in section 985.645, F.S.

~~(30)~~ Right Interactions: The department approved Protective Action Response curriculum.

~~(31)(26)~~ Right Interactions Protective Action Response Escalation Matrix: The matrix that governs the level of response an employee may apply to a youth's type of resistance.

~~(32)(27)~~ Right Interactions Protective Action Response Training Plan: The form used to identify the specific techniques that employees shall be trained to use. The techniques identified on the plan are the only techniques employees shall be trained on and authorized to use.

~~(33)~~ Remediation: The training provided to a staff member after an unsuccessful attempt to demonstrate competency in a subject.

~~(34)(28)~~ Residential Services: The branch within the department that oversees residential commitment programs, provides services through contracted providers, facilitates training and technical assistance for providers, and provides placement and classification services for youth adjudicated to commitment.

~~(35)(29)~~ Returning Staff: Trained (private provider) or certified (state) direct care staff who have separated from employment and are re-hired into the same position type.

~~(36)(30)~~ SkillPro: The department’s on-line learning management system.

~~(37)(31)~~ Soft Mechanical Restraints: Restraint devices that are made with flexible materials; for example, Velcro, nylon flex cuffs (also known as zip cuffs), and leather.

~~(38)~~ Supervisor: The individual responsible for the direct oversight of an employee and whose duties include but are not limited to scheduling, coaching, and completion of performance evaluations.

~~(39)(32)~~ Support Staff: Any state or provider staff that are not direct care.

~~(40)~~ Taser: Any mechanism that is designed to emit or project an electronic, magnetic, or other type of charge or shock for the purpose of temporarily incapacitating a person.

~~(41)(33)~~ Training Coordinator: The individual designated to oversee and track the training of employees in a specific facility, program, or office.

~~(42)(34)~~ Training Entity: The Office of Talent, Leadership, and Culture Director of the Office of Staff Development and Training.

~~(43)(35)~~ Training Roster: A document that identifies the title, hours, date, and signatures of all participants and the instructor of a course.

Rulemaking Authority 986.601, 985.64, 985.645 FS. Law Implemented 985.601(8), 985.645 FS. History—New 3-6-22, Amended

63H-3.002 Direct Care Pre-Service Phase I and Pre-Operational Training for State and Contracted Direct Care Staff.

(1) Direct Care Pre-Service (DCPS) Training Phase I shall be a minimum of 120 hours and be conducted at the workplace. DCPS Training Phase I shall consist of all web-based and instructor-led topics courses, exams, and all on-the-job training. State and contracted direct care staff shall successfully complete the following topics 31 courses within 180 calendar days of hire.

(a) Direct care staff shall not be in the presence of youth until the first eight topics of thirty one courses below are successfully completed:

1. Child Abuse Recognition, Reporting, and Prevention,
2. CPR/First Aid/Automatic Electronic Defibrillator (AED). All CPR/First Aid/AED training must be Occupational

Safety and Health Administration (OSHA) accredited. AED training is only required at sites that have AEDs on property,

3. Emergency Procedures,
4. Facility or Program Operating Procedures,
5. Prison Rape Elimination Act (PREA),
6. Professionalism, Interpersonal Communication, and Ethics to include Standards of Conduct,
7. Right Interactions Protective Action Response certified,
8. Suicide Awareness and Prevention,
9. Active Shooter Preparedness,
10. Adolescent Development and Behavior,
11. Balanced Approach to Restorative Justice,
12. Central Communications Center Incident Reporting,
13. Civil Rights,
14. Communication,
15. Confidentiality/Health Insurance Portability and Accountability Act (HIPAA),
16. Diverse and World-Class Workforce Diversity,
17. DJJ Legacy History,
18. Equal Employment Opportunity,
19. Gang Awareness,
20. Human Trafficking Intervention,
21. Infection Control/Bloodborne Pathogens,
22. Information Security Awareness,
23. Juvenile Justice Information Systems,
24. Mental Health and Substance Abuse,
25. Motivational Interviewing (MI),
26. Quality Report Writing,
27. Safety, Security, and Supervision of Youth,
28. Sexual Harassment,
29. Effective and Respectful Treatment of Youth Sexual Orientation, Gender Identity, and Expression,
- ~~30. Standards of Conduct,~~
- ~~30.31. Trauma Responsive Practices.~~

(b) Upon successful completion of the first eight topics courses, the newly hired direct care staff may be in the presence of youth while the remaining topics courses are completed, as long as they are under the direct supervision of a certified (state) or trained (provider) staff. The sole exception allowing a direct care staff to have unsupervised contact with youth applies only to employees in the Juvenile Probation Officer (JPO) class or contracted Probation and Community Intervention direct care staff, who are assigned the task of conducting and documenting contacts, including face to face contacts, with youth at a detention center, adult jail, school, after school program, community worksite, or day treatment center or when a JPO is job shadowing a certified JPO for the sole purpose of the observation of job duties. This exception is further limited as follows:

1. JPOs and Probation contracted direct care staff are authorized to be in the presence of youth under the direct

supervision of a certified (state) or trained (provider) team member beginning on the first day of employment.

2. Newly hired JPOs and Probation contracted direct care staff may begin to have unsupervised contact with youth to assist with conducting and documenting contacts, including face-to-face contacts, with youth at a detention center, adult jail, school, after-school program, community worksite, or day treatment center or when a JPO is job-shadowing a certified JPO for the sole purpose of the observation of job duties. This exception is further limited as follows:

a.1. The JPO staff must have successfully completed the first eight topics courses,

b.2. The JPO staff must have been employed with the department a minimum of 30 days; and

c.3. The staff is only authorized to relay information to and from the assigned JPO. The exception only extends to relaying information from and to the assigned JPO and does not allow the newly hired JPO staff to oversee a caseload.

d. Under no circumstances is a newly hired, uncertified JPO or untrained contracted team member authorized to accept the official assignment of a case or to oversee a caseload.

(c) In the event staffing issues identify a need for additional support at a state-operated secure detention facility, and upon a mutually agreed upon determination by the Assistant Secretaries for the Office of Detention Services and the Office of Probation and Community Intervention, certified JPOs may provide direct care support in a secure detention facility. In order for a JPO to be considered for this temporary support, the following conditions must be met:

1. The JPO must be in good standing and receive the approval of their supervisor.

2. The JPO must understand that the support must not supersede or impact their primary daily responsibilities as a JPO.

3. The JPO must be assigned to work with a certified officer when in direct contact with youth and shall not be assigned the oversight of a detention trainee. The sole exception to this is when the JPO was previously certified as a Juvenile Detention Officer (JDO) and all required training is current.

4. Unless the training has been successfully completed within the calendar year, the JPO must complete the following training before providing direct care to a youth in a secure detention facility:

a. Right Interactions: Successful completion of the content delivered in the facility-based portion of the RI training that is not included in the community-based portion of the RI training. Successful completion shall include the delivery of content and the performance evaluation of the techniques on the facility-based RI training plan that are not included in the community-based RI training plan.

b. Behavior Management.

c. Safety, Security, and Supervision of Youth.

d. Suicide Awareness and Prevention – Detention Specific.

e. Unit Log.

f. Facility Operating Procedures.

(d)(e) All state and provider direct care staff shall adhere to all applicable training requirements set forth in Chapter 63M-2, F.A.C. Health Services and Chapter 63N-1, F.A.C. Service Delivery.

(e)(d) The 180-day timeframe for completion of training requirements may be extended up to 90 days upon request sent by a Regional Director. The Regional Director shall forward the request to the Training Entity, who is authorized to grant the extension based on the following:

1. Death of an immediate family member,
2. Serious chronic condition, illness, or injury,
3. Immediate family crisis,
4. Court appearance,
5. Military duty,
6. Family Medical Leave; or
7. Other emergency or unforeseen circumstances.

(f)(e) In the event of a state or national emergency, the Secretary of the department, by issuance of a memorandum, may temporarily freeze all training. The timeframe of the freeze shall toll the mandated number of days required to satisfactorily complete training requirements identified within this rule.

(g)(f) All training requirements for Prevention Services contracted employees and Probation and Community Intervention contracted employees shall be identified in contract. The Assistant Secretary for each area shall determine the required training based on the population for whom they are assigned responsibility in each individual contract to ensure the employees are well trained. The Assistant Secretary for Probation and Community Intervention shall determine the required training for state Juvenile Probation Officers who do not carry a caseload and whose sole duty is to conduct detention screenings.

(2) Supervisor Training:

(a) All newly hired direct care supervisors shall complete a minimum of 16 hours of supervisory training within 90 days of employment.

(b) The coursework shall include the following topics:

1. Coaching,
2. Leadership,
3. Personal Accountability.

(3) Pre-Operational Training for Contracted Residential Direct Care Staff.

(a) In the event a new contract is executed and the provider has no previous experience with the department or does not have the capacity to maintain supervision ratios identified in contract by trained staff, all topics courses in subparagraphs

63H-3.002(1)(a)1-31, F.A.C., shall be successfully completed prior to providing any services to youth.

(b) Once sufficient staff have completed the training in (3)(a) above so that minimum staffing ratios are met, additional newly hired direct care staff, upon successful completion of the first eight topics ~~courses~~, may be in the presence of youth while the remaining courses are completed, as long as they are under the direct supervision of a fully trained staff.

1. Child Abuse Recognition, Reporting, and Prevention,
2. CPR/First Aid certified,
3. Emergency Procedures,
4. Facility or Program Operating Procedures,
5. ~~RI PAR~~ certified,
6. PREA,
7. Professionalism, Interpersonal Communication, and Ethics to include Standards of Conduct,
8. Suicide Awareness and Prevention.

Rulemaking Authority 985.601, 985.645 FS. Law Implemented 985.02(3), 985.601, 985.645 FS. History—New 3-6-22, Amended

63H-3.003 Academy Phase II Training for State Detention and Probation Direct Care Staff.

