

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: RULE TITLE:
64D-3.049 Protocols for Controlling COVID-19 in
School Settings

PURPOSE AND EFFECT: The proposed amendment will update the number of days that a symptomatic or COVID-19 positive student must not attend school, school-sponsored activities, or be on school property from ten days to five days.

SUBJECT AREA TO BE ADDRESSED: Protocols for controlling COVID-19 in school settings

RULEMAKING AUTHORITY: 1003.22(3) FS.

LAW IMPLEMENTED: 1003.22(3) 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: Carina Blackmore, Florida Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-1703, (850)245-4732.

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

Section II

Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.09401 Student Performance Standards

PURPOSE AND EFFECT: To update student performance standards for English Language Arts (ELA) Access Points-Alternate Academic Achievement Standards (AP-AAAS) Grades K-12 and Mathematics AP-AAAS Grades K-12.

SUMMARY: The proposed amendment will adopt Benchmarks for Excellent Thinking (B.E.S.T.) Access Points-Alternate Academic Achievement Standards ELA and mathematics.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on experience in the past, when standards were revised, there was no adverse impact or regulatory cost of the proposed rule. It is not expected to exceed any of the economic criteria set forth in s. 120.541(2)(a), F.S., and will not require legislative authorization.

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

RULEMAKING AUTHORITY: 1001.02, 1003.41(4), F.S.

LAW IMPLEMENTED: 1001.03, 1003.41, F.S.

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Paul O. Burns, Deputy Chancellor, Educator Quality at Paul.Burns@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09401 Student Performance Standards.

(1) Student Performance Standards in Florida are defined as the Next Generation Sunshine State Standards and establish the core content of the curricula to be taught and specify the core content knowledge and skills that K-12 public school students are expected to acquire. The Next Generation Sunshine State Standards are rigorous and reflect the knowledge and skills students need for success in college and careers. The standards and benchmarks describe what students should know and be able to do at grade level progression for kindergarten to grade 8 and in grade bands for grade levels 9-12. The access points contained in the Next Generation Sunshine State Standards provide access to the general education curriculum for students with significant cognitive disabilities. These standards, benchmarks, and access points are contained in the following publications which are hereby incorporated by reference and made a part of this rule.

(a) Next Generation Sunshine State Standards (Benchmarks for Excellent Student Thinking (B.E.S.T.)) – English Language Arts, 2021

<http://www.flrules.org/Gateway/reference.asp?No=Ref-13402>),

(b) Next Generation Sunshine State Standards (Benchmarks for Excellent Student Thinking (B.E.S.T.)) – Mathematics, effective August 2020

<http://www.flrules.org/Gateway/reference.asp?No=Ref-12104>),

(c) through (k) No change.

(l) ~~Benchmarks for Excellent Student Thinking (B.E.S.T.) English Language Arts (ELA) 2022 Access Points-Alternate Academic Achievement Standards Grade K-12 Access Points to Next Generation Sunshine State Standards (Benchmarks for Excellent Student Thinking (B.E.S.T.)) – English Language Arts 2021~~

<http://www.flrules.org/Gateway/reference.asp?No=Ref-13405>),

(m) ~~Benchmarks for Excellent Student Thinking (B.E.S.T.) Mathematics 2022 Access Points-Alternate Academic Achievement Standards Grade K-12 Access Points to Next Generation Sunshine State Standards (Benchmarks for Excellent Student Thinking (B.E.S.T.)) – Mathematics 2021~~

<http://www.flrules.org/Gateway/reference.asp?No=Ref-13406>),

(n) through (o) No change.

(2) through (4) No change.

Rulemaking Authority 1001.02, 1003.41(4) FS. Law Implemented 1001.03, 1003.41 FS. History–New 6-18-96, Amended 9-28-99, 3-1-07, 7-25-07, 11-25-07, 4-14-08, 9-22-08, 2-1-09, 1-6-10, 9-5-10, 2-8-11, 3-25-14, 7-22-14, 3-23-16, 6-23-16, 3-26-20, 8-27-20, 8-26-21.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Paul O. Burns, Deputy Chancellor, Educator Quality.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 1, 2022

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09412
 RULE TITLE: Course Requirements - Grades K-12 Basic and Adult Secondary Programs

PURPOSE AND EFFECT: To revise certain courses contained in the Course Code Directory and Instructional Personnel Assignments for Grades K-12 to add the new B.E.S.T. English Language Arts standards as appropriate for each grade level and course. The effect of this proposal is to set forth the criteria and process for approval of course revisions for English Language

Arts courses to include B.E.S.T. standards for districts, schools, and educators.

SUMMARY: Course descriptions contain the standards and course requirements for each course in grades K-12. Updating course descriptions will add the new and revised B.E.S.T. Standards for English Language Arts as appropriate. This will allow districts, schools, and educators to access the content of the curricula to be taught in the state and implement the content knowledge and skills that K-12 public school students are expected to acquire.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment is not expected to have any adverse impact on economic growth or business competitiveness, or increase regulatory costs or any other factor set forth in s. 120.541(2), F.S., and will not require legislative ratification.. This is based upon the nature of the proposed changes, which modifies the existing Course Code Directory and Instructional Personnel Assignments for Grades K-12 to add the Benchmarks for Excellent Student Thinking (B.E.S.T.) for English Language Arts as appropriate for each grade level and course.

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

RULEMAKING AUTHORITY: 1001.02, 1001.03(1), 1011.62(1)(t), F.S.

LAW IMPLEMENTED: 1001.03, 1011.62(1)(t), F.S.

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, Florida 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lindsey Brown, Executive Director, Just Read, Florida!, 325 West Gaines Street, Tallahassee, FL 32399, (850)245-5060.

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) A course description directs district personnel by providing the essential content and course requirements for each course in grades K-12 contained in the “Course Code Directory and Instructional Personnel Assignments” adopted by Rule 6A-1.09441, F.A.C.

(2) Course requirements approved by the State Board of Education are contained in the following publications and are hereby incorporated by reference and made a part of this rule. Copies of approved course descriptions may be obtained from Division of Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

- (a) Art – Visual Arts – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13655>),
- (b) CLEP Credits via CAP – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13672>),
- (c) Computer Education – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13673>),
- (d) Dance – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13674>),
- (e) Drama – Theatre Arts – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13675>),
- (f) Driver Education and Traffic Safety – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13676>),
- (g) English Language Arts – effective ~~May 2022~~ ~~November 2021~~ (Link to be provided by DOS),
- (h) Experiential Education – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13678>),
- (i) Health Education – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13679>),
- (j) Humanities – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13680>),
- (k) JROTC and Military Training – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13681>),
- (l) Leadership Skills Development – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13682>),

- (m) Library Media – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13683>),
- (n) Mathematics – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13684>),
- (o) Music Education – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13685>),
- (p) Peer Counseling – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13686>),
- (q) Physical Education – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13687>),
- (r) Research and Critical Thinking – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13688>),
- (s) Science – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13689>),
- (t) Social Studies – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13690>),
- (u) Study Hall – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13691>),
- (v) Temporary Instructional Placement – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13692>),
- (w) World Languages – effective November 2021 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13693>).

Rulemaking Authority 1001.02, 1001.03(1), 1011.62(1)(t) FS. Law Implemented 1001.03, 1011.62(1)(t) FS. History–New 2-21-85, Formerly 6A-1.9412, Amended 1-29-86, 1-1-87, 9-6-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 6-6-93, 10-18-94, 8-28-95, 5-14-96, 9-15-97, 10-13-98, 5-3-99, 5-3-01, 10-15-01, 12-17-02, 7-26-05, 11-21-05, 7-27-06, 1-18-07, 3-24-08, 10-21-09, 5-3-10, 7-27-11, 8-21-12, 3-25-14, 6-23-15, 5-5-20, 10-27-20, 11-23-21.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lindsey Brown, Executive Director, Just Read, Florida!
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2022
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2021

DEPARTMENT OF EDUCATION**State Board of Education**

RULE NO.: RULE TITLE:

6A-4.0021 Florida Teacher Certification Examinations

PURPOSE AND EFFECT: To adopt and incorporate new Florida Teacher Certification Examinations (FTCE) competencies and skills, effective June 1, 2022, for the following FTCE subject areas: General Knowledge Test, Elementary Education K–6, English 6–12, English for Speakers of Other Languages K–12, Exceptional Student Education K–12, Middle Grades English 5–9, Prekindergarten/Primary PK–3, and Reading K–12. The rule amendment also updates the names of two subject area examinations: Guidance and Counseling PK–12 will be renamed School Counseling PK–12 to align with current certification terminology, and Hearing Impaired K–12 will be renamed Deaf or Hard of Hearing K–12 to align with current certification terminology.

