

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: **RULE TITLE:**
61-35.006 Florida Barbers' Departmental Forms
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update Florida Barbers' application forms. DBPR BAR 1-4, 6, 9 and 10 have been modified to assist the applicant.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is Florida Barber application forms.

RULEMAKING AUTHORITY: 455.203, 455.213 FS.

LAW IMPLEMENTED: 455.213, 455.217, 455.2179, 455.219, 455.2228, 455.2281, 455.271, 476.114, 476.124, 476.134, 476.144, 476.184, 476.192 FS.

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

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: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@myfloridalicense.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@myfloridalicense.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: **RULE TITLE:**
61-35.011 Cosmetology Departmental Forms
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update Cosmetology application forms. Cosmo 1, 2, 3, 6, 11 and 12 have been modified to assist the

applicant; Cosmo 8 and 9 have been modified to be consistent with continuing education rule changes.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is application forms.

RULEMAKING AUTHORITY: 455.203, 455.213, 455.2179 FS.

LAW IMPLEMENTED: 455.213, 455.217, 455.2179, 455.219, 455.2228, 455.271, 477.0132, 477.014, 477.019, 477.0201, 477.0212, 477.022, 477.025, 477.026, 477.0263, 559.79 FS.

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

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: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: **RULE TITLE:**
64B13-5.002 Criteria for Approval
PURPOSE AND EFFECT: The Board proposes to review the rule and modify language for the approval criteria.

SUBJECT AREA TO BE ADDRESSED: Application criteria for continuing education.

RULEMAKING AUTHORITY: 456.013, 463.005(1) FS.

LAW IMPLEMENTED: 463.007(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-10.001 Application for Certification

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete update the application and update references, and to add new language if necessary.

SUBJECT AREA TO BE ADDRESSED: Application for certification.

RULEMAKING AUTHORITY: 463.005(1), 463.0055 FS.

LAW IMPLEMENTED: 463.0055, 463.006 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-10.002 Administration and Prescription of Topical Pharmaceutical Agents

PURPOSE AND EFFECT: The Board proposes the rule amendment to amend the rule to comply with Chapter 2013-26, Laws of Florida, including: updating the rule title; deleting superseded language; adding new language; and renumbering the rule accordingly.

SUBJECT AREA TO BE ADDRESSED: Administration and prescription of ocular pharmaceutical agents.

RULEMAKING AUTHORITY: 463.005(1), 463.0055 FS.

LAW IMPLEMENTED: 463.0055, 463.012, 463.0135, 463.016(1)(g), (k) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-18.001 Purpose

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and add new language to update the rule in accordance with Chapter 2013-26, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Purpose of Chapter 65B13-18, topical ocular pharmaceutical agents.

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and add new language to update the rule in accordance with Chapter 2013-26, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Formulary of topical ocular pharmaceutical agents.

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS.
 LAW IMPLEMENTED: 463.0055 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-18.003 RULE TITLE: Procedures Regarding Topical Ocular Pharmaceutical Agents
 PURPOSE AND EFFECT: The Board proposes the substantial rewrite of the rule to update the existing rule and to develop procedures regarding topical ocular pharmaceutical agents as authorized by Chapter 2013-26, Laws of Florida and to renumber the rule accordingly.
 SUBJECT AREA TO BE ADDRESSED: Procedures regarding topical ocular pharmaceutical agents.
 RULEMAKING AUTHORITY: 463.005, 463.0055(2) FS.
 LAW IMPLEMENTED: 463.0055 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
 Proposed Rules**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.: 6A-1.004, 6A-1.0071 RULE TITLES: School District Budget Requirements, Fiscal Reporting Dates
 PURPOSE AND EFFECT: The purpose of the amendment for Rule 6A-1.004, .F.A.C., is to provide updated Forms ESE 139, District Summary Budget; and ESE 524, Resolution Determining Revenues and Millages Levied; and to delete a reference to an obsolete form. The purpose of the amendment for Rule 6A-1.0071, FAC., is to provide updated Forms ESE 348, Report of Financial Data to the Commissioner of Education; ESE 145, Superintendent’s Annual Financial Report; ESE 374, Schedule of Maturities of Indebtedness; and ESE 523, Information Concerning Authorized Obligations Under Sections 1011.14 and 1011.15, Florida Statutes.
 SUMMARY: Rule 6A-1.004, F.A.C., is amended to provide updated forms for the District Summary Budget as incorporated by reference. Rule 6A-1.0071, F.A.C., is amended to provide updated forms for the school district annual financial report as incorporated by reference.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
 The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.
 The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on past agency experiences with annually updating required forms for financial reporting for school districts in accordance with laws and rules of the State Board of Education, the adverse impact or regulatory cost, if any, does not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes, because the annual updates incorporate accounting changes anticipated with the periodic

issuance of new Governmental Accounting Standards Board pronouncements that will not cost school districts additional expenditure for implementation and update year references and forms that require no expenditure for implementation.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1011.01(2)(a), 1011.60(1) FS.

LAW IMPLEMENTED: 200.065, 1011.01(3), 1011.03(4), 1011.60(1) FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Bureau Chief of School Business Services, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0405

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.004 School District Budget Requirements.

The ~~Commissioner shall establish procedures so that the District Summary Budget shall be~~ is submitted to the Department of Education in the manner prescribed in Rule 6A-1.0071, F.A.C.

(1) The following items are included in the District Summary Budget:

- (a) Estimated revenue federal, state and local.
- (b) Estimated non-revenue-loans, bond sales, etc.
- (c) Operating appropriations.
- (d) Transfers, debt service, and capital projects appropriations.
- (e) Ending balances and reserves.

(2) A budget shall not be considered to be officially received until all required forms, schedules, analyses and certifications have been received including Forms ESE 139, District Summary Budget (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01621>), and; ESE 524, Resolution Determining Revenues and Millages Levied (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01622>); and ~~ESE 524(a), Resolution Determining Critical Needs Revenues and Millages Levied~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01623>), if applicable. Forms ESE 139

~~and; and ESE 524, and 524(a)~~ are hereby incorporated by reference to become effective November ~~2013~~ 2012, and may be obtained by contacting the Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

Rulemaking Authority 1001.02(1), (2)(n), 1011.01(2)(a) ~~1011.03(4)~~ FS. Law Implemented 1011.01(3), 1011.03(4) FS. History—Amended 3-26-66, 9-17-72, 2-18-74, Repromulgated 12-5-74, Amended 11-29-78, 7-10-85, Formerly 6A-1.04, Amended 10-4-88, 9-22-08, 3-13-12, 11-13-12,_____.

6A-1.0071 Fiscal Reporting Dates.

The following dates shall apply to the fiscal reporting and budgeting process of each school district.

(1) The final budget prepared under procedural steps and time intervals specified in Section 200.065, F.S., shall be submitted to the Commissioner no later than the third business day following the day of adoption by the school board.

(2) The annual financial report and all official parts thereof must be submitted to the Commissioner no later than September 11th of each year. The annual financial report is composed of the following forms: Forms ESE 348, Report of Financial Data to the Commissioner of Education (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01624>); ESE 145, Superintendent’s Annual Financial Report (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01625>); ESE 374, Schedule of Maturities of Indebtedness (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01626>); and ESE 523, Information Concerning Authorized Obligations Under Sections 1011.14 and 1011.15, F.S. (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01628>), which are incorporated by reference in this rule to become effective November, ~~2013~~ 2012. These forms may be obtained from the Administrator of the Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(3) In the event of an emergency or ~~when~~ unusual circumstances ~~exist~~ and upon written request by the superintendent of schools, the Commissioner shall have authority to grant an extension of reporting dates not specified by statute.

Rulemaking Authority 1001.02(1), (2)(n), 1011.60(1), (5) FS. Law Implemented 200.065, 1011.01(3), 1011.03(4), 1011.60(1), (5) FS. History—New 9-12-72, Amended 2-13-74, 12-5-74, 5-5-75, 10-7-75, 7-22-76, 6-7-77, 1-7-81, 7-10-85, Formerly 6A-1.071, Amended 3-12-86, 10-4-88, 9-22-08, 2-1-12, 11-13-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Champion, Deputy Commissioner, Finance and Operations

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2013

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.0081
 RULE TITLE: Charter School and Charter Technical Career Center Monthly Financial Statements and Financial Conditions

PURPOSE AND EFFECT: The purpose of this rule amendment is to revise the components of required monthly and/or quarterly charter school financial reports by incorporating a standard form. The rule also revises a sponsor’s responsibilities if a deteriorating financial condition exists.

SUMMARY: In accordance with Sections 1002.33(9)(g) and 1002.34(11)(f), Florida Statutes, charter schools or charter technical career centers are required to provide a monthly financial statement to the school or center’s sponsor. This rule revises the components of required monthly and/or quarterly charter school financial reports by incorporating a standard form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule revision creates templates for charter school financial reporting, which will have a minimal financial impact on charter schools.

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

RULEMAKING AUTHORITY: 1002.33(27) FS.

LAW IMPLEMENTED: 1002.33(9) FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Miller, Executive Director, 325 W Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0081 Charter School and Charter Technical Career Center ~~Monthly~~ Financial Statements and Financial Conditions.

The following provisions have been established to prescribe the format for a charter school or charter technical career center’s monthly or quarterly financial statement required by Sections 1002.33(9)(g) and 1002.34(11)(f), F.S., respectively, and to administer the requirements of Section 1002.345(4), F.S.

(1) Monthly or quarterly financial statement.

(a) A charter school or charter technical career center shall provide a ~~monthly~~ financial statement to the school or center’s sponsor in accordance with Sections 1002.33(9)(g) and 1002.34(11)(f), F.S., respectively, on form IEPC-F1, Governmental Accounting Standards Board (GASB) Monthly Financial Form or IEPC-F2, Non-Profit Monthly Financial Form, hereby incorporated by reference to become effective . The school shall provide notes to the financial statement, if applicable, to include other information material to the financial statement. Material is defined as when the magnitude of an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would have been changed or influenced by the omission or misstatement. that contains the following information:

- ~~1. Projected enrollment for current school year upon which the school’s budget is based.~~
- ~~2. Actual enrollment at time statement is submitted.~~
- ~~3. A balance sheet with assets, liabilities, and fund balances.~~
- ~~4. Year to date comparison of budgeted versus actual revenues and expenditures.~~
- ~~5. Notes to the monthly financial statement to include other information material to the monthly financial statement. Material is defined as when the magnitude of an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would have been changed or influenced by the omission or misstatement.~~

(b) The sponsor shall determine whether the ~~monthly~~ financial statement must be prepared on a cash or accrual basis and the selected format shall apply to all schools and centers in the district.

(c) ~~Monthly~~ Financial statements shall be formatted in accordance with the accounts and codes prescribed in the publication titled, "Financial and Program Cost Accounting and Reporting for Florida Schools," which is adopted in Rule 6A-1.001, F.A.C.

(d) Charter schools and centers and sponsors shall agree in writing to the date by which the ~~monthly~~ financial statements are to be submitted, with the due date being no more than thirty (30) days after the last day of the reporting period month for the prior month's statement.

(e) Sponsors shall not require that monthly or quarterly financial statements be prepared by an independent certified public accountant, unless otherwise agreed to in the charter or a financial recovery plan.

(f) The reporting requirements of this subsection are supplemental to any financial reporting requirements already established in the school or center's charter.

(2) Deteriorating financial condition. A deteriorating financial condition is defined as a circumstance that significantly impairs the ability of a charter school or charter technical career center to generate enough revenues to meet its expenditures without causing the occurrence of a condition described in Section 218.503(1), F.S., or a circumstance that has resulted or will result in the occurrence of a condition described in Section 218.503(1), F.S., if action is not taken to assist the school or center.

(a) A deteriorating financial condition may be identified in one of the following ways:

1. The sponsor may determine that a deteriorating financial condition exists through review of a charter school or charter technical career center's monthly or quarterly financial statement. A deteriorating financial condition may include, but is not limited to, the existence of one or more of the following circumstances:

a. through c. No change.

~~The sponsor shall notify the school or center's governing board in writing within seven (7) business days of the determination.~~

2. No change.

(b) Upon determination under subparagraph (2)(a)1., of this rule or receipt of notification under subparagraph (2)(a)2., of this rule that a deteriorating financial condition exists, the sponsor shall initiate an expedited review and notify the governing board of the charter school and the Department of Education within seven (7) business days. ~~an expedited review, and both parties~~ The charter school and sponsor shall

develop a corrective action plan pursuant to Section 1002.345(1)(c), F.S.

(3) through (b) No change.

(c) The corrective action plan shall include the following components:

1. A statement of the condition in Section 1002.345(1), F.S., that initiated the development of a corrective action plan. If the corrective action plan is required due to a deteriorating financial condition, the plan must include the three (3) most recent ~~monthly~~ financial statements submitted to the sponsor pursuant to subsection (1) of this rule and the most recent annual financial audit.

2. through (5) No change.

(6) Correspondence. All correspondence to the Commissioner of Education related to the financial condition of a charter school or charter technical career center shall be addressed to the Office of Independent Education and Parental Choice, 325 W. Gaines Street, Suite ~~1044~~ ~~522~~, Tallahassee, Florida 32399-0400. In addition, electronic correspondence related to the school or center's financial condition shall be sent to charterschools@fldoe.org. This includes notifications that a financial condition identified in Section 218.503(1), F.S., has occurred or will occur, requests for the involvement of the Commissioner in creating a corrective action plan, completed corrective action plans, and completed financial recovery plans.