(1) In addition to the training requirements in Rule 63H-3.002, F.A.C., all state detention and probation direct care staff shall complete Academy Phase II training within 180 calendar days of hire. Academy training Phase II shall be a minimum of 120 hours for detention direct care staff and 160 hours for probation direct care staff and shall be conducted at an academy. The coursework shall be designed to enhance knowledge, skills, and abilities related to job performance. A certification exam will be administered at the end of the Academy training Phase II.

- (2) Testing Requirements for certification are as follows:
- (a) A passing score of at least 75 percent on all web-based courses.
 - (b) Successful completion of ~~RI PAR~~ testing and evaluation requirements as outlined in this rule.
 - (c) Successful completion of all written, web-based, and practical requirements for CPR/First Aid/AED training.
 - (d) A minimum score of 75 percent on the certification examination.

1. Staff may be given up to three attempts to pass the certification examination within the 180-day timeframe.
2. Staff failing the certification examination are required to attend remediation, which must be documented in the department’s learning management system, SkillPro.
3. Staff shall adhere to the following schedule for second and third attempts to pass the certification examination.

a. The second attempt shall occur no less than seven (7) calendar days after, and no more than 45 calendar days after, the first attempt.

b. The third attempt shall occur no less than 14 calendar days after, and no more than 45 calendar days after, the second attempt.

c. If after the third attempt or after 180 calendar days of employment, whichever occurs first, the staff member has not successfully completed the requirements for certification, they shall be recommended for termination from their position. The staff member shall not be considered direct care staff and can no longer have contact with youth for the purposes of supervision, custody, or control. The staff shall not be considered for re-employment to the same job class for at least one year from the date of separation.

Rulemaking Authority 985.601, 985.645 FS. Law Implemented 985.02(3), 985.601, 985.645 FS. History—New 3-6-22, Amended

63H-3.004 Pre-Service Training for State Support Staff.

(1) All department employees shall complete the following training within 30 calendar days of the date of hire:

- (a) New Employee Orientation.
- (b) PREA.
- (c) Professionalism, Interpersonal Communication, and Ethics.

(2) All department employees shall complete the following training within 90 calendar days of the date of hire:

- (a) Active Shooter Preparedness.
- (b) CCC Incident Reporting.
- (c) Civil Rights.
- (d) Quality Customer Service.
- (e) DJJ Safety Training.
- (f) Equal Employment Opportunity.
- (g) HIPAA.
- (h) Human Trafficking Intervention.
- (i) Information Security Awareness.
- (j) Open Government.
- (k) Purchasing Card (P-Card) (minimum of one hour; required only for those employees who are issued a P-card).

- ~~(l) Sexual Orientation, Gender Identity, and Expression.~~
- ~~(l)(m)~~ Sexual Harassment.
- ~~(m)(n)~~ Trauma Responsive Practices.

(3) Supervisor Training: All newly hired supervisors shall complete a minimum of 16 hours of supervisory training within 90 days of employment, which coursework shall include the following topics:

- (a) Coaching;
- (b) Leadership;
- (c) Personal Accountability.

Rulemaking Authority 985.601, 985.64 FS. Law Implemented 20.316(1), 985.02(3) FS. History—New 3-6-22, Amended

63H-3.005 Annual In-Service Training.

(1) All state and contracted direct care staff shall successfully complete, at a minimum, 24 hours of in-service training requirements each calendar year after the completion of certification (state) and training (provider).

(a) The required topics, web-based and instructor led, are as follows:

1. Active Shooter Preparedness,
2. CPR/First Aid/AED annual demonstration of skill competency is required. Application for re-certification does not need to be submitted to the certifying authority in non-certification renewal years, unless the specific certification is good for more than one year.
3. Human Trafficking Intervention (every other year),
4. Information Security Awareness,
5. Mental Health and Substance Abuse,
6. PREA (every other year),
7. RI PAR Update,
8. Professionalism, Interpersonal Communication, and Ethics including Standards of Conduct.
9. Sexual Harassment (every other year),
10. Suicide Awareness and Prevention,
11. Trauma Responsive Practices.

(b) In addition to the required 24 hours of in-service training, supervisory direct care staff shall complete, at a minimum, an additional 8 hours of training in the areas of coaching, leadership, or personal accountability each calendar year.

(c) Medication administration/delivery curriculum shall be approved by the Office of Health Services (OHS) and shall be limited to staff delegation under Chapter 64B9-14, F.A.C.

(2) All department support staff shall successfully complete, at a minimum, 8 hours of in-service training each calendar year after the year of hire.

(a) The required topics, web-based and instructor-led, shall include:

1. Active Shooter Preparedness,
2. DJJ Safety Training,
3. Information Security Awareness,
4. PREA (every other year),
5. Professionalism, Interpersonal Communication, and Ethics including Standards of Conduct.
6. Quality Customer Service,
7. Sexual Harassment (every other year),
8. Trauma Responsive Practices.

(b) In addition to the required 24 hours of in-service training, supervisory department staff shall complete, at a minimum, an additional 8 hours of training in the areas of coaching, leadership, or personal accountability each calendar year.

Rulemaking Authority 985.601, 985.645 FS. Law Implemented 985.02(3), 985.601, 985.645 FS. History—New 3-6-22, Amended

63H-3.006 Instructor Qualifications, Documentation, Training Plans, Course Hours, and Returning Staff.

(1) Instructor Qualifications.

(a) All instructors must have successfully completed the Instructor Techniques course prior to the delivery of training, with the following exceptions:

1. FTOs that provide on-the-job training to newly hired staff,

2. Support staff who are designated by their supervisor to provide training to a staff member that is a specific and specialized skill of a support staff member's position and is not a topic identified in Chapter 63H-3, F.A.C.

(b) Any individual who is not IT trained and who seeks authorization to instruct a course related to a specific certification, licensure or training must submit for approval a completed Instructor Exemption form to the Director of Talent, Leadership, and Culture Staff Development and Training through their respective administrator for each training topic delivered. The Instructor Exemption Form (TLC 001, April 2023) (SDT 001, November 2021) is incorporated by reference into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-15377> <http://www.flrules.org/Gateway/reference.asp?No=Ref-13910>.

(c) Instructors may receive hour for hour credit for any course they deliver towards their annual in-service training hours.

(d)(e) The Office of Training, Leadership, and Culture Staff Development and Training shall develop prerequisite criteria and renewal requirements for the instructor techniques course. The Office of Talent, Leadership, and Culture shall develop prerequisite and renewal requirements for and all train-the-trainer courses. Criteria to become an instructor must at minimum address the candidate's length of service and disciplinary record.

(e)(d) Only certified RI PAR Instructors shall conduct RI PAR training.

(f)(e) Only certified CPR/AED/First Aid instructors shall conduct CPR/AED/First Aid training.

(2) Training Plans for Direct Care Staff.

(a) Each facility, program area, circuit, or unit shall create and maintain an annual training calendar or plan that identifies all direct care staff training identified in this rule and any additional training required by the Assistant Secretary of the program area or as identified in awarded contracts. The calendar or plan shall include course descriptions and credited hours. The final training plan must be reviewed and approved by the Assistant Secretary of the program area and the Director of Talent, Leadership, and Culture.

(b) Training calendars or plans shall be completed prior to ~~December 1 of the year preceding implementation, and~~ shall be maintained at the facility, program, or unit, and must be approved by the highest-ranking official at the location.

(3) Course Topic Hours.

(a) Curricula are competency-based, meaning the curriculum uses specific objectives and performance-based learning to achieve performance standards, in lieu of established contact hours in a delivery format that ensures the training school delivers all curriculum materials.

(b) Under the direction of the Training Entity, training sites and instructors have the flexibility to redistribute topic hours in areas where greater emphasis is needed. Additionally, with the written approval of the Training Entity, additional learning aids may be used to enhance instruction of the learning goals and objectives.

(c) Sworn law enforcement officers may be exempt from certain topics ~~courses~~ required of direct care staff if the objectives of the course required by the Criminal Justice Standards and Training Commission align with department course objectives. The Training Entity or their designee shall be responsible for the determination of all exemptions.

(d) All individual staff training hours shall be documented in the SkillPro learning management system.

~~(e) All training rosters for courses required in this rule shall be uploaded into the SkillPro learning management system.~~

(4) Returning Staff.

(a) Returning direct care and state support staff who return less than two years ~~one year~~ from separation shall complete all annual update requirements for certification or training set forth in this rule.

(b) Returning direct care and state support staff who return two or more years ~~more than one year~~ from separation shall complete all certification and training requirements in this rule. Rulemaking Authority 985.601, 985.645 FS. Law Implemented 985.02(3), 985.601, 985.645 FS. History—New 3-6-22, Amended

63H-3.007 Protective Action Response.

(1) Authorized Levels of Response.

(a) Protective Action Response, as authorized by the department, shall be the verbal and physical intervention program utilized by direct care staff in state-, county-, or municipally operated and contracted facilities and programs.

(b) Right Interactions (RI) is the department approved Protective Action Response curriculum.

~~(c)~~ Prior authorization for the use of physical intervention techniques and mechanical restraints shall be obtained from the supervisor or acting supervisor unless doing so could result in physical harm to the youth, employee, or another person; property damage; or the youth escaping or absconding from lawful supervision.

~~(d)~~ All responses shall be commensurate with the youth's type of resistance according to the RI PAR Escalation Matrix and this rule.

~~(e)~~ Responses shall only be used when reasonably necessary to control youth and only after all reasonable alternatives have been exhausted, including verbal persuasion, warnings, and verbal intervention techniques, or when the alternatives are considered inappropriate due to the rapid escalation of dangerous behavior.