SUMMARY: The proposed rule will adopt and incorporate the “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Sixth Edition,” effective June 1, 2022, which updates the competencies and skills for eight (8) certification areas to better reflect the Benchmarks for Excellent Student Thinking (B.E.S.T.) Student Performance Standards in English Language Arts, adopted and incorporated in Rule 6A-1.09401, F.A.C. The proposed rule also updates the names of the following two (2) subject area examinations: Guidance and Counseling PK–12 to School Counseling PK–12 to reflect the name change for the certification area in Rule 6A-4.0181, F.A.C., and Hearing Impaired K–12 to Deaf or Hard of Hearing K–12 to reflect the name change for the certification area in Rule 6A-4.0172, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment is not expected to have any adverse impact on economic growth, business competitiveness, increase regulatory costs or any other factor set forth in s. 120.541(2), F.S. and will not require legislative ratification. This is based upon the nature of the changes and experience with similar changes in the past.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1012.55(1), 1012.56, 1012.59, F.S.

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

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, FL 34109.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

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

(2) Description of the examinations and competencies to be demonstrated.

(a) The Florida Teacher Certification Examinations shall be developed by the Commissioner of Education.

(b) The written examinations shall include subtests of English language skills, reading, writing, mathematics, professional skills, and subject area specialty. These examinations may contain multiple-choice questions and questions requiring the examinee to write an answer or demonstrate a proficiency.

(c) The following competencies are to be demonstrated by means of the written examinations:

1. ~~Between October 1, 2017, and September 30, 2020, the general knowledge competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Fourth Edition,”~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-07842>, ~~which is incorporated by reference and made part of this rule effective October 1, 2017. Beginning~~ October 1, 2020, and May 31, 2022, the general knowledge competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Fifth Edition,”

<http://www.flrules.org/Gateway/reference.asp?No=Ref-10344>, which is incorporated by reference and made part of this rule effective October 1, 2020. Beginning June 1, 2022, the general knowledge competencies and skills contained in the

publication “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Sixth Edition.” (INSERT LINK HERE), which is incorporated by reference and made part of this rule effective June 1, 2022. These publications may be obtained by contacting the Division of Accountability, Research and Measurement, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

2. Between ~~October 1, 2017, and September 30, 2020~~, the professional education competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Fourth Edition,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07842>), which is incorporated by reference and made part of this rule effective ~~October 1, 2017~~. ~~Beginning~~ October 1, 2020, and ~~May 31, 2022~~, the professional education competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Fifth Edition,”

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-10344>), which is incorporated by reference and made part of this rule effective October 1, 2020. ~~Beginning~~ June 1, 2022, the professional education competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Sixth Edition,” (INSERT LINK HERE), which is incorporated by reference and made part of this rule effective June 1, 2022. These publications may be obtained by contacting the Division of Accountability, Research and Measurement, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

3. Between ~~October 1, 2017, and September 30, 2020~~, the subject area competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Fourth Edition,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07842>), which is incorporated by reference and made part of this rule effective ~~October 1, 2017~~. ~~Beginning~~ October 1, 2020, and ~~May 31, 2022~~, the subject area competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Fifth Edition,”

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-10344>), which is incorporated by reference and made part of this rule effective October 1, 2020. ~~Beginning~~ June 1, 2022, the subject area competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Twenty-Sixth Edition,” (INSERT LINK HERE), which is incorporated by reference and made part of this rule effective June 1, 2022. These publications may be obtained by contacting the Division of Accountability, Research and Measurement, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(3) through (8) No change.

(9) Scoring of the subject area specialty examinations.

(a) No change.

(b) For subject area specialty examinations listed below, a score earned prior to May 1, 1990, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. Effective August 1, 1990, a passing score for these subject area examinations will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following scores on the October 1988 test administration:

SUBJECT	SCORE
Biology 6-12	70 correct items
Computer Science K-12	72 correct items
Earth-Space Science 6-12	70 correct items
Emotionally Handicapped K-12	87 correct items
Geography 6-12	105 correct items
School Guidance and Counseling PK-12	83 correct items
History 6-12	89 correct items
Journalism 6-12	89 correct items
Mentally Handicapped K-12	63 correct items
Physical Education K-8	66 correct items
Physical Education 6-12	72 correct items
Physically Impaired K-12	79 correct items
Political Science 6-12	84 correct items
Reading K-12	69 correct items
School Psychologist PK-12	61 correct items
Specific Learning Disabilities K-12	78 correct items
Speech-Language Impaired K-12	79 correct items
Varying Exceptionalities K-12	80 correct items

(c) For subject area specialty examinations listed below, a score earned prior to October 1, 1990, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. Effective October 1, 1990, a passing score for these subject area examinations will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following scores on the April 1989 test administration:

SUBJECT	SCORE
Art K-12	63 correct items
Elementary Education 1-6	84 correct items
English 6-12	71 on a scale that weights the multiple choice section eighty (80) percent and the essay section twenty (20) percent
Deaf or Hard of Hearing Impaired K-12	66 correct items
Mathematics 6-12	60 correct items
Music K-12	64 correct items

Primary Education K-3	88 correct items
Social Science 6-12	102 correct items

(d) through (bb) No change.

(10) through (13) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Phil Canto, Bureau Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 15, 2021

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-5.069
 RULE TITLE: School District Professional Learning Systems

PURPOSE AND EFFECT: To provide school districts with common standards, requirements, processes, and materials for the development and implementation of professional learning systems. The effect of this proposal is the department will be able to provide strategic, statewide technical assistance and support to school districts leading to increased quality and consistency of professional learning systems.

SUMMARY: The proposed rule sets forth the requirements for school district professional learning systems pursuant to section 1012.98, Florida Statutes, by transferring the standards for high-quality professional learning from Rule 6A-5.071, F.A.C., to this rule; outlining the requirements for school district systems; establishing the submission process; defining the approval criteria and period; and providing a common system template for school district use.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly

regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth or business competitiveness, or increase regulatory costs or any other factor set forth in s. 120.541(2), F.S., and will not require legislative ratification. This is based upon the nature of the proposed rule, which clarifies the existing requirements and processes for school district professional learning systems.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n); 1012.56(13); 1012.98(8), F.S.

LAW IMPLEMENTED: 1012.56, 1012.575, 1012.98, F.S.

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, Florida 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Abbey Stewart, Bureau Chief, Bureau of Educator Recruitment, Development and Retention, Florida Department of Education; (850)245-9608 or abbey.stewart@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.069 School District Professional Learning Systems.

(1) The purpose of this rule is to set forth the requirements for school district professional learning systems, pursuant to Section 1012.98, Florida Statutes (F.S.), by establishing standards for high-quality professional learning; outlining the required content for school district professional learning systems; providing a common system template for school district use; establishing a submission process; and setting forth system approval criteria.

(2) Professional Learning Standards. The standards define Florida’s expectations for high-quality professional learning systems and opportunities, and form the foundation for school district professional learning systems and catalogs. There are seven (7) standards grouped into five (5) domains (i.e., Foundation, Needs Assessment and Planning, Learning, Implementing, and Evaluating) representative of stages in an

improvement cycle. Each standard includes a title, description, and multiple indicators of what the standard may look like in practice.

(a) Domain 0: Foundation. Standard 1: Leadership. Professional learning requires leaders who develop capacity, create support systems, and advocate for professional learning to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Setting high standards for educator and student performance;

2. Developing expertise in self and others regarding effective professional learning and leadership;

3. Communicating the importance of high-quality professional learning and its connection to student outcomes;

4. Promoting a culture of professional learning by ensuring policies, structures, resources, calendars, and daily schedules support educators to continuously improve their knowledge and practice; and

5. Creating a coherent program of learning and leadership development opportunities for growth of all employees.

(b) Domain 1: Needs Assessment and Planning. Standard 1: Professional Learning Needs. Professional learning includes the use of student, educator, and system data to analyze, prioritize, and plan for continuous improvement of educator practice and student outcomes. Examples of this standard in practice include:

1. Continuously analyzing and interpreting multiple types and sources of data (e.g., student performance, discipline, classroom observations, climate surveys) to determine student and educator learning needs and related educator problems of practice;

2. Prioritizing professional learning based on identified student and educator learning needs; and

3. Developing individual, school, and district learning plans that align professional learning goals to student learning needs.

(c) Domain 1: Needs Assessment and Planning. Standard 2: Professional Learning Resources. Professional learning requires schools and systems to maximize and monitor the use of resources to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Determining appropriate curricular resources to support professional learning needs;

2. Prioritizing and aligning fiscal, human, material, technology, and time resources for investment in professional learning;

3. Integrating multiple sources of funding in order to fully support identified professional learning needs; and

4. Analyzing data collected on resource utilization and impact on desired outcomes to make decisions regarding future allocations.

(d) Domain 2: Learning. Standard 1: Learning Outcomes. Professional learning includes outcomes that ensure intended changes in educator knowledge, skills, dispositions, and practice align with student learning needs. Examples of this standard in practice include:

1. Using identified student learning needs to make decisions about professional learning content and outcomes;

2. Defining clear expectations and learning outcomes that specify what educators need to know and do in relation to educator performance standards; and

3. Creating coherence by ensuring outcomes build on previous professional learning or knowledge.

(e) Domain 2: Learning. Standard 2: Learning Designs. Professional learning includes use of research- and evidence-based learning designs to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Considering the desired outcomes and educator and student learning needs, interests, and experiences in the selection of learning designs;

2. Utilizing face-to-face, online, and blended learning design models that focus on sustained individual, team, and school learning;

3. Enabling educators to construct new, relevant, and personalized learning through processes such as active engagement, modeling, application, assessment, reflection, feedback, and ongoing support;

4. Supporting collaboration among educators to deepen professional practice and foster a sense of collective responsibility for improving student outcomes; and

5. Engaging in a shared cycle of inquiry, action, research, data analysis, planning, implementation, reflection, and evaluation that drives continuous improvement (e.g., learning communities, Lesson Study, online networks, coaching, mentoring).

(f) Domain 3: Implementing. Standard 1: Implementation of Learning. Professional learning includes multiple opportunities to implement new learning with ongoing support and actionable feedback to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Setting clear goals and maintaining high expectations for implementation of learning with fidelity;

2. Sustaining implementation of new learning by providing multiple opportunities for practice in authentic settings with ongoing and varied support (e.g., coaching, modeling, peer groups, co-teaching, co-planning, study groups);

3. Providing opportunities for frequent feedback and reflection to analyze and adjust practice in relation to established expectations; and

4. Monitoring and assessing the degree of implementation to identify and resolve challenges related to integration of professional learning.

(g) Domain 4: Evaluating. Standard 1: Evaluation of Professional Learning. Professional learning includes formative and summative evaluation of the effectiveness of professional learning in increasing educator knowledge, changing educator dispositions and practice, and improving student outcomes to inform decisions about future professional learning. Examples of this standard in practice include:

1. Developing and conducting a comprehensive plan to evaluate the effectiveness of individual, school, and district plans for professional learning;

2. Monitoring formative educator practice and student learning data to assess professional learning and make adjustments as needed; and

3. Conducting a summative evaluation at the end of a program to assess the overall impact and make decisions regarding future professional learning.

(3) Professional Learning System Requirements. To receive approval of its professional learning system, the school district must provide the following:

(a) An overview of the system;

(b) A list of the collaborative partnerships established and a description of how a diverse group of stakeholders was consulted during development of the system;

(c) A description of the organizational structure of professional learning in the school district;

(d) A list of the district- and school-based positions with the primary responsibility for planning, providing, implementing, and supporting, or evaluating professional learning, and a brief description of their roles related to professional learning;

(e) A description of the school district's systems of professional learning programs and supports that enable instructional personnel and school administrators to continually develop throughout their career, and provide opportunities for meaningful teacher leadership and the identification and preparation of aspiring school leaders;

(f) A description of how the school district implements each of the professional learning standards outlined in subsection (2) of this rule;

(g) A list of the technology platforms and programs the school district uses to manage, provide, or support professional learning, and a brief description of how they are utilized;

(h) A list of the funding sources and amounts allocated for the school district's professional learning resources, and the percentage of the school district's total operating expenses that

is allocated for professional learning for each of the last three school years; and

(i) Confirmation that the system meets the requirements of Section 1012.98, F.S., as outlined in the Professional Learning System Template, Form PLST-2022.

(4) Submission Process.

(a) School districts must submit professional learning systems to the Department for review and approval under the following circumstances:

1. The school district is establishing an initial professional learning system;

2. The school district is making substantial revisions (i.e., revisions other than editing for grammar, name changes, or year updates) to a previously approved professional learning system; or

3. The approval period for the school district's professional learning system is due to expire.

(b) The timelines for submission and approval of professional learning systems will be posted to the Department's website at least thirty (30) days before the submission due date. Initial or substantially revised systems may not be implemented by the school district prior to Department approval.

(c) Beginning in the 2022-23 school year, professional learning systems shall be drafted using the Professional Learning System Template, Form PLST-2022.

(d) School districts shall submit professional learning systems and any supporting documentation electronically to ProfessionalDevelopment@fldoe.org.

(5) Approval Criteria and Period.

(a) A professional learning system shall be approved by the Department when the system:

1. Is submitted to ProfessionalDevelopment@fldoe.org;

2. Is submitted on the form required by paragraph (4)(c) of this rule;

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

4. Is found by the Department to create the conditions necessary to increase student achievement; enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum; and prepare students for college, career, and life.

(b) A professional learning system shall maintain its approval designation for a period of five (5) years, if the system is not substantially revised and continues to comply with the requirements listed in Section 1012.98, F.S., and this rule.

(6) Forms. The following form is hereby incorporated by reference: Professional Learning System Template, Form PLST-2022 (May 2022) (insert web link). Copies may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

Rulemaking Authority 1001.02(1),(2)(n); 1012.56(13); 1012.98(8) FS. Law Implemented 1012.56, 1012.575, 1012.98 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Abbey Stewart, Bureau Chief, Bureau of Educator Recruitment, Development and Retention.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 30, 2021

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-5.071 Professional Learning Catalog

PURPOSE AND EFFECT: To remove Florida's Professional Learning Standards (to move them to a new rule), limit the awarding of inservice points for certain educators for mandatory training not linked to student learning or professional growth, and add institutions of higher education with a teacher preparation program approved pursuant to s. 1004.04, F.S., as entities eligible to develop and implement a professional learning system and catalog. The effect of this proposal is that organizations may have to amend policies regarding the awarding of inservice points and more entities will be eligible to provide professional learning opportunities to Florida's teachers.

SUMMARY: The proposed rule sets forth the requirements for professional learning catalogs pursuant to s. 1012.98, F.S., by outlining the requirements for catalog components; setting submission, amendment, and review criteria; identifying the entities eligible to create a catalog; providing specifications for awarding inservice points; and prescribing record maintenance and data reporting requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth or business competitiveness, or

increase regulatory costs or any other factor set forth in s. 120.541(2), F.S., and will not require legislative ratification. This is based upon the nature of the proposed rule, which clarifies the existing requirements and processes for professional learning catalogs.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1012.56(13), 1012.98(8), 1012.986(3), F.S.

LAW IMPLEMENTED: 1004.04, 1012.56, 1012.575, 1012.98, 1012.986, F.S.

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, Florida 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Abbey Stewart, Bureau Chief, Bureau of Educator Recruitment, Development and Retention, Florida Department of Education; 850-245-9608 or abbey.stewart@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.071 Professional Learning Catalogs.

(1) The purpose of this rule is to set forth the requirements for ~~school district~~ professional learning catalogs, formerly known as master inservice plans, pursuant to Section 1012.98, Florida Statutes (F.S.), by ~~establishing standards for high quality professional learning~~; outlining the requirements for professional learning catalog components; setting submission, amendment, and review criteria; identifying the entities eligible to create a catalog; providing specifications for awarding inservice points; and prescribing record maintenance and data reporting requirements.

(2) ~~Professional Learning Standards. The standards define Florida's core expectations for high quality professional learning systems and opportunities, and form the foundation for school district professional learning systems and catalogs. There are seven (7) standards grouped into five (5) domains (i.e., Foundation, Needs Assessment and Planning, Learning, Implementing, and Evaluating) representative of stages in an improvement cycle. Each standard includes a title, description, and multiple indicators of what the standard may look like in practice.~~

~~(a) Domain 0: Foundation. Standard 1: Leadership. Professional learning requires leaders who develop capacity, create support systems, and advocate for professional learning~~

to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Setting high standards for educator and student performance;
2. Developing expertise in self and others regarding effective professional learning and leadership;
3. Communicating the importance of high quality professional learning and its connection to student outcomes;
4. Promoting a culture of professional learning by ensuring policies, structures, resources, calendars, and daily schedules support educators to continuously improve their knowledge and practice; and,
5. Creating a coherent program of learning and leadership development opportunities for growth of all employees.

(b) Domain 1: Needs Assessment and Planning. Standard 1: Professional Learning Needs. Professional learning includes the use of student, educator, and system data to analyze, prioritize, and plan for continuous improvement of educator practice and student outcomes. Examples of this standard in practice include:

1. Continuously analyzing and interpreting multiple types and sources of data (e.g., student performance, discipline, classroom observations, climate surveys) to determine student and educator learning needs and related educator problems of practice;
2. Prioritizing professional learning based on identified student and educator learning needs; and,
3. Developing individual, school, and district learning plans that align professional learning goals to student learning needs.

(c) Domain 1: Needs Assessment and Planning. Standard 2: Professional Learning Resources. Professional learning requires schools and systems to maximize and monitor the use of resources to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Determining appropriate curricular resources to support professional learning needs;
2. Prioritizing and aligning fiscal, human, material, technology, and time resources for investment in professional learning;
3. Integrating multiple sources of funding in order to fully support identified professional learning needs; and,
4. Analyzing data collected on resource utilization and impact on desired outcomes to make decisions regarding future allocations.

(d) Domain 2: Learning. Standard 1: Learning Outcomes. Professional learning includes outcomes that ensure intended changes in educator knowledge, skills, dispositions, and practice align with student learning needs. Examples of this standard in practice include:

1. Using identified student learning needs to make decisions about professional learning content and outcomes;
2. Defining clear expectations and learning outcomes that specify what educators need to know and do in relation to educator performance standards; and,
3. Creating coherence by ensuring outcomes build on previous professional learning or knowledge.

(e) Domain 2: Learning. Standard 2: Learning Designs. Professional learning includes use of research and evidence-based learning designs to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Considering the desired outcomes and educator and student learning needs, interests, and experiences in the selection of learning designs;
2. Utilizing face to face, online, and blended learning design models that focus on sustained individual, team, and school learning;
3. Enabling educators to construct new, relevant, and personalized learning through processes such as active engagement, modeling, application, assessment, reflection, feedback, and ongoing support;
4. Supporting collaboration among educators to deepen professional practice and foster a sense of collective responsibility for improving student outcomes; and,
5. Engaging in a shared cycle of inquiry, action, research, data analysis, planning, implementation, reflection, and evaluation that drives continuous improvement (e.g., learning communities, Lesson Study, online networks, coaching, mentoring).

(f) Domain 3: Implementing. Standard 1: Implementation of Learning. Professional learning includes multiple opportunities to implement new learning with ongoing support and actionable feedback to continually improve educator practice and student outcomes. Examples of this standard in practice include:

1. Setting clear goals and maintaining high expectations for implementation of learning with fidelity;
2. Sustaining implementation of new learning by providing multiple opportunities for practice in authentic settings with ongoing and varied support (e.g., coaching, modeling, peer groups, co-teaching, co-planning, study groups);
3. Providing opportunities for frequent feedback and reflection to analyze and adjust practice in relation to established expectations; and,
4. Monitoring and assessing the degree of implementation to identify and resolve challenges related to integration of professional learning.

(g) Domain 4: Evaluating. Standard 1: Evaluation of Professional Learning. Professional learning includes formative and summative evaluation of the effectiveness of professional

~~learning in increasing educator knowledge, changing educator dispositions and practice, and improving student outcomes to inform decisions about future professional learning. Examples of this standard in practice include:~~

~~1. Developing and conducting a comprehensive plan to evaluate the effectiveness of individual, school, and district plans for professional learning;~~

~~2. Monitoring formative educator practice and student learning data to assess professional learning and make adjustments as needed; and,~~

~~3. Conducting a summative evaluation at the end of a program to assess the overall impact and make decisions regarding future professional learning.~~

(3) Professional Learning Catalog Requirements. Pursuant to Section 1012.98(4)(b)5., F.S., all school districts shall maintain, as a corollary of their professional learning system, a catalog that outlines all professional learning opportunities, referred to as components, for all school district employees from all funding sources.

(a) For each component, the catalog shall include the following:

1. A title;

2. An identifying number assigned in accordance with the FDOE Information Database Requirements: Volume II – Automated Staff Information System pursuant to Section 1008.385(2), F.S., and Rule 6A-1.0014, F.A.C.;

3. The maximum number of inservice points to be awarded for successful completion of the component, assigned in accordance with the specifications outlined in subsection (6)(7) of this rule;

4. through 5. No change.

(b) No change.

(3)(4) Submission, Amendment, and Review Criteria.

(a) By September 1 of each year, the school district shall update the catalog, based on the results of the review conducted pursuant to paragraph (3)(4)(d) of this rule, and the district school board shall approve the catalog pursuant to the criteria and procedures in subsections (2)(3) and (3)(4) of this rule.

(b) By October 1 of each year, the school district shall submit a letter to the Commissioner verifying that the district school board has approved the catalog and the catalog meets the criteria in subsection (2)(3) of this rule.

(c) A component developed or modified after the annual approval of the catalog shall be approved as an amendment by the district school board and meet the criteria in subsection (2)(3) of this rule.

(d) Annually, the school district shall conduct a review of the previous year's catalog program operations that results in a determination of its effectiveness in the educational setting as measured by changes in educator practice and student

outcomes, and use this information to make decisions about which components to continue, modify, or eliminate.

(4)(5) The approval of program plans for school district add-on certification programs pursuant to Section 1012.575, F.S., shall be for a period of five (5) years. Professional learning Components associated with the approved programs shall remain in the professional learning catalog throughout the approval period.

(5)(6) Other Eligible Entities. A developmental research school operated under the control of the State University System; an eligible state educational agency; ~~or~~ an organization of private schools or consortium of charter schools that meets criteria specified in Section 1012.98(6), F.S.; or a public or private college or university with a teacher preparation program approved pursuant to Section 1004.04, F.S., may develop a professional learning system and catalog.

(a) The catalog shall be developed meeting the criteria outlined in subsection (2)(3) of this rule and submitted to the department for initial approval by the Commissioner.

(b) After initial approval of a catalog, continued approval shall be in accordance with the criteria and procedures outlined in subsections (2)(3) and (3)(4) of this rule, and the requirements for reporting and data maintenance as required in subsection (7)(8) of this rule.

(c) For other eligible entities with an approved professional learning system and catalog, references to district school boards in this rule shall mean the ~~director of a developmental research school, or the~~ governing authority or board of an eligible development research school, state educational agency, organization of private schools, ~~or~~ consortium of charter schools, or public or private college or university.

(6)(7) Awarding of Inservice Points. ~~Inservice points awarded for successful completion of a component shall be assigned as follows:~~

(a) One (1) clock hour of participation shall equal one (1) inservice point, or as specified by the professional learning catalog based on competencies ~~competency(ies)~~ demonstrated, for successful completion of a component.

(b) ~~Points awarded for completion of college credit shall equate to inservice participation as follows:~~

~~1. One (1) semester hour of college credit shall equal twenty (20) inservice points; and,~~

~~2. One (1) quarter hour shall equal thirteen (13) and one-third inservice points.~~

(c) Inservice points may be awarded for components that focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent

involvement, instructional leadership, effective school management, and school safety.

(d) Inservice points for any mandatory component not linked to student learning or professional growth may only be awarded to an educator holding a Florida Professional Certificate with a coverage area classified as “academic” or “degreed career and technical” once during their certificate’s five-year validity period, pursuant to Section 1012.585(3)(g), F.S. Components linked to student learning or professional growth are defined as those that support increased student academic achievement, enhanced classroom instructional strategies that promote rigor and relevance throughout the curriculum, and the preparedness of students for continuing education and the workforce.

~~(7)(8)~~ Record Maintenance and Data Reporting Requirements. ~~District~~ Professional learning catalog records shall be maintained and data shall be reported as follows:

(a) through (b) No change.

(c) Each school district shall report data information for all approved professional learning components as required by the FDOE Information Database Requirements: Volume II – Automated Staff Information System pursuant to Section 1008.385(2), F.S., and Rule 6A-1.0014, F.A.C. Other eligible entities as defined in subsection (5) of this rule ~~educational agencies, organizations of private schools, and consortiums of charter schools~~ with approved catalogs without automated data reporting capabilities shall report the required component data information using nonautomated equivalent means annually by October 1 ~~of each year~~.

Rulemaking Authority 1001.02(1), (2)(n), 1012.98(8), 1012.56(13), 1012.986(3) FS. Law Implemented 1004.04, 1012.986, 1012.98, 1012.56, 1012.575 FS. History—New 11-25-75, Formerly 6A-5.72, Amended 4-10-79, 6-28-83, 7-15-84, 12-26-85, Formerly 6A-5.71, Amended 8-28-95, 7-2-98, 5-2-10, 11-28-18,

NAME OF PERSON ORIGINATING PROPOSED RULE: Abbey Stewart, Bureau Chief, Bureau of Educator Recruitment, Development and Retention.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 30, 2021

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03028
 RULE TITLE: Provision of Free Appropriate Public Education (FAPE) and Development of

Individual Educational Plans for Students with Disabilities

PURPOSE AND EFFECT: To reflect the updates of section 1003.5716, Florida Statutes (F.S.), during the 2021 Legislative Session. The effect will amend the transition process to postsecondary education and career opportunities for students with disabilities during the student’s seventh grade year or age 12, whichever occurs first, rather than at age 14, and have an operational plan in place that is implemented on the first day of the student’s first year in high school.

SUMMARY: Planning for students with disabilities to transition to high school and beyond.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the nature of the changes, this proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of the rule changes.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1003.01(3)(a), (b), 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1008.22, F.S.

LAW IMPLEMENTED: 1002.33, 1003.01(3)(a), (b), 1003.4203, 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.22, F.S.

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Victoria Gaitanis, Bureau of Exceptional Student Education, 325 West Gaines Street, Tallahassee, FL 32399-0400, (850)245-0475.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03028 Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities.

(1) Entitlement to FAPE. All students with disabilities aged three (3) through twenty-one (21) residing in the state have the right to FAPE consistent with the requirements of Section 1003.571, F.S. and Rules 6A-6.03011 through 6A-6.0361, F.A.C. FAPE shall be made available to students with disabilities, including students who have been suspended or expelled, and any individual student with a disability who needs special education and related services, even though the student has not failed or been retained in a course or grade, and is advancing from grade to grade. The obligation to make FAPE available to all students with disabilities does not apply with respect to the following:

(a) Students with disabilities who have graduated from high school with a standard diploma, and who have not deferred receipt of the diploma, in accordance with Section 1003.4282(9)(c)(10)(e), F.S. A standard diploma does not include an alternative degree that is not fully aligned with the state's academic standards, such as a certificate of completion or a general educational development credential (GED); and,

(b) through (c) No change.

1. through 2. No change.

(2) No change.

(3) IEP requirements. An IEP must be developed, reviewed, and revised for each eligible student or child with a disability served by a school district, or other state agency that provides special education and related services either directly, by contract, or through other arrangements, in accordance with this rule. For a student identified as gifted in accordance with Rule 6A-6.03019, F.A.C., and who is also identified as a student with a disability, as defined in paragraph 6A-6.03411(1)(f), F.A.C., the strengths, needs and services associated with a student's giftedness must be addressed in the student's IEP. Parents are partners with schools and school district personnel in developing, reviewing, and revising the IEP for their student. For the purposes of this rule, the term parents also includes legal guardians.

(a) Role of parents. The role of parents in developing IEPs includes:

1. through 6. No change.

(b) Parent participation in meetings. Each school district shall establish procedures that provide the opportunity for one or both of the student's parents to participate in meetings and decisions concerning the IEP for the student. Parents of each student with a disability must be members of any group that makes decisions on the educational placement of their student. Procedures to ensure participation in meetings shall include the following:

1. through 3. No change.

4. No later than the first IEP to be in effect during when the student's seventh grade year or when the student attains the age of twelve (12), whichever occurs first ~~turns fourteen (14)~~, or younger if determined appropriate by the IEP Team, the notice must also indicate that a purpose of the meeting will be identifying transition services needs of the student and that the district will invite the student.

5. No ~~Not~~ later than the first IEP to be in effect when the student enters high school, attains the age of fourteen (14) turns sixteen (16), or younger if ~~when~~ determined appropriate by the parent and the IEP team, whichever occurs first, the notice must also indicate that a purpose of the meeting will be consideration of the postsecondary and career goals and transition services for the student, that the district will invite the student, and identify any other agency that will be invited to send a representative to the meeting.

6. No later than the first IEP to be in effect at the beginning of the school year the student is expected to graduate, the notice must indicate that a purpose of the meeting will be the consideration for deferment and identifying if the student will defer the receipt of his or her diploma.

76. If ~~neither~~ a parent cannot ~~can~~ attend in person, the school district shall use other methods to ensure parent participation, including individual or conference telephone calls or video conferencing.

87. A meeting may be conducted without a parent in attendance if the school district is unable to obtain the attendance of the parents. In this case, the district must have a record of its attempts to arrange a mutually agreed on time and place, such as:

a. through c. No change.

98. The district shall take whatever action is necessary to ensure that the parents and the student, during the student's seventh grade year or when the student attains the age of twelve (12), beginning at age fourteen (14), whichever occurs first, understand the proceedings at a meeting, which may include arranging for an interpreter for parents and students who are deaf or whose native language is a language other than English.

109. A meeting does not include informal or unscheduled conversations involving school district personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that school district personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

~~1140~~. The district shall give the parents a copy of the IEP at no cost to the parents.

(c) through (g) No change.

(h) Contents of the IEP. The IEP for each student with a disability must include:

1. through 3. No change.

4. A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the classroom accommodations, modifications or supports for school personnel that will be provided for the student to advance appropriately toward attaining the annual goals; to be involved and progress in the general curriculum; to participate in extracurricular and other nonacademic activities; and to be educated and participate with other students with ~~disabilities~~ and without disabilities ~~non-disabled students~~ in the activities described in this section. A parent must provide signed consent for a student to receive instructional accommodations that would not be permitted on the statewide assessments and must acknowledge in writing that he or she understands the implications of such accommodations. An explanation of the extent, if any, to which the student will not participate with ~~non-disabled~~ students without disabilities in the regular class and in the activities described in subparagraph (3)(h)4. of this rule;

5. A statement of any individual appropriate accommodations in the administration of statewide standardized assessments as described in Section 1008.22(3), F.S., or district assessments of student achievement that are necessary in order to measure the academic achievement and functional performance of the student on the assessments. Accommodations that negate the validity of a statewide assessment are not allowable in accordance with Section 1008.22(3)(d)(e)3., F.S. If the IEP Team determines that the student will take the Florida Standards Alternate Assessment instead of other statewide standardized assessments or an alternate district assessment of student achievement, the IEP must include a statement of why the student cannot participate in other statewide standardized assessments or district assessments and, if applicable, why the particular district alternate assessment selected is appropriate for the student. If a student does not participate in the statewide assessment program as a result of being granted an extraordinary exemption in accordance with the provisions of Section 1008.212, F.S., or a medically complex exemption in accordance with Section 1008.22(10)(9), F.S., the district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation in accordance with Section 1008.22(3), F.S.

6. through 7. No change.

8. During the student's seventh grade year or when the student attains the age of twelve (12), whichever occurs first, before attaining the age of fourteen (14), in order to ensure quality transition planning and services, IEP Teams shall begin

the process of identifying transition services needs of students with disabilities, to include the following:

~~a. A statement of intent to pursue a standard high school diploma pursuant to Sections 1003.4282(1) (9), or 1003.4282(10), F.S., and a Scholar or Merit designation in accordance with Section 1003.4285, F.S., as determined by the parent;~~

~~a. b.~~ The preparation needed for the student to graduate from high school with a standard diploma and a Scholar or Merit diploma designation as determined by the parent; ~~and,~~

~~b. e.~~ Consideration of the student's need for instruction or the provision of information in the area of self-determination and self-advocacy to assist the student to be able to actively and effectively participate in IEP meetings and self-advocate, so that needed postsecondary and career goals may be identified ~~and in place by age sixteen (16).~~ The plan must be operational and in place to begin implementation on the first day of the student's first year in high school;

c. Provision of the information to the student and his or her parent of the school district's high school-level transition services, career and technical education, and collegiate programs available to students with disabilities and how to access such programs; and

d. Information shall be provided on school-based transition programs and series available through Florida's Center for Students with Unique Abilities, the Florida Centers for Independent Living, the Division of Vocational Rehabilitation, the Agency for Persons with Disabilities, and the Division of Blind Services. Referral forms, links and technical support contacts for these services must be provided to students and parents at IEP meeting.

9. Beginning not later than the first IEP to be in effect when the student enters high school, attains the age of fourteen (14), or when determined appropriate by the parent and the IEP team, whichever occurs first, the IEP must be updated at least annually and turns sixteen (16), or younger, if determined appropriate by the IEP Team and updated annually, ~~the IEP must include the following:~~

a. A statement of intent to receive a standard high school diploma pursuant to Sections 1003.4282(1)-(9) or (10), F.S. This statement must be signed by the parent or guardian and must document the following:

(I) If the student will pursue a Scholar or Merit designation in accordance with Section 1003.4285, F.S., as determined by the parent; before the student attains the age of twenty two (22) and a description of how the student will fully meet the requirements of Section 1003.4282, F.S. This requirement does not apply if the student entered grade 9 prior to the 2014-2015 school year and is pursuing a special diploma in accordance with the student's IEP;

(II) Discussion of the process for a student with a disability who meets the requirements for a standard high school diploma to defer the receipt of such diploma pursuant to Section 1003.4285, F.S.

(II) Appropriate measurable postsecondary and career goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills and the transition services (including pre-employment transition services and courses of study) needed to assist the student in reaching those goals. Any changes to these goals; and,

(III) If a participating agency responsible for transition services, other than the school district, fails to provide the transition services described in the IEP, the school district shall reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.

(IV) A statement of the outcomes and the additional benefits expected by the parent and the IEP team at the time of the student's graduation;

b. For the IEP in effect at the beginning of the school year the student is expected to graduate, this statement must also include the following: A statement of the outcomes and the additional benefits expected by the parent and the IEP team at the time of the student's graduation;

(I) A signed statement by the parent, the guardian or the student, if the student has reached the age of majority and rights have transferred to the student, that he or she understands the process of deferment and identifying if the student will defer the receipt of his or her standard high school diploma.

e. A statement of appropriate measurable postsecondary and career goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills and the transition services (including courses of study) needed to assist the student in reaching those goals; and,

d. If a participating agency responsible for transition services, other than the school district, fails to provide the transition services described in the IEP, the school district shall reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the student set out in the IEP. However, this does not relieve any participating agency, including Division of Vocational Rehabilitation Services, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.

10. No change.

11. Beginning with the 2015-2016 school year, a statement identifying the Career and Professional Education (CAPE) digital tool certificates and the CAPE industry certifications that the student seeks to attain before high school graduation, if any, pursuant to Section 1003.4203, F.S.

(i) LRE and placement determinations. Placement determinations shall be made in accordance with the LRE provisions of the IDEA, as follows:

1. through 4. No change.

a. through e. No change.

5. No change.

(j) Review and revision of the IEP. The school district shall ensure that the IEP Team:

1. through 4. No change.

(k) Changes to the IEP. Generally, changes to the IEP must be made by the entire IEP Team at an IEP Team meeting and may be made by amending the IEP rather than by redrafting the entire IEP. However, in making changes to a student's IEP after the annual IEP meeting for a school year, the parent and the school district may agree not to convene an IEP Team meeting for purposes of making those changes, and instead may develop a written document to amend or modify the student's current IEP. If changes are made to the student's IEP without a meeting, the school district must ensure that the student's IEP Team is informed of those changes. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated. In addition, the following changes to the IEP and decisions made by the IEP team must be approved by the parent or the adult student if rights have transferred in accordance with subsection 6A-6.03311(8), F.A.C. Such changes are subject to an independent reviewer selected by the parent as provided in Section 1003.572, F.S., and include:

1. Changes to the postsecondary or career goals; and,

2. Beginning with students entering grade 9 in the 2014-2015 school year, changes in the selected graduation option specified in the student's IEP and any waiver of statewide standardized assessment results made by the IEP team in accordance with the provisions of Section 1008.22(3)(d)(e), F.S.

(l) through (s) No change.

(t) Program options. Each school district must take steps to ensure that its students with disabilities have available to them the variety of educational programs and services available to nondisabled students without disabilities in the area served by the school district, including art, music, industrial arts, consumer and homemaking education, and career technical education.

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3)(a), (b), 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1008.22 FS. Law Implemented 1002.33, 1003.01(3)(a), (b), 1003.4203, 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.22 FS. History—New 7-13-93, Amended 10-17-04, 12-22-08, 12-15-09, 3-25-14, 12-23-14, 1-7-16,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Victoria Gaitanis, Bureau of Exceptional Student Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2022
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2021

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.05281
 RULE TITLE: Educational Programs for Students in Department of Juvenile Justice Detention, Prevention, Residential, or Day Treatment Programs

PURPOSE AND EFFECT: To align the rule to Florida Statutes based on revisions made to sections 1003.01, 1003.51 and 1003.52, F.S., in House Bill 723 of the 2021 Legislature.

SUMMARY: The rule incorporates the revisions for educational programs in the Department of Juvenile Justice by amendments to Florida Statutes enacted by the 2021 Legislature, particularly entitlement of FEFP funds and percentage of funds to be spent on instructional costs. Additionally, the revisions update and clarify language, processes and timelines for DJJ educational programs and develop curricular flexibility options and transition processes for students in juvenile detention centers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the nature of the changes, this proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of this rule change.

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

RULEMAKING AUTHORITY: 1003.51, 1003.52, F.S.

LAW IMPLEMENTED: 1003.01, 1003.51, 1003.52, F.S.

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, Florida 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carla Greene, Bureau of School Improvement, Department of Education, (850)245-0983 or email Carla.Greene@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.05281 Educational Programs for Students in Department of Juvenile Justice Detention, Prevention, Residential, or Day Treatment Programs

Pursuant to Sections 1003.51 and 1003.52, F.S., educational programs for students in Department of Juvenile Justice (DJJ) programs shall be operated as follows.

- (1) through (2) No changes.
- (3) Student Records.

(a) Content. Each program district shall maintain educational records for students in DJJ programs in accordance with Sections 1003.25 and 1003.51, F.S., and Rule 6A-1.0955, F.A.C. Pursuant to Section 1008.385, F.S., the district shall comply with the requirements for the Comprehensive Management Information System established in Rule 6A-1.0014, F.A.C., and the requirements for completing and reporting the Florida Education Finance Program (FEFP) full-time equivalent (FTE) surveys and transported student membership surveys established in Rule 6A-1.0451, F.A.C.

(b) Cumulative Academic Transcript. Each program district shall:

- 1. Record each student’s academic history upon entry into the DJJ program; and
- 2. Delineate each course upon completion and record full or partial credits earned by the student as provided by the Florida Course Code Directory, as adopted in Rule 6A-1.09441, F.A.C., including students in DJJ detention centers.

~~(c)(b)~~ Access to District System. In accordance with Section 1001.31, F.S., each program district shall, pursuant to cooperative agreement, provide personnel at juvenile justice facilities access to the district school system database for the purpose of accessing academic, immunization, and registration records for students assigned to the programs. Such access shall be in the same manner as provided to other schools in the district.

~~(d)(e)~~ Transfer of Educational Records. Each school district shall transfer records of students entering or exiting DJJ programs as provided in subsections 6A-1.0955(7) and 6A-1.0014(2), F.A.C. Each school district shall provide students’ educational records ~~immediately upon request and~~ no later than

~~three~~ ~~(3)~~ ~~(5)~~ school days after the receipt of the request, earlier of the following occurrences:

1. Receipt of the identity of the new school and district of enrollment; or

2. Receipt of the request for records from the new school or district.

~~(e)~~ ~~(4)~~ Protection of Privacy. The educational records of students in DJJ programs shall be maintained in accordance with Sections 1002.22, 1002.221, 1002.222, and 1002.225, F.S.

(4) Student Assessment.

(a) No change.

(b) All students in DJJ prevention, residential, or day treatment programs who have not graduated from school or filed a notice of intent to terminate school enrollment shall be assessed ~~on the department selected common assessment~~ within ten (10) school days of the student's initial placement into a program. The ~~common~~ assessments shall include:

1. The department-selected common assessment measuring English language arts and Mathematics; and Academic measures that provide proficiency levels in:

a. English language arts;

b. Mathematics; and,

2. Career assessments interest and aptitude measures.

(c) For the students referenced in paragraph (4)(b) of this rule, exit assessments shall include, at a minimum, the academic measures.

(d) In accordance with Section 1003.51, F.S., students placed in a detention center shall be ~~assessed~~ ~~evaluated~~ to determine areas of academic need and strategies for appropriate intervention and instruction within five (5) school days upon entry. A research-based assessment that will assist the student in determining his or her educational and career options and goals shall be administered within twenty-two (22) school days after the student's entry into the program.

(e) All students in DJJ detention, prevention, residential, or day treatment programs shall also participate in the statewide and districtwide assessments required by Sections 1008.22, 1008.25, 1008.30, and 1003.4282, ~~and 1003.438~~, F.S.

(5) Transition Services and Progress Monitoring Plan.

(a) For each student in DJJ prevention, residential, or day treatment programs, an individual education transition plan based on the student's post-release goals shall be developed, beginning upon a student's entry into the DJJ program. Key personnel relating to entry transition activities for students in juvenile justice programs include: the student; the student's parent(s), legal guardian(s), or caretaker(s); instructional personnel in the juvenile justice education program, DJJ personnel ~~for students in residential programs~~; personnel from the post-release district; a certified school counselor from the program school district or program personnel who are responsible for providing guidance services under the

supervision of the school district's guidance counselor; a registrar or a designee of the program district who has access to the district's Management Information System; and reentry personnel.

(b) The education transition plan must include:

1. through 4. No change.

(c) An individual progress monitoring plan shall be developed no more than thirty (30) calendar days after ~~within ten (10) school days of~~ a student's entry into a DJJ prevention, residential, or day treatment program ~~or no later than three (3) school days after the administration of the entry assessment~~. This plan shall be based upon the student's entry assessments and past educational history. The plan shall include:

1. through 4. No change.

(d) Key personnel involved in re-entry transition activities for students returning to a school district must include the personnel described in paragraph (5)(a) of this rule, and a representative from the local workforce board ~~Department of Economic Opportunity Career Center~~ in the post-release district. Re-entry counselors, probation officers, and additional personnel from the post-release district should be involved in transition planning to the extent practicable.

(e) Upon the student's exit from a residential, prevention ~~commitment~~ or day treatment program: The DJJ educational program staff shall provide forward an exit portfolio to the student's post-release district. The exit portfolio shall include, at a minimum:

1. Education Transition plan;

2. through 9. No change.

(f) For each student in a DJJ detention center, an education transition plan shall be developed for students with a length of stay over twenty-two (22) consecutive school days. The education transition plan must include:

1. Identified academic need and appropriate educational program;

2. Academic strategies and interventions; and

3. Individualized academic and career goals

(g) Upon the student's exit from a detention center: The DJJ educational program staff shall provide an exit portfolio to the student's post-release district or DJJ residential program for students in detention for more than twenty-two (22) consecutive school days. The exit portfolio shall include, at a minimum:

1. Education transition plan;

2. Results of district and statewide assessments, if applicable;

3. Research-based assessment results;

4. Section 504 Plan, English language learner plan, and IEP, if applicable;

5. Cumulative transcript;

6. A list of courses in-progress, with grade to date; and

7. High school equivalency results, if applicable.

(6) Instructional Program and Academic Expectations.

(a) School Day and Year. The instructional program shall consist of 250 instructional school days pursuant to Section 1003.01(11), F.S., and Rule 6A-1.045111, F.A.C.

(b) Requirements. DJJ detention centers, prevention, day treatment, and residential programs shall have the flexibility in student scheduling to meet the basic academic and career needs of the student. The instructional program shall meet the requirements of Sections 1003.4156, 1003.4282, 1003.435, ~~1003.438~~, 1003.52, 1008.23, and 1008.25, F.S., as applicable, and shall include:

1. Course offerings and instructional personnel assignments consistent with the Florida Course Code Directory, as adopted in Rule 6A-1.09441, F.A.C., the Next Generation Sunshine State Standards (Benchmarks for Excellent Student Thinking (B.E.S.T.)) adopted in Rule 6A-1.09401, F.A.C., and course descriptions adopted in Rule 6A-1.09412, F.A.C. Curricular offerings must reflect the students' assessed educational and transition needs and meet the students' needs as identified by the individual plan as required by subsection (5) of this rule. All students shall receive a curriculum to address their individual, academic, career, and transition needs. Students shall be placed in courses and programs that can be completed during the DJJ program or continued in the school district to which they will return.

2. High school equivalency examination diploma preparation that meets course requirements as specified in Rule 6A-6.0571, F.A.C., and testing requirements as specified in Rule 6A-6.0201, F.A.C. If offered, adult general education courses shall meet course requirements specified in Rules 6A-6.014 and 6A-6.0571, F.A.C. Pursuant to Section 1003.52(3)(a), F.S., school districts shall provide the performance-based exit option for all juvenile justice education programs. School districts must apply and be approved by the Department in order to implement the Performance-Based Exit Option Model. The school district's approved performance-based exit option shall meet the requirements specified in Rule 6A-6.0212, F.A.C.

3. Instruction that is delivered through a variety of techniques to address students' individual academic needs, including competency-based programs and access to the virtual courses offered pursuant to Sections 1002.37, 1002.45, and 1003.498, F.S., as required in Sections 1003.51(2)(h)6. and 1003.52(4), F.S.

(c) Curricular flexibility for detention centers pursuant to Section 1003.51(2)(s), F.S. The instructional program shall meet the requirements of paragraphs (6)(a)-(b) of this rule. For students whose length of stay is less than ten (10) consecutive school days, the school district:

1. May enroll students in elective courses which address, but are not limited to, academic remediation, career

employability skills, behavioral management, law skills and life skills.

2. Must provide guidance services to determine current academic status, graduation pathway and academic support services.

(d) Textbooks, technology, access to technology and instructional support must be commensurate to resources provided to other students in public schools within the district where the program is located.

(e) The district school board shall work with local district workforce education providers to access appropriate programs for youth in DJJ programs who are no longer served in a K-12 program.

(7) Qualifications of instructional staff, procedures for the selection of instructional staff, and procedures for consistent instruction and qualified staff year-round.

(a) through (b) No change.

(c) School districts shall establish procedures to ensure that instructors teaching courses leading to the attainment of industry certifications ~~of CAPE courses~~ meet the requirements of Rule 6A-1.0503, F.A.C., and hold an industry certification identified on the CAPE Industry Certification List or the Postsecondary Industry Certification funding list pursuant to Section 1008.44, F.S.

(d) As required by Section 1003.52(11), F.S., school districts shall recruit and train teachers who are interested, qualified, ~~or~~ and experienced in educating students in DJJ programs. Teachers assigned to educational programs operated by local school districts in DJJ facilities shall be selected by the school district in consultation with the director of the DJJ facility.

(e) The school district's substitute teacher pool shall be available for DJJ educational programs.

(8) Funding.

(a) To implement the FTE funding for students in DJJ programs based on direct instructional time:

1. Student attendance is required to be collected daily as referenced in Section 1003.23, F.S. shall be taken once per class period ~~For students in grades 9-12, attendance must be maintained on a period by period basis for classes in which students receive credit or during each course reported for FTE purposes.~~

2. through 3. No change.

4. Direct instructional time shall not be counted for students who choose not to attend class or who are not present at school due to illness, or other non-school-related activity other than those listed above.

(b) As required by Sections 1003.51 and 1010.20, F.S., DJJ programs are entitled to one hundred (100) percent of the FEFP formula-based categorical funds generated by students in DJJ programs, and at least ninety-five (95) ~~(90)~~ percent of these

~~the FEFP funds generated by students in DJJ programs must be spent on instructional costs for these students in DJJ programs or in an education program for juveniles under Section 985.19, F.S.~~

(c) No change.

~~(d) The district school board shall collaborate with their regional workforce board to pursue workforce development funds in addition to state appropriated funds.~~

(9) Contracts with Providers. School districts may provide educational services directly or may enter into a written contract with a contracted provider or another school district to provide educational services to students in DJJ programs. The contract shall be negotiated and executed within forty (40) days after the district school board provides the proposal to the juvenile justice education program, unless both parties agree to an extension. The Department of Education shall provide mediation services for any disputes relating to this paragraph. Such contracts shall include the following:

(a) Payment structure and amounts, including:

1. through 2. No change.

3. Satisfaction of invoices from providers within fifteen (15) working days of receipt of all proper and necessary documentation.

4. The payment of interest to providers by districts that fail to timely satisfy an invoice, at a rate of 1 percent per month, calculated daily.

5. A provision stating that a district school board may not delay payment of any portion of funds owed pending the receipt of local funds.

(b) No change.

(c) Contract management provisions, to include:

1. The names and contact information for the district and vendor staff responsible for the management of the contract;

2. The time period covered by the contract and provisions for extending and/or renewing the contract;

3. A scope of work that clearly establishes the responsibilities of both parties and includes the district's process for monitoring compliance of the contract;

4. through 8. No change.

(d) No change.

(e) Administrative guidelines and oversight of federal programs, such as Title I, Parts A and D, the Individuals with Disabilities Education Act, and the Strengthening Career and Technical Education for the 21st Century (PerkinsV) Act ~~Carl D. Perkins Career and Technical Education Act of 2006~~, that are in compliance with federal legislation; and,

(f) No change.

Rulemaking Authority 1003.51, 1003.52 FS. Law Implemented 1003.51, 1003.52 FS. History—New 4-16-00, Amended 5-19-08, 12-15-09, 4-1-15,

NAME OF PERSON ORIGINATING PROPOSED RULE: Carla Greene, Bureau of School Improvement, Department of Education.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2021

DEPARTMENT OF EDUCATION

Division of Early Learning

RULE NO.: 6M-9.110
 RULE TITLE: Requirements and Criteria for Early Learning Coalition Composition

PURPOSE AND EFFECT: The proposed revisions updates the rule text to include technical changes.

SUMMARY: The rule outlines requirements for private sector business member appointments to early learning coalition boards.

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 office's economic analysis of the adverse impact or potential regulatory costs of the proposed rule does not exceed any of the criteria established in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1002.83(6), F.S.

LAW IMPLEMENTED: 1002.83(6), F.S.

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Katerina Maroney, Deputy Director of Programs and Policy, Division of Early Learning, 250 Marriott

Dr., Tallahassee, Florida 32399, (850)717-8614;
Katerina.maroney@oel.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-9.110 Requirements and Criteria for Early Learning Coalition Composition.

(1) Definitions.

(a) “Ex Officio Member” means a member of the coalition by virtue of holding another office. Ex Officio member positions are set forth in Sections 1002.83(4)(a)-~~(1)(m)~~, F.S.

(b) through (c) No change.

(d) “Substantial financial interest” refers to standards established herein for appointment of private sector business members. A coalition member, a coalition member’s relative, or a coalition board member’s business entity has a substantial financial interest in the Voluntary Prekindergarten Education Program (VPK) or an early learning coalition’s School Readiness Program (SR), if:

1. The coalition member, the coalition board member’s relative, or the coalition member’s business entity has direct or indirect ownership of more than five (5)% percent of the total assets or capital stock, cumulatively, of one or more of the proscribed sources of income listed in paragraph (1)(e); or

2. During the prior two (2) years, more than five (5) percent of the gross income of the coalition member, coalition member’s relative, or coalition member’s business entity was derived, cumulatively, from one or more of the proscribed sources listed in paragraph (1)(e).

(e) ~~“Proscribed sources of income”- refers to Proscribed sources of income~~ are sources of income derived from interests in the design or delivery of the VPK program or the SR program, including the following sources:

1. The Department of Education and its divisions including the Division Office of Early Learning, the Department of Children and Families, ~~the Department of Education~~, or a contractor or subcontractor of any of these agencies;

2. An early learning coalition, or a coalition’s or former coalition’s fiscal agent, service provider, contractor, or subcontractor;

3. A school district’s or public school’s preschool program for children from birth until eligibility for admission to kindergarten in a public school under Section 1003.21(1)(a)2., F.S., if the coalition board member’s or coalition board member’s relative’s income was derived from employment in an elected or appointed position in the school district or public school which is responsible for:

a. through d. No change.

4. through 6. No change.

7. A Department of Education Children and Families approved Gold Seal child care accrediting organization;

8. through 10. No change.

(2) Private Sector Business Members. Each early learning coalition may appoint private sector business members. The number of seated private sector members and all voting and non-voting ex officio members shall not exceed thirty (30) total members must be composed of more than one third private sector business members. The percentage of private sector business members is based on the total number of seated board members at a given time, including all voting and non-voting ex officio members.

(3) No change.

Rulemaking Authority ~~1001.213(2)~~, 1002.83(6)(5) FS Law Implemented 1002.83(6)(5) FS History–New 3-29-15.

NAME OF PERSON ORIGINATING PROPOSED RULE: Katerina Maroney, Deputy Director of Programs and Policy, Division of Early Learning.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 11, 2022

DEPARTMENT OF EDUCATION

Division of Early Learning

RULE NO.: 6M-9.115
RULE TITLE: Procedures and Criteria for Approval of School Readiness Plans

PURPOSE AND EFFECT: The proposed revisions update the rule and incorporated form.

SUMMARY: The rule and incorporated form provide a standardized format and required content for early learning coalition school readiness plans for coalition administration of the school readiness program.

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 office’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule does not exceed any of the criteria established in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1002.85(1), F.S.

LAW IMPLEMENTED: 1002.85, F.S.

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Katerina Maroney, Deputy Director of Programs and Policy, Division of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8614; Katerina.maroney@oel.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-9.115 Procedures and Criteria for Approval of School Readiness Plans.

(1) Plan development. Each early learning coalition shall develop and implement a school readiness plan. The school readiness plan shall include the minimum standards as required by Section 1002.85(2), F.S., and the School Readiness Plan Guide and Template, Form ~~DELOEL-SR 115~~, including attachment IV.A “Coalition Budget Report” and attachment IV.B. “Coalition Revenue and Expenditures Report,” (May 2022 ~~October 2018~~), which ~~is~~ ~~are~~ adopted and hereby incorporated by reference. A copy of Form ~~DELOEL-SR 115~~ may be obtained at the ~~division office~~ website at www.floridaeearlylearning.com or by contacting the ~~Division Office~~ of Early Learning, Department of Education, 250 Marriott Drive, Tallahassee, FL 32399. The incorporated form is also available at: (placeholder for reference link) <http://www.flrules.org/Gateway/reference.asp?No=Ref-09832>. Rule Chapter 69I-73, F.A.C. (March 2008), as cited in the School Readiness Plan Guide, is incorporated by reference. A copy of the rule chapter may be obtained by contacting the ~~Division Office~~ of Early Learning at the address above.

(2) Plan submission. A coalition shall submit its school readiness plan and any amendments in accordance with the instructions found in Form ~~DELOEL-SR 115~~.

(a) Each early learning coalition shall submit an electronic copy of its proposed school readiness plan to the ~~Division Office~~ of Early Learning (~~DEL~~) (~~OEL~~) within 30 days of board approval and before implementation.

(b) The coalition shall submit an amendment to the plan to the ~~division office~~ in the event of a change to any element of the approved plan and before implementation.

(3) ~~DEL OEL~~ review. After receipt of a complete school readiness plan or amendment (including required supporting documents), ~~DEL OEL~~ shall respond to the coalition within 3 business days acknowledging receipt of the plan amendment. ~~DEL OEL~~ shall review the plan or amendment and approve, reject, or approve with conditions the provisions of the plan or amendment and provide written notification to the early learning coalition of its action within 30 business days of receipt of the completed document. ~~DEL OEL~~ shall base its approval, rejection, or approval with conditions on the coalition’s compliance with chapter 1002, Part VI, F.S., the federal Child Care and Development Fund (CCDF) Block Grant Florida State Plan, the federal CCDF regulations located at Title 45 Code of Federal Regulations Part 98, Subparts B through G and K and the School Readiness Plan Guide. The coalition shall not implement school readiness plans or amendments without the express written approval of ~~DELOEL~~.

(4) Rejection of school readiness plans. If ~~DEL OEL~~ rejects a school readiness plan or amendment, it shall specify, in writing, the grounds for rejection. If ~~DEL OEL~~ rejects a school readiness plan amendment, the early learning coalition shall continue to operate under its prior approved plan.

Rulemaking Authority ~~1001.213(2)~~, 1002.85(1) FS. Law Implemented 1002.85 FS. History–New 4-5-15, Amended 5-28-17, 10-21-18.

NAME OF PERSON ORIGINATING PROPOSED RULE: Katerina Maroney, Deputy Director of Programs and Policy, Division of Early Learning.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 18, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 12, 2022

DEPARTMENT OF EDUCATION

Division of Early Learning

RULE NOS.:	RULE TITLES:
6M-10.001	Gold Seal Quality Care Program for Family Day Care and Large Family Child Care Homes
6M-10.002	Gold Seal Quality Care Program for Regulated Child Care Facilities

PURPOSE AND EFFECT: Rules 6M-10.001 and 6M-10.002, F.A.C., are amended to comply with section 1002.945, F.S., within Chapter 2021-10, Laws of Florida, section 10 (HB 419). The department shall approve child care facilities, family day care homes, and large family child care homes that are accredited by an accrediting association approved by the department, meet all other requirements to obtain and maintain the designation, and apply to the Gold Seal Quality Care

program. The department shall establish a process that verifies that the accrediting association meets the provisions of section 1002.945(3)(a), F.S., which must include an auditing program and any other procedures that may reasonably determine an accrediting association’s compliance with this section.

SUMMARY: The rules and incorporated forms outline the Gold Seal Quality Care Program requirements for child care providers and accrediting associations.

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 office's economic analysis of the adverse impact or potential regulatory costs of the proposed rule does not exceed any of the criteria established in section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1002.945, F.S.

LAW IMPLEMENTED: 1002.945, F.S.

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

DATE AND TIME: March 30, 2022, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Katerina Maroney, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8614 or email: Katerina.Maroney@oel.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-10.001 Gold Seal Quality Care Program for Family Day Care and Large Family Child Care Homes.

(1) Definitions.

(a) “Child care” means the care, protection, and supervision of a child, for a period of less than twenty-four (24) hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.

~~(b) (a)~~ “Class I Violation” is an incident of noncompliance with a Class I standard as described by the Department of Children and Families (DCF) on CF-FSP Form 5316 and CF-FSP Form 5427 in Rule 65C-22.010, F.A.C., CF-FSP Form 5318, and CF-FSP Form 5317 in Rule 65C-20-012, F.A.C., or by the Division of Early Learning (DEL) on Form OEL-SR-6201, Form OEL-SR-6203, and Form OEL-SR-6205 in Rule 6M-4.620, F.A.C. Class I violations are the most serious in nature. ~~has the same meaning as provided for the same term in subparagraph 65C-20.012(1)(e)1., F.A.C.~~

~~(c) (b)~~ “Class II Violation” is an incident of noncompliance with an individual Class II standard as described by the DCF on CF-FSP Form 5316 and CF-FSP Form 5427 in Rule 65C-22.010, F.A.C., CF-FSP Form 5318, and CF-FSP Form 5317 in Rule 65C-20-012, F.A.C., or by the DEL on Form OEL-SR-6201, Form OEL-SR-6203, and Form OEL-SR-6205 in Rule 6M-4.620, F.A.C. Class II violations are less serious in nature than Class I violations. A Class II standard violation resulting in death or serious harm to a child shall escalate to a Class I violation. ~~has the same meaning as provided for the same term in subparagraph 65C-20.012(1)(e)2., F.A.C.~~

~~(d) (e)~~ “Class III Violation” is an incident of noncompliance with an individual Class III standard as described by the DCF on CF-FSP Form 5316 and CF-FSP Form 5427 in Rule 65C-22.010, F.A.C., CF-FSP Form 5318, and CF-FSP Form 5317 in Rule 65C-20-012, F.A.C., or by the DEL on Form OEL-SR-6201, Form OEL-SR-6203, and Form OEL-SR-6205 in Rule 6M-4.620, F.A.C. Class III violations are less serious in nature than Class I or Class II violations. ~~has the same meaning as provided for the same term in subparagraph 65C-20.012(1)(e)3., F.A.C.~~

~~(e) (d)~~ Gold Seal Quality Care Provider means a child care facility, family day care home, or large family child care home regulated licensed by the DCF, Department or local licensing authority, or the Department of Defense that meets the accreditation compliance requirements in section 1002.945(1) 402.281(4), F.S.

~~(f) (e)~~ “Gold Seal Quality Care Accrediting Association” means an accrediting association that has applied to and been approved by the DEL Department as an accrediting association for the purpose of Gold Seal Designation pursuant to section 1002.945(3) 402.281(3), F.S.

(2) Gold Seal Quality Care Provider Requirements.

(a) Gold Seal Quality Care Provider Designation. A child care facility, licensed family day care home, or large family child care home program seeking designation as a Gold Seal Quality Care provider shall apply to the DEL Department on Form DEL-GS05 form CF-FSP Form 5386, Gold Seal Quality Care Provider Application, May 2022 2019, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be

obtained from the DEL's Department's website at www.floridaearlylearning.com www.myflfamilