

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-1.003 Public Comment

PURPOSE AND EFFECT: Rule proposes to facilitate public comment at board meetings.

SUBJECT AREA TO BE ADDRESSED: Public comment.

RULEMAKING AUTHORITY: 286.0114 FS.

LAW IMPLEMENTED: 286.0114 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: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

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 ENVIRONMENTAL PROTECTION

RULE NO.: 62-204.800

RULE TITLE: Federal Regulations Adopted by Reference

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments (OGC 13-1269) update the department's adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 C.F.R. Part 60 to incorporate requirements of the department's federally approved and delegated air pollution programs, specifically Part 60, Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units, Reconsideration and Final Amendments, promulgated on February 7, 2013. The rule establishes emission guidelines for Commercial and Industrial Solid Waste Incineration Units, establishes effective dates for the standards, and clarifies definitions, references, applicability, and compliance issues.

RULEMAKING AUTHORITY: 403.061, 403.8055 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.0872, 403.8055 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Mr. John Glunn, Division of Air Resource Management, Department of Environmental Protection, MS 5500, 2600 Blair Stone Road, Tallahassee Florida 32399-2400, e-mail john.glunn@dep.state.fl.us.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BLVD., TALLAHASSEE, FL 32399-3000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) through (8) No change.

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times.

(a) through (e) No change.

(f) Commercial and Industrial Solid Waste Incineration (CISWI) Units. 40 C.F.R. Part 60, Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or Before June 4, 2010 ~~November 30, 1999~~, revised as of July 1, 2009, amended February 7, 2013, at 78 FR 9112 (link), is hereby adopted and incorporated by reference subject to the following provisions:

1. Applicability. The applicability of paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.2550. Units exempted from the applicability of paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.2555 ~~40 C.F.R. Part 60 Subpart DDDD. For the purposes of 40 C.F.R. § 60.2550, units that begin combusting solid waste that are not subject to 40 C.F.R. 60 Subpart CCCC are considered existing sources and must comply with paragraph 62-204.800(9)(f), F.A.C.~~

2. Increments of Progress. The requirements for meeting increments of progress and achieving final compliance

applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2575 through 60.2615 ~~Part 60, Subpart DDDD~~, provided that the final control plan shall be submitted no later than ~~August 7, 2015~~ ~~September 30, 2004~~, and the final compliance date is no later than February 7, 2018.

3. Waste Management Plan. The waste management plan requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2620 through 60.2630 ~~Part 60, Subpart DDDD~~.

4. Operator Training and Qualification. The operator training and qualification requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2635 through 60.2665 ~~Part 60, Subpart DDDD~~.

5. Emission Limitations and Operating Limits. The emission limitations and operating limits applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2670 through 60.2685 ~~Part 60, Subpart DDDD~~.

6. Performance Testing. The performance testing requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2690 through 60.2695 ~~Part 60, Subpart DDDD~~.

7. Initial Compliance Requirements. The initial compliance requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2700 through 60.2706 ~~Part 60, Subpart DDDD~~.

8. Continuous Compliance Requirements. The continuous compliance requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2710 through 60.2725 ~~Part 60, Subpart DDDD~~.

9. Monitoring. The monitoring requirements applicable to each CISWI unit subject to paragraph 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2730 through 60.2735 ~~Part 60, Subpart DDDD~~.

10. Recordkeeping and Reporting Requirements. The recordkeeping and reporting requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2740 through 60.2800 ~~Part 60, Subpart DDDD~~.

11. Title V Operating Permits. The Title V operating permit requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.2805 ~~Part 60, Subpart DDDD~~. Any CISWI unit subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to 40 C.F.R. Part

~~60, Subpart DDDD, shall file an application for an operation permit under the requirements of Chapter 62-213, F.A.C., no later than December 1, 2002.~~

12. Air Curtain Incinerators. Requirements applicable to each Air Curtain Incinerator subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2810 through 60.2870 ~~Part 60, Subpart DDDD~~.

13. Definitions. The definitions applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.2875. For purposes of paragraph 62-204.800(9)(f), F.A.C., the definition of the term administrator means the department, except that the EPA is the administrator for purposes of 40 C.F.R. § 60.2030(c). The terms used but not defined in 40 C.F.R. Part 60, Subpart DDDD, have the meaning given to them in the Clean Air Act and in 40 C.F.R. Part 60, Subparts A, B, and CCCC.

(g) through (h) No change.

(10) through (27) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13,_____.

DEPARTMENT OF JUVENILE JUSTICE

Probation

RULE NO.: RULE TITLE:

63D-8.001 Definitions

PURPOSE AND EFFECT: The amendments are necessary to update incorporated forms and to add new definitions that are currently used in probation supervision of delinquent youths.

SUMMARY: Additional definitions are provided, and incorporated forms are updated. The Effective Response System is defined and introduced, and is intended to replace the Progressive Response System for addressing violations of supervision.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is

required, the information expressly relied upon and described herein: The SERC Checklist, and current information available to the department, indicates that the statutory threshold for ratification will not be exceeded.

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

RULEMAKING AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 985.03, 985.135, 985.14, 985.145, 985.24, 985.245, 985.433, 985.435, 985.46, 985.601 FS.

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

DATE AND TIME: Friday, January 17, 2014, 10:00 a.m. – 12:00 Noon

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

63D-8.001 Definitions.

For the purpose of Chapters 63D-9 through 63D-12, F.A.C., the following terms are defined as follows:

(1) Absconding – When a supervised youth goes in a clandestine manner out of the jurisdiction of the court in order to avoid the legal process, or when the youth hides, conceals, or absents himself or herself with the intent to avoid the legal process.

(2) Adult Sentencing Summary – A written summary regarding the youth's history with the department, which is used when the court is deciding whether a youth should be sentenced to the adult or juvenile justice system. The Adult Sentencing Summary (DJJ/IS Form 29, July 2010) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399.

(3) Authority for Evaluation and Treatment (AET) – The document that, when signed by a parent or guardian, gives the department the authority to assume responsibility for the provision of necessary and appropriate physical and mental health care to a youth in the department's physical custody.

(4)(1) Chief Probation Officer (CPO) – The department employee who is responsible for managing community-based

program operations and staff within each of Florida's twenty judicial circuits.

(5) Civil Citation – A program designed to give law enforcement an alternative to custody that provides swift and appropriate consequences to youth for certain minor misdemeanor delinquent acts. The goals of Civil Citation are to divert the youth at the time of arrest, make the youth accountable for delinquent behavior, involve the parents in sanctioning the youth, and prevent the youth's further involvement in the juvenile justice system. Law enforcement officers are allowed the discretion of issuing a citation rather than a formal complaint.

(6)(2) Commitment conference – A multidisciplinary staffing conducted to discuss the department's recommendation to the court for youth who may be appropriate for residential commitment. Participants may include the youth, parent(s)/guardian(s), Juvenile Probation Officer (JPO), Juvenile Probation Officer Supervisor (JPOS), Commitment Manager, school officials, service providers, and other parties involved in the youth's case.

(7)(3) Complainant – Any person or agency having knowledge of the facts related to the allegations of the delinquency of a youth and who makes a formal complaint or delinquency referral based upon these facts.

(8) Complaint – A written report alleging facts sufficient to establish the delinquency of a youth and the jurisdiction of the court.

(9)(4) Comprehensive Assessment – The gathering of information for the evaluation of a youth's physical, psychological, educational, vocational, social condition and family environment as they relate to the youth's need for rehabilitative and treatment services, including substance abuse treatment services, literacy services, medical services, family services, and other specialized services, as appropriate.

(10)(5) Comprehensive Evaluation – The gathering of information addressing physical health, mental health, substance abuse, academic, educational, or vocational problems of a youth for whom a residential commitment disposition is anticipated, which is summarized in the youth's predisposition report.

(11)(6) Conditional release (CR) – Assessment and intervention services provided to youth who are released from residential commitment programs. Under the legal status of conditional release, the youth remains on commitment status and is subject to transfer back to a residential commitment program if noncompliant.

(12)(7) Criminogenic needs – Critical factors identified during the assessment process that have been statistically proven to predict future criminal behavior.