~~(f)~~ In the event a youth is armed with a weapon or firearm, all attempts to reasonably diffuse the situation through the application of the RI PAR Escalation Matrix have failed, and staff has determined there is imminent danger of bodily harm or death, facility- and community-based program employees shall, if possible, isolate or contain the youth and request emergency assistance from law enforcement. The Right Interactions PAR Escalation Matrix (TLC 003, April 2023) (SDT-003, November 2021) is incorporated by reference into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-15379> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-13912>~~.

~~(g)~~ If the youth is in the process of inflicting grave bodily harm or possible death upon others or self and all attempts to reasonably diffuse the situation have failed, facility- and community-based program staff shall immediately contact law enforcement. Employees are authorized to use reasonable and necessary means to stabilize the situation.

(h) The use of aerosol or chemical agents, including but not limited to, oleoresin capsicum spray, ammonia capsules, on a youth unless required for medical treatment of the youth by a licensed medical professional is prohibited.

(i) The use of tasers is prohibited.

(2) Authorized Techniques.

(a) Administrators shall submit a new RI PAR Training Plan to the Director of Talent, Leadership, and Culture Staff Development and Training or designee through the department's Regional Director or designee, and thereafter notice of any change to this plan shall be submitted as described above within 30 calendar days of the change's effective date. Newly contracted, county- or municipally operated facilities shall submit their RI PAR Training Plan as described above no less than 30 calendar days prior to becoming operational. The Right Interactions PAR Training Plan (TLC 007, April 2023) (SDT-007, November 2021) is incorporated by reference into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-15383> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-14045>~~.

(b) RI PAR instructors shall only train employees on the techniques identified on the approved training plan for the facility- or community-based program for which they are training.

(3) No change.

(4) Supervision of Youth in Mechanical Restraints.

(a) Youth secured in mechanical restraints for secure transport or in response to resistance shall be supervised in accordance with this section.

1. At no time shall a youth be left without constant, full, sight and sound supervision by an employee.

2. The youth shall not be placed in an upper bunk or in any position that does not permit constant, full, sight and sound supervision.

3. Youth shall not be stripped of their clothing.

4. Employees responsible for providing constant, full, sight and sound supervision shall be RI PAR certified and have physical possession of the key to unlock the mechanical restraints.

(b) In addition to items identified in subparagraph 63H-3.007(4)(a)1.-4., F.A.C. above, while a youth is placed in mechanical restraints as a response to resistance, employees shall:

1. Employ verbal intervention techniques designed to de-escalate the need for mechanical restraints.

2. Continually monitor the youth's type of resistance, aggressiveness, and willingness to comply with instructions to determine whether removal of restraints is safe and advisable.

3. Conduct breathing and circulation checks at ten-minute intervals. These ten-minute checks shall be documented on the Mechanical Restraints Supervision Log. The Mechanical Restraints Supervision Log (TLC 002, April 2023) (~~SDT 002, November 2021~~) is incorporated by reference into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-15378> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-13911>~~.

4. If a restrained youth continues to exhibit negative, hostile, and/or aggressive behavior so that removal of mechanical restraints is unsafe, the supervisor or acting supervisor shall interview the youth and decide if it is safe to remove the mechanical restraints.

a. This interview shall occur no more than 30 minutes after the youth is placed in restraints.

b. If it is decided that it is unsafe to remove the restraints, the supervisor or acting supervisor shall document the decision on the Mechanical Restraints Supervision Log.

c. If authorization is obtained from the Superintendent, Program Director, Administrator, or designee to continue the use of restraints, another interview shall occur no more than one (1) hour after the youth was placed in restraints.

d. Each time the decision is made that it is unsafe to remove the restraints, the decision shall be documented as described above.

(c) Authorization Requirements for Youth in Mechanical Restraints as a Response to Resistance

1. A youth may remain in mechanical restraints up to 60 minutes with the supervisor's or acting supervisor's authorization.

2. In order to keep the youth in mechanical restraints for 60 to 120 minutes, the supervisor or acting supervisor shall obtain authorization from the Superintendent, Residential Program Director, Administrator, or designee who shall first consult with a licensed medical and/or mental health professional before authorizing additional time. This authorization shall be obtained within the initial 60-minute timeframe and documented on the Mechanical Restraints Supervision Log to include the name of the professional who was consulted, the time contacted, and the amount of time authorized.

3. In order to keep the youth in mechanical restraints beyond 120 minutes, the same procedures apply as described in paragraph 63H-3.007(4)(b), F.A.C. above, for each subsequent 60-minute timeframe.

4. If at any point during the restraint it is determined that transportation to a medical or mental health treatment center is necessary, the supervisor or acting supervisor shall request verbal authorization from the Superintendent, Program Director, Administrator, or designee to initiate procedures to transport the youth. All authorizations and the time the authorization was received shall be documented on the Mechanical Restraints Supervision Log.

(5) Documentation and Retention of Records.

(a) A RI PAR Report shall be completed after an incident involving the use of countermoves, control techniques, takedowns, or the application of mechanical restraints as a response as identified on the RI PAR Escalation Matrix. The Right Interactions PAR Report (TLC 006, April 2023) (~~SDT 006, November 2021~~) is incorporated by reference into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-15382> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-13915>~~.

(b) The employees who were engaged with the youth shall complete the RI PAR Report no later than the end of the employee's workday.

(c) When mechanical restraints are used as a result of resistance, the Mechanical Restraints Supervision Log shall be completed.

(d) The RI PAR Report shall be reviewed by the administrator or designee within 72 hours of the incident, excluding weekends and holidays.

(e) The Post RI PAR Interview shall be conducted as soon as possible, but no longer than 30 minutes after the incident. The findings of the interview shall be documented on the RI PAR Report.

(f) If the Post RI PAR Interview indicates the need for a RI PAR Medical Review, the youth shall be referred to the licensed medical health professional (Physician, Physician Assistant,

Advanced Registered Nurse Practitioner, Registered Nurse, or Licensed Practical Nurse) on site. If a medical health professional is not on site and telemedicine is not available, then the youth must be sent off site for this evaluation.

(g) Descriptions of injuries and medical treatment provided shall be filed in the youth's individual health care record.

(h) Facilities/programs shall retain a copy of the RI PAR Report for three (3) years following the youth's release from the department's custody.

(6) Medical Requirements for Training.

(a) If an employee has a medical condition that prohibits performance of one or more physical intervention techniques, the employee shall submit medical documentation from their licensed physician to their supervisor.

(b) The RI PAR Instructor shall direct any employee that discloses a medical issue or injury during training to the employee's supervisor for follow-up. The employee shall not engage in any RI PAR training until such time as the employee's physician states the employee can perform all techniques without restriction.

(c) Documents from physicians are confidential records and shall be maintained in accordance with state Personnel rules, or if a contracted facility or program, in accordance with the organization's applicable policy. The medical documentation shall not be submitted to the RI PAR Instructor. The supervisor shall not send any employee to RI PAR training unless the employee is in good medical standing.

(7) Certification.

(a) All direct care staff shall become RI PAR certified within 90 calendar days following their date of hire.

(b) Employees shall be RI PAR certified by successfully completing the RI PAR training designed for facility- or community-based employees, whichever is applicable. Successful completion requires:

1. Attendance and participation in the 40-hour training specified in ~~the RI PAR~~ curriculum. Employees shall actively participate in the performance of all physical intervention techniques and mechanical restraints being taught during the training session;

2. A minimum score of 75 percent on the RI PAR examination; and

3. One hundred percent (100%) satisfactory performance of the techniques specified on the RI PAR Performance Evaluation form. The Right Interactions PAR Performance Evaluation (TLC 005, April 2023) (~~SDT-005, November 2021~~) is incorporated by reference into this rule and is available electronically at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-15381>
<http://www.flrules.org/Gateway/reference.asp?No=Ref-13914>.

(c) All RI PAR training must be conducted by a certified RI PAR Instructor.

(d) The instructor to student ratio shall be not exceed 1:8 during the physical techniques portion of a RI PAR training session.

(e) The 80-hour RI PAR Train-the-Trainer course shall be delivered by at least one Lead Master RI PAR Instructor.

(8) Cross-Over Training

(a) A RI-certified ~~PAR-certified~~ facility-based employee who crosses over from a community-based to a facility position, or vice versa, shall successfully complete all objectives of the RI PAR certification curriculum applicable to their new position which are not duplicative of the RI PAR certification objectives previously completed by the employee. Such completion must occur within 90 calendar days following the employee's cross-over date.

(b) The RI PAR Instructor shall train and evaluate the employee's performance on any techniques that the employee has not been trained to perform. This evaluation shall be completed on the RI PAR Performance Evaluation form. If the employee is unable to perform the new techniques, after remediation, the employee shall not be considered RI PAR certified for purpose of their employment in the new facility or community-based program. If this training shall dually serve as the employee's annual RI PAR Update, all criteria identified in this rule for the annual RI PAR Update shall be successfully completed.

(9) Rehired Employee Training.

(a) If an employee is rehired within 12 calendar months of their RI PAR certification or most recent annual RI PAR Update, the employee's RI PAR certification is current.

(b) If an employee is rehired after 12 calendar months of separation, they are no longer considered certified and must complete all requirements as outlined in this rule.

(10) Annual Training Requirement.

(a) All employees shall complete a minimum of eight (8) hours of RI PAR Update training.

(b) The training shall include, at a minimum, the following:

1. A review of this rule section, including curriculum revisions, and other facility or program RI PAR administrative policies and procedures.

2. Instructions on how and when to properly complete the RI PAR Report.

3. Practice of all physical intervention techniques checked on the applicable RI PAR Training Plan and, at a minimum, practice in the use of all mechanical restraints authorized by the facility's RI PAR Training Plan.

4. Successful completion of the annual in-service training requires 100 percent attendance and participation in the training program. The training hours do not have to be consecutive.