Rulemaking Authority ~~218.503, 1001.02(1)1002.33(27), 1002.345~~ FS. Law Implemented 218.39, 218.503, 1002.33(9)(g), 1002.34(11)(f), 1002.345 FS. History—New 5-3-10, Amended.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 27, 2013

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09401 Student Performance Standards

PURPOSE AND EFFECT: The purpose of this rule amendment is to revise Next Generation Sunshine State Standards for social studies, the arts, health education, physical education, gifted education and special skills, and Next Generation Sunshine State Standards (Common Core) for mathematics, including core content connectors. The effect

will be the proposed adoption of the Next Generation Sunshine State Standards in social studies, the arts, health education, physical education, gifted education and special skills, and Next Generation Sunshine State Standards (Common Core) for mathematics, including core content connectors.

SUMMARY: Next Generation Sunshine State Standards for social studies, the arts, health education, physical education, gifted education and special skills have been revised to provide clarity, address all content previously being taught, and define more measurable expectations for students. Next Generation Sunshine State Standards (Common Core) for mathematics now include core content connectors.

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: Although the aforementioned standards have been revised or added to the Next Generation Sunshine State Standards, the content is not new to Florida students. The language has been revised to provide clarity and measurable expectations for students. As a result of these minimal changes, there is not likely to be a need for extensive revision of instructional materials.

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

RULEMAKING AUTHORITY: 1001.02, 1003.41 FS.

LAW IMPLEMENTED: 1001.03, 1003.41 FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Deputy Chancellor of Curriculum, Instruction and Student Services, 325 West Gaines Street, Suite 1502, Tallahassee, Florida 32399-0400, Mary.Tappen@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09401 Student Performance Standards.

(1) Student Performance Standards in Florida are defined as the Next Generation Sunshine State Standards and establish the core content of the curricula to be taught and specify the core content knowledge and skills that K-12 public school students are expected to acquire. The Next Generation Sunshine State Standards are rigorous and reflect the knowledge and skills students need for success in college and careers. Standards to benchmark student achievement serve as guides to best practices for local curriculum designers to help schools implement school improvement strategies to raise student achievement. Currently, the Next Generation Sunshine State Standards Reading and Language Arts 2007, referenced below in paragraph (1)(a), describe what students should know and be able to do at grade level progression for kindergarten to grade 8 and in grade bands for grade levels 9-10 and 11-12. Beginning with the 2013-2014 school year, the English Language Arts benchmarked standards for English Language Arts referenced below in paragraph (1)(c), The standards and benchmarks describe what students should know and be able to do at grade level progression for kindergarten to grade 8 and in grade bands for grade levels 9-10 and 11-12 for each of the reading and language arts content areas of: Reading, Writing, Speaking and Listening, and Language. Currently, the Next Generation Sunshine State Standards Mathematics 2008, referenced below in paragraph (1)(b), describe what students should know and be able to do at grade level progression from kindergarten to grade 8 and in a grade band for grade levels 9-12. Beginning with the 2013-2014 school year, the benchmarked standards for Mathematics referenced below in paragraph (1)(d), describe what students should know and be able to do at grade level progression from kindergarten to grade 8 and for each of the Mathematics content areas of: Number and Quantity, Algebra, Functions, Modeling, Statistics and Probability, and Geometry for grades 9-12. Beginning with the 2008-2009 school year, the benchmarked standards for Science referenced below in paragraph (1)(e), describe what students should know and be able to do at grade level progression from kindergarten to grade 8 and for each of the science content areas of: Earth and Space Science, Life Science, Physical Science, and Nature of Science for grades 9-12. Beginning with 2009-2010, the Health, Physical Education, and Social Studies benchmarked standards, referenced below in paragraphs (1)(f), (i), and (j), including one additional grade 1 Social Studies standard added in 2010, describe what students should know and be able to do at ten progression levels (grades K, 1, 2, 3, 4, 5, 6, 7, 8, 9-12). Beginning with the 2011-2012 school year, the benchmarked standards for World Languages referenced below in paragraph (1)(g) describe what students should know and be able to do at eight levels of proficiency. Beginning with the 2011-2012

~~school year, the benchmarked standards for the Arts, specifically Dance, Music, Theatre, and Visual Art, referenced below in paragraph (1)(h), describe what students should know and be able to do at grade level progression for kindergarten to grade 5 and in grade bands for grade levels 6-8 and 9-12. The access points and core content connectors contained in either the Next Generation Sunshine State Standards or the Sunshine State Standards provide access to the general education curriculum for students with significant cognitive disabilities. Public schools shall provide appropriate instruction to assist students in the achievement of these standards or the Sunshine State Standards for Special Diploma as appropriate. These standards, benchmarks, and access points and core content connectors are contained in the following publications which are hereby incorporated by reference and made a part of this rule.~~

- (a) Next Generation Sunshine State Standards – Reading and Language Arts, 2007,
- (b) Next Generation Sunshine State Standards – Mathematics, 2008,
- (c) Next Generation Sunshine State Standards (Common Core) – English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, 2010,
- (d) Next Generation Sunshine State Standards (Common Core) – Mathematics, 2013 ~~2010~~,
- (e) Next Generation Sunshine State Standards – Science, 2008,
- (f) Next Generation Sunshine State Standards – Social Studies, 2013 ~~2009~~, ~~revised 2010~~,
- (g) Next Generation Sunshine State Standards – World Languages, 2011,
- (h) Next Generation State Standards – The Arts, 2013 ~~2011~~,
- (i) Next Generation Sunshine State Standards – Health Education, 2013 ~~2009~~,
- (j) Next Generation Sunshine State Standards – Physical Education, 2013 ~~2009~~, ~~and~~
- (k) Next Generation Sunshine State Standards – Gifted Education, 2013,
- (l) Next Generation Sunshine State Standards – Special Skills, 2013, and
- (~~m~~)(~~k~~) Sunshine State Standards for Special Diploma, 1999.

Copies of these publications may be obtained from the Division of Public Schools, Department of Education, 325 West Gaines St., Tallahassee, Florida 32399-0400.

(2) through (4) No change.

Rulemaking Authority 1001.02, 1003.41(4) FS. Law Implemented 1001.03, 1003.41 FS. History–New 6-18-96, Amended 9-28-99, 3-1-07, 7-25-07, 11-25-07, 4-14-08, 9-22-08, 2-1-09, 1-6-10, 9-5-10, 2-8-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mary Jane Tappen, Deputy Chancellor of Curriculum, Instruction and Student Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2013

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09412 Course Requirements – Grades K-12 Basic and Adult Secondary Programs

PURPOSE AND EFFECT: The purpose of this proposed amendment is to revise course requirements for each course contained in the “2013-2014 Course Code Directory and Instructional Personnel Assignments” for grades K-12/ Adult, Basic Education. The effect will be the proposed adoption of the 2013-2014 course descriptions which will include literacy, mathematical practices, and health education standards as appropriate for each grade level and area content area.

SUMMARY: Florida public school course descriptions for the basic education programs for grades K-12/ Adult, Basic Education have been revised to include literacy, mathematical practices, and health education standards as appropriate for each grade level and content area.

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: Although the aforementioned courses have been revised or added to the course requirements for Grades K-12, Basic and Adult Secondary Programs, the content is not new

to Florida students. The requirements have been revised to literacy, mathematical practices and health education standards as appropriate for each grade level and content area. As a result of these minimal changes, there is not likely to be a need for extensive revision of instructional materials.

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

RULEMAKING AUTHORITY: 1001.02, 1001.03, 1011.62(1)(u) FS.

LAW IMPLEMENTED: 1001.03, 1011.62(1)(u) FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Deputy Chancellor of Curriculum, Instruction and Student Services, 325 West Gaines Street, Suite 1502, Tallahassee, Florida 32399-0400, Mary.Tappen@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09412 Course Requirements – Grades K-12 Basic and Adult Secondary Programs.

A course description directs district personnel by providing the essential content and course requirements for each course in grades K-12 contained in the “Course Code Directory and Instructional Personnel Assignments” adopted by Rule 6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publications “2013-2014 ~~2012-2013~~ Florida Course Descriptions for Grades K-12/Adult, Basic Education,” (http://www.flrules.org/Gateway/reference.asp?No=Ref_01494) (<http://www.fldoe.org/articulation/ccd/1213.asp>), which is hereby incorporated by reference and made a part of this rule. Copies of approved course descriptions may be obtained from Division of K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 ~~or online at~~ <http://www.floridastandards.org>.

Rulemaking Authority 1001.02, 1001.03(1), ~~1003.42~~, 1011.62(1)(u) FS. Law Implemented 1001.03 ~~1003.42~~, 1011.62(1)(u) FS. History—New 2-21-85, Formerly 6A-1.9412, Amended 1-29-86, 1-1-87, 9-6-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 6-6-93, 10-18-94, 8-28-95, 5-14-96, 9-15-97, 10-13-98, 5-3-99, 5-3-01, 10-15-01, 12-17-02, 7-26-05, 11-21-05, 7-27-06, 1-18-07, 3-24-08, 10-21-09, 5-3-10, 7-27-11, 8-21-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor of Curriculum, Instruction and Student Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2013

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09414 Course Requirements – Grades PK-12 Exceptional Student Education

PURPOSE AND EFFECT: The purpose of this proposed amendment is to revise course requirements for each course contained in the “2013-2014 Course Code Directory and Instructional Personnel Assignments” for grades PK-12 Exceptional Student Education. The effect will be the proposed adoption of the 2013-2014 course descriptions which will include special skills, literacy, mathematical practices, and health education standards as appropriate for each grade level and content area.

SUMMARY: Florida course descriptions for Prekindergarten, General Academics, Subject Areas, Special Skill Courses, Therapy, Supported Levels 9-12, Participatory Level 9-12, Gifted, Career and Technical Education for Students with Disabilities and Non-Credit have been revised to include special skills, literacy, mathematical practices, and health education standards as appropriate for each grade level and content area.

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: Although the aforementioned courses have been revised or added to the course requirements for PK-12 Exceptional Student Education, the content is not new to

Florida students. The requirements have been revised to include special skills, literacy, mathematical practices and health education standards as appropriate for each grade level and content area. As a result of these minimal changes, there is not likely to be a need for extensive revision of instructional materials.

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

RULEMAKING AUTHORITY: 1001.03(1), 1011.62(1)(u) FS.

LAW IMPLEMENTED: 1003.42, 1011.62(1)(u) FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Deputy Chancellor of Curriculum, Instruction and Student Services, 325 West Gaines Street, Suite 1502, Tallahassee, Florida 32399-0400, Mary.Tappen@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09414 Course Requirements – Grades PK-12 Exceptional Student Education.

A course description directs district personnel by providing the essential content and course requirements for each course in grades PK-12 contained in the “Course Code Directory and Instructional Personnel Assignments” adopted in Rule 6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publication “~~2013-2014~~ ~~2012-2013~~ Florida Course Descriptions for Grades PK-12, Exceptional Student Education (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01495>),” which is hereby incorporated by reference and made a part of this rule. Copies of approved course descriptions may be obtained from Division of K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, ~~or online at <http://www.floridastandards.org>.~~

Rulemaking Authority 1001.03(1), 1011.62 FS. Law Implemented 1003.42, 1011.62(1)(u)(+) FS. History—New 7-9-86, Amended 12-28-86, 12-13-88, 12-11-89, 11-12-91, 6-6-93, 10-18-94, 9-28-99, 8-21-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor of Curriculum, Instruction and Student Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2013

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.099822 School Improvement Rating for Alternative Schools.

PURPOSE AND EFFECT: The purpose of this rule amendment is to implement amended requirements of Section 1008.341, Florida Statutes, which include revising the percent-tested requirement to 80 percent for schools to qualify for a rating, limiting ratings to no higher than “maintaining” for schools that test less than 90 percent of eligible students, and applying high school retake scores in the calculation of school improvement ratings.

These revisions will be effective beginning in 2013-14.

SUMMARY: This rule implements requirements of Sections 1008.34 and 1008.341, Florida Statutes, concerning Florida’s school improvement ratings for alternative schools, including a description of criteria identifying alternative schools, each type of data that is used in calculating school improvement ratings, how school improvement ratings are calculated, and requirements for crediting back scores from students at alternative education centers to home schools in cases where the alternative school elects to receive a school improvement rating instead of a school grade.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under

Section 120.541(1), Florida Statutes, and; 2) based on past experiences with the school grade rule and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 1001.02, 1008.34, 1008.341 FS.

LAW IMPLEMENTED: 1008.34, 1008.341 FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edward Croft, Bureau Chief, Accountability Reporting, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 1401, Tallahassee, Florida 32399, (850)245-0411

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099822 School Improvement Rating for Alternative Schools.

(1) through (4)(a) No change.

(b) As outlined in Section 1008.34(3)(~~c~~)3., F.S., the following students are not included in the accountability calculations for alternative schools:

1. through 3. No change.

(5) Procedures for Calculating School Improvement Ratings for Alternative Schools. The school improvement ratings for alternative schools will be considered fully implemented with the following accountability elements:

(a) The school improvement rating shall be based on a comparison of student learning gains for the current year and previous year. The learning gains definition will be consistent with the learning gains definition for school grades defined in Rule 6A-1.09981, F.A.C. The school improvement rating shall be calculated for each alternative school that has chosen to be rated by this method and, to ensure statistical reliability of results in accordance with Section 1008.34(3)(a)1., F.S., has:

1. A minimum of ten (10) eligible students with valid FCAT 2.0 or FAA assessment scores in reading in the current and two previous years, including scores for students retaking state reading assessments in high school to meet graduation requirements; and

2. A minimum of ten (10) eligible students with valid FCAT 2.0, FAA, or EOC assessment scores in math in the current and two previous years, including scores for students retaking state math assessments in high school to meet graduation requirements.

(b) The school improvement rating shall be designated as following:

1. "Improving" means the schools with students making more academic progress than when the students were served in their home schools. In order for a school to earn an "improving" designation, the percent of students making learning gains in reading and math in the current year must be at least five percentage points higher than the percent of the same students making learning gains in the prior year in their home school. Schools that would otherwise qualify for a rating of "improving" but test less than ninety (90) percent of eligible students are not eligible for a final rating of "improving."

2. "Maintaining" means schools with students making progress equivalent to the progress made when the students were served in their home schools. In order for a school to earn a "maintaining" designation, the percent of students making learning gains in reading and math in the current year must be less than five percentage points above or below the percent of the same students making learning gains in the prior year in their home school. Schools that would otherwise qualify for a rating of "improving" but test less than ninety (90) percent of eligible students shall receive a final rating of "maintaining."

3. No change.

(c) The Commissioner shall withhold the designation of a school's improvement rating if performance data is determined to not accurately represent the progress of the school. Circumstances under which a school's performance data may be considered to not accurately represent the progress of the school include:

1. Less than eighty (80) ~~ninety (90)~~ percent of the school's student population eligible for inclusion in the designation of the school's improvement rating were assessed;

2. through (d) No change.

(6) Student Performance Credited to Home School When Alternative School Receives a School Improvement Rating. If an alternative school chooses to be evaluated through a school improvement rating rather than a school grade, and the alternative school is not a charter alternative school established pursuant to Section 1002.33, F.S., the state assessment scores of eligible students (identified in Section 1008.34(3)(~~c~~)3., F.S.) shall be included in the students' home school's grade as well as the alternative school's school improvement rating. An eligible student's assessment scores will be included in the calculation of the home school's grade

in accordance with the provisions of paragraph 6A-1.09981(4)(a), F.A.C., provided that the student is enrolled in a grade level at the alternative school that is offered by the student's home school.

Rulemaking Authority 1001.02, 1008.34, 1008.341 FS. Law Implemented 1008.34, 1008.341 FS. History--New 4-14-08, Amended 6-22-09, 4-8-12, 11-13-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jane Fletcher, Interim Deputy Commissioner, Accountability, Research, and Measurement

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 29, 2013

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of this new rule is to implement provisions of Section 1008.3415, Florida Statutes, concerning school accountability for ESE center schools.

SUMMARY: As required by Section 1008.3415, Florida Statutes, the rule establishes a definition of "ESE center school" for accountability purposes and addresses accountability processes for ESE centers, including applicable calculations for school improvement ratings as well as requirements for, and limitations on, crediting back scores for ESE center students to home schools in cases where ESE center schools elect a school improvement rating instead of a school grade.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under Section 120.541(1), Florida Statutes, and; 2) based on past experiences with the school grade rule and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed

nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes.

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: 1008.3415 FS.

LAW IMPLEMENTED: 1008.34, 1008.341, 1008.3415 FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edward Croft, Bureau Chief, Accountability Reporting, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 1401, Tallahassee, Florida 32399, (850)245-0411

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) Purpose. The purpose of this rule is to implement the requirements of Section 1008.3415, Florida Statutes.

(2) Definitions. The following definitions apply in this rule:

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

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

(c) "Home school" means the school in which the student would be enrolled if not enrolled in the ESE center school.

(3) ESE Center School List.

(a) Annually, the Department of Education will provide each district with a list of schools identified as ESE center schools.

(b) Prior to calculation of school improvement ratings under Rule 6A-1.09981, F.A.C., and school grades under Rule 6A-1.09981, F.A.C., school districts will be provided the opportunity to submit additions to and deletions from the ESE center school list. Documentation required to make an addition or deletion to the list shall include, at a minimum:

1. Statement of the current mission of the school;
2. Description of the targeted student population;
3. Explanation of enrollment procedures; and
4. Verification by the superintendent that the school meets the criteria for ESE center schools described in paragraph (2)(b) of this rule.

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

(5) An ESE center school's grade or school improvement rating shall be calculated by the Department of Education based upon the statutes and rules noted in subsection (4) of this rule except for the following: the achievement scores and learning gains of a student who has not been enrolled in a public school within the district other than an ESE center school for grades K-12 shall not be included in the calculation of the home school's grade if the student scores as emergent.

(6) School districts shall annually report to the Department of Education during student membership survey 3 as specified in Rule 6A-1.0451, F.A.C., the home school of each student enrolled in an ESE center school.

Rulemaking Authority 1001.02(1), (2), 1008.4315 FS. Law Implemented 1008.34, 1008.341, 1008.3415 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jane Fletcher, Interim Deputy Commissioner, Accountability, Research, and Measurement

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 29, 2013

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0202
RULE TITLE: Awarding High School Diplomas to Honorably Discharged Veterans

PURPOSE AND EFFECT: The purpose of this rule is to establish criteria for awarding a standard high school diploma

to honorably discharged veterans who have not completed the high school graduation requirements.

SUMMARY: Prior to the 2013 legislative session, the statute specified dates students must have started high school and the war or conflict in which the veteran served, in order to be awarded a standard high school diploma. The new statute, enacted during the 2013 session, provides greater flexibility by deleting specific dates and wars or conflicts, making this provision applicable to all honorably discharged veterans.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has determined that the proposed rule does not require legislative ratification and is not expected to have any impact on the factors found in Section 120.541(2)(a), Florida Statutes. This rule is developed in response to Section 1003.4286, Florida Statutes, which requires the State Board of Education to work with the Department of Military Affairs to adopt rules for which the Commissioner of Education may award a standard high school diploma to honorably discharged veterans.

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: 1003.4286 FS.

LAW IMPLEMENTED: 1003.4286 FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0202 Awarding High School Diplomas to Honorably Discharged Veterans.

(1) Pursuant to the requirements of Section 1003.4286, Florida Statutes, the Commissioner may award a standard high school diploma to an honorably discharged veteran who meets the following requirements:

(a) Left a public or non-public school located in any state prior to graduation and entered the armed forces of the United States.

(b) Is a current resident of the state of Florida, or was previously enrolled in any high school in this state, or was a resident of the state of Florida at the time of death.

(c) Is honorably discharged from the armed forces of the United States as verified by the Department of Veterans Affairs.

(2) The diploma may be presented posthumously.

(3) An application verifying all the requirements set forth in subsection (1) of this rule shall be forwarded, upon completion, to the Florida Department of Education using Form FLVET, Veterans High School Diploma Application, effective ,(insert link) which is hereby incorporated by reference in this rule. Form FLVET may be obtained by contacting the Florida Department of Education, Veterans High School Diploma Program, 325 West Gaines Street, Room 714, Tallahassee, Florida 32399.

Rulemaking Authority 1003.4286 FS. Law Implemented 1003.4286 FS. History—New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 26, 2013

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-20.028 Florida Bright Futures Scholarship Program.

PURPOSE AND EFFECT: The purpose of this rule amendment is to clarify terms and processes in the existing rule relating to the Florida Bright Futures Scholarship Program, as outlined in the summary below, and to update the rule based on statutory changes. The effect will be a rule that is transparent, efficient, and consistent with governing law.

SUMMARY: Amendments are made to remove language that requires students to file a free application for Federal Student Aid to receive funding; clarify enrollment hour requirements to specify semester credit hours or quarter credit hours; provide a statutory reference for the military assignment definition; specify acceptable proof of public service assignment; add processes for mid-year graduate evaluation; clarify initial academic criteria for world language; delete reference to the College Preparatory Test (CPT) and add reference to the Florida Postsecondary Education Readiness Test (PERT) testing requirement; clarify timeframe for student request of department re-evaluation; clarify mis-advisement processes for high schools; provide clarification of program length required by legislative changes; clarify public high school counseling responsibilities; and delete reference to U.S. citizenship eligibility requirement and specify that Florida residency is determined according to Section 1009.21, Florida Statutes.

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 following revisions are required by law, and there are no costs associated with this rule revision: removal of requirement for students to file a Free Application for Federal Student Aid; reference to the Florida Postsecondary Education Readiness Test (PERT) in lieu of the College Preparatory Test (CPT); clarification of program length; high school counseling requirements; and deletion of reference to U.S. citizenship eligibility requirements and specification that Florida residency is determined according to Section 1009.21, F.S. The following revisions are procedural or technical in nature, are added to clarify terms or processes relating to the Florida Bright Futures Scholarship Program, and add no cost to complying with the rule: clarifying enrollment hour requirements to specify semester credit or quarter credit hours; providing a statutory reference to define military service; specifying acceptable proof of public service assignment; adding processes for mid-year graduate evaluation; clarifying timeframe for student to request department re-evaluation; and clarifying mis-advisement processes for high school.

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: 100.02(1), 1009.53(3) FS.

LAW IMPLEMENTED: 1009.40, 1009.42, 1009.43, 1009.53, 1009.531, 1009.532, 1009.534, 1009.5341, 1009.535, 1009.536, 1009.538 FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Levis Hughes, Bureau Chief, Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400, (850)410-6810, Levis.Hughes@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-20.028 Florida Bright Futures Scholarship Program.

(1) General eligibility requirements. To receive an initial or renewing Florida Bright Futures Scholarship Program award a student shall:

(a) Not have previously received a recognized baccalaureate degree. A degree is recognized if it is acceptable for purposes of transferring credits to a Bright Futures-eligible institution.

~~(b) File annually a complete and error free Free Application for Federal Student Aid (FAFSA) (<http://www.fafsa.ed.gov/>) which results in a valid Expected Family Contribution (EFC), in accordance with Section 1009.531(7), F.S.~~

(b)(e) Be enrolled in an eligible Florida postsecondary institution in a degree, certificate, or applied technology program of study.

~~(c)(d)~~ Be enrolled in a minimum of six (6) semester credit hours, or equivalent quarter or clock credit hours, per term.

(2) Military and public service assignment. For purposes of eligibility, in accordance with Section 1009.531(1)(b)2., F.S.:

(a) Military assignment is defined as active duty assignment, as defined in Section 250.01, F.S.

(b) Public service assignment is defined as the occupational assignment of a Florida resident employed by the United States Government or State of Florida, who as a condition of initial public service employment is relocated

from Florida to work outside the State of Florida. A student whose parent or guardian is on public service assignment may reside with either a natural parent or another adult designated by either natural parent or guardian. Acceptable proofs of public service assignment are the Request Authorization for Department of Defense Civilian Permanent Duty or Temporary Change, DD Form 1614, and State of Legal Residence Certificate, DD Form 2058.

(3) Initial eligibility requirements.

(a) through (c)2. No change.

3. Students who intend to graduate high school mid-year must file the FFAA-1, Florida Financial Aid Application for Students, by the August 31 prior to the student's graduation, and meet all Bright Futures academic requirements provided in Florida Statutes. A mid-year high school graduate seventh semester evaluation includes completed spring coursework and grades, fall coursework in progress, community service hours, and test scores for test dates through the end of June. A mid-year high school graduate eighth semester evaluation includes all coursework and grades through fall semester of high school graduation, community service hours, and test scores for test dates through the end of January and a graduation date from an official standard diploma or its equivalent.

4. A student's initial year of eligibility is defined as the first academic year immediately following high school graduation or its equivalent, whether funded or not.

(d) A home-educated student applying for a Florida Academic Scholars aAward under Section 1009.534, F.S., must complete community service hours that meet the following requirements during high school and by high school graduation:

1. through 3. No change.

(e) A candidate for initial eligibility for the scholarship may be evaluated following the seventh semester in high school based on his/her grade point average (GPA) in completed courses and in courses in-progress with up to one (1) credit per required academic unit as outlined in subparagraph (3)(g)1. of this rule, as specified in Rule 6A-1.09441, F.A.C. If this student is found eligible, the student will not be re-evaluated for the same award and will not lose the award unless the student does not earn a standard high school diploma or its equivalent from a Florida public or FDOE registered private high school, or has committed a felony as defined in paragraph (3)(b) of this rule. An eligible seventh semester student will be re-evaluated on an eighth semester final transcript to validate high school graduation with a standard diploma and only may improve his/her award if applicable upon eighth semester information.

(f) No change.

(g) Initial Academic Criteria:

1. For the purposes of student eligibility, in accordance with Sections 1009.534(1)(a) and 1009.535(1)(a), F.S., coursework must include a minimum of four (4) credits in English, four (4) credits in mathematics, three (3) credits in science, three (3) credits in social science, and two (2) credits in the same world foreign language, unless the student has a credit in a world language completer course.

a. Required coursework, as listed in the Course Code Directory, as incorporated in Rule 6A-1.09441, F.A.C., and, therefore, approved by the State Board of Education for initial eligibility for the Florida Academic Scholars or Florida Medallion Scholars awards, includes the minimum college preparatory academic courses as required for state university system admissions and outlined in the Florida Counseling for Future Education Handbook (http://www.flvc.org/flvc/portal/Home_Page/Advising_Manuals/Counseling_for_Future_Education_Handbook!/ut/p/c5/04_SB8K8xLLM9MSSzPy8xBz9CP00s3iDEEtPfx9TQwN3S8DA093C38_M19_A393E30_j_zcVP2CbEdFAEEoyco!/)

(http://facts23.facts.org/florida/facts/Home_Page/Counselors_and_Educators/Advising_Manuals/Counseling_for_Future_Education_Handbook/).

b. through c. No change.

d. A student must earn at least the minimum standardized Critical Reading and Math scores on the SAT Reasoning Test or equivalent combined composite, excluding the writing section, or the minimum standardized scores on the ACT, either administered at a national test site by January 31st for seventh semester evaluation or by June 30th for eighth semester evaluation of the student's last year in high school, as identified for each award level specified in Section 1009.531(6), F.S. ACT scores are rounded up for scores with .5 and higher; SAT scores do not require rounding. Sections of the SAT or ACT from different test dates may be used to meet the test criteria, but test types cannot be mixed.

2. For purposes of meeting the requirements of a passing score on the college entry level placement test or its equivalent, in accordance with Section 1009.536, F.S., a student applying for the Florida Gold Seal Vocational Scholars award must earn at least the minimum qualifying subtest scores from the Florida Postsecondary Education Readiness Test (PERT) CPT, SAT, or ACT, as specified in Rule 6A-10.0315, F.A.C. Sections of the PERT CPT, SAT, or ACT from different test dates may be used to meet the test criteria, but test types cannot be mixed.

(h) For the purposes of student eligibility, in accordance with Section 1009.531(5), F.S., a student who wishes to qualify for any Bright Futures Scholarship award but does not meet all of the requirements may receive the award if the

principal of the student's school or the district superintendent verifies on letterhead that deficiencies are due to caused by school personnel providing error of inaccurate or incomplete information. The public or private high school principal or public school district will allow the student to correct the deficiencies and the public or private high school principal or public school district will provide an updated high school transcript as if necessary. The student is required to submit official postsecondary transcript(s) to the FDOE with any postsecondary coursework taken to satisfy deficiencies. The student FDOE must complete receive all requirements required documentation of deficiencies for re-evaluation by December 31 of the student's spring high school graduation year, or June 30 of the student's mid-year high school graduation year, and FDOE must receive all required documents postmarked within thirty (30) days of December 31 or June 30 of the student's high school graduation year.

(4) Academic Top Scholars awards.

(a) No change.

(b) To be designated an Academic Top Scholar, a student must have:

1. Attended any public school or FDOE public or registered private high school, or be home-educated or a GED student who has completed the minimum required coursework as listed in subparagraph (3)(g)1., of this rule, and earned a standard high school diploma, or the equivalent, during the last year of high school.

2. Met eligibility requirements for an initial Florida Academic Scholars award; and

3. Received funding for an initial Florida Academic Scholars award at an eligible Florida postsecondary institution during the first term of the academic year in which the student was initially eligible; and

4. Been the highest-ranked Florida Academic Scholars award recipient in the Florida school district where the student last attended and graduated from high school. For this determination, Florida Academic Scholars award recipients will be ranked by the FDOE on the basis of the product of their Florida Bright Futures cumulative GPA, calculated on the minimum college preparatory academic courses as listed in subparagraph (3)(g)1., of this rule and their best combined SAT or composite ACT test score as reported for their Florida Academic Scholars eligibility.

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

1. Florida Academic Scholars renewal award requires a 3.0 unweighted and unrounded GPA on a 4.0 scale and a minimum of twelve (12) semester hours earned per term funded for a full-time student, a minimum of nine (9) for nine (9) to eleven (11) hours per term funded for a three-quarter time student, and a minimum of six (6) for six (6) to eight (8) hours per term funded for a half-time student, or the

equivalent in quarter or clock hours. If a Florida Academic Scholar earns a GPA less than a 3.0 but equal to or greater than a 2.75, he/she renews as a Florida Medallion Scholar.

2. Florida Medallion Scholars renewal award requires a 2.75 unweighted and unrounded GPA on a 4.0 scale and a minimum of twelve (12) semester hours earned per term funded for a full-time student, a minimum of nine (9) for nine (9) to eleven (11) hours per term funded for a three-quarter time student, and a minimum of six (6) for six (6) to eight (8) hours per term funded for a half-time student, or the equivalent in quarter or clock hours.

3. Florida Gold Seal Vocational Scholars renewal award requires a 2.75 unweighted and unrounded GPA on a 4.0 scale and a minimum of twelve (12) semester hours earned per term funded for a full-time student, a minimum of nine (9) for nine (9) to eleven (11) hours per term funded for a three-quarter time student, and a minimum of six (6) for six (6) to eight (8) hours per term funded for a half-time student, or the equivalent in quarter or clock hours.

4. No change.

5. For the purposes of eligibility, in accordance with Section 1009.40(1)(b)4., F.S., a student who does not earn ~~either~~ the required renewal GPA and/or hours for renewed status may still be renewed if granted an exception from the academic requirements. A student must submit an institutional appeal at the institution where the student did not meet the renewal requirements for renewed status and provide documentation as required by the institution within thirty (30) days of the ineligibility notice or institutional deadline, whichever is later.

(c) ~~Academic~~ Eligibility criteria for a reinstated award shall be determined if the student did not receive scholarship funding for the last academic year during which the student was eligible. The student must submit Form FFAA-3, Florida Financial Aid Reinstatement/Restoration Application, as incorporated by reference in Rule 6A-20.027, F.A.C., by May 30 of the year the student is seeking funding. A student who enlists in the United States Armed Forces as referenced in Section 1009.531(2) F.S., and submits Form FFAA-3, Florida Financial Aid Reinstatement/Restoration Application, as incorporated by reference in Rule 6A-20.027, F.A.C., by May 30 of the year the student is seeking funding, must also submit to the FDOE via U.S. mail proof of all active-duty assignments from high school graduation through the date of the requested reinstatement year. Acceptable proof of active-duty assignment(s) is the Department of Defense Certificate of Release or Discharge from active-duty, the DD Form 214.

(d) Academic eligibility criteria for a restored award shall be evaluated at the end of the summer or second semester/third quarter each academic year thereafter.

1. For the student who graduated high school in 2008-09 or earlier, an award may be restored for the student who has earned an ~~with~~ insufficient GPA and/or insufficient hours. The student must submit Form FFAA-3, Florida Financial Aid Reinstatement/Restoration Application, as incorporated by reference in Rule 6A-20.027, F.A.C., by May 30 of the year the student is seeking funding. A student may earn and be funded in an eligible restored status one-time only. In addition to applying for restoration, the student is responsible for ensuring submission of verification from the last institution attended as a degree- or certificate-seeking student. The institutional cumulative GPA and/or hours earned, as defined in ~~sub~~paragraph (5)(b) of this rule, as reported by the last institution attended, will determine the student's eligibility to be restored based on the minimum academic program renewal requirements.

2. For the student who graduated high school in 2009-10 and thereafter, the award may be restored for the student who has earned an ~~with~~ insufficient GPA at the end of ~~after~~ the first year of funding only. The student must submit Form FFAA-3, Florida Financial Aid Reinstatement/Restoration Application, as incorporated by reference in Rule 6A-20.027, F.A.C., by May 30 of the year the student is seeking funding, or by September 30 for a spring/summer student as outlined in paragraph (6)(c) of this rule. A student may earn and be funded in an eligible restored status one-time only. In addition to applying for restoration, the student is responsible for ensuring submission of verification from the last institution attended as a degree- or certificate-seeking student. The institutional cumulative GPA, as defined in ~~sub~~paragraph (5)(b) of this rule, as reported by the last institution attended, will determine the student's eligibility to be restored based on the minimum academic program renewal requirements.

3. through (6)(b) No change.

(c) A spring/summer student, referenced in paragraph (5)(b) of this rule, is ~~not~~ eligible to receive a maximum of two (2) semesters (or the equivalent) of funding during one (1) academic year for fall funding at any institution. Students funded in the fall ~~prior to their initial enrollment in the spring/summer cohort class,~~ will be limited to two (2) semesters, fall plus spring or summer funding, ~~during their first cohort year.~~

(7) Program Length.

(a) The student who graduated from high school in 2011-12 and earlier must receive award funding in at least one (1) term within the first three (3) academic years following his/her high school graduation to be eligible for maximum program funding. The student who graduates from high school in 2012-13 and thereafter must receive award funding in at least one (1) term within the first two (2) academic years following

his/her high school graduation to be eligible for maximum program funding.

(b) through (c) No change.

(d) In accordance with Section 1009.5341, F.S., a Florida Academic Scholar or Florida Medallion Scholar who graduated in the 2010-2011 academic year and thereafter and has earned a first baccalaureate degree within seven (7) semesters or 105 credit hours of funding, may receive Bright Futures funding for one (1) semester up to fifteen (15) of the student's unused semester or equivalent hours, at the undergraduate rate, for up to seven (7) or five (5) years after high school graduation, dependent upon his or her high school graduation year, if the student enrolls in a graduate degree program at a Bright Futures-eligible institution.

(8) Institutional responsibilities.

(a) Participating postsecondary institutions shall comply with Rules 6A-20.002 and 6A-20.0021, F.A.C., and

(b) Verify, prior to disbursement each term, each recipient's graduation from a Florida high school or State of Florida high school equivalency diploma (FDOE authorized GED), home education, or out-of-state high school, Florida residency, as defined in Section 1009.21, F.S., and Rule 6A-10.044, F.A.C., which is incorporated by reference herein, which includes U.S. citizenship or eligible non-citizenship, the number of non-remedial hours enrolled, degree- or certificate-seeking status, eligible maximum program hours, default status, and repayment status and completion of an error free FAFSA.

(c) Forgiveness hours, those credit hours that the institution allows a student to retake for forgiveness of quality points and that are part of the student's program of study, are to be funded. Once funded, course hours successfully completed in forgiveness courses must be reported as hours earned in the FDOE, OSFA Grade and Hours Report consistent with Rule 6A-20.002, F.A.C.

(d) Florida public school districts shall:

1. Submit transcripts for all students in ninth through twelfth grade to the FDOE High School transcript database three (3) times a year in order to annually provide complete and accurate Florida Bright Futures Scholarship evaluation information.

2. Submit transcript, community service hours, and eligibility criteria data by deadlines established by the FDOE.

3. Actively participate in counseling high school students toward Florida Bright Futures Scholarship requirements in compliance with Sections 1009.531(4) and (5), F.S.

(e) Florida eligible non-public secondary schools must, in order to annually maintain eligibility to participate in the Florida Bright Futures Scholarship Program:

1. Register as a non-public high school via the Private Annual School Survey (<http://www.floridaschoolchoice.org/>

Information/Private_Schools/annual_survey_info.asp) with the FDOE.

2. Submit scholarship required courses, community service hours, and other eligibility criteria data as requested for all students in ninth through twelfth grades to the FDOE, via the Online Transcript Entry and Evaluation System ([http://www.floridastudentfinancialaid.org.](http://www.floridastudentfinancialaid.org/))

Rulemaking Authority 1001.02(1), 1009.53(3) FS. Law Implemented 1009.40, 1009.42, 1009.43, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, ~~1009.537~~, 1009.538 FS. History--New 5-10-12, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Champion, Deputy Commissioner, Division of Finance and Operation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 13, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-35.025 RULE TITLE: Veterinary Medicine Departmental Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt new Veterinary Medicine application forms, DBPR VM 1-13.

SUMMARY: Within the first paragraph the Department proposes to add language to provide the contact information for individuals who want to obtain a Veterinary Medicine application form. The following subsections provide information for a person desiring licensure and the necessary application to submit. A subsection is provided for each type of licensure and application.

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: 455.203, 455.213 FS.

LAW IMPLEMENTED: 455.213, 455.213 (1), 455.213 (2), 455.2179, 455.271, 455.271(6)(b), 455.275, 474.207, 474.215, 474.215(8), 474.217 FS.

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

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: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@myfloridalicense.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61-35.025 Veterinary Medicine Departmental Forms.

The following Veterinary Medicine Departmental forms can be obtained at www.myfloridalicense.com/dbpr/ or by contacting the Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0790, (850)487-1395:

(1) Any person desiring to take the veterinary medicine exam shall submit a completed Form DBPR VM 1, Application for Veterinary Medicine Examination, effective July 10, 2012, adopted and incorporated by reference.

(2) Any person desiring registration of a veterinary premise, shall submit a completed Form DBPR VM 2, Application for Registration of a Veterinary Premise, effective July 10, 2012, adopted and incorporated by reference.

(3) Any person or company desiring a limited service veterinary medical practice permit, shall submit a completed Form DBPR VM 3, Application for a Limited-Service Veterinary Medical Practice Permit, effective April 2013, adopted and incorporated by reference.

(4) Any person or company desiring to register a limited-service veterinary medical practice clinic, shall submit a completed Form DBPR VM 4, Application for a Limited-Service Veterinary Medical Practice Clinic Registration, effective April 2013, adopted and incorporated by reference.

(5) Any person or company desiring to update dates and times for limited-service veterinary medical practice clinics, shall submit a completed Form DBPR VM 5, Limited-Service Veterinary Medical Practice Clinic Updates, effective July 10, 2012, adopted and incorporated by reference.

(6) Any person desiring to reinstate a null and void license, shall submit a completed Form DBPR VM 6, Application to Reinstate Null and Void License, effective October 2012, adopted and incorporated by reference.

(7) Any person or company desiring to become a continuing education provider and to approve the courses offered by the provider, shall submit a completed Form DBPR VM 7, Continuing Education Provider Application, effective July 10, 2012, adopted and incorporated by reference.

(8) Any person or company desiring continuing education course approval, shall submit a completed Form DBPR VM 8, Continuing Education Course Approval Application, effective July 10, 2012, adopted and incorporated by reference.

(9) Any person requesting a duplicate license, name change, or address change, shall submit a completed Form DBPR VM 9, Request for Address or Name Change, effective July 10, 2012, adopted and incorporated by reference.

(10) Any person desiring to authorize interstate exchange of examination and licensure information, shall submit a completed Form DBPR VM 10, Authorization for Interstate Exchange of Examination and Licensure Information, effective April 2013, adopted and incorporated by reference.

(11) Any person desiring to reactivate their license or set their license to inactive status, shall submit a completed Form DBPR VM 11, Change of Status Application, effective July 10, 2012, adopted and incorporated by reference.

(12) Any person or company desiring to change the name of their veterinary premise/clinic, shall submit a completed Form DBPR VM 12, Veterinary Premise/Clinic Name Change, effective April 2013, adopted and incorporated by reference.

(13) Any person or company desiring to change the name of the responsible veterinarian, shall submit a completed Form DBPR VM 13, Change of Responsible Veterinarian, effective April 2013, adopted and incorporated by reference.

Rulemaking Authority: 455.203, 455.213 FS Law Implemented: 455.213, 455.213 (1), 455.213 (2), 455.2179, 455.271, 455.271(6)(b), 455.275, 474.207, 474.215, 474.215(8), 474.217 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juanita Chastain, Executive Director, Division of Professions, Department of Business and Professional Regulation
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 2, 2013

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:
 64B2-10.0061 Public Comment

PURPOSE AND EFFECT: The Board proposes the rule promulgation to provide the criteria for public comment.

SUMMARY: The criteria for a public comment will be provided.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 286.0114 FS.

LAW IMPLEMENTED: 286.0114 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: William Miller, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-10.0061 Public Comment.

The Board of Chiropractic Medicine invites and encourages all members of the public to provide comment on matters or propositions before the Board or a committee of the Board. The opportunity to provide comment shall be subject to the following:

(1) Members of the public will be given an opportunity to provide comment on subject matters before the Board after an agenda item is introduced at a properly noticed board meeting.

(2) Members of the public shall be limited to five (5) minutes to provide comment. This time shall not include time spent by the presenter responding to questions posed by Board members, staff or board counsel. The chair of the Board may extend the time to provide comment if time permits.

(3) Members of the public shall notify board staff in writing of his or her interest to be heard on a proposition or matter before the Board. The notification shall identify the person or entity, indicate support, opposition, or neutrality, and identify who will speak on behalf of a group or faction of persons consisting of five (5) or more persons. Any person or entity appearing before the Board may use a pseudonym if he or she do not wish to be identified.

Rulemaking Authority 286.0114 FS. Law Implemented 286.0114 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Chiropractic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2013

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:
 64B2-13.008 Retired Status License

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning retired status license reactivation.

SUMMARY: Language concerning retired status license reactivation will be updated.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 456.036(10), 460.405 FS.

LAW IMPLEMENTED: 456.036(10) 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: William Miller, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.008 Retired Status License.

(1) No change.

(2) A retired status licensee may change to active status provided:

(a) No change

(b) If the license has been in retired status for more than 5 years, the licensee must take and pass the SPEC examination and take ~~the an approved~~ laws and rules examination course as set forth in Rule 64B2-11.001(2), F.A.C.

Rulemaking Authority 456.036(10), 460.405 FS. Law Implemented 456.036(10) FS. History--New 2-6-06, Amended 1-7-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2013

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-17.0025 RULE TITLE: Standard of Practice for Phlebotomy, Physiotherapy, and the Administration of Items for Which a Prescription is not Required; Prohibition of Prescribing or Administering Legend Drugs

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning standards of practice.

SUMMARY: The standards of practice will be updated.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 460.405 FS.

LAW IMPLEMENTED: 460.403(8)(c), (f), 460.413(1)(t) 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: William Miller, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-17.0025 Standard of Practice for Phlebotomy, Physiotherapy, Diagnostic Tests, Treatment, and the Administration of Items for Which a Prescription is not Required; Prohibition of Prescribing or Administering Legend Drugs.

(1) Any chiropractic physician who in his or her practice performs or supervises ~~uses~~ physiotherapy, phlebotomyizes, diagnostic tests, treatment, interprets diagnostic test results, or administers items for which a prescription is not required, as authorized by Section 460.403(9), Florida Statutes, must have acquired the competence to perform said service, procedure, or treatment through appropriate education and/or training. Any chiropractic physician who provides any treatment or service for which he or she has not been specifically educated or trained shall be deemed to be performing professional responsibilities which the licensee knows or has reason to know he or she is not competent to perform, and shall be subject to discipline pursuant to Section 460.413(1)(t), Florida Statutes.

(2) For the purpose of Chapter 460.403~~(9)(8)~~(c), Florida Statutes, “items for which a prescription is not required” include “proprietary drugs” such as patent or over-the-counter drugs in their unbroken, original package and which is not misbranded under the provisions of Chapter 499.001-499.081, Florida Statutes.

(3) For the purpose of Chapter 460.403~~(9)(8)~~(c), Florida Statutes, and this rule “administration” is defined as the administration of one dose of any proprietary drug, and the recommendation and direction of dosage levels for the patient’s needs. Administration shall not include dispensing of repackaged proprietary drugs.

(4) through (5) No change.

Rulemaking Specific Authority 460.405 FS. Law Implemented 460.403(7), ~~(8)~~, 460.403~~(9)(8)~~(c), (f), 460.413(1)(t) FS. History—New 10-17-90, Formerly 21D-17.0025, 61F2-17.0025, 59N-17.0025, Amended 2-16-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Chiropractic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2013

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-14.0038 Use of a Qualified Anesthetist

PURPOSE AND EFFECT: The board proposes to create a new rule to address use of a qualified anesthetist.

SUMMARY: The proposed rule is necessary to set forth the criteria for the use of a qualified anesthetist.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. Additionally, the board relied upon the expressed information that since at least 1986 the board has expressly interpreted through a rule, prior rule challenge and a declaratory statement the exact interpretation of the law that is now being proposed in this rule. Therefore, the status quo of the economic impact will not change with the adoption of this rule.

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

RULEMAKING AUTHORITY: 466.004(4), 466.017 FS.

LAW IMPLEMENTED: 466.002(2), 466.003(8), 466.017 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-14.0038 Use of a Qualified Anesthetist.

In an outpatient dental office, and pursuant to Section 466.002(2), F.S., a dentist may supervise a qualified anesthetist who is administering anesthetic for a dental procedure on a patient of the supervising dentist. The type of supervision required is direct supervision as defined in Section 466.003(8), F.S. In an outpatient dental office, the supervising dentist must have a valid permit for

administering sedation to the level of sedation that the qualified anesthetist will be administering to the dental patient during the dental procedure. The dentist must maintain all office equipment and medical supplies required by this chapter to the level of the sedation that the qualified anesthetist will administer to the dental patient.

Rulemaking Authority 466.004(4), 466.017 FS. Law Implemented 466.002(2), 466.003(8), 466.017 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anesthesia Committee

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2013; Aug 22, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 29, 2013

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-5.001 Hours Requirement

PURPOSE AND EFFECT: The Board proposes the rule amendment to the rule to clarify that only 2 hours of Florida Jurisprudence and 2 hours of Prevention of Medical Errors coursework will be credited towards the 30 hour requirement; and to review the rule for any changes resulting from Chapter 2013-26, Laws of Florida.

SUMMARY: The rule amendment will clarify that only 2 hours of Florida Jurisprudence and 2 hours of Prevention of Medical Errors coursework will be credited towards the 30 hour requirement; and to review the rule for any changes resulting from Chapter 2013-26, Laws of Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 456.013(7), 463.005(1), 463.007(3), (4) FS.

LAW IMPLEMENTED: 456.013(7), 463.007 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: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-5.001 Hours Requirement.

(1) As a condition to the renewal of a biennial license, each licensed practitioner shall be required to maintain professional competency by completing 30 clock hours of continuing education in subjects relating to optometry that have been approved by the Board. Licensed practitioners shall not be required to complete the continuing education requirements during the biennium in which they are initially licensed but must complete one hour of approved continuing education in acquired immune deficiency syndrome that complies with the requirements of Section 456.033, F.S. Credit for continuing education will be allowed on the basis of an hour for hour. To receive one hour credit, a licensed practitioner must attend not less than 50 minutes. There will be no fractional hour credits.

(a) through (d) No change.

(e) As part of the 30 clock hours, licensed practitioners shall be required to obtain two hours in the area of Florida jurisprudence. ~~A licensed practitioner may earn two hours in Florida jurisprudence by attending a meeting of the Board for no less than four (4) continuous hours. Licensed practitioners will be required to sign in and sign out with board staff. Those licensed practitioners present for disciplinary purposes are not eligible to earn the two clock hours for the Board meeting. Out of state licensed practitioners who do not practice in Florida at any time during the biennium, shall be permitted to satisfy the requirement of two hours in Florida jurisprudence by certifying that they have obtained and read a copy of the current provisions of Chapters 456 and 463, F.S., and Rule Chapter 64B13, F.A.C.~~

1. No more than two hours of continuing education in the area of Florida jurisprudence may be applied to the 30 clock hour requirement in subsection (1).

2. A licensed practitioner may earn two hours in Florida jurisprudence by attending a meeting of the Board for no less than four (4) continuous hours. Licensed practitioners will be required to sign-in and sign-out with board staff. Those licensed practitioners present for disciplinary purposes are not eligible to earn the two clock hours for the Board meeting.

3. Out of state licensed practitioners who do not practice in Florida at any time during the biennium, shall be permitted to satisfy the requirement of two hours in Florida jurisprudence by certifying that they have obtained and read a copy of the current provisions of Chapters 456 and 463, F.S., and Rule Chapter 64B13, F.A.C.

(f) As part of the 30 clock hours, licensed practitioners are required to complete a 2-hour course relating to prevention of medical errors, as part of the licensure and renewal process. The course shall be approved by the Board and shall include a study of root-cause analysis, error reduction and prevention, and patient safety. If the course is being offered by a facility licensed pursuant to Chapter 395, F.S., for its employees, the Board approves 1 hour of the 2-hour course to be specifically related to error reduction and prevention methods used in that facility. No more than two hours of continuing education relating to the prevention of medical errors may be applied to the 30 clock hour requirement in subsection (1).

(2) No change.

Rulemaking Specific Authority 456.013(7), 463.005(1), 463.007(3), (4) FS. Law Implemented 456.013(7), 463.007 FS. History--New 11-13-79, Amended 5-28-80, 9-16-80, 1-13-81, 2-14-82, Formerly 21Q-5.01, Amended 12-16-86, 12-11-88, 4-19-89, 12-20-89, 9-22-92, 10-28-92, Formerly 21Q-5.001, Amended 8-31-93, Formerly 61F8-5.001, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.001, Amended 3-21-00, 10-2-01, 1-8-02, 5-8-02, 3-20-03, 12-25-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2013

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-15.005
RULE TITLE: Designation of Administrative Violations; Major; Minor

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the rule to add language as authorized by Chapter 2013-26, Laws of Florida, and to renumber the rule accordingly.

SUMMARY: The rule amendment will update the rule to add language as authorized by Chapter 2013-26, Laws of Florida, and to renumber the rule accordingly.

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: During discussion of the economic impact of this rule at its meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 456.079, 463.005(1) FS.

LAW IMPLEMENTED: 456.079, 463.005, 463.016 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: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-15.005 Designation of Administrative Violations; Major; Minor.

(1) Violations of the following statutory and rule provisions are considered to be Minor Administrative Violations:

(a) through (d) No change.

(e) Subsection 463.0135(11), F.S. entitled "Standards of Practice," if the violation is of a technical nature not related to patient care.

(f)(e) No change.

(g) For the first violation of subsection 463.0141, F.S., entitled "Reports of adverse incidents in the practice of optometry."

(f) through (k) renumbered (h) through (m) No change.

(2) Violations of the following statutory and rule provisions are considered to be Major Administrative Violations:

(a) No change.

(b) Subsections 463.0055(2)(a), (b) and (c), F.S., entitled "Administration and prescription of ~~topical~~ ocular pharmaceutical agents; ~~committee~~."

(c) No change.

(d) Subsection 463.0135(11), F.S. entitled "Standards of Practice," if the violation is substantially likely to affect patient care.

~~(e)(4)~~ Subsections 463.014(1)(a) and (b), F.S., entitled "Certain Acts Prohibited."

(f) For a second or subsequent violation of subsection 463.0141, F.S., entitled "Reports of adverse incidents in the practice of optometry."

(e) through (m) renumbered (g) through (o) No change.

(3) No change.

Rulemaking Authority 456.079, 463.005(1) FS. Law Implemented 456.079, 463.005, 463.016 FS. History--New 2-24-87, Formerly 21Q-15.005, 61F8-15.005, Amended 8-18-96, Formerly 59V-15.005, Amended 5-1-02, 7-6-10, 2-1-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 1, 2013

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-15.006
RULE TITLE: Designation of Patient Care Violations; Major; Minor

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to modify the designation of patient care violations both major and minor.

SUMMARY: The rule amendment will delete unnecessary language and to add new language to modify the designation of patient care violations both major and minor.

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: During discussion of the economic impact of this rule at its meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 456.079, 463.005(1) FS.

LAW IMPLEMENTED: 456.079, 463.005, 463.016 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: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-15.006 Designation of Patient Care Violations; Major; Minor

(1) No change.

(2) Violations of the following statutory and rule provisions are considered to be Major Patient Care Violations:

(a) Violations of subsections (1), (3), or (4) of Section 463.0055, F.S., entitled "Administration and Prescription of ~~topical~~ ocular pharmaceutical agents; ~~committee~~," which substantially affect patient care.

(b) through (o) No change.

(p) Subsection 893.05(1), F.S., entitled "Practitioners and persons administering controlled substances in their absence."

(3) No change.

Rulemaking ~~Specific~~ Authority 456.079, 463.005(1) FS. Law Implemented 456.079, 463.005, 463.016 FS. History--New 2-24-87, Formerly 21Q-15.006, 61F8-15.006, 59V-15.006, Amended 5-1-02, 10-30-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 1, 2013

Section III
Notice of Changes, Corrections and Withdrawals

COMMISSION ON ETHICS

RULE NO.: 34-5.001 RULE TITLE: Staff Procedures Upon Receipt of a Complaint of Breach of Public Trust
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 160, August 16, 2013 issue of the Florida Administrative Register.

34-5.001 Staff Procedures Upon Receipt of a Complaint of Breach of Public Trust.

(1) through (4) No change.

(5)(4) Unless the complaint is based upon personal information or information other than hearsay, a ~~Any~~ complaint against a candidate in a general, special, or primary election that is received within the thirty (30) ~~five~~ calendar days immediately preceding the date of that election, including Saturdays, Sundays, and holidays, will be returned by the Executive Director to the person filing the complaint, with an explanation of why the complaint is being returned.

Rulemaking Authority 112.322(9) FS. Law Implemented Art. II, Sec. 8(f), (h), Fla. Const., Chapter 2013-36, Section 17, LOF, 112.322, 112.324 FS. History--New 4-7-77, Amended 9-21-77, 11-9-77, 7-13-80, 11-26-80, 4-29-81, 2-21-83, Formerly 34-5.01, Amended 2-16-95,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-22.005 RULE TITLE: Sanitation and Sterilization
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 110, June 6, 2013 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-18.002 RULE TITLE: Formulary of Topical Ocular Pharmaceutical Agents

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 163, August 21, 2013 issue of the Florida Administrative Register.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated August 26, 2013. The correction is as follows:

”(9) No change.

THIS RULE SHALL TAKE EFFECT 60 DAYS AFTER THE DATE OF ADOPTION.

Rulemaking Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History--New 3-30-87, Amended 4-5-88,_____”

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CHANGE IS: William Miller, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-27.007 RULE TITLE: Permits and Authorizations for the Take of Florida Endangered and Threatened Species
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 153, August 7, 2013 issue of the Florida Administrative Register.

The statement in the notice of proposed rule describing the basis for the agency’s determination that the proposed rule is not expected to require legislative ratification should have read as follows:

The nature of the rule and the fact that the wildlife BMPs are being developed as a voluntary alternative to existing Incidental Take permitting requirements.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: 68D-24.010 RULE TITLE: Pinellas County Boating Restricted Areas
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 80, April 24, 2013, issue of the Florida Administrative Register. A public hearing was held on June 11-13, 2013 in Lakeland and concluded on September 5-6, 2013 in Pensacola.

Rule 68D-24.010 is being changed in the following way:

68D-24.010 Pinellas County Boating Restricted Areas.

(1) The following year-round zones are established regulating the speed and operation of vessel traffic on and adjacent to the Florida Intracoastal Waterway within Pinellas County. The zones exclude all associated tributaries, creeks, canals, channels, backwaters, boat basins and other waterways unless otherwise designated or specifically described for inclusion:

(a) SLOW SPEED MINIMUM WAKE ZONES

1. Pinellas Bayway (SR679) (SR 682) Bridges –

a. All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet southeast of the Pinellas Bayway (SR 679) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,500 feet northwest of said bridge, bounded on the northeast by a line drawn parallel to the Florida Intracoastal Waterway from a point (27 41.748N, 82 42.986W) and bounded on the southwest by the southwestern shoreline as depicted in drawing A.

b. All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet south of the Pinellas Bayway (SR 682) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of said bridge, bounded on the east by the eastern shoreline and bounded on the west by a line drawn parallel to the Florida Intracoastal Waterway from a point (27 42.563N, 82 43.583W), as depicted in drawing A.

2. Corey Causeway (SR 699) Bridge to Treasure Island Causeway (SR 150) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway, from shoreline to shoreline, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 800 feet southeast of the Corey Causeway (SR 699) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of the Treasure Island Causeway (SR 150) Bridge, as depicted in drawing B.

3. Tom Stuart (Welch) Causeway (SR 666 ~~SR 150~~) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,600 feet southeast of the

Tom Stuart (Welch) Causeway (SR 666) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,000 feet northwest of said bridge, bounded on the northeast by a line drawn parallel to the Florida Intracoastal Waterway from a point (27 48.463N, 82 47.657W ~~27 48.455N, 82 47.660W~~) and bounded on the southwest by a line drawn parallel to the Florida Intracoastal Waterway from a point (27 48.383N, 82 47.741W ~~27 48.377N, 82 47.743W~~), as depicted in drawing C.

4. Park Boulevard (SR 694) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway, from shoreline to shoreline, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 6,270 ~~7,000~~ feet southeast of the Park Boulevard (SR 694) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 3,050 ~~3,500~~ feet north of said bridge, including the backwater immediately adjacent to Bayhaven Drive, as depicted in drawing D.

5. Indian Rocks (SR 688) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway, from shoreline to shoreline, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 7,340 ~~8,300~~ feet south of the Indian Rocks (SR 688) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,790 ~~1,900~~ feet north of said bridge, as depicted on drawing E.

6. Belleair Causeway (CR-416) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet south of the center bridge span of the Belleair Causeway (CR-416) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of the center bridge span of said bridge, bounded on the east by a point (27 54.924N, 82 49.801W ~~27 54.932N, 82 49.797W~~) and following the contour of the eastern shoreline north to a point (27 54.954N, 82 49.750W) then running parallel to the channel from said point to the terminus of the north boundary and bounded on the west by a line drawn parallel to the Florida Intracoastal Waterway from a point (27 55.007N, 82 49.970W ~~27 55.007N, 82 49.973W~~), as depicted in drawing F.

7. Memorial Causeway (SR 60) Bridge –

a. All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,215 feet southwest of Memorial Causeway (SR 60) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 920 feet northeast of said bridge, bounded on the west by a line drawn parallel to the Florida Intracoastal Waterway from a point (27 58.018N, 82 48.429W) and

bounded on the east by the City of Clearwater shoreline, as depicted in drawing G.

b. All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 920 feet northeast of the Memorial Causeway (SR 60) Bridge, to a line draw perpendicular to the Florida Intracoastal Waterway 3,315 ~~3,700~~ feet north of said bridge, bounded on the west by the boundaries of the marked channel of the Florida Intracoastal Waterway and bounded on the east by the City of Clearwater Shoreline, as depicted in drawing G.

8. Honeymoon Island Causeway (SR 586) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet south of the Honeymoon Island Causeway (SR 586) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of said bridge, bounded on the east by a line drawn parallel to the Florida Intracoastal Waterway from a point (28 3.068N, 82 47.621W) and bounded on the west by a line drawn parallel to the Florida Intracoastal Waterway from a point (28 3.070N, 82 47.829W), as depicted in drawing H.

(2) The boating restricted areas are depicted in the following drawings:

SEE INDIVIDUAL SECTION II FOR MAPS

Rulemaking Specific Authority 327.46 FS. Law Implemented 327.46 FS. History—New 9-18-88, Amended 12-7-89, Formerly 16N-24.010, Amended 10-1-96, Formerly 62N-24.010, Amended 10-2-00,_____.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-9.017: Eligibility of Individuals Practicing in a State in Which Licensure is Not Required.

NOTICE OF DISPOSITION – The Board of Opticianry hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Scott Chaput, filed on December 14, 2012. The Petitioner was seeking a permanent variance or waiver of Rule 64B12-9.017, F.A.C., with regards to the time limit an Apprenticeship Sponsor Attestation form must be provided to the Board.

The Notice of Petition for Variance or Waiver was published in Vol. 39, No. 102, of the May 24, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held telephonically, on June 7, 2013.

The Board’s Order, filed on July 3, 2013, denies the Petition for Variance or Waiver. The Board determined that the Petitioner has not demonstrated that application of the rule would create a substantial hardship or violate the principles of fairness.

A copy of the Board’s Order may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:

64B10-15.0021: Approved Providers

NOTICE IS HEREBY GIVEN that on August 16, 2013, the Board of Nursing Home Administrators, received a petition for a variance or waiver from the provisions Rule 64B10-15.0021, F. A. C., filed by Dionisio Bencomo, with respect to the required information which must be submitted for Board approval of a continuing education course.

Comments on this petition should be filed with the Nursing Home Administrators Board, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: William Miller, Executive Director, at the above address or telephone (850)425-4355.

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

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida Main Street Program announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 20, 2013, 1:00 p.m.

PLACE: National Estuarine Research Reserve, Ponte Vedra Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Friends of Florida Main Street Quarterly Board of Directors meeting.

A copy of the agenda may be obtained by contacting: Ronni Wood, Coordinator Florida Main Street, ronni.wood@dos.myflorida.com.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 18, 2013, 4:00 p.m.

PLACE: Florida Agriculture Center and Horse Park, 11008 S Hwy 475, Ocala, FL 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a cancellation notice. This meeting is being cancelled.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Subcommittee on Imperiled Species announces a public meeting to which all persons are invited.

DATE AND TIME: October 10, 2013, 2:00 p.m.

PLACE: Bureau of Pesticides Conference Room, 3125 Conner Blvd., Bldg. 6, Tallahassee, Florida 32399-1650, Telephone: (850)617-7917.

Toll-Free Conference: (888)670-3525; Code:880 293 4969

Web Technology: URL:

<https://suncom.webex.com/suncom/j.php?ED=234672997&UID=1631448347&PW=NM2IwMTNkNmYz&RT=MIMxMQ%3D%3D>, Password: butterfly

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Subcommittee is charged with developing recommendations to the Coordinating Council for Mosquito Control regarding conduct of mosquito control that will: 1) allow for management and recovery of imperiled species by state and federal agencies and 2) allow the Mosquito Control Districts to continue to provide mosquito control as required by State Law under Chapter 388 of the Florida Statutes. This

meeting will be used to discuss issues related to mosquito control and imperiled species.

A copy of the agenda may be obtained by contacting: Max Feken, Bureau of Pesticides, 3125 Conner Boulevard, Bldg. 6, Tallahassee, Florida 32399-1650, (850)617-7917. A copy of the meeting agenda and instructions for joining via teleconference and WebEx may be obtained by contacting the Bureau of Pesticides at the above number or via e-mail (Max.Feken@freshfromflorida.com).

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a Special Commission Conference in the following docket to which all interested persons are invited. Docket No. 130009-EI.

DATE AND TIME: October 1, 2013, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a decision regarding the nuclear cost recovery clause.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

The Florida Public Service Commission Conference's Notice, Agenda, related documents, and contact information may be obtained from www.floridapsc.com.

Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*Changes to this notice will be published at the earliest practicable time on the Commission's website.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The District 1 Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 16, 2013, 10:00 a.m.

PLACE: Destin City Hall, 4200 Indian Bayou Trail, Destin FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Local Emergency Planning Committee including: training activities, public outreach, and emergency plan.

Preceding the meeting, the Education and Public Awareness Subcommittee will hold a meeting at 9:00 a.m. Additional subcommittee meetings will be held via teleconference on October 8 and 9, 2013.

A copy of the agenda may be obtained by contacting: The West Florida Regional Planning Council, (800)226-8914 or by visiting our website: www.wfrpc.org/lepc.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Kathy Ahlen at the West Florida Regional Planning Council, (800)226-8914, ext.210. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Kathy Ahlen at the West Florida Regional Planning Council, (800)226-8914, ext. 210.

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: September 26, 2013, 5:05 p.m. (Central Time)
 PLACE: Gulf Coast State College, 5230 West Highway 98, Panama City, Florida 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Public Hearing on Adoption of the Millage Rate for Fiscal Year 2013-2014 and Adoption of the Budget for Fiscal Year 2013-2014.

A copy of the agenda may be obtained by contacting: Savannah White at (850)539-5999 or email at savannah.white@nfwfmd.state.fl.us (also available through the Internet: www.nfwfmd.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
 The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.
 DATE AND TIME: Thursday, October 3, 2013, 6:00 p.m. – 8:00 p.m.
 PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Recreation Evaluation Public Information Meeting – provide the public with an opportunity to review the preliminary results and provide input on the District’s recreation evaluation. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4702, TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: carmen.sanders@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4477 (Ad Order EXE0279).

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority
 The Peace River Manasota Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2013, 9:30 a.m.
 PLACE: Sarasota County Administration Center, Commission Chambers, 1660 Ringling Boulevard, Sarasota, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The Board of Directors will convene to conduct regular business of the Authority then recess to conduct a workshop to discuss the Peace River Facility 1991 Rebuild Project. The Board of Directors meeting will reconvene immediately following the workshop to consider action on the 2014 budget and the Peace River Facility 1991 Rebuild Project.

A copy of the agenda may be obtained by contacting: Linda Stewart at (941)316-1776 or email lstewart@regionalwater.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by

contacting: (941)316-1776. 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: (941)316-1776.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "The Commission", Product Approval Oversight Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 3, 2013, 10:00 a.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: you must access both the teleconference number for audio only and the webinar for visual only.

Telephone Number: (888)670-3525, code: 606-232-6940

Webinar: 1. Go to:

<https://suncom.webex.com/suncom/j.php?ED=234690117&UID=1631512757&RT=MiMxMQ%3D%3D>

2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

Public point of access: Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Consider and decide on approval of products and product approval entities, review and make recommendations on requests for declaratory statements DS2013-046 by Sal Delfino of Peterson Aluminum Corp and DS2013-075 by Joshua Coberley of EFCO Corporation, review comments related to the proposed changes to Rules 61G20-3.001, 61G20-3.002 and 61G20-3.007 for the purpose of making recommendations for consideration by the Commission during the Rule Development Workshop to be held in conjunction with the October 18, 2013 Commission meeting, receive and update from Keystone Certification Inc. with regard to Zion Tile Corporation (FL16057) compliance with parameters of their state product approval, review and discuss complaint filed by Eagan Manufacturing, Inc., with regard to FL 12903-R1, discuss equivalency of standard with regard to FRSA/TRI

0732018-05 and FRSA/TRI Fifth Edition and the potential of opening Rule 61G20-3.015 to address equivalency, status report of the RFP, and other business for the Commission.

A copy of the agenda may be obtained by contacting: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, or call (850)487-1824.

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: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, Phone (850)487-1824 or fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, phone (850)487-1824 or fax (850)414-8436, Website: www.floridabuilding.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, October 2, 2013, 3:00 p.m.

PLACE: Conference call: (888)670-3525; conference code: 9593555203#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting: Becky Prado by e-mail: Rebecca.Prado@dep.state.fl.us, by phone: (850)245-2094 or by mail: 3900 Commonwealth Blvd., MS #240, Tallahassee, FL 32399.

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: Becky Prado at Rebecca.Prado@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Communities Trust Governing Board announces a public meeting to which all persons are invited.

DATE AND TIME: October 3, 2013, 9:00 a.m.

PLACE: Conference Room A, Douglas Building, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399. Interested parties may also participate via conference call by dialing toll free 1(888)670-3525, participant code 7020742991#.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The board will consider issues related to approval of the July 10, 2013 minutes and any other business the board may deem necessary.

A copy of the agenda may be obtained by contacting: A. Diane Langston, Office of Operations, Land and Recreation Grants Programs, 3800 Commonwealth Boulevard, Mail Station 103, Tallahassee, Florida 32399-3000, (850)245-2702, Diane.Langston@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: A. Diane Langston, Office of Operations, Land and Recreation Grants Programs, 3800 Commonwealth Boulevard, Mail Station 103, Tallahassee, Florida 32399-3000, (850)245-2702, Diane.Langston@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: A. Diane Langston, Office of Operations, Land and Recreation Grants Programs, 3800 Commonwealth Boulevard, Mail Station 103, Tallahassee, Florida 32399-3000, (850)245-2702, Diane.Langston@dep.state.fl.us.

DEPARTMENT OF HEALTH

Board of Acupuncture

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

DATE AND TIME: Wednesday, September 25, 2013, 4:00 p.m., E.S.T.

PLACE: Conference call: number: (888)670-3525; participant passcode: 6150683063

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General business of the board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula Mask at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: November 15, 2013, 7:30 a.m.

PLACE: Hilton University of Florida Conference Center Gainesville, 1714 SW 34th Street, Gainesville, FL 32607; (352)384-3400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at (800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Boards of Medicine and Osteopathic Medicine – Telemedicine Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 3, 2013, immediately following the Board of Medicine – Expert Witness Committee and in conjunction with the Board of Medicine - Surgical Care/Quality Assurance Committee.

PLACE: Caribe Royale, 8101 World Center Drive, Orlando FL 32821. Hotel phone # (407)238-8000 direct (800)823-8300 Reservation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.FLHealthSource.com for cancellations or changes to meeting dates or call the Board of Osteopathic Medicine at (850)245-4161 for information.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

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: Christy Robinson at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Office of Statewide Research

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

DATE AND TIME: September 25, 2013, 10:00 a.m. – 3:00 p.m.

PLACE: Florida Department of Health, 4042 Bald Cypress Way, Conference Room 301, Tallahassee, Florida 32311

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting notice has already been published. Please note the new location: Florida Department of Health, 4042 Bald Cypress Way, Conference Room 301, Tallahassee, Florida 32311.

Develop performance standards, a rating system and rating standards to designate a Cancer Center of Excellence. Florida Statute 381.925.

For more information, you may contact: Sarah Hofmeister, (850)245-4444, ext. 3591, Public Health Research Unit.

A copy of the agenda may be obtained by contacting: Sarah Hofmeister, (850)245-4444, ext. 3591, Public Health Research Unit.

For more information, you may contact: Sarah Hofmeister, (850)245-4444, ext. 3591, Public Health Research Unit.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: October 25, 2013, 10:00 a.m.

PLACE: Knott Building, Room 412, Capitol Complex, 404 S. Monroe St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Legislature has directed the Office of Insurance Regulation to “review Florida law and regulations to determine whether there are adequate protections for purchasers of life insurance policies in the secondary life insurance market to ensure that this market continues to exist for Florida seniors.” The Office is required to issue a report on the findings to the Legislature by December 1, 2013.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. In accordance with the directive of the Legislature to issue a report on this matter, the Office of Insurance Regulation is holding a public hearing. Input from investors in the secondary life insurance market, insurers, and other interested parties will be received at this public hearing.

Any materials that you wish the Office of Insurance Regulation to consider must be provided to the Office of Insurance Regulation no later than October 15, 2013. Please send any materials to SecondaryLife@flor.com. Materials received on this matter will be available to the public and posted on the Office of Insurance Regulation’s website.

If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at SecondaryLife@flor.com no later than October 30, 2013.

A copy of the agenda may be obtained by contacting: Alyssa Lathrop, (850)413-4213 or Melanie Gregory, (850)413-5064.

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 Melanie Gregory at (850)413-5064 or emailing her at Melanie.Gregory@flor.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 Alyssa Lathrop, (850)413-4213 or Melanie Gregory, (850)413-5064.

INWOOD CONSULTING ENGINEERS, INC.

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

DATE AND TIME: Tuesday, September 24, 2013, 5:00 p.m. – 7:00 p.m.; Open House

Presentation(s): An informational video presentation will run continuously during the open house. No formal presentation will be made.

PLACE: Believers’ Fellowship Word of Faith Church, 5240 North Socrum Loop Road, Lakeland, Florida 33809-4254

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Management No. 430185-1-22-01

Project Description: State Road 33 from Old Combee Road to North of Tomkow Road

This alternatives workshop affords the public the opportunity to express their views about the location, conceptual design, and social, economic, and environmental effects of the proposed widening of State Road (SR) 33 in Polk County. Information on the alternatives being considered to expand the existing two-lane roadway to a four-lane divided roadway will be on display at the workshop. Reconstruction of the SR 33/Interstate 4 (I-4) interchange will be evaluated as part of the study. The proposed interchange improvements involve replacing the I-4 bridges over SR 33 and reconstructing portions of I-4 approaching the interchange. The potential addition of a median down the middle of SR 33 requires the development of an access management plan. This plan will identify the locations of median openings. Bicycle and pedestrian facilities are included in the potential widening of SR 33. As always, the no-build alternative will remain an option throughout the study.

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 by contacting: Mr. Tony Sherrard at (863)519-2304. If you are hearing or speech impaired, please contact the agency using the Florida Relay Services, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require translation services (free of charge) should contact: Mr. Tony Sherrard at the phone number above.

FOR MORE INFORMATION, YOU MAY CONTACT: Mr. Tony Sherrard, FDOT project manager, at (863)519-2304 or e-mail at antone.sherrard@dot.state.fl.us.

Additional information on the project is also available on www.SR33Polk.com.

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition for declaratory statement on September 12, 2013, from Southeast Renewable Fuels, LLC. The petition seeks the agency’s opinion as to the applicability of Section 366.02(1), F.S., to the petitioner’s particular set of circumstances.

Docket No. 130235-EQ

Petition for Declaratory Statement Regarding Co-ownership of Electrical Cogeneration Facilities in Hendry County by Southeast Renewable Fuels, LLC.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Ann Cole, Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, clerk@psc.state.fl.us, (850)413-6770.

Please refer all comments to: Rosanne Gervasi, c/o Ann Cole, Office of Commission Clerk, Docket No. 130235-EQ. Ms. Gervasi’s contact information is rgervasi@psc.state.fl.us, (850)413-6224.

Except for good cause shown, motions to intervene or petitions for administrative hearing by substantially affected persons must be filed within 21 days after publication of this notice.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Florida Real Estate Appraisal Board

NOTICE IS HEREBY GIVEN that The Florida Real Estate Appraisal Board has received the petition for declaratory statement from The petition seeks the agency's opinion as to the applicability of Cary Whitaker, Qualified Representative, on behalf of Cornerstone Home Lending, Inc., filed on August 30, 2013, as it applies to the petitioner.

The petition seeks the Board’s interpretation of Title XXXII, Chapter 475, Sections 475.611(3)(c), (d) and 475.475.6235(1), Florida Statutes, regarding whether Petitioner, in using an internal appraisal process constitutes an “appraisal management service.” Whether Petitioner is considered an “Appraisal Management Company; whether Petitioner is required to become registered or licensed as an appraisal management company; what aspects define an “Appraisal Management Company”; does the use of software make Petitioner an appraisal management company; is Mercury

Network considered an appraisal management company; should Mercury Network or Cornerstone Mortgage Company be licensed as an appraisal management company. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801. Juana.Watkins@dbpr.state.fl.us or by telephoning (850) 487-1395.

Please refer all comments to: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801. Juana.Watkins@dbpr.state.fl.us or by telephoning (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Anthony Evans, In Re: The Hampton Beach Club Condominium Association, Inc., Docket No. 2013037938, filed on September 11, 2013. The petition seeks the agency's opinion as to the applicability of Section 718.113(2), Florida Statutes, as it applies to the petitioner.

Whether The Hampton Beach Club Condominium Association, Inc. has materially altered the common element parking spaces without owner approval under Section 718.113(2), Florida Statutes, by adopting a lottery method for assigning use rights.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robin McDaniel, Division Clerk, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1424, robin.mcdaniel@myfloridalicense.com.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

NOTICE IS HEREBY GIVEN that The Florida Real Estate Appraisal Board has received the petition for declaratory statement from Cary Whitaker. The petition seeks the agency's opinion as to the applicability of Cary Whitaker, Qualified Representative, on behalf of Cornerstone Home Lending, Inc., filed on August 30, 2013, as it applies to the petitioner.

The petition seeks the Board's interpretation of Title XXXII, Chapter 475, Sections 475.611(3)(c), (d) and 475.475.6235(1), Florida Statutes, regarding whether Petitioner, in using an internal appraisal process constitutes an "appraisal management service." Whether Petitioner is considered an "Appraisal Management Company; whether Petitioner is required to become registered or licensed as an appraisal management company; what aspects define an "Appraisal Management Company"; does the use of software make Petitioner an appraisal management company; is Mercury Network considered an appraisal management company; should Mercury Network or Cornerstone Mortgage Company be licensed as an appraisal management company. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801, Juana.Watkins@dbpr.state.fl.us or by telephoning (850)487-1395.

Please refer all comments to: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801. Juana.Watkins@dbpr.state.fl.us or by telephoning (850)487-1395.

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

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

NONE

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

NONE

**Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of the
Joint Administrative Procedures Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL
2013-CD-10800 Disability Awareness through English &
Language Arts - Middle/High School

REQUEST FOR PROPOSALS (FDDC #2013-CD-10800)
Disability Awareness through English and Language Arts –
Middle/High School

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2013-CD-10800) is released to create a disability awareness guide for middle and high school students and their families.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside a maximum of \$50,000 federal funds for a period not to exceed

one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations. Copies of this RFP can be downloaded from the FDDC website (www.fddc.org), requested by writing FDDC at 124 Marriott Drive, Suite 203, Tallahassee, FL 32301 or by calling (850)488-4180, Toll-free 1(800)580-7801 or TDD Toll-free, 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is September 30, 2013, 4:00 p.m. EDT. Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of October 7, 2013. The deadline for submitting proposals for this RFP to FDDC is October 28, 2013, 2:00 p.m. EDT.

The above announcement will appear in the Florida Administrative Register and on the FDDC web page (fddc.org) on September 17, 2013. Please forward all requests for copies of this RFP to Carolyn Williams. Questions are to be submitted in written format only. This is a legal process and we cannot answer questions verbally.

**Section XII
Miscellaneous**

NONE

Section XIII
Index to Rules Filed During Preceding
Week

FILED BETWEEN SEPTEMBER 9, 2013
AND SEPTEMBER 13, 2013

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
					62-330.401	9/13/2013	10/1/2013	39/72	39/159
					62-330.402	9/13/2013	10/1/2013	39/72	39/159
					62-330.405	9/13/2013	10/1/2013	39/72	39/159
					62-330.407	9/13/2013	10/1/2013	39/72	
					62-330.410	9/13/2013	10/1/2013	39/72	39/159
					62-330.412	9/13/2013	10/1/2013	39/72	39/159
					62-330.417	9/13/2013	10/1/2013	39/72	39/159
					62-330.427	9/13/2013	10/1/2013	39/72	39/159
					62-330.428	9/13/2013	10/1/2013	39/72	39/159
					62-330.431	9/13/2013	10/1/2013	39/72	39/159
					62-330.437	9/13/2013	10/1/2013	39/72	39/159
					62-330.439	9/13/2013	10/1/2013	39/72	
					62-330.443	9/13/2013	10/1/2013	39/72	39/159
					62-330.447	9/13/2013	10/1/2013	39/72	39/159
					62-330.448	9/13/2013	10/1/2013	39/72	
					62-330.449	9/13/2013	10/1/2013	39/72	
					62-330.450	9/13/2013	10/1/2013	39/72	39/159
					62-330.451	9/13/2013	10/1/2013	39/72	39/159
					62-330.453	9/13/2013	10/1/2013	39/72	39/159
					62-330.455	9/13/2013	10/1/2013	39/72	39/159
					62-330.457	9/13/2013	10/1/2013	39/72	
					62-330.458	9/13/2013	10/1/2013	39/72	39/159
					62-330.459	9/13/2013	10/1/2013	39/72	39/159
					62-330.463	9/13/2013	10/1/2013	39/72	39/159
					62-330.467	9/13/2013	10/1/2013	39/72	
					62-330.475	9/13/2013	10/1/2013	39/72	39/159
					62-330.476	9/13/2013	10/1/2013	39/72	
					62-330.477	9/13/2013	10/1/2013	39/72	
					62-330.483	9/13/2013	10/1/2013	39/72	39/159
					62-330.485	9/13/2013	10/1/2013	39/72	39/159
					62-330.487	9/13/2013	10/1/2013	39/72	39/159
					62-330.488	9/13/2013	10/1/2013	39/72	39/159
					62-330.490	9/13/2013	10/1/2013	39/72	39/159
					62-330.491	9/13/2013	10/1/2013	39/72	
					62-330.492	9/13/2013	10/1/2013	39/72	39/159
					62-330.493	9/13/2013	10/1/2013	39/72	39/159
					62-330.494	9/13/2013	10/1/2013	39/72	39/159
					62-330.495	9/13/2013	10/1/2013	39/72	39/159
					62-330.496	9/13/2013	10/1/2013	39/72	39/159
					62-330.500	9/13/2013	10/1/2013	39/72	
					62-330.501	9/13/2013	10/1/2013	39/72	39/159
					62-330.505	9/13/2013	10/1/2013	39/72	39/159
					62-330.550	9/13/2013	10/1/2013	39/72	
					62-330.600	9/13/2013	10/1/2013	39/72	39/159
					62-330.602	9/13/2013	10/1/2013	39/72	39/159
					62-330.630	9/13/2013	10/1/2013	39/72	39/159
					62-330.631	9/13/2013	10/1/2013	39/72	39/159
					62-330.632	9/13/2013	10/1/2013	39/72	39/159
					62-330.635	9/13/2013	10/1/2013	39/72	39/159
					62-330.901	9/13/2013	10/1/2013	39/72	39/72
33-210.201	9/10/2013	9/30/2013	39/156						
DEPARTMENT OF CORRECTIONS									
DEPARTMENT OF THE LOTTERY									
53ER13-60	9/13/2013	9/17/2013	39/180						
53ER13-61	9/13/2013	9/13/2013	39/180						
53ER13-62	9/13/2013	9/13/2013	39/180						
53ER13-63	9/13/2013	9/13/2013	39/180						
53ER13-64	9/13/2013	9/13/2013	39/180						
DEPARTMENT OF ENVIRONMENTAL PROTECTION									
62-330.010	9/13/2013	10/1/2013	39/72	39/75; 39/159					
62-330.020	9/13/2013	10/1/2013	39/72						
62-330.021	9/13/2013	10/1/2013	39/72						
62-330.050	9/13/2013	10/1/2013	39/72						
62-330.051	9/13/2013	10/1/2013	39/72						
62-330.0511	9/13/2013	10/1/2013	39/72						
62-330.052	9/13/2013	10/1/2013	39/72						
62-330.054	9/13/2013	10/1/2013	39/72						
62-330.055	9/13/2013	10/1/2013	39/72						
62-330.056	9/13/2013	10/1/2013	39/72						
62-330.060	9/13/2013	10/1/2013	39/72						
62-330.061	9/13/2013	10/1/2013	39/72						
62-330.062	9/13/2013	10/1/2013	39/72	39/159					
62-330.071	9/13/2013	10/1/2013	39/72	39/159					
62-330.075	9/13/2013	10/1/2013	39/72						
62-330.090	9/13/2013	10/1/2013	39/72	39/159					
62-330.100	9/13/2013	10/1/2013	39/72						
62-330.200	9/13/2013	10/1/2013	39/72						
62-330.201	9/13/2013	10/1/2013	39/72	39/159					
62-330.301	9/13/2013	10/1/2013	39/72	39/159					
62-330.302	9/13/2013	10/1/2013	39/72	39/159					
62-330.310	9/13/2013	10/1/2013	39/72	39/159					
62-330.311	9/13/2013	10/1/2013	39/72						
62-330.315	9/13/2013	10/1/2013	39/72						
62-330.320	9/13/2013	10/1/2013	39/72						
62-330.340	9/13/2013	10/1/2013	39/72						
62-330.350	9/13/2013	10/1/2013	39/72	39/159					
62-330.360	9/13/2013	10/1/2013	39/72	39/159					
62-330.395	9/13/2013	10/1/2013	39/72	39/159					

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

Board of Clinical Laboratory Personnel

64B3-5.003	9/13/2013	10/3/2013	39/156	
64B3-5.004	9/13/2013	10/3/2013	39/156	

Board of Osteopathic Medicine

64B15-14.006	9/13/2013	10/3/2013	39/156	
64B15-14.007	9/13/2013	10/3/2013	39/156	
64B15-14.0076	9/13/2013	10/3/2013	39/156	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

65A-2.022	9/12/2013	10/2/2013	39/141	
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Agency for Persons with Disabilities

65G-4.0210	9/12/2013	10/2/2013	39/31	38/94; 39/63
65G-4.0211	9/12/2013	10/2/2013	39/31	38/94; 39/63
65G-4.0212	9/12/2013	10/2/2013	39/31	38/94; 39/63
65G-4.022	9/12/2013	10/2/2013	39/31	38/94; 39/63
65G-4.024	9/12/2013	10/2/2013	39/31	38/94; 39/63
65G-4.027	9/12/2013	10/2/2013	39/31	38/94; 39/63

RULES PREVIOUSLY FILED AWAITING THE FILING OF CHAPTER 62-330 TO BECOME EFFECTIVE

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

40C-1.1009	7/18/13	10/1/13	39/51	
40C-1.135	7/18/13	10/1/13	39/51	
40C-1.602	7/18/13	10/1/13	39/51	
40C-1.603	7/18/13	10/1/13	39/51	
40C-1.608	7/18/13	10/1/13	39/51	
40C-1.612	7/18/13	10/1/13	39/51	
40C-4.091	7/18/13	10/1/13	39/51	
40C-41.011	7/18/13	10/1/13	39/51	
40C-41.023	7/18/13	10/1/13	39/51	
40C-41.043	7/18/13	10/1/13	39/51	
40C-41.051	7/18/13	10/1/13	39/51	
40C-41.063	7/18/13	10/1/13	39/51	
40C-42.091	7/18/13	10/1/13	39/51	
40C-44.011	7/18/13	10/1/13	39/51	
40C-44.021	7/18/13	10/1/13	39/51	
40C-44.041	7/18/13	10/1/13	39/51	
40C-44.051	7/18/13	10/1/13	39/51	
40C-44.061	7/18/13	10/1/13	39/51	
40C-44.065	7/18/13	10/1/13	39/51	
40C-44.066	7/18/13	10/1/13	39/51	
40C-44.071	7/18/13	10/1/13	39/51	
40C-44.091	7/18/13	10/1/13	39/51	
40C-44.101	7/18/13	10/1/13	39/51	
40C-44.301	7/18/13	10/1/13	39/51	

Suwannee River Water Management District

40B-1.706	7/19/13	10/1/13	39/57
40B-1.901	7/19/13	10/1/13	39/57

Southwest Florida Water Management District

40D-1.607	7/5/13	10/1/13	39/61
40D-4.091	7/5/13	10/1/13	39/61

South Florida Water Management District

40E-0.113	7/10/13	10/1/13	39/70	
40E-1.602	7/10/13	10/1/13	39/70	
40E-1.603	7/10/13	10/1/13	39/70	
40E-1.604	7/10/13	10/1/13	39/70	
40E-1.6065	7/10/13	10/1/13	39/70	
40E-1.607	7/10/13	10/1/13	39/70	
40E-1.6107	7/10/13	10/1/13	39/70	
40E-1.615	7/10/13	10/1/13	39/70	
40E-1.659	7/10/13	10/1/13	39/70	
40E-4.010	7/10/13	10/1/13	39/70	
40E-4.011	7/10/13	10/1/13	39/70	
40E-4.021	7/10/13	10/1/13	39/70	
40E-4.041	7/10/13	10/1/13	39/70	
40E-4.0415	7/10/13	10/1/13	39/70	
40E-4.042	7/10/13	10/1/13	39/70	
40E-4.051	7/10/13	10/1/13	39/70	
40E-4.0515	7/10/13	10/1/13	39/70	
40E-4.054	7/10/13	10/1/13	39/70	
40E-4.091	7/10/13	10/1/13	39/70	
40E-4.101	7/10/13	10/1/13	39/70	
40E-4.201	7/10/13	10/1/13	39/70	
40E-4.205	7/10/13	10/1/13	39/70	
40E-4.301	7/10/13	10/1/13	39/70	
40E-4.302	7/10/13	10/1/13	39/70	
40E-4.303	7/10/13	10/1/13	39/70	
40E-4.305	7/10/13	10/1/13	39/70	
40E-4.321	7/10/13	10/1/13	39/70	
40E-4.331	7/10/13	10/1/13	39/70	
40E-4.341	7/10/13	10/1/13	39/70	
40E-4.351	7/10/13	10/1/13	39/70	
40E-4.361	7/10/13	10/1/13	39/70	
40E-4.381	7/10/13	10/1/13	39/70	
40E-4.451	7/10/13	10/1/13	39/70	
40E-40.010	7/10/13	10/1/13	39/70	
40E-40.011	7/10/13	10/1/13	39/70	
40E-40.021	7/10/13	10/1/13	39/70	
40E-40.031	7/10/13	10/1/13	39/70	
40E-40.041	7/10/13	10/1/13	39/70	
40E-40.042	7/10/13	10/1/13	39/70	
40E-40.051	7/10/13	10/1/13	39/70	
40E-40.061	7/10/13	10/1/13	39/70	
40E-40.091	7/10/13	10/1/13	39/70	
40E-40.101	7/10/13	10/1/13	39/70	
40E-40.141	7/10/13	10/1/13	39/70	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
40E-40.302	7/10/13	10/1/13	39/70		40E-400.455	7/10/13	10/1/13	39/70	
40E-40.321	7/10/13	10/1/13	39/70		40E-400.457	7/10/13	10/1/13	39/70	
40E-40.331	7/10/13	10/1/13	39/70		40E-400.463	7/10/13	10/1/13	39/70	
40E-40.341	7/10/13	10/1/13	39/70		40E-400.467	7/10/13	10/1/13	39/70	
40E-40.351	7/10/13	10/1/13	39/70		40E-400.470	7/10/13	10/1/13	39/70	
40E-40.381	7/10/13	10/1/13	39/70		40E-400.475	7/10/13	10/1/13	39/70	
40E-40.391	7/10/13	10/1/13	39/70		40E-400.483	7/10/13	10/1/13	39/70	
40E-40.407	7/10/13	10/1/13	39/70		40E-400.485	7/10/13	10/1/13	39/70	
40E-41.011	7/10/13	10/1/13	39/70		40E-400.487	7/10/13	10/1/13	39/70	
40E-41.043	7/10/13	10/1/13	39/70		40E-400.495	7/10/13	10/1/13	39/70	
40E-41.053	7/10/13	10/1/13	39/70		40E-400.500	7/10/13	10/1/13	39/70	
40E-41.063	7/10/13	10/1/13	39/70						
40E-41.143	7/10/13	10/1/13	39/70						
40E-41.160	7/10/13	10/1/13	39/70						
40E-41.243	7/10/13	10/1/13	39/70						
40E-41.260	7/10/13	10/1/13	39/70						
40E-41.263	7/10/13	10/1/13	39/70						
40E-41.333	7/10/13	10/1/13	39/70						
40E-41.343	7/10/13	10/1/13	39/70						
40E-41.363	7/10/13	10/1/13	39/70						
40E-400.010	7/10/13	10/1/13	39/70						
40E-400.021	7/10/13	10/1/13	39/70						
40E-400.201	7/10/13	10/1/13	39/70						
40E-400.211	7/10/13	10/1/13	39/70						
40E-400.215	7/10/13	10/1/13	39/70						
40E-400.315	7/10/13	10/1/13	39/70						
40E-400.316	7/10/13	10/1/13	39/70						
40E-400.417	7/10/13	10/1/13	39/70						
40E-400.427	7/10/13	10/1/13	39/70						
40E-400.431	7/10/13	10/1/13	39/70						
40E-400.437	7/10/13	10/1/13	39/70						
40E-400.439	7/10/13	10/1/13	39/70						
40E-400.443	7/10/13	10/1/13	39/70						
40E-400.447	7/10/13	10/1/13	39/70						
40E-400.453	7/10/13	10/1/13	39/70						

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-4.001	7/16/13	10/1/13	39/90
62-4.050	7/16/13	10/1/13	39/90
62-4.200	7/16/13	10/1/13	39/90
62-113.100	7/16/13	10/1/13	39/86

LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO CHAPTER 2010-279, LAWS OF FLORIDA

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

64J-2.006	7/12/13	*****	39/29
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DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-7.020	10/24/11	*****	37/24	37/3
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