~~(13)(8)~~ Detention Risk Assessment Instrument (DRAI) – The instrument used to determine if a youth meets detention criteria and to determine whether a youth should be placed in secure, non-secure, or home detention care prior to a detention hearing. The DRAI (DJJ 2049, 12/10) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399.

(14) Diligent search – The process required of the JPO in order to determine if a youth has absconded from supervision. This process shall include contacts or attempted contacts with the youth, family members, employer(s), school(s), known friends, utility companies, Department of Children and Families, and Department of Motor Vehicles databases.

~~(15)(9)~~ Direct discharge – The release of a youth from a residential commitment facility without any court ordered requirements for community supervision by the department.

(16) Diversion Services – Non-judicial alternatives used to keep youth who have committed a delinquent act from being handled through the traditional juvenile justice system. These services are intended to intervene at an early stage of delinquency, prevent subsequent offenses during and after participation in the programs, and provide an array of services to juveniles referred to the department.

(17) Effective Response System – A written plan developed in each circuit, in consultation with judges, state attorneys and public defenders, which describes in detail a methodology for responding when youth under supervision violate a condition of their probation or conditional release. These plans are based upon the principle that sanctions should be based upon the seriousness of the violation, the assessed criminogenic needs and risks of the youth, and how effective the sanction or incentive will be in moving the youth to compliant behavior.

(18) Family – The people responsible for caring for a youth. Family may include biological parents, step parents, adoptive parents, guardians, foster parents, and sometimes other extended family members.

~~(19)(10)~~ Intervention – An action taken or facilitated by the JPO to promote the reduction of a criminogenic need, and may include direct contact with youth, collateral contacts, referrals for services, monitoring progress, and following up with youth and family.

(20) Juvenile Assessment Center (JAC) – A facility that allows for a safe and secure location for law enforcement to deliver juveniles who have been charged with a criminal offense and where assessments of each juvenile are completed to determine the juvenile’s detention risk and other needs.

~~(21)(11)~~ Juvenile Justice Information System (JJIS) – The department’s electronic information system, which is used to gather and store information on youth having contact with the department.

~~(22)(12)~~ Juvenile Probation Officer (JPO) – An employee of the department responsible for the intake of youth upon arrest and the supervision of youth on court ordered supervision in the community. The JPO serves as the primary case manager for the purpose of managing, coordinating and monitoring the services provided and sanctions required for each youth. In this rule chapter, whenever a reference is made to the objectives and duties of a JPO, it shall also apply to case management staff of a provider agency contracted to perform these duties and objectives.

~~(23)(13)~~ Juvenile Probation Officer Supervisor (JPOS) – An employee of the department or a contracted provider who provides first line oversight and management of the JPOs in the unit. The JPOS is responsible for overall direction and guidance of the services provided by the JPO including, but not limited to reviewing the progress of cases, documenting compliance with law and court orders, and approving YES Plans and revisions to YES Plans.

(24) Notification of the Decision to Not Involuntarily Commit to DCF form – A notification to the State Attorney’s Office that a youth is not being committed to the Department of Children and Families pursuant to the Jimmy Ryce Act, advising how the case was handled. The Jimmy Ryce Act for Violent Sexual Offenders Notification of the Decision to Not Involuntarily Commit to DCF (DJJ/BCS Form 25, 07/10) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399.

~~(25)(14)~~ Multidisciplinary Assessment – An information gathering exercise designed to ensure that youth being considered for commitment are placed in a delinquency program that provides an appropriate level of supervision and treatment services.

~~(26)(15)~~ Positive Achievement Change Tool (PACT) – A research validated ~~The primary assessment~~ instrument used by the JPO to determine the youth’s risk to re-offend and identify criminogenic needs that require intervention. The Pre-Screen is completed and maintained for all youth who are referred to the department. The Full Assessment is completed and maintained for all youth who have been placed under the jurisdiction of the department by the court and have been identified as moderate-high or high risk to re-offend by the Pre-Screen. The PACT 1.1 Pre-Screen (PCI-1, 9/10/07) is incorporated by reference and is available at “(HYPERLINK)”

or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399. The PACT 1.1 Full Assessment (PCI-2, 9/10/07) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399.

~~(27)~~~~(46)~~ PACT Mental Health and Substance Abuse Screening Report and Referral Form – The form used by the JPO to refer the youth for a Comprehensive Assessment whenever the results of the PACT Pre-Screen indicate further assessment is required. The PACT Mental Health and Substance Abuse Screening Report and Referral Form (DJJ/PACTFRM 1, 09/2011) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL, 32399.

~~(28)~~~~(47)~~ Post-commitment probation (PCP) – Assessment and intervention services provided to youth who are released from residential commitment programs. Under the legal status of post-commitment probation, the youth is legally transferred from commitment status to probation status, and is subject to court-ordered sanctions.

~~(29)~~ Pre-Disposition Report (PDR) – A multidisciplinary assessment that provides demographic and social history information and reports the youth’s priority needs, makes recommendations, and provides a plan for treatment that recommends the most appropriate placement setting to meet the youth’s needs with the minimum program security that reasonably ensures public safety. The PDR (DJJ/PACTFRM 5, 07/2010) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399.

~~(30)~~~~(48)~~ Preliminary Screening – The gathering of preliminary information to be used to determine a youth’s need for further evaluation or assessment or for referral for other substance abuse services through means such as psychosocial interviews, urine and breathalyzer screenings, and reviews of available educational, delinquency and dependency records of the youth.

~~(31)~~ Prevention Web – The department’s electronic information system, which is used to gather and store information on youth having contact with the department’s prevention or civil citation programs.

~~(32)~~~~(49)~~ Probation – Assessment and intervention services provided to youth who are court-ordered to community supervision after the court has determined that the youth committed a delinquent act.

~~(33)~~~~(20)~~ Probation Medical and Mental Health Clearance Form – The form used to screen for mental health, substance

abuse and medical problems when law enforcement delivers a youth to the department upon apprehension. The purpose of the form is to comply with statutory requirements for diverting youth to the proper community resource if they require urgent treatment or intervention upon arrest. ~~The form (HS-051, July 2010) is incorporated and is accessible electronically at: http://www.djj.state.fl.us/forms/health_services.html.~~

~~(21)~~ Progressive Response System – A written plan developed in each circuit, in consultation with judges, state attorneys and public defenders, that describes in detail a methodology for responding when youth under supervision violate a condition of their probation. These plans are based upon the principle that sanctions should be based upon the need to ensure public safety, the assessed criminogenic needs and risks of the youth, and how effective the sanction will be in moving the youth to compliant behavior.

~~(34)~~ Progress Report Form – A report that advises the court of the status of a youth including legal information, summary of progress, and recommendation(s). The Progress Report Form (DJJ/IS Form 12, July 2010) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399.

~~(35)~~ Request for Release Letter – A letter to accompany the PRN used to advise the Judge of the department’s agreement with the release request from the program. This form is also known as the Judge’s Release Notification. The Request for Release Letter (DJJ/IS Form 013, July 2010) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399.

~~(36)~~ Respite – Services and placements for youth that need a place to stay away from their home for a short period of time.

~~(37)~~ Sexually Violent Predator Program Multidisciplinary Team Notification Letter – A letter to the DCF Sexually Violent Predator Program to notify of the anticipated release of a youth from residential commitment. This form is also known as the “JR Memo to the Department of Children and Families.” The Sexually Violent Predator Program Multidisciplinary Team Notification Letter (DJJ/BCS Form 24, 07/10) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399.

~~(38)~~~~(22)~~ Suicide Risk Screening Instrument (SRSI) – A form that documents the standardized questions asked by trained, designated staff upon a youth’s intake into the juvenile justice system, and upon admission to a detention

center, to identify suicide risk factors and the need for referral for assessment of suicide risk.

(39) Supervision Transfer Summary – A form used to provide the receiving party of a youth’s case the youth’s address, living situation, legal status, a summary of the case(s), and the supervision adjustment. The Supervision Transfer Summary (DJJ/IS Form 16, October 2009) is incorporated by reference and is available at “(HYPERLINK)” or may be obtained by contacting: DJJ, Office of Probation and Community Intervention, 2737 Centerview Drive, Tallahassee, FL 32399.