5. If an employee fails to successfully complete the annual update within 12 months of their last RI PAR training, they will no longer be authorized to use physical or mechanical

intervention responses and must attend a minimum of eight (8) hours of remedial training, to include 100 percent satisfactory performance of the techniques specified on the employee's RI PAR Training Plan using the RI PAR Performance Evaluation.

6. If an employee fails to successfully complete the annual update within 16 months of their last RI PAR training, the employee is no longer considered RI PAR certified and must attend the 40-hour RI PAR certification course for either community- or facility-based staff but shall not be required to re-take the RI PAR certification exam.

(11) Testing Requirements.

(a) If a candidate fails the RI PAR written examination, they are only required to attend the remedial classroom training.

(b) RI PAR Instructors shall conduct a practical examination utilizing the RI PAR Performance Evaluation. The completed evaluation shall be uploaded into the SkillPro learning management system.

(c) If an employee failed the RI PAR Performance Evaluation, when remedial training is provided, the RI PAR Instructor candidate or employee is only required to attend the performance-based segment of the training.

(d) Test candidates shall have no more than three (3) attempts to pass the written exam.

(e) Test candidates shall adhere to the following schedule for second and third attempts to pass the written exam:

1. The second attempt shall occur no less than 7 calendar days after, and no more than 45 calendar days after, the first attempt.

2. The third attempt shall occur no less than 14 calendar days after, and no more than 45 calendar days after, the second attempt.

(f) For annual in-service training, the RI PAR Performance Evaluation shall be used for the RI PAR Update to document the practice of the techniques identified on the RI PAR Training Plan. The completed evaluation shall be uploaded into the SkillPro learning management system.

(g) One RI PAR Performance Evaluation form shall be used for each attempt that a facility or program employee makes to pass the performance evaluation. The term "attempt" is described below.

1. ATTEMPT 1: If an employee fails one (1) to three (3) techniques, the RI PAR Instructor shall remediate and re-evaluate the employee on the failed techniques. Upon conclusion of the employee's performance of the remediated techniques, this shall be the employee's first attempt at passing the evaluation. If the employee fails to satisfactorily demonstrate the failed techniques after remediation, the employee shall attend remediation on a different date for Attempt 2 and at that time shall be evaluated on the failed techniques. An employee who fails four (4) or more techniques on Attempt 1 shall attend remediation on a different date for

Attempt 2 and at that time shall be evaluated on the failed techniques.

2. ATTEMPT 2: If an employee fails one (1) to three (3) techniques, the RI PAR Instructor shall remediate and re-evaluate the employee on the failed techniques. Upon conclusion of the employee's performance of the remediated techniques, this shall be the employee's second attempt at passing the evaluation. If the employee fails to satisfactorily demonstrate the failed techniques after remediation, the employee shall attend remediation on a different date for Attempt 3 and at that time shall be evaluated on the failed techniques. An employee who fails four (4) or more techniques on Attempt 2 shall attend remediation on a different date for Attempt 3 and at that time shall be evaluated on the failed techniques.

3. ATTEMPT 3: If an employee fails one (1) to three (3) techniques, the RI PAR instructor shall remediate and re-evaluate the employee on the failed techniques. Upon conclusion of the employee's performance of the remediated techniques, this shall be the employee's third attempt at passing the evaluation. If the employee fails to satisfactorily demonstrate the failed techniques after remediation, the employee is considered to have failed their third attempt. An employee who fails four (4) or more techniques on Attempt 3 shall not have an opportunity to receive remediation and is considered to have failed their third attempt.

(h) Employees shall be evaluated using the RI PAR Performance Evaluation form on all physical intervention techniques that are specified on their RI PAR Training Plan.

(12) Training Instructor Fidelity and Certification Renewal.

(a) RI PAR Instructors shall conduct 20 hours of RI PAR training annually to maintain certification. Instructors that do not conduct 20 hours of RI PAR training within one calendar year shall have their instructor privileges suspended until such time as they attend remedial training conducted by a Lead Master RI PAR Instructor.

(b) Instructors shall attend and participate in an eight- (8-) hour in-service training program once every two years as conducted by a Lead Master RI PAR Instructor.

(c) Instructors shall notify the Office of Talent, Leadership, and Culture ~~Staff Development and Training~~ via the RI PAR Fidelity email address of all scheduled RI PAR classes at least 72 hours prior to the commencement of the training. This requirement does not apply to impromptu annual update trainings delivered due to the unexpected availability of staff on a given day or shift.

(d) Instructors shall not be limited in teaching RI PAR to only their facility, program, or unit.

(e) Any RI PAR Instructor who separates from their employment with the department, county, municipality, or

contracted facility, program, or entity with a memorandum of understanding are no longer considered to be a certified RI PAR Instructor.

(f) If a RI PAR Instructor is rehired by the department or county, municipality, or contracted facility, program, or entity with a memorandum of understanding within 12 months of separation, their RI PAR certification shall be reinstated by successfully completing RI PAR training for facility- or community-based employees pursuant to this rule.

(g) The facility, provider, or administrator shall notify the Training Entity within 72 hours of a RI PAR Instructor's separation from the department or contract provider via the RI PAR Fidelity email address.

(h) At no time shall a RI PAR Instructor be financially compensated for the delivery of the RI PAR curriculum other than the salary they receive from their current employer for work time. RI PAR Instructors shall not be permitted to list themselves as a vendor in the My Florida Marketplace system.

(i) The Lead Master RI PAR Instructors shall coordinate with Master RI PAR Instructors regarding the monitoring and development of instructor performance in the delivery and application of the RI PAR curriculum. At a minimum, Master RI PAR Instructors shall:

1. Deliver a minimum of 40 hours of RI PAR training each calendar year, which may include either a RI PAR and/or RI PAR Train-the-Trainer class. The Train-the-Trainer class shall be facilitated by a Lead Master RI PAR Instructor.

2. Participate in quarterly Master RI PAR Instructor meetings that will be conducted in-person, virtually, or via conference call.

3. Complete RI PAR fidelities and provide technical assistance when requested.

(13) RI PAR Fidelity Requirement: All department and contract providers shall adhere to the following procedures when RI PAR incidents resulting in injury or allegations of abuse are reported, for requests for program/facility technical assistance, and for the monitoring of the training and implementation of the RI PAR program.

(a) Superintendents, program monitors, and Regional Directors shall submit reports of RI PAR incidents resulting in injury requiring outside medical attention, allegations of abuse stemming from the use of RI PAR, or requests for technical assistance to the Training Entity via the RI PAR Fidelity email address. All requests shall include the following:

1. RI PAR Fidelity Request form. The Right Interactions PAR Fidelity Request (TLC 004, April 2023) (~~SDF-004, November 2021~~) is incorporated by reference into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-15380> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-13913>~~.

2. A copy of the RI PAR Report.

3. A copy of supporting multimedia (if available).

(b) Within 24 hours of receipt of the RI PAR Fidelity Request Form, excluding weekends and holidays, a representative of the Office of Talent, Leadership, and Culture Staff Development and Training will assign the request to a Master RI PAR Instructor.

(c) Once all documentation is received, depending on the nature and severity of the incident, a minimum of five (5) days will be needed to complete the review.

1. Upon completion of the review, the Master RI PAR Instructor will submit the completed RI PAR Fidelity Request Form to the requestor ~~or~~ ~~and/or~~ Incident Operation Center.

2. Documentation of RI PAR Fidelity incidents or requests submitted to the Training Entity will be maintained by the Training Entity.

Rulemaking Authority 985.645 FS. Law Implemented 944.241, 985.645 FS. History—New 3-6-22, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Minnora Bishop, Director, Office of Talent, Leadership, and Culture.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric S. Hall, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 18, 2023

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-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 22, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2017 FDA Food Code from Voo Doo Bayou Las Olas LLC located in Ft. Lauderdale. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level. The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: RULE TITLES:

67-21.0025 Miscellaneous Criteria

67-21.026 HC Credit Underwriting Procedures

NOTICE IS HEREBY GIVEN that on May 22, 2023, the Florida Housing Finance Corporation, received a petition for waiver from paragraph 67-21.0025(7)(c) and subsection 67-21.026(10), Florida Administrative Code from Fairfield Miami Gardens, LP which requires that all natural persons that constitute the ownership of a principal be disclosed and eligible rehabilitation work be performed under a GMP Contract.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street,

Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: RULE TITLES:

67-21.0025 Miscellaneous Criteria

67-21.026 HC Credit Underwriting Procedures

NOTICE IS HEREBY GIVEN that on May 22, 2023, the Florida Housing Finance Corporation, received a petition for waiver from paragraph 67-21.0025(7)(c) and subsection 67-21.026(10), Florida Administrative Code from Fairfield Cedar Grove, LP which requires that all natural persons that constitute the ownership of a principal be disclosed and eligible rehabilitation work be performed under a GMP Contract.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: RULE TITLES:

67-21.0025 Miscellaneous Criteria

67-21.003 Application and Selection Process for Developments

NOTICE IS HEREBY GIVEN that on May 22, 2023, the Florida Housing Finance Corporation, received a petition for waiver from paragraphs 67-21.0025(7)(c) and 67-21.003(1)(b), Florida Administrative Code from Fairfield Running Brook II, LP which requires that all natural persons that constitute the ownership of a principal be disclosed by the third principal disclosure level and waiver of the Timing Requirement and the Corporation's requirement that a final Credit Underwriting Report be included in the Application.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also

been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

DEPARTMENT OF FINANCIAL SERVICES
 The Department of Financial Services, Division of State Fire Marshal (Department) hereby gives notice:
 On May 22, 2023 filed a Disposition in response to the Petition for Variance/Waiver from Sara Hare, Vice President of Logistics, Global K9 Protection Group, LLC (Petitioner) filed on March 23, 2023. The Disposition consisted of an Order Denying Petition for Waiver.
 A copy of the Order or additional information may be obtained by contacting: NA
 A copy of the Disposition may be obtained by contacting: Sarah Marcos, Office of the General Counsel: (850)413-4229, Sarah.Marcos@myfloridacfo.com.

Section VI Notice of Meetings, Workshops and Public Hearings

EXECUTIVE OFFICE OF THE GOVERNOR
 Division of Emergency Management
 The FLORIDA DIVISION OF EMERGENCY MANAGEMENT announces a public meeting to which all persons are invited.
DATE AND TIME: May 25, 2023, 9:30 a.m.
PLACE: VIRTUAL Teams Meeting:
https://teams.microsoft.com/l/meetup-join/19%3ameeting_YmJiZDM4YjQtMjE0Ni00ZWMI1LWJhZTktM2M0MTc1YTVkYTJk%40thread.v2/0?context=%7b%22Tid%22%3a%229ce0de61-9857-49a2-b40c-3a9cb9f8f4dc%22%2c%22Oid%22%3a%22bc6d169a-583e-4295-bc45-7ad90398ffa7%22%7d
 MeetingID:273652523819, Passcode: cFrKTZ
GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection of FEMAF officers, adoption of FEMAF Bylaws, and conducting other preliminary business.
 A copy of the agenda may be obtained by contacting: Ms. Carly Miller at Carly.Miller@em.myflorida.com; (850)559-7863.
 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: Ms. Carly Miller at

Carly.Miller@em.myflorida.com; (850)559-7863. 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).

REGIONAL PLANNING COUNCILS
 Tampa Bay Regional Planning Council
 The Tampa Bay Regional Planning Council’s Agency on Bay Management announces a public meeting to which all persons are invited.
DATE AND TIME: June 8, 2023, 9:00 a.m.
PLACE: This meeting will be held via a virtual communication platform and/ or in person at 4000 Gateway Centre Blvd. Ste. 100 Pinellas Park, Florida 33782.
 Virtual option via Zoom:
<https://us02web.zoom.us/j/86330610978?pwd=MHliQnNQVzZWROJlbHpJT0E5RXBydz09>
 Meeting ID: 863 3061 0978, Passcode: 215305
 Call-in number: (786)635-1003
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council’s Agency on Bay Management.

A copy of the agenda may be obtained by contacting: The agenda and other meeting materials can be found at the following website: <https://tbrpc.org/abm-meeting-agendas/>. 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 4 days before the workshop/meeting by contacting: The agenda and other meeting materials can be found at the following website: <https://tbrpc.org/abm-meeting-agendas/>. 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: The agenda and other meeting materials can be found at the following website: <https://tbrpc.org/abm-meeting-agendas/>.

WATER MANAGEMENT DISTRICTS
 Northwest Florida Water Management District
 The Northwest Florida Water Management District announces a public meeting to which all persons are invited.
DATE AND TIME: June 15, 2023, 2:00 p.m., Eastern Time (ET)
PLACE: Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333.
GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in section 120.525, Florida Statutes, the District announces the opening of bids received in response to ITB No. 23B-008 - 2023 GROUND SITE PREP HERBICIDE TREATMENT SERVICES.

A copy of the agenda may be obtained by contacting: Northwest Florida Water Management District's website (<http://www.nfwwater.com>); the State of Florida's Vendor Information Portal website at: MyFloridaMarket Place Vendor Information Portal; or may be obtained by calling (850)539-5999.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Benjamin Faure at Office (850)722-9919 or Cell (850)510-0399, Benjamin.Faure@nfwwater.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: Benjamin Faure at Office (850)722-9919 or Cell (850)510-0399, Benjamin.Faure@nfwwater.com.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: June 22, 2023, 2:00 p.m., Eastern Time (ET).

PLACE: Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333.

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in section 120.525, Florida Statutes, the District announces the opening of bids received in response to ITB No. 23B-009 - 2023 ECONFINA CREEK SAND PINE TIMBER SALE.

A copy of the agenda may be obtained by contacting: Northwest Florida Water Management District's website (<http://www.nfwwater.com>); the State of Florida's Vendor Information Portal website at: MyFloridaMarket Place Vendor Information Portal; or may be obtained by calling (850)539-5999.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Benjamin Faure at Office (850)722-9919 or Cell (850)510-0399, Benjamin.Faure@nfwwater.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: Benjamin Faure at Office (850)722-9919 or Cell (850)510-0399, Benjamin.Faure@nfwwater.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

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

DATE AND TIME: Tuesday, May 30, 2023, 10:00 a.m., EDT

PLACE: Online via GoTo Webinar

GENERAL SUBJECT MATTER TO BE CONSIDERED: In advance of the Blue-Green Algae Task Force's next meeting, DEP will present information to task force members on how the department identifies nutrient sources for Basin Management Action Plans. The public is invited to attend this presentation online.

Register for the GoTo Webinar at: <https://attendee.gotowebinar.com/register/3257455360442143579>.

This presentation will help inform the task force's discussion at their next meeting, and public comment will be accepted then. Feedback for this presentation may be emailed to BlueGreenAlgaeTaskForce@FloridaDEP.gov.

This presentation will be broadcast by The Florida Channel.

A copy of the agenda may be obtained by contacting: <https://protectingfloridatogether.gov/state-action/blue-green-algae-task-force>.

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: Jasmijn Hoover, DEP, 3900 Commonwealth Blvd., Tallahassee, FL 32399; Jasmijn.Hoover@FloridaDEP.gov; (850)245-2208. 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: Jasmijn Hoover at Jasmijn.Hoover@FloridaDEP.gov or (850)245-2208.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: May 30, 2023, 10:00 a.m. – 12:00 Noon

PLACE: Pursuant to Sections 741.316 and 741.3165, Fla. Stat., this fatality review team meeting is confidential and closed to the public.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Statewide Domestic Violence Fatality Review Team operates under the authority of sections 741.316 and 741.3165, F.S. The team may review fatal and near-fatal incidents of domestic violence, related domestic violence matters and suicides in order to learn how to prevent domestic violence by intervening early and improving the response of an individual and the system to domestic violence.

A copy of the agenda may be obtained by contacting: Florida Department of Domestic Violence, Office of Domestic Violence, 2415 N. Monroe Street, E-100, Tallahassee, FL, 32303.

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: Cynthia Rubenstein, Cynthia.rubenstein@myflfamilies.com Florida Department of Children and Families, Office of Domestic Violence, 2415 N. Monroe Street, E-100, Tallahassee, FL, 32303. 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: Florida Department of Children and Families, Office of Domestic Violence, 2415 N. Monroe Street, E-100, Tallahassee, FL, 32303.

FISH AND WILDLIFE CONSERVATION COMMISSION
The FISH AND WILDLIFE CONSERVATION COMMISSION announces a public meeting to which all persons are invited.

DATES AND TIMES: Various times throughout May 31, 2023, 1:00 p.m. – June 2, 2023, 12:00 Noon. Agenda for full details.

PLACE: Luminary Hotel, 2200 Edwards Dr, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FWC will be hosting a Landscape Conservation Summit on May 31 – June 2, 2023, to bring together the conservation community and maximize the value of this initiative. The Landscape Conservation Summit will build upon the significant conservation work already being done and help to expand partnerships, bringing people together across geographies, sectors, and cultures to collaborate on connecting and conserving our important landscapes. This meeting is open to the public at no cost, however advanced registration and payment are required in order to have access to food and beverages and field trips. There is no cost to observe the presentations or discussion sessions.

A copy of the agenda may be obtained by contacting: LandscapeConservation@MyFWC.com, or visiting <https://whova.com/web/rv2wBHqAnn1GLSFtxKC0TcS8eNpJZd8sLzL10V5KL0s%3D/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or (850)488-4676.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Workforce Services

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

DATE AND TIME: May 31, 2023, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301. Attendance by telephone is also available by calling (850)988-5144 and entering phone conference ID: 175 899 214 #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disposition of cases pending before the Reemployment Assistance Appeals Commission and Commission business. No public testimony or comment will be taken.

A copy of the agenda may be obtained by contacting: the office of the Reemployment Assistance Appeals Commission at RAAC.Inquiries@deo.myflorida.com or by visiting <https://www.floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance-appeals-commission/about-the-reemployment-assistance-appeals-commission/raac-notices>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: the Commission Clerk at (850)692-0180. 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: the Commission Clerk at (850)692-0180.

Senior Connection Center, Inc.

The Senior Connection Center announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 8, 2023, 10:00 a.m.

PLACE: Oasis Community Center, Samoset, 3124 17th Street E, Bradenton, FL 34208

GENERAL SUBJECT MATTER TO BE CONSIDERED: Senior Connection Center, the Area Agency on Aging and the Aging & Disability Resource Center serving Hardee, Highlands, Hillsborough, Manatee, and Polk counties, will be conducting public hearings for the 2024 – 2027 Area Plan. The goal of these public hearings is to hold a community conversation with seniors, caregivers and other interested individuals about the needs of older adults and the issues that impact you and your neighbors.

This meeting is free and open to the public. Reservations are greatly appreciated. RSVP by calling Paula at 1(813)676-5583 or email Paula.Nelson@sccmail.org.

If you are unable to attend and would like to submit comments, please visit our website www.SeniorConnectionCenter.org to complete an online survey. Survey results and comments will be used in part for Senior Connection Center’s planning process and funding decisions by the Florida Department of Elder Affairs.

For 2024, Senior Connection Center proposes to continue with the direct provision of Intake, Assurance, Education, Tailored Caregiver Assessment & Referral (TCARE), Technology and Evidence-Based Health and Wellness services, funded through the Older Americans Act for Hardee, Highlands, Hillsborough, Manatee, and Polk counties.

A copy of the agenda may be obtained by contacting: Paula Nelson by email at paula.nelson@sccmail.org or by phone at 1(813)676-5583.

For more information, you may contact: Paula Nelson by email at paula.nelson@sccmail.org or by phone at 1(813)676-5583.

Senior Connection Center, Inc.

The Senior Connection Center announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 9, 2023, 10:00 a.m.

PLACE: Haines City Public Library, 111 N 6th Street, Haines City, FL 33844

GENERAL SUBJECT MATTER TO BE CONSIDERED: Senior Connection Center, the Area Agency on Aging and the Aging & Disability Resource Center serving Hardee, Highlands, Hillsborough, Manatee, and Polk counties, will be conducting public hearings for the 2024 – 2027 Area Plan.

The goal of these public hearings is to hold a community conversation with seniors, caregivers and other interested individuals about the needs of older adults and the issues that impact you and your neighbors.

This meeting is free and open to the public. Reservations are greatly appreciated. RSVP by calling Paula at 1(813)676-5583 or email paula.nelson@sccmail.org.

If you are unable to attend and would like to submit comments, please visit our website www.SeniorConnectionCenter.org to complete an online survey. Survey results and comments will be used in part for Senior Connection Center’s planning process and funding decisions by the Florida Department of Elder Affairs.

For 2024, Senior Connection Center proposes to continue with the direct provision of Intake, Assurance, Education, Tailored Caregiver Assessment & Referral (TCARE), Technology and Evidence-Based Health and Wellness services, funded through the Older Americans Act for Hardee, Highlands, Hillsborough, Manatee, and Polk counties.

A copy of the agenda may be obtained by contacting: Paula Nelson by email at paula.nelson@sccmail.org or by phone at 1(813)676-5583.

For more information, you may contact: Paula Nelson by email at paula.nelson@sccmail.org or by phone at 1(813)676-5583.

Moffitt Cancer Center & Research Institute

The H. Lee Moffitt Cancer Center and Research Institute, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: June 13, 2023, 1:00 p.m.

PLACE: Moffitt Cancer Center, Stabile Research Building Trustees Boardroom

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors

A copy of the agenda may be obtained by contacting: Kathia Fernandez.

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: Kathia Fernandez. 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).

Florida Surplus Lines Service Office

The Florida Surplus Lines Service Office, Benefits Committee, announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, June 7, 2023, 2:00 p.m. ET

PLACE: Virtual Format. For access contact Georgie Barrett at gbarrett@fslso.com.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters to come before Committee

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.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 2 days before the workshop/meeting by contacting: Jennifer Mills at jmills@fslso.com or 1(800)562-4496, ext.101. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Valerin Group, Inc.

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

DATE AND TIME: Tuesday, May 30, 2023, 5:30 p.m.

PLACE: W.T. Bland Library, 1995 N. Donnelly St., Mount Dora, FL 32757, Virtually on GoTo Webinar; By phone at 1(877)309-2071, passcode 564-300-014

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting will be held regarding project plans on North Orange Blossom Trail (U.S. 441) from Wadsworth Road to the Lake County line. (FPID no. 447610-1)

The purpose of this project is to extend the service life of the roadway by resurfacing the existing asphalt pavement and provide additional operational and safety improvements. The public meeting is being held to present information and receive community feedback.

The Department is offering multiple ways for the community to participate in the meeting. All participants, regardless of platform they choose, will receive the same information on the proposed project.

Virtual Option: Interested persons may join from a computer, tablet, or mobile device at 5:30 p.m. For this option, advance registration is required by visiting https://fdot.cc/Orange_Blossom_Trail_Resurfacing_Registrati on. Once registered, participants will receive a confirmation email containing information about joining the meeting online. Please use Chrome or Microsoft Edge as your internet browser to register or attend this webinar. If joining online, please allow adequate log-in time to view the presentation in its entirety.

Phone Option (Listen Only): Participants may join the meeting in listen-only mode by dialing 1(877)309-2071 and entering the passcode 564-300-014 when prompted.

In-Person Option: Participants may attend in person by going to W.T. Bland Library, 1995 N. Donnelly St., Mount Dora, FL 32757. If attending in person, please remember to follow all safety and sanitation guidelines. If you are feeling unwell, please consider attending the meeting virtually or by phone.

All meeting materials, including the presentation, will be available on the project website at www.cflroads.com/project/447610-1 prior to the meeting.

FDOT is sending notices to all property owners, business owners, interested persons and organizations to provide the opportunity to offer comments and express their views regarding this project and the proposed improvements.

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

A copy of the agenda may be obtained by contacting: Not applicable.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: FDOT Project Manager FDOT Project Manager Johnny Demosthenes at (386)943-5206, or by email at Johnny.Demosthenes@dot.state.fl.us. If you are hearing or speech impaired, please contact us by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Project Manager Johnny Demosthenes by phone at (386)943-5206, by email at Johnny.Demosthenes@dot.state.fl.us, or U.S. mail at Florida Department of Transportation, 719 South Woodland Blvd., M.S. 542, DeLand, FL 32720. Information about this project is also available online at www.cflroads.com. Simply type 447610-1 in the search box, click "go" and then select the project. We encourage you to participate in the North Orange Blossom Trail (U.S. 441) Resurfacing public meeting.

CTS ENGINEERING, INC.

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

DATE AND TIME: Tuesday, June 6, 2023, 6:00 p.m. The public meeting will be offered in-person and virtually.

PLACE: Virtual attendees: please use the follow link to register and receive a link to join the meeting: <https://register.gotowebinar.com/register/92732413769173129> 0. If using a mobile device, the free "Go To Webinar" application will be required to attend. If you prefer to dial in by phone, call (914)614-3221 and then dial the Audio Access Code: 464-942-427.

In-person location: Hollywood Beach Culture & Community Center located at 1301 South Ocean Drive, Hollywood, FL 33019.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), will be hosting a Public Meeting regarding the Resurfacing, Restoration, and Rehabilitation (RRR) project along State Road (SR) 820/Hollywood Boulevard. The project identification number is 447654-1-52-01. The proposed improvements include

repaving the existing lanes, installing new pavement marking, lighting improvements, signage updates, sidewalk and curb ramp ADA upgrades.

The Public Meeting will be conducted with both an in-person and a virtual meeting. Participants are invited to attend either in-person or virtually. The virtual meeting will include a brief presentation, followed by a question-and-answer session. The in-person meeting will have an informal open house format with project representatives available to answer questions and provide assistance at any time during the meeting.

A copy of the agenda may be obtained by contacting: Claudia Vinitskiy-Calvo, Project Manager, Florida Department of Transportation, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4476 (Telephone), or toll-free at 1(866)336-8435 Ext. 4476 or via email at Claudia.Vinitskiy-Calvo@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: Claudia Vinitskiy-Calvo, Project Manager, Florida Department of Transportation, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4476 (Telephone), or toll-free at 1(866)336-8435 Ext. 4476 or via email at Claudia.Vinitskiy-Calvo@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: Claudia Vinitskiy-Calvo, Project Manager, Florida Department of Transportation, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4476 (Telephone), or toll-free at 1(866)336-8435 Ext. 4476 or via email at Claudia.Vinitskiy-Calvo@dot.state.fl.us.

Section VII

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

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

NOTICE IS HEREBY GIVEN that the FLORIDA OFFICE OF INSURANCE REGULATION (“OFFICE”) has issued an order disposing of the petition for declaratory statement filed by Trawick International, Inc. (“Petitioner”) on February 06, 2023. The following is a summary of the agency’s disposition of the petition:

The Petition for Declaratory Statement (“Petition”) sought the OFFICE’s opinion as to the interpretation of Sections 624.02, Florida Statutes, and the Florida Insurance Code as it applies to the Petitioner. The Petition asks whether a two-party Lifestyle Hardship Waiver Agreement (“Waiver Agreement”) program developed for the Petitioner, which would allow a timeshare developer client of the Petitioner to offer timeshare purchasers a program regarding payment of their annual dues obligation to the Developer, constitute the transaction of insurance under Florida law. The OFFICE granted the petition. The OFFICE has issued a Declaratory Statement that states that based upon reviewing the very specific set of facts provided in the Petition and the provisions of Section 624.02, Florida Statutes, the OFFICE finds that to the extent that Petitioner seeks a determination on the applicability of the Florida Insurance Code to the facts set forth in the Petition, the Petitioner’s proposed Waiver Agreement program does not constitute the transaction of insurance in accordance with Section 624.02, Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Public Records Office, Office of Insurance Regulation, 200 E. Gaines Street, Larson Building, Tallahassee, FL 32399, Telephone: (850)413-4223, E-mail: PublicRecords@flor.com

Please refer all comments to: Courtney Colston-Hayes, Assistant General Counsel, Courtney.Colston-Hayes@flor.com.

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 EDUCATION

University of West Florida

University of West Florida

Call for Bids

F23067 UWF Repair & Repave Roadway Project

22ITB-05MDV

The University of West Florida Board of Trustees invites qualified firms to respond to a formal solicitation, for repairs and repaving of roadways located on its main campus in Pensacola, FL.

Solicitation documents, and all related information, may be downloaded from BidNet Direct at www.bidnetdirect.com/florida/university-of-west-florida.

Mandatory Pre-Submittal Meeting – Interested firms are required to attend a mandatory pre-submittal meeting, with a site visit, to participate in this solicitation. The mandatory meeting is scheduled for Thursday, June 1, 2023, 10:00 a.m., Central Time in Bldg. 92, Room 110, University of West Florida, 11000 University Parkway, Pensacola, FL 32514. Access Campus Map at <https://uwf.edu/about/maps/>. Failure of a representative from the principal respondent firm to attend the Pre-Submittal Meeting and sign in on the UWF official log as documented proof of attendance, shall result in immediate disqualification from this competitive solicitation process.

Submittals will be received through BidNet Direct until Monday, June 26, 2023, 10:00 a.m., Central Time.

All inquiries should be submitted through BidNet Direct. If you have questions, need help registering, accessing, viewing or submitting your response/proposal please call the following toll-free number: 1-800-835-4603 and select Option 2 for assistance.

DEPARTMENT OF EDUCATION

University of Central Florida

Architectural Planner Consultant

NOTICE TO PROFESSIONAL CONSULTANTS

ARCHITECTURAL CONTINUING SERVICES
 CONTRACT

PROJECT DESCRIPTION

The University of Central Florida has a need for several firms to provide planning services for building programs, planning and space studies, criteria package development, capital renewal analysis, Campus Master Plan (CMP) support, and other planning efforts as needed by the University.

The university will enter into a Continuing Services Contract to provide planning services for projects of all sizes, from small renovations to major capital projects. These project types may include any type of project found on a university campus, including but not limited to: research laboratories, classrooms, library and media centers, historic buildings, offices and related functions, housing, outpatient clinics, athletic facilities, parking garages, infrastructure, traffic analysis, roadways, sitework, and sidewalks. Projects could be located on the University of Central Florida main campus or off site campus. These consulting services may be requested for any type of project provided that the total consulting fee for any individual project is \$500,000 or less.

The scope of this work does not include architectural or engineering services related to developing construction documents or performing construction administration – these services will be executed through a separate contract for architectural or engineering services.

NOTE: The Selection Committee may reject all proposals and stop the selection process at any time. The University also reserves the right to cancel the project at any time. Criminal background checks, and E-verification must be provided for all employees and consultants.

Instructions for submitting a proposal can be found on the Project Fact Sheet. The Project Fact Sheet and PQS Form may be obtained on our website <https://www.fp.ucf.edu/vendors/current-advertisements/> or by contacting: Gina Seabrook, Email: gina.seabrook@ucf.edu, Phone: (407)823-5894.

We are accepting only electronic submissions, to be uploaded at: <https://ucf.bonfirehub.com/opportunities/96234>

Submittals must be received by 5:00 p.m., local time June 23, 2023. Late submissions or additional documentation will not be accepted.

EXPRESSWAY AUTHORITIES

Miami-Dade Expressway Authority "MDX"

INVITATION TO BID (ITB)

MDX PROCUREMENT/CONTRACT NO.: ITB-23-09

MDX PROJECT/SERVICE TITLE: SYSTEMWIDE
 EMERGENCY DEBRIS REMOVAL

This Procurement Process is subject to the Cone of Silence in accordance with MDX's Procurement Policy.

A Non-Mandatory Pre-Bid Conference is scheduled at 10:00 a.m., Eastern Time on May 31, 2023.

The Deadline for submitting a Bid Package is 2:00 p.m., Eastern Time on June 14, 2023.

For detailed information please visit the MDX Procurement Department website at <https://www.mdxway.com/business/solicitations>, or call the MDX Procurement Department at (305)637-3277 for assistance.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP ITB 2023016 Re-Advertisement for Drinking Water and Wastewater Treatment Services at Myakka River State Park
 The Florida Department of Environmental Protection is requesting Bids to provide Drinking Water and Wastewater Treatment Services at Myakka River State Park. The Department will post notice of any changes or additional meeting(s) on the Vendor Information Portal (VIP) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VIP at: <https://vendor.myfloridamarketplace.com/>

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP ITB 2023020 Custom River Tank Habitat Insert for Apalachicola National Estuarine Research Reserve (ANERR)
 The Florida Department of Environmental Protection is requesting Bids for contract for a Custom River Tank Habitat Insert for Apalachicola National Estuarine Research Reserve (ANERR). The Department will post notice of any changes or additional meeting(s) on the Vendor Information Portal (VIP) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VIP at: <https://vendor.myfloridamarketplace.com/>.

BBICMINC
UF MP04953 Smathers Library AHU 3 & 4 Replacement
 BBI Construction Management, Inc. will be accepting bids for subcontractor participation on the MP04953 Smathers Library AHU 3 & 4 Replacement, University of Florida, Gainesville, Florida for the following trades:
 02 Selective Demolition, 08 Doors, Frames, Hardware, 09A Drywall & Framing, 09B Painting, 21 Fire Sprinkler, 23 HVAC, 26 Electrical
PRE-BID MEETING: will be held Thursday, June 1, 2023, 1:00 p.m. at the University of Florida Smathers Library (Bldg. #0005), 1508 Union Rd., Gainesville, FL 32611. Please meet on the southeast loading dock. Trades must have experience with projects of a similar scope, equal size, complexity, and timeframe. Pre-bid questions are due by 3:00 p.m. on Monday, June 5th, 2023.

Pre-Bid meeting is mandatory for bid package: 02 Selective Demolition, 21 Fire Sprinkler, 23 HVAC, & 26 Electrical. All others are strongly encouraged to attend.

Parking- visitor on-site parking is not anticipated to be available, but service vehicle spaces might be available nearby. All road closure information can be found at: <https://campusmap.ufl.edu/#/> Additional parking information for surface lots and parking garages can be found at <https://taps.ufl.edu/> or by calling 352-392-3261. Please plan in advance.

To obtain documents, pre-qualification information, and directions, please contact Jeremy Criscione at criscionej@bbi-cm.com, (352)338-2073 or (352)317-1378.

Bids exceeding \$75,000 must be sealed and either MAILED or HAND DELIVERED to: BBI Construction Management, Inc., 4639 NW 53rd Avenue, Gainesville, Florida 32653. ALL BIDS DUE NO LATER THAN Thursday, June 15, 2023, 3:00 p.m.

The University of Florida and BBI are committed to Small/HUB Zone/Minority/Small Disadvantaged/Veteran/Service-Disabled Veteran/& Women-Owned businesses and encourages their participation. The University of Florida and BBI Construction Management, Inc. reserves the right to reject or accept any bid if considered to be in best interest of the project.

Section XII Miscellaneous

DEPARTMENT OF STATE
 Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 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., Tuesday, May 16, 2023 and 3:00 p.m., Monday, May 22, 2023.

Rule No.	File Date	Effective Date
12AER22-5 (renewal)	5/17/2023	5/9/2023
12AER22-6 (renewal)	5/17/2023	5/9/2023
12AER22-7 (renewal)	5/17/2023	5/9/2023
25-17.0021	5/17/2023	6/6/2023
53ER23-25	5/18/2023	5/18/2023
53ER23-26	5/18/2023	5/18/2023
53ER23-27	5/18/2023	5/18/2023
53ER23-28	5/18/2023	5/18/2023
61E14-2.001	5/18/2023	6/7/2023
64B6-6.001	5/17/2023	6/6/2023

64B6-6.004	5/19/2023	6/8/2023
64B7-28.009	5/16/2023	6/5/2023
64B7-32.003	5/16/2023	6/5/2023
64B20-8.008	5/19/2023	6/8/2023
64B20-8.009	5/19/2023	6/8/2023
65C-30.019	5/16/2023	6/5/2023
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-4.091	3/31/2023	**/**/*****
40C-41.043	3/31/2023	**/**/*****
60FF1-5.009	7/21/2016	**/**/*****
62-6.001	5/10/2022	**/**/*****
62-330.010	4/28/2023	**/**/*****
62-330.050	4/28/2023	**/**/*****
62-330.055	4/28/2023	**/**/*****
62-330.301	4/28/2023	**/**/*****
62-330.310	4/28/2023	**/**/*****
62-330.311	4/28/2023	**/**/*****
62-330.350	4/28/2023	**/**/*****
62-330.405	4/28/2023	**/**/*****
62-600.405	11/16/2021	**/**/*****
62-600.705	11/16/2021	**/**/*****
62-600.720	11/16/2021	**/**/*****
64B8-10.003	12/9/2015	**/**/*****
65C-9.004	3/31/2022	**/**/*****
69L-7.020	10/22/2021	**/**/*****
69L-7.730	4/6/2023	**/**/*****
69L-7.740	4/6/2023	**/**/*****

regulatory requirements for the Child Nutrition Programs (CNPs), including the Child and Adult Care Food Program (CACFP), the Summer Food Service Program (SFSP), the National School Lunch Program (NSLP), the Fresh Fruit and Vegetable Program (FFVP), the Special Milk Program (SMP), and the School Breakfast Program (SBP), State agencies and eligible service providers should use this template. State agencies and eligible service providers should consult with their FNS Regional Offices when developing waiver requests to ensure a well-reasoned, thorough request is submitted. State agencies and eligible service providers are encouraged to submit complete waiver requests at least 60 calendar days prior to the anticipated implementation date. Requests submitted less than 60 calendar days prior to the anticipated implementation should be accompanied by an explanation of extenuating circumstances.

For more information on requests for waiving Program requirements, refer to SP 15-2018, CACFP 12-2018, SFSP 05-2018, Child Nutrition Program Waiver Request Guidance and Protocol- Revised, May 24, 2018.

State agency submitting waiver request and responsible State agency staff contact information:

Florida Department of Agriculture and Consumer Services (FDACS)

Vianka Colin, Director
(850)617-7427

Vianka.Colin@FDACS.gov

Nathalie Williams, Bureau Chief of Compliance and Program Integrity

(850)617-7666 Direct Line

Nathalie.Williams@FDACS.gov

Region: Southeast

Eligible service providers participating in waiver and affirmation that they are in good standing:

The waiver is for FDACS, who is in good standing.

Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

FDACS is requesting a state-wide waiver of the 3-year Administrative Review (AR) requirement and an extension of the review cycle that was proposed by the USDA Food and Nutrition Services (FNS) on February 22, 2019 through SP 12-2019 Flexibility for the Administrative Review Cycle Requirement. The impact and challenges of the 3-year review cycle on FDACS and sponsors are outlined below.

Prior to applying for the waiver, FDACS staff met to discuss the upcoming 3-year review cycle and program workload. FDACS completed an analysis of the AR 3-year cycle for the past two cycles.

Increase in Program Sponsors and State Staffing

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

CHILD NUTRITION PROGRAM

STATE WAIVER REQUEST TEMPLATE

Child Nutrition Programs are expected to be administered according to all statutory and regulatory requirements; waivers to the requirements are exceptions. However, Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l), provides authority for USDA to waive requirements for State agencies or eligible service providers under certain circumstances. When requesting the waiver of statutory or

The number of sponsors in Florida’s National School Lunch Program (NSLP) increases consistently every year, but the SA rarely increases the number of state Program Specialist. Sponsors have grown from 310 in school year 2014-2015 to 440 in school year 2022-2023.

The chart below includes the forecasted growth rate of NSLP sponsors in Florida:

Year	Sponsor Count	Forecast	Lower Confidence Bound	Upper Confidence Bound
2014	291			
2015	310			
2016	319			
2017	337			
2018	362			
2019	390			
2020	396			
2021	405			
2022	416			
2023	440	440	440	440
2024		456	443	469
2025		472	459	485
2026		489	476	502
2027		505	492	518

With the new sponsors planned for 2023-2024 and planning for the upcoming 3-year cycle, FDACS has determined we will not be able to effectively sustain the workload. A 4-year review cycle would greatly help FDACS to accommodate the current and foreseen workload challenges of training and supporting new sponsors, new food service directors and new state office staff.

Below is a chart illustrating how FDACS has projected the review cycle workload.

	3-year cycle	4-year cycle	5-year cycle
2023-2024	152	114	91
2024-2025	157	118	94
2025-2026	163	122	98
2026-2027	168	126	101

With 9 review positions (one being a team lead), the average reviews (leads) per person are as below.

	3-year cycle	Average Number of Reviews per Person
2020-2021	131	15
2021-2022	137	15
2022-2023	143	16
2023-2024	149	17
2024-2025	154	17

	4-year cycle	Average Number of Reviews per Person
2020-2021	99	11
2021-2022	103	11
2022-2023	107	12
2023-2024	111	12
2024-2025	116	13

	5-year cycle	Average Number of Reviews per Person
2020-2021	79	9
2021-2022	82	9
2022-2023	86	10

2023-2024	89	10
2024-2025	93	10

The goal of the waiver is to ensure good customer service is maintained and to align reviews to support sponsors as they strive to run exceptional school meal programs. Approval of this waiver will ensure sponsors are reviewed at least once during a 4-year review cycle while streamlining monitoring operations, allow staff to support sponsors through training and technical assistance and decrease the administrative burden on sponsors and FDACS. This will also allow FDACS and sponsors to focus efforts on important program areas, such as financial management, procurement, program access and participation while still ensuring program integrity in all program areas.

Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:

FDACS is requesting the use of flexibility for the Administrative Review Cycle and for the following regulatory requirement to be waived:

Timing of reviews. State agencies must conduct administrative reviews of all school food authorities participating in the National School Lunch Program (including the Afterschool Snacks and the Seamless Summer Option) and School Breakfast Program at least once during a 3-year review cycle, provided that each school food authority is reviewed at least once every 4 years. For each State agency, the first 3-year review cycle started the school year that began on July 1, 2013 and ended on June 30, 2014. At a minimum, the on-site portion of the administrative review must be completed during the school year in which the review was begun. 7 CFR 210.18(c)

Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

A 4-year review cycle will allow FDACS to maintain the alignment of the AR and procurement reviews and provide the opportunity to support sponsors through additional training and technical assistance. All sponsors will receive an AR and procurement review in addition to a technical assistance visit within the 4-year cycle to ensure program integrity. The procurement review is currently on a 3-year cycle with the SMAR and will transition to the same 4-year cycle to ensure the sponsors receive the same reviews as on the 3-year cycle. FDACS will conduct follow-up reviews (e.g. Targeted Technical Assistance Reviews) for all sponsors where significant or repeated critical or general violations exist within 2 years of their AR.

FDACS will schedule all new sponsors for their first administrative review within 12 months of program operation. Florida will also conduct Technical Assistance Visits for new sponsors within 30 days of their first claim for reimbursement. If program deficiencies are present at the Technical Assistance Visit, the sponsor will receive a Targeted Technical Assistance Review within the next 6 months.

Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(l)(2)(A)(ii) of the NSLA]:

FDACS would like to shift the current 3-year SMAR cycle to a 4-year, risk-based SMAR cycle. Elongating the SMAR cycle by one year will allow FDACS to continue to build program integrity by decreasing the workload of the Program Specialist, which will increase productivity and decrease the propensity for human errors; providing increased hands-on training and technical assistance to sponsors; and providing additional oversight to mitigate the risk of program non-compliance.

FDACS implemented the 3-year cycle requirement when the SMAR was released in 2011. Due to the burden of overloaded review schedules, technical assistance is often done in conjunction with the review, while local staff are already overwhelmed with documentation that must be completed. There is not enough time to provide thorough training during the review. Changing to a 4-year review cycle will allow our staff to provide effective and quality customer service and training for our sponsors. To address these barriers, FDACS is submitting this waiver request.

Anticipated challenges State or eligible service providers may face with the waiver implementation:

FDACS does not anticipate any challenges with waiver implementation.

Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]:

The waiver will not increase the overall cost of the Program to the Federal Government because it is an administrative flexibility.

Anticipated waiver implementation date and time period:

The anticipated time period is July 1, 2023 through the end of the school year and remaining in effect for a period of four school years until June 30, 2027.

Proposed monitoring and review procedures:

FDACS will continue to monitor sponsors on all SMAR requirements outlined in 7 CFR 210.18 Administrative Reviews, using a 4-year cycle in place of the required 3-year cycle. FDACS will conduct follow-up reviews (Targeted Technical Assistance Reviews) for all sponsors where significant or repeated critical or general violations exist within

2 years of their SMAR. If the initial violation is still in practice, the sponsor will be provided 30 days to submit corrective action. FDACS will conduct a follow-up visit to ensure the corrective action has been implemented within 60 days of receipt of the corrective action.

FDACS will also conduct Technical Assistance Visits for new sponsors within 30 days of their first claim for reimbursement. If findings are present at the Technical Assistance Visit, the sponsor will receive a Targeted Technical Assistance Review within the next 6 months. If the initial violation is still in practice, the sponsor will be provided 30 days to submit corrective action. FDACS will conduct a follow-up to ensure the corrective action has been implemented within 60 days of receipt of the corrective action.

Proposed reporting requirements (include type of data and due date(s) to FNS):

FDACS will provide FNS with required reports, including the FNS 640, review findings and recommendations provided during reviews. This information will be available annually and upon request.

Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]:

Signature and title of requesting official:



Title: Vianka Colin, Director

Requesting official's email address for transmission of response:

Vianka.Colin@FDACS.gov

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

Check this box to confirm that the State agency has provided public notice in accordance with Section 12(l)(1)(A)(ii) of the NSLA

Regional Office Analysis and Recommendations:

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN

MAY 15, 2023 AND MAY 19, 2023

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF REVENUE

Sales and Use Tax

12AER22-5	5/17/23	5/9/23	49/89	
12AER22-6	5/17/23	5/9/23	49/89	
12AER22-7	5/17/23	5/9/23	49/89	

PUBLIC SERVICE COMMISSION

25-17.0021	5/17/23	6/6/23	49/51	
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EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

27P-2.002	5/15/23	6/4/23	49/48	
27P-14.0045	5/15/23	6/4/23	49/49	49/68
27P-14.006	5/15/23	6/4/23	49/49	49/68
27P-14.007	5/15/23	6/4/23	49/49	
27P-14.008	5/15/23	6/4/23	49/49	
27P-14.010	5/15/23	6/4/23	49/49	

DEPARTMENT OF THE LOTTERY

53ER23-25	5/18/23	5/18/23	49/98	
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53ER23-27	5/18/23	5/18/23	49/98	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

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DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

64B6-6.001	5/17/23	6/6/23	49/66	
64B6-6.004	5/19/23	6/8/23	49/69	

Board of Massage

64B7-28.009	5/16/23	6/5/23	49/65	
64B7-32.003	5/16/23	6/5/23	49/65	

Board of Psychology

64B19-11.005	5/15/23	6/4/23	49/71	
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Board of Speech-Language Pathology and Audiology

64B20-8.008	5/19/23	6/8/23	48/225	49/22
				49/68
64B20-8.009	5/19/23	6/8/23	48/235	49/68

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

65C-30.019 5/16/23 6/5/23 49/29 49/73

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

40C-4.091 3/31/23 **/**/**** 49/31 49/47

40C-41.043 3/31/23 **/**/**** 49/31 49/47

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009 7/21/16 **/**/**** 42/105

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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62-330.050 4/28/23 **/**/**** 49/38 49/58

62-330.055 4/28/23 **/**/**** 49/38

62-330.301 4/28/23 **/**/**** 49/38

62-330.310 4/28/23 **/**/**** 49/38

62-330.311 4/28/23 **/**/**** 49/38 49/58

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62-600.705 11/16/21 **/**/**** 47/180

62-600.720 11/16/21 **/**/**** 47/180

DEPARTMENT OF HEALTH

Board of Medicine

64B8-10.003 12/9/15 **/**/**** 39/95 41/49

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

65C-9.004 3/31/22 **/**/**** 48/28

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-7.020 10/22/21 **/**/**** 47/24 47/82

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69L-7.730 4/6/23 **/**/**** 48/251

69L-7.740 4/6/23 **/**/**** 48/251

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.