~~(40)(23)~~ Violation of supervision – A noncompliant act committed by a youth that violates the conditions of the probation or post-commitment probation court order.

~~(41)(24)~~ Youth-Empowered Success (YES) Plan – The document developed by the youth, parent(s)/guardians(s), and JPO to plan for the completion of court-ordered sanctions and address criminogenic needs.

(42) Youth Reporting Center – Locations within the community that allow JPOs to be available to youth and families close to their homes during extended hours.

Rulemaking Authority 985.64 FS. Law Implemented 985.03, 985.135, 985.14, 985.145, 985.24, 985.245, 985.433, 985.435, 985.46, 985.601 FS. History–New 9-20-10, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Joan Wimmer, Assistant Secretary, Probation and Community Intervention

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Wansley Walters, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2013

DEPARTMENT OF JUVENILE JUSTICE

Probation

RULE NOS.:	RULE TITLES:
63D-10.001	Purpose and Scope
63D-10.002	Diversion Services
63D-10.003	Community Supervision Services
63D-10.0035	Transfers of Supervision
63D-10.004	Violations of Supervision
63D-10.005	Residential Case Management and Transitional Planning
63D-10.006	Termination of Supervision

PURPOSE AND EFFECT: The amendments are necessary to update procedures governing supervision and diversion services, and to institute revised methods to address non-compliance.

SUMMARY: The amendments provide for expanded diversion services, update procedures governing supervision in the community, and establish an effective response system to address non-compliance.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The SERC Checklist, and current information available to the department, indicates that the statutory threshold for ratification will not be exceeded.

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

RULEMAKING AUTHORITY: 985.14, 985.435, 985.64 FS.
LAW IMPLEMENTED: 985.14, 985.435, 985.46, 985.601(3)(a) FS.

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

DATE AND TIME: Friday, January 17, 2014, 10:00 a.m. – 12:00 Noon

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

63D-10.001 Purpose and Scope.

This rule establishes the standards and procedures for the provision of intervention and case management services for youth who have been court-ordered to be supervised by the department, placed in the care and custody of the department, or have ~~otherwise~~ agreed to participate in a diversion program in lieu of formal court handling adjudication.

Rulemaking Authority 985.14, 985.435, 985.64 FS. Law Implemented 985.14, 985.435, 985.46, 985.601(3)(a) FS. History–New 9-20-10, Amended_____.

63D-10.002 Diversion Services.

(1) Diversion services are non-judicial alternatives used to keep youth who have committed a delinquent act from being ~~processed~~ ~~handled~~ through the traditional juvenile justice system. These services are intended to intervene at an early stage of delinquency, prevent subsequent offenses during and after participation in the programs, and provide an array of services to juveniles referred to the Department of Juvenile Justice ~~offenders~~. Referrals are determined based upon the youth's current offense, delinquency history, and Positive Achievement Change Tool (PACT) results. The PACT is the primary assessment instrument used to determine the youth's risk to re-offend, and to identify criminogenic needs, which are those critical factors identified during the assessment process that have been statistically proven to predict future criminal behaviors that require intervention. ~~The PACT (PACT 1.1, September 10, 2007) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.~~

(2) Typical interventions of diversion programs include community service hours, restitution, random urinalysis, curfew, anger management, educational training, and vocational services. Diversion programs may also include individual, group, or family counseling provided by licensed mental health providers, and substance abuse education and treatment provided by licensed substance abuse providers. Diversion programs may also include mentoring, providing instruction or imparting guidance outside the formal treatment intervention. Diversion services are categorized into four major groups: civil citation, department provided diversion, contracted diversion, and other community based diversion programs.

(a) Civil citation programs provide law enforcement with an alternative to taking youth into custody, while ensuring swift and appropriate consequences for youth who commit non-serious delinquent acts. First time misdemeanor offenses are eligible for civil citation, with the exception of firearm, sexual offense, or gang related charges.

1. A record check of the Juvenile Justice Information System (JJIS) is completed to determine program eligibility.

2. Upon receipt of the citation, the department or provider shall enter the required information into Prevention Web. The issuance of a civil citation is not considered a referral to the department. Data entered in the Prevention Web shall not be shared with outside agencies.

3. Upon successful completion of the civil citation program, the youth will not have an arrest record.

4. Youth who do not complete the civil citation program are referred to DJJ and the state attorney for formal processing.

(b) Department provided diversion programs are sanctions and services assigned and monitored by a Juvenile Probation Officer. Services are put in place to assist youth and families in addressing the issues that led to the youth's referral to the department while holding the youth accountable for their actions. Sanctions vary widely and are able to be tailored to individual youth needs. Participation in department provided diversion may be agreed upon by the state attorney's office or ordered by a judge.

(c) Contracted diversion programs are structured diversion services provided to youth through a contract with a provider. These programs also vary, but all will address youth needs without formal court processing.

(d) Other community based diversion programs are available across the state and are provided by community stakeholders or the court system. These include but are not limited to community arbitration, teen court, drug court diversion, and Neighborhood Accountability Boards.

~~(3) Intensive Delinquency Diversion Services (IDDS) programs provide services to a specific population of juvenile offenders who appear to be at risk of becoming serious and chronic offenders, but who qualify for diversion based on certain criminogenic needs and age at first offense.~~

~~(a) The Juvenile Probation Officer (JPO) shall assess if the youth is appropriate for an IDDS program using the PACT. Youth who score moderate high or high risk to re-offend on the PACT are eligible to participate.~~

~~(b) If found ineligible under paragraph (3)(a), youth who have a minimum of one documented risk factor in three of the four areas of family, school, substance abuse, or criminal history are also eligible for an IDDS program.~~

~~(c) An IDDS case manager shall be assigned to the youth within seven calendar days of the referral being received by the provider. The case manager shall make face to face contact with the youth and parent within seven working days of the provider receiving the referral.~~

~~(4) Civil citation programs provide law enforcement with an alternative to taking youth into custody, while ensuring swift and appropriate consequences for youth who commit non-serious delinquent acts.~~

~~(a) A record check of the Juvenile Justice Information System (JJIS), which is the department's electronic information system used to gather and store information on youth having contact with the department to determine program eligibility.~~

~~(b) Upon receipt of the citation, the department shall enter the appropriate information into JJIS.~~

~~(5) Community arbitration is a diversion option whereby a neutral third party or a panel of citizens from the community listens to the facts and arguments presented by the parties and renders a decision and appropriate sanctions.~~

~~(a) The JPO may recommend community arbitration based on program criteria and availability. Section 985.16, F.S., specifically identifies eligibility criteria for community arbitration.~~

~~(b) Upon approval of the state attorney, if a case is to be referred to community arbitration, the JPO shall contact the youth and parent(s)/guardian(s) within 48 hours after the complaint is issued to advise them of the requirements and timeframes for arbitration.~~

~~(c) If the youth, parent(s)/guardian(s), and the state attorney accept community arbitration, the JPO shall provide copies of the complaint to the arbitrator within 24 hours.~~

~~(d) If the youth or parent(s)/guardian(s) are dissatisfied with the disposition of the arbitration proceedings, they may request a review by notifying the JPO within 15 working days. Upon receipt of the request, the JPO shall consult with the state attorney.~~

~~(6) Teen court is a diversion option in which first-time juvenile offenders can be diverted from traditional court processing and have their cases reviewed by a jury of their peers. After completion of assigned sanctions, the youth then participates in the process as a jury member and may also be used to serve in the role of prosecuting or defense attorney, judge, bailiff, or clerk. Teen court may accept referrals from the department, state attorney, juvenile court, law enforcement, Child In Need of Services/Families In Need of Services (CINS/FINS) provider, public defender, traffic court, and school officials. Ineligible offenses include third-degree felonies involving violence toward a person, grand theft auto, or use of a weapon.~~

~~(7) The Juvenile Alternative Services Program (JASP) uses a balanced approach combining sanctions and services that address the needs of the youth, family, and victims. JASP may receive referrals from the department, state attorney's office, and juvenile court.~~

~~(8) The department may operate a diversion program allowing parent(s)/guardians(s) or a community-based diversion program to oversee the youth's completion of an individualized diversion plan.~~

~~(a) The JPO shall develop an individualized diversion plan with sanctions and interventions with input from the state attorney, the youth, and the parent(s)/guardian(s).~~

~~(b) The plan shall include a timeframe for completion of the sanctions and intervention services, typically 30 to 90 calendar days for substantial completion.~~

~~(9) If the youth fails to comply with the conditions and sanctions of any diversion program, the department shall notify the state attorney.~~

Rulemaking Authority 985.14, 985.435, 985.64 FS. Law Implemented 985.12, 985.145, 985.155, 985.16, 985.601(3)(a) FS. History—New 9-20-10, Amended _____.

63D-10.003 Community Supervision Services.

(1) These rules address the supervision of youth in the community, to include youth on probation, conditional release (CR), and post-commitment probation (PCP). The JPO shall be involved in a pro-social manner with youth, families, victims, and the community and shall be available in a variety of locations and varied hours. The Youth-Empowered Success (YES) Plan is the document developed between by the youth, family, parent(s)/guardian(s), and JPO to plan for the successful completion of court-ordered sanctions and address criminogenic needs. ~~The Youth Empowered Success (YES) Plan (DJJ/PACT Form 4, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 105, Tallahassee, FL.~~

(2) The JPO shall make an initial face-to-face contact with youth on community supervision.

(a) Initial contact will be made within the following timeframes:

1. For youth placed on probation at disposition, contact shall be made within three (3) working days of disposition.

2. For youth placed on CR or PCP following release from a residential program, contact shall be made within three (3) working days of the release date.

(b) The purpose of initial contact is to conduct a preliminary review of the court order and provide contact information to the youth and family parent(s)/guardian(s).

(3) The JPO shall complete a risk and needs assessment using the PACT for all youth being supervised by the department on probation, CR, and PCP. The JPO shall update the previous assessment if one was done during the intake process. Otherwise, the JPO shall complete a new risk and needs assessment.

(a) All youth shall have a PACT completed prior to the development of the initial YES Plan.

~~(b) If a youth is identified as a moderate-high or high risk to re-offend by the PACT, the JPO shall complete a PACT Full Assessment prior to the development of the initial YES Plan.~~

(4) The initial YES Plan shall be developed within 30 calendar days of disposition, in the case of probation, or release, in the case of CR or PCP, and must be signed by all parties, including the youth, family, parent(s)/guardian(s), JPO, and Juvenile Probation Officer Supervisor (JPOS). An electronic signature for the JPOS is acceptable.

(a) The youth and family input regarding needs and goals shall be the driving force in the development of the case plan including action steps and target dates parent(s)/guardian(s) shall participate in the development of the YES Plan. ~~The youth and parent(s)/guardian(s) shall participate in the development of action steps and target dates for the~~

~~completion of all sanctions and goals.~~ The JPO shall document the development process in the case notes.

(b) Court-ordered sanctions that are relevant to the youth's needs shall be documented in JJIS in the Youth Requirements module. Each Youth Requirement shall contain at least one specific action step for the youth, family parent(s)/guardian(s), and JPO that clearly defines who is responsible, what action should be taken, and how often the action should be taken, if applicable. If sanctions need to be completed during supervision, but are not going to start immediately, action steps are not required and the requirement status shall be marked as pending. The requirement start date shall be estimated and the youth requirement shall be reassessed at each 90 day period. Once the sanction begins the action steps must be completed. The JPO is responsible for monitoring court ordered restitution payments, but are prohibited from accepting or receiving payments in any form.

(c) For youth who are moderate-high or high risk to re-offend, at least one of the top three criminogenic needs shall be addressed by creating a Change PACT Goal in JJIS. Each Change PACT Goal shall contain at least one specific action step for the youth, family parent(s)/guardian(s), and JPO that clearly defines who is responsible, what action should be taken, and how often the action should be taken.

(d) For youth who are identified ~~by the PACT~~ as high risk to re-offend, the YES Plan shall include an evidence-based intervention as defined in Rule 63E-7.002, F.A.C., that targets one of the top three criminogenic needs, unless the JPO documents in writing barriers to participation, such as the lack of available services, lack of youth readiness to voluntarily participate, transportation difficulties, or lack of parental approval for participation.

(e) The youth and family parent(s)/guardian(s) shall be informed of the importance of complying and successfully completing the case plan consequences of failing to comply with the sanctions and goals of the plan.

(f) The youth and family parent(s)/guardian(s) shall be provided with a copy of the approved initial YES Plan within ten (10) calendar days of approval upon their review and signature.

(g) ~~Family Parent/guardian~~ requirements contained in paragraphs (a) through (f) are waived whenever a youth is 18 years of age or older, living independently, or otherwise disengaged from his/her family parent(s)/guardian(s)—as documented in the case notes.

(5) The JPO shall refer the youth and parent(s)/guardian(s) to the appropriate service(s) and provide support and follow-up as identified below necessary to ensure the completion of sanctions and goals in the YES Plan.

(a) The JPO shall either provide the youth and family parent(s)/guardian(s) with referral information or make a

direct referral to the service provider within 10 calendar days of the approval of the YES Plan.

(b) The JPO shall assist the youth and family with making transportation arrangements for court and required services. If no other options are available the JPO shall provide transportation.

(c)(b) The JPO shall make contact with the service provider within 30 calendar days of the approval of the YES Plan to ensure that the youth and family parent(s)/guardian(s) have participated in the admission process and are receiving services.

(d)(e) The JPO shall ensure that progress reports, written or verbal, are received from the provider on a regular basis. The JPO shall follow-up with the youth and family parent(s)/guardian(s) on any treatment challenges compliance issues communicated by the service provider.

(e)(d) The JPO shall document referrals for services, follow-up with the service provider, youth, and family parent(s)/guardian(s), and any other related contacts in the case notes.

(6) While the youth is under the supervision of the department on probation, CR, or PCP, the JPO shall make contacts in accordance with his or her professional discretion to ensure the youth's compliance with the court order and the completion of YES Plan sanctions and goals. These contacts may be made at circuit identified Youth Reporting Centers located in each community, at the family's home, school, or community event, or in the rare occasion at the probation office. The JPO shall document all case activities, including:

(a) Face-to-face interaction with the youth and family parent(s)/guardian(s),

(b) Telephone contact with the youth, family parent(s)/guardian(s), and providers, and

(c) Review written or verbal reports from collateral sources, such as educational institutions, employers, counselors, electronic databases, etc.

(7) The assessment of youth is not a one-time event, but an ongoing process. Therefore, the JPO shall update the youth's risk and needs assessment ~~on a regular basis~~ to ensure that PACT results are reflective of the youth's current status. Re-assessments shall be done anytime there is a new law violation, after each new disposition, and as pre and post testing for certain delinquency interventions. At a minimum, assessments shall not be more than six months old for any youth on supervision, unless a special condition applies. Final assessments are required for all youth within the last 30 days of supervision including changes in behavior and progress with YES Plan sanctions and goals.

(a) ~~If the youth is low or moderate risk to re-offend, the PACT reassessment shall be done using the PACT Pre-Screen at least once every 180 calendar days.~~

~~(b) If the youth is moderate high or high risk to re-offend, the PACT reassessment shall be done using the PACT Full Assessment at least once every 90 calendar days.~~

(8) The JPOS shall conduct a ~~supervisory~~ case review of each case at least once every 90 calendar days while the youth is under supervision (~~Probation, CR, or PCP~~).

~~(a) The JPO shall update the youth's risk and needs assessment (pursuant to paragraphs (7)(a) and (b) above) prior to the supervisory case review.~~

~~(a)(b) The JPO shall update Youth Requirements and Change PACT Goals in JJIS prior to the supervisory case review, to include closing completed or terminated sanctions and goals, updating action steps for pending sanctions and goals to reflect the youth's progress, or adding sanctions or goals to address additional needs identified during the course of supervision. YES Plans shall be updated every 90 days prior to the supervisory review. This includes developing a new YES Plan in JJIS. Printing and signing the form is not required. The generation of the plan every 90 days leaves a record of the youth's progress that is easy to follow. Hand written modifications are allowed between formal updates. Once a Change Goal is successfully completed another shall be negotiated for all youth continuing on supervision. If a youth has complied with supervision and termination is being sought and/or all needs have been successfully addressed, a Change Goal is no longer required.~~

~~(b)(e) The JPOS shall ensure that the youth is receiving appropriate supervision and interventions.~~

~~(9) For youth who continue to have issues complying with community supervision, more intensive services shall be sought to address the youth's needs in the community. Community based mental health and substance abuse services may be effectively utilized for youth as an alternative to residential commitment.~~

~~(d) Within 14 calendar days of the supervisory case review, the JPO shall notify the youth and parent(s)/guardian(s) of the status of the YES Plan, including any changes made during the course of the supervisor case review. This notification may occur verbally or in writing, and shall be documented in the case notes.~~

~~(10) For youth is in adult jail for an extended period of time YES Plans and on-going risk assessments are not required.~~

~~(11) If a youth is placed in adult jail, the assigned JPO shall within two (2) working days of having knowledge that the youth is in jail:~~

~~(a) Make contact with jail administration to request notification when or if the youth is released or bonded out of jail.~~

~~(b) Make a face-to-face contact with the youth to explain that he/she will continue to be under DJJ supervision until~~

jurisdiction expires or otherwise ordered by the Court, and shall instruct the youth that, immediately upon release from jail, he/she must contact the assigned JPO to schedule a face-to-face appointment.

(c) Make contact with the youth's family to explain that the youth will continue to be under DJJ supervision until jurisdiction expires or otherwise ordered by the Court, and that the youth shall immediately upon release from jail, contact the assigned JPO to schedule a face-to-face appointment.

(12) Youth supervised by a provider who are in adult jail longer than ten (10) calendar days must be terminated/discharged from the provider program. The youth may be referred back to the provider program upon his/her release from adult jail.

(13) While the youth is in adult jail, a JPO will make a minimum of one face-to-face contact with the youth each month for the sole purpose of verifying that he/she is still in jail.

(14) Within three (3) working days of the youth's release from jail, the JPO will conduct a face-to-face meeting with youth and family to complete a new PACT and to renegotiate action steps contained in the YES Plan, if applicable. The JPO shall remind the youth and family that the same court-ordered sanctions and interventions are in effect as before he/she entered jail.

(15) Youths may be on dual status with the adult authorities, either the Department of Corrections or local county probation office. In such situations, the JPO shall establish open lines of communication and routinely contact his/her counterpart and share and request any information related to the youth's progress or violations of supervision.

Rulemaking Authority 985.14, 985.435, 985.64 FS. Law Implemented 985.14, 985.435, 985.46 FS. History—New 9-20-10, Amended _____.

63D-10.0035 Transfers of Supervision.

(1) Upon learning of the relocation request, the sending JPO shall provide the youth and family with contact information for the DJJ office in their new location including the address and telephone number.

(2) Within one (1) working day upon learning of a relocation request, the sending JPO shall provide notification to the receiving circuit with a copy to the Chief Probation Officer or designee. This transmission shall include current demographic information. Within one (1) working day of the notification, the Chief Probation Officer or designee shall notify the appropriate unit for assignment of the case. The JPO Supervisor shall review all JJIS information and from this information establish a temporary file. The JPO shall make face-to-face contact with the family within two (2) working days of receipt of the temporary file and shall notify the

sending JPO that initial contact has been made with the youth and family.

(3) The sending JPO and JPOS shall ensure the previous risk assessments and case reviews are up to date and accurate prior to transfer. The receiving county assumes all responsibility for risk assessments, YES Plan, and case reviews. The sending JPO shall forward the complete file within 30 days of knowledge of the youth's relocation. The complete file shall consist of all non-JJIS information.

(4) If the youth relocates within the circuit (intra-circuit), the JPO shall prepare a memorandum from the sending unit supervisor to the receiving unit supervisor, along with a Supervision Transfer Summary.

If the youth relocates to another circuit (inter-circuit), the JPO shall prepare a memorandum from the sending unit supervisor to the receiving Chief Probation Officer or designee, along with a Supervision Transfer Summary.

(5) If the receiving unit is in another circuit court's jurisdiction, the JPO shall prepare a letter for the sending unit supervisor's signature to the court requesting that the court transfer jurisdiction to the circuit in which the youth will be residing, if the move is to be permanent.

(6) When a youth on supervision for a violent offense (felony or misdemeanor), relocates from one county to another, the sending JPO shall provide written notification to the sheriffs of both counties (sending and receiving).

(7) For youth temporarily placed in a substance abuse, mental health, or other community-based residential treatment program, supervision shall be maintained. The assigned JPO shall continue to supervise the youth in accordance with the YES Plan. Contacts with the youth may be telephonic or web-based if outside the 50-mile radius. Contacts with youth, regardless of the method used, must be meaningful and must capture the youth's progress in the program. While the youth is receiving treatment at the residential facility, the JPO shall assist the family and program staff as necessary to ensure communication is conducive to the youth's successful completion of the program.

(8) When a JPO leaves a unit or leaves the agency all the cases previously assigned to the former JPO shall be transferred to a new JPO within three (3) business days. The new JPO shall contact the youth and family within two (2) business days to advise them of the change in assignment.

(9) The department shall minimize the number of times a youth is reassigned to another JPO.

Rulemaking Authority 985.435, 985.46, 985.64 FS. Law Implemented 985.14, 985.435, 985.46 FS. History—New

63D-10.004 Violations of Supervision.

(1) These rules are applicable to youth on probation and PCP. Non-compliance with the court order for youth on CR

shall be addressed through the transfer process defined by Rule ~~63D-12.006~~ ~~63E-7.012~~, F.A.C. Possible violations of supervision include the following:

- (a) New law violations,
- (b) Technical violations, and
- (c) Absconding.

(2) The JPO shall investigate all known or reported violations of supervision. Such investigations shall include interviewing the supervised youth, ~~family parents/guardians~~, school officials, and other important collateral sources, ~~as deemed necessary~~. In the case of absconding, a diligent search must be completed.

(3) In the case of a new law violation, the JPO shall file an Affidavit/Petition for Violation of Probation for any violation that results in the filing of a delinquency petition. All applicable technical violations shall be included in the affidavit. The JPO is not precluded from filing an affidavit based on the new law violation prior to the state attorney's decision to file a petition. ~~The Affidavit/Petition for Violation of Probation (DJJ/IS Form 10, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.~~

(4) Technical violations involve noncompliance with court-ordered sanctions, such as not reporting to the JPO as directed, failing to complete community service, failing to follow through with a referral, ~~truancy missing school~~, or failing to make restitution payments. Technical violations shall be addressed through the effective progressive response system, as defined in subsection 63D-8.001(17), F.A.C., which shall describe in detail how the JPO should respond when youth under supervision are noncompliant with court-ordered sanctions, considering that responses should be based on the seriousness of the violation and the threat to public safety, the assessed criminogenic needs and risks of the youth, and how effective the sanction will be in promoting pro-social compliant behavior. This process ensures that all appropriate responses to noncompliance with court-ordered sanctions are considered before a formal violation is filed with the court. In addition, this system provides the JPO with a menu of options to encourage completion of sanctions including reinforcers to recognize positive behavior. However, the JPO shall comply with orders of the court that require the reporting of any technical violations.

(a) If the JPO and JPOS decide that a formal court hearing is not needed to address the violation, the JPO shall address the non-compliant behavior with an intervention, such as initiating a behavior contract, conducting a formal staffing with parents, referring the youth for services to address new needs, or increasing frequency of contacts supervision. Under

no circumstances can a JPO informally modify conditions related to contact with a victim.

(b) If the JPO and JPOS decide that court action is warranted, an Affidavit/Petition for Violation of Probation shall be filed with the state attorney alleging that the youth is in violation of supervision. The affidavit shall be filed within seven calendar days of the JPO becoming aware of the technical violation. Any violation that was previously addressed through effective progressive response shall be included in the affidavit.

(c) Once a formal violation is filed and/or a youth is taken into custody, a youth on supervision may be placed on home detention. Supervision youth placed on home detention status must be seen by a JPO within 24 hours of being placed on home detention by the Court. This initial face-to-face contact with the youth and family may be made at the conclusion of the 24-hour detention hearing. After the initial contact, a minimum of one (1) weekly face-to-face contact with the youth is required throughout the 21-day home detention period. At least one of these contacts shall occur on a weekend. Weekends shall be defined as the time period beginning at 7:00 pm on Friday and ending at 11:59 pm on Sunday. In the event a youth remains on home detention beyond 21 days, face-to-face contact shall occur monthly at a minimum.

~~(5) Absconding occurs when a supervised youth goes in a clandestine manner out of the jurisdiction of the court in order to avoid the legal process, or when the youth hides, conceals, or absents himself or herself with the intent to avoid the legal process. To address instances of absconding, it is important for the JPO to understand Mere absence or not appearing for appointments is not absconding, but may constitute a technical violation of supervision. In order for the youth to meet the criteria for absconding, the JPO shall have cause to believe that the youth is deliberately avoiding supervision, or has removed himself or herself from the home or community. A youth reported by family parent(s)/guardian(s) to have run away is considered an absconder.~~

(a) At the point the JPO considers the youth to have absconded, the JPO shall document all efforts to locate the youth. The JPO has no more than 72 hours to complete the diligent search.

(b) Within one working day of determining that the youth has absconded, the JPO shall complete and file with the court an Affidavit for An Order to Take Into Custody, and an Affidavit/Petition for Violation of Probation. The referral indicating the violation of probation shall be entered in JJIS at the time the paperwork is submitted to the court. The placement and alert of abscond status shall be entered in JJIS upon receipt of the signed Order to Take Into Custody from the court. The Affidavit for Order to Take Into Custody

~~(DJI/IS Form 15, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.~~

Rulemaking Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.439, 985.601 FS. History—New 9-20-10, Amended _____.

63D-10.005 Residential Case Management and Transitional Planning.

(1) Following a disposition to residential commitment, the JPO shall complete and submit the Commitment/Transfer Packet Checklist in JJIS no less than five (5) calendar days from disposition, or 20 calendar days from direct commitment 24 hours prior to the youth's placement at the facility.

(2) Youth pending residential commitment shall be contacted by their JPO based on the youth's risk to re-offend. Low and Moderate risk youth shall have one (1) weekly face-to-face contact with the JPO. The family shall also be contacted weekly by the JPO. Moderate-High and High risk youth shall have two (2) weekly face-to-face contacts with the JPO. The JPO shall conduct one contact with the family weekly. Whenever possible, services and evidenced-based interventions shall be continued while the youth is pending placement.

~~(3)(2) While the youth is receiving treatment at the residential facility, the JPO shall assist the family parent(s)/guardian(s) and program staff as necessary to ensure communication is conducive to the youth's successful completion of the program. If the JPO is requested by program staff to make contact with the youth, he or she shall respond. Contacts with youth, regardless of the method used, must be meaningful and must capture the youth's progress in the program. At a minimum, the JPO shall have one face to face contact with the youth during the transition phase back home if within a 50 mile radius of the home office. Telephonic or web-based participation is acceptable outside a the 50-mile radius. The JPO must follow the case management requirements and contacts in Rule 63T-1.003, F.A.C.~~

~~(4)(3) Planning for the youth's transition to the community shall begin at the commitment conference, when the appropriate post-residential services are identified. Planning for the youth's successful transition involves the ongoing efforts of the youth, family parent(s)/guardian(s), treatment team, and JPO. Requirements for transition activities are identified in Rule 63T-1.003, F.A.C. Prior to the youth's release from residential care the program shall conduct an exit conference to finalize plans for the youth's release. It is at this time that the JPO shall make post-residential service referrals, if applicable.~~

(5) School placement for youth returning to their home school district must be arranged through the home district's school transition liaison.

(6) If a youth is scheduled to return to an area different from the area of original jurisdiction, the department shall arrange courtesy supervision within 10 calendar days of learning of the relocation request. If the youth is remaining in the State of Florida, both the sending and receiving JPO shall participate in the transition and exit conferences.

(7)(4) In notifying the JPO of the youth's planned release date, the commitment program, unless its length of stay is 45 calendar days or less, shall forward to the JPO the Pre-Release Notification and Acknowledgment (PRN) form 45 days prior to the youth's planned release date, and 90 calendar days prior to release for sex offenders who do not meet statutory criteria for involuntary civil commitment of sexually violent predators to the Department of Children and Families (DCF) as set forth in Chapter 394, F.S. The program's notification to the JPO of release from a low risk residential program with a length of stay 45 calendar days or less shall be made within 72 hours of the youth's admission to the program.

(8)(5) If the department concurs with the proposed release date, the JPO shall notify the committing judge of the program's intent to release and a plan for aftercare supervision using the Request for Release Letter. The Request for Release Letter (DJJ/IS Form 13, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100. The letter, along with a copy of the program's release Performance Summary, shall be delivered to the judge within three working days of receipt of the PRN. The Performance Summary is a written document used by staff of residential facilities to inform the youth, committing court, JPO, family parent or guardian, and other pertinent parties of the youth's performance in the program, including status of and progress toward performance plan goals, academic status, behavior and adjustment to the program, significant incidents (positive and negative), and justification for a request for release, or discharge or transfer, if applicable. A Performance Summary can be in the form of a Release Summary, Discharge Summary, or Transfer Summary. The Performance Summary form is incorporated by rule subsection 63E 7.002(58), F.A.C., and is accessible as set forth therein. Copies of the letter shall be provided to the family parent(s)/guardian(s), commitment program, and JPO. The JPO shall return the completed PRN to the commitment program within five working days of receipt of the form.

(9)(6) The court has 10 working days, from receipt, to reject or approve the release. The adult court has 14 working days, from receipt, to reject or approve the release. If the court does not respond within the days specified, the request of the

department shall be deemed granted. If the court does not accept the recommended release date, the youth shall be held in the program until a release date is accepted by the court. The JPO shall return the completed PRN to the commitment program within five working days of receipt of the form.

(10)(7) In accordance with Chapter 394 F.S., the JPO shall notify the DCF Sexually Violent Predator Program Multidisciplinary Team of the anticipated release of any youth who has been convicted of a sexually violent offense using the approved form. The Sexually Violent Predator Program Multidisciplinary Team Notification Letter (DJJ/BCS Form 24, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100. A copy of the written notice shall also be forwarded to the state attorney in the circuit where the youth was adjudicated. Notification to the multidisciplinary team and the state attorney shall take place 180 calendar days prior to the anticipated release of persons age 18 and older from a commitment program and who have been convicted of the sexually violent offenses defined in statute. The transition process for sex offenders who meet the statutory criteria for involuntary civil commitment shall commence 210 calendar days prior to the youth's anticipated release from the commitment program if the program is a maximum or high-risk program or otherwise one with a length of stay of more than 180 calendar days.

(11)(8) The residential commitment program shall not release any youth subject to the provisions of Chapter 394, F.S., until the DCF multidisciplinary team has determined eligibility and the state attorney's office has decided whether or not to file a petition. If it is determined that the youth will not be involuntarily committed to DCF, then the JPO shall notify the program using the Notification of the Decision to Not Involuntarily Commit to DCF form, which is the documentation required in order to release a Sexually Violent Predator (SVP) eligible youth from residential commitment. The form (DJJ/BCS Form 25, July 2010) is incorporated and is accessible electronically at http://www.djj.state.fl.us/forms/health_services_forms_index.html.

(12)(9) Cases under the jurisdiction of a juvenile court shall be approved for direct discharge by said court prior to the department completing any direct discharge action. If a youth has reached the maximum age of jurisdiction or completed the maximum term of confinement that an adult would serve for the same offense while in the residential program, the department shall recommend direct discharge.

(a) If a youth commits a violation of law for which he or she is sentenced with in the adult sanctions system, the department shall pursue direct discharge. To request termination of a youth sentenced as an adult, the JPO shall

follow the same procedures used for terminating a case from juvenile court.

(b) When notifying the court of the youth's discharge date, the JPO shall provide the court with a notification letter that advises the court of the department's intent to directly discharge the youth and the reason for the direct discharge. The JPO shall also provide the court with a copy of the discharge Performance Summary and the adult court order, if the youth was sentenced in the adult system.

Rulemaking Authority 985.435, 985.46, 985.64 FS. Law Implemented 985.14, 985.435, 985.46 FS. History—New 9-20-10, Amended.

63D-10.006 Termination of Supervision.

(1) Completion of the court-ordered sanctions shall be the primary determinant when requesting termination of supervision. ~~Voluntary goals shall not impede the release of a youth from supervision.~~ The JPO shall recommend termination when:

- (a) A youth has successfully completed their YES Plan.
- ~~(b)(a)~~ A youth has complied with all court-ordered sanctions,
- ~~(c)(b)~~ The department has lost jurisdiction because the youth has reached the maximum age provided in statute, or
- ~~(d)(c)~~ The department has lost jurisdiction based upon the maximum period of supervision applicable to the charge.

(2) Prior to requesting termination, the JPO shall check with local law enforcement to determine if there are outstanding warrants or charges for the youth that have not been filed. At a minimum, this includes the sheriff and police department of the youth's county and city of residence. The JPO shall also check the Florida Crime Information Center/National Crime Information Center (FCIC/NCIC) system to determine if there are outstanding warrants. If outstanding warrants or charges are identified, staff shall inquire as to how the requesting entity wants to dispose the warrant and/or charges.

(3) If the youth is on probation or PCP, the Progress Report form will be used to request termination, and shall include the status of all court-ordered sanctions completed by the youth. If applicable, the request shall address the youth's demonstrated changes in criminogenic needs and/or protective factors. ~~The Progress Report Form (DJJIS Form 12, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399 3100.~~ If the youth is on CR, the JPO will follow the procedure described in Rule subsections 63D-10.005(4)-(5), F.A.C., wherein the JPO will complete all documents required of residential commitment facilities. Each youth shall have a final risk assessment entered in JJIS to serve as a marker of

the youth's status at the end of supervision. This assessment shall be completed within the last 30 days of supervision. Once termination has been requested, new YES Plans are no longer required, as long as no new incidents occur.

(4) The JPO shall notify the court 15 working days prior to the loss of jurisdiction of a case by submitting a Progress Report. Upon loss of jurisdiction, the JPO shall close the case.

(5) Within five working days of receipt of the court's termination order or the date of loss of jurisdiction, the JPO shall update JJIS.

(6) The JPO shall notify the youth and family parent(s)/guardian(s) in writing that the youth is no longer under supervision.

(7) Termination shall be sought for youth who are in substantial compliance with restitution and/or court fees. Substantial compliance means that the youth has exhibited, through routine payments, the intention to follow through with his or her obligation. The JPO shall verify the amount of restitution paid with the clerk of court.

(a) The JPO shall recommend that the court retain jurisdiction for restitution and/or court fees if full payment has not yet been made.

(b) The JPO shall notify the youth and family parent(s)/guardian(s) that, by retaining jurisdiction, the court may find the youth in contempt for failure to make timely payments. The JPO shall also advise the youth and family parent(s)/guardian(s) that the court may request that they enter into a voluntary promissory note for payment. At no time should the JPO become involved in the negotiation or development of the promissory note.

Rulemaking Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.601 FS. History—New 9-20-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Joan Wimmer, Assistant Secretary, Probation and Community Intervention

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Wansley Walters, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2013

DEPARTMENT OF HEALTH

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

RULE NO.: 64B4-1.015
RULE TITLE: Public Comment.

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

SUMMARY: The criteria for 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: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-1.015 Public Comment.

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling 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) A member 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 the person or entity's 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. If the person or entity does not wish to be identified, a pseudonym may be used.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 11, 2013

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development

RULE NOS.:	RULE TITLES:
73A-5.005	Application for Certification Process
73A-5.008	Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 143, July 24, 2013 issue of the Florida Administrative Register has been withdrawn.

Section IV Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: on December 3, 2013 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from Joji Yogurt located in Sunrise. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater and that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks and share the dishwashing area located within an adjacent business under a different ownership.

The Petition for this variance was published in Vol. 39, No. 238 of the Florida Administrative Register on December 10, 2013. The Order for this Petition was signed and approved on December 16, 2013. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash and three-compartment sinks is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash and three-compartment sinks within the Kiosk and STAND #416 are provided with hot and cold running water under pressure; the handwash sink is provided with soap, an approved hand drying device and a handwashing sign. If the ownership of STAND #416 (Boston Concession Group Inc.) changes, an updated written agreement must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia Gonzalez, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, Lydia.Gonzalez@myfloridalicense.com.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on October 11, 2013, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from The Hope Center for Living and Reba Haley. Subsection 65C-15.017(3), F.A.C., requires staff performing casework services shall have a bachelor's degree in social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.055 Job Functions and Staff Qualifications

NOTICE IS HEREBY GIVEN that on June 7, 2013, the Department of Children and Families, received a petition for waiver of subsection 65C-14.055(1), Florida Administrative Code, from Zulia Brenovil. Subsection 65C-14.055(1), F.A.C., states that the facility shall employ staff to perform administrative, supervisory, service, and care functions. These personnel shall have the following qualifications: Executive directors hired after the date that this rule becomes effective shall have a bachelor's degree from a college or university and at least 3 years of experience in management or supervision.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-13.030 Standards for Licensed Out-of-Home Caregivers

NOTICE IS HEREBY GIVEN that on December 16, 2013, the Department of Children and Families, received a petition for waiver of subparagraph 65C-13.030(5)(g)11., Florida Administrative Code, from Florida United Methodist

Children's Home and Sims and Philippa Jones. Subparagraph 65C-13.030(5)(g)11., F.A.C., requires each children over 36 months of age may not share a bedroom with a child of the opposite sex.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs
The Department of Legal Affairs, Council on the Social Status of Black Men and Boys, announces the following telephone conference meetings which all persons are invited to attend:

EXECUTIVE COMMITTEE TELECONFERENCES

DATE AND TIME: January 9, 2014, 10:00 a.m. – 11:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 2473154911

DATE AND TIME: February 6, 2014, 10:00 a.m. – 11:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 2473154911

DATE AND TIME: April 3, 2014, 10:00 a.m. – 11:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 2473154911

DATE AND TIME: June 12, 2014, 10:00 a.m. – 11:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 2473154911

DATE AND TIME: August 7, 2014, 10:00 a.m. – 11:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 2473154911

DATE AND TIME: October 9, 2014, 10:00 a.m. – 11:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 2473154911

DATE AND TIME: December 4, 2014, 10:00 a.m. – 11:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 2473154911

Please be advised that meetings & meeting rooms maybe subject to change. For updates please visit <http://www.cssbmb.com>.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by visiting <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting the Bureau of Criminal Justice Programs at (850)414-3300. 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, contact the Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs
The Department of Legal Affairs, Council on the Social Status of Black Men and Boys, announces the following telephone conference meetings which all persons are invited to attend:

FULL COUNCIL TELECONFERENCES

DATE AND TIME: February 18, 2014, 2:00 p.m. – 4:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 8519855825

DATE AND TIME: April 15, 2014, 2:00 p.m. – 4:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 8519855825

DATE AND TIME: June 24, 2014, 2:00 p.m. – 4:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 8519855825

DATE AND TIME: August 19, 2014, 2:00 p.m. – 4:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 8519855825

DATE AND TIME: October 21, 2014, 2:00 p.m. – 4:00 p.m.
PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 8519855825

DATE AND TIME: December 16, 2014, 2:00 p.m. – 4:00 p.m.

PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 8519855825

Please be advised that meetings & meeting rooms maybe subject to change. For updates please visit <http://www.cssbmb.com>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by visiting <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting the Bureau of Criminal Justice Programs at (850)414-3300. 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, contact the Bureau of Criminal Justice Programs at (850)414-3300.

EXECUTIVE OFFICE OF THE GOVERNOR

The Governor's Commission on Community Service (Volunteer Florida) announces telephone conference calls to which all persons are invited.

DATE AND TIME: Tuesday, January 7, 2014, 9:00 a.m. until business is complete

PLACE: 1(888)670-3525, passcode 3822432866#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Committee meetings at times noted below:

Communications: 9:00 a.m. – 10:00 a.m.

Emergency Management & Volunteer Services: 10:00 a.m. – 11:00 a.m.

Finance & Audit: 11:00 a.m. – 12:00 Noon

Legislative: 1:00 p.m. – 2:00 p.m.

National Service Programs: 2:00 p.m. – 3:00 p.m.

Executive: 3:00 p.m. – 4:00 p.m.

A copy of the agenda may be obtained by contacting: Debbie Brown at (850)414-7400, ext. 114 or debbie@volunteerflorida.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 3 days before the workshop/meeting by contacting: Debbie Brown at (850)414-7400, ext. 114 or debbie@volunteerflorida.org. If you are hearing or speech

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

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

For more information, you may contact: Debbie Brown at (850)414-7400, ext. 114 or debbie@volunteerflorida.org.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council's Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2014, 9:00 a.m.

PLACE: 4000 Gateway Center Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Maya Burke, (727)570-5151, ext. 32 or maya@tbrpc.org.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: January 8, 2014, 9:00 a.m.

PLACE: 7601 HWY 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at www.watermatters.org/calendar/calendar.php/.

A copy of the agenda may be obtained by contacting: Carol Lynch, (813)985-7481, ext. 2004.

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, ext. 4702; TDD (FL only) 1(800)231-6103; or email: 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).

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Monday, January 13, 2014, 2:00 p.m.
 PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council. A copy of the agenda may be obtained by contacting: The Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, 1(352)796-7211 or 1(800)423-1476 (Florida only), extension 4378 or online at www.watermatters.org/waterways.

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: 1(352)796-7211 or 1(800)423-1476 (Florida only), extension 4702; TDD (Florida 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).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies
 The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, January 14, 2014, 10:00 a.m. EST or soon thereafter

PLACE: Via telephone conference call. To connect, dial: 1(888)670-3525, Conference Pass code: 7489217568 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (850)487-1395.

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: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies
 The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, March 19, 2014, 10:00 a.m., EST or soon thereafter

PLACE: Via telephone conference call. To connect, dial: 1(888)670-3525, conference pass code: 7489217568 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (850)487-1395.

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: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces public meetings to which all persons are invited.

DATES AND TIMES: Tuesday, February 11, 2014, 1:00 p.m.

– Probable Cause Panel meeting, portions which are closed to the public; Wednesday, February 12, 2014, 9:00 a.m. or soon thereafter

PLACE: The Department of Business and Professional Regulation, Division of Professions Boardroom, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General Business of the Board and Probable Cause Panel meeting, portions which are closed to the public.

A copy of the agenda may be obtained by contacting: the Department of Business and Professional Regulation, Board of Employee Leasing Companies at 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Division of Recreation and Parks announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 10, 2014, 8:30 a.m. (ET)

PLACE: Building 8, Silver Springs Town Center, 5656 E Silver Springs Blvd., Silver Springs, FL 34488

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Discussion and review of potential land use concepts for Silver Springs State Park with the Advisory Group members.

A copy of the agenda may be obtained by contacting: Sally Lieb, Park Manager, Silver Springs State Park, 1425 N.E. 58th Avenue, Ocala, Florida 34470, phone: (352)236-7152, fax: (352)236-7150 or email: Sally.Lieb@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Sally Lieb, Park Manager, Silver Springs State Park, 1425 N.E. 58th Avenue, Ocala, Florida 34470, phone: (352)236-7152, fax: (352)236-7150 or email: Sally.Lieb@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: Sally Lieb, Park Manager, Silver Springs State Park, 1425 N.E. 58th Avenue, Ocala, Florida 34470, phone: (352)236-7152, fax: (352)236-7150 or email: Sally.Lieb@dep.state.fl.us

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Refugee Services

The Palm Beach Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 17, 2014, 10:00 a.m. – 12:00 Noon

PLACE: Palm Beach County Schools District, 3388 Forest Hill Boulevard, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the Palm Beach Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Miriam Rosario at (561)227-6722 or Taddese Fessehaye at (407)317-7335.

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: Miriam Rosario at (561)227-6722 or Taddese Fessehaye at (407)317-7335. 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: Miriam Rosario at (561)227-6722 or Taddese Fessehaye at (407)317-7335.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Refugee Services

The Broward Area Refugee Task force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 16, 2014, 10:00 a.m. – 12:00 Noon

PLACE: Children’s Services Council of Broward County, 6600 West Commercial Boulevard, Lauder Hill, Florida 33319

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the Broward Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Miriam Rosario at (561)227-6722 or Taddese Fessehayat at (407)317-7335.

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: Miriam Rosario at (561)227-6722 or Taddese Fessehayat at (407)317-7335. 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: Miriam Rosario at (561)227-6722 or Taddese Fessehayat at (407)317-7335.

TAMPA BAY ESTUARY PROGRAM

The Tampa Bay Estuary Program announces a workshop to which all persons are invited.

DATE AND TIME: Friday, January 10, 2013, 8:30 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The objective of this Planning Session is to allow the Tampa Bay Estuary Program Boards to collectively evaluate progress to date, identify existing and new challenges, and define future directions for the Tampa Bay Estuary Program.

A copy of the agenda may be obtained by contacting: ron@tbep.org.

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

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

For more information, you may contact: ron@tbep.org.

Section VII

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

NONE

Section VIII

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

Notice of Petition for Administrative Determination has been 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

NONE

Section XII
Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Receipt of Applications for Permit Coverage under
the State’s Generic Permit for MS4’s

The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from the Town of Ponce Inlet and the City of St. Cloud. The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed

application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Mr. Edward C. Smith, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, MS 3585, Tallahassee, FL 32399-2400.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NO.: RULE TITLE:

73C-23.0041 Application Process and Administrative Requirements

Notice of Funding Availability

The Department of Economic Opportunity (DEO) announces funding availability under the Florida Small Cities Community Development Block Grant (CDBG) Program. The Department will make Federal Fiscal Year (FFY) 2013 funding available for the Neighborhood Revitalization (\$9.06 million), Housing Rehabilitation (\$4.10 million) and Commercial Revitalization (\$0.73 million) program areas. In order to be eligible to apply in these categories, units of local government cannot have an open CDBG grant in any of the three program areas or an open Planning and Design grant.

The Department also has approximately \$8.88 million available in the Economic Development (ED) program area for job creation/retention activities. A total of \$22.78 million in FFY 2013 funding will be available to eligible applicants in the four program areas.

Local governments must meet specific population requirements to be eligible to apply and cannot be participants in a CDBG Urban Entitlement Program. The population requirements are: cities with not more than 50,000 residents and counties with not more than 200,000 residents in the unincorporated areas. The application process is conducted in accordance with Sections 290.0401 – 290.048, Florida Statutes, and Chapter 73C-23, Florida Administrative Code.

The Federal Fiscal Year 2013 application cycle for all of the above-mentioned categories of funding will begin (“open”) on January 27, 2014, and end (“close”) at 5:00 p.m. EST on March 12, 2014, (“the deadline date”). Applications must be submitted on the forms that are available on the Department’s website and must be received by 5:00 p.m. EST on March 12, 2014. Mailing address: Florida Small Cities CDBG Program, Department of Economic Opportunity, 107 East Madison Street – MSC 400, Tallahassee, Florida 32399-6508. Hand-delivered applications must be received by 5:00 p.m. EST on March 12, 2014, at the Small Cities CDBG Program office, currently located in Room 243, Collins Building, 107 West Gaines Street, Tallahassee. An electronic copy of the application in Microsoft Word or Adobe PDF format (on a CD) can be submitted as the second copy of the application, as long as one complete hard copy with original signatures is submitted.

In the event that funds remain available in the Economic Development category after the application deadline date, ED applications submitted after the deadline date will be reviewed, and eligible applications will be awarded funding on a first-come, first-served basis.

An additional \$0.60 million has been designated as Emergency Set-Aside funding for state-declared emergencies. These funds will be available for emergencies that occur between April 1, 2013, and March 31, 2014. Any funds in the set-aside for which a notice of intent to submit an emergency application has not been received by March 31, 2014, will be reallocated in accordance with Section 290.044(4), Florida Statutes.

If you have questions, please contact the Small Cities CDBG grants management staff or Roger Doherty, Planning Manager, at (850)717-8417 or by email at roger.doherty@deo.myflorida.com.

Section XIII Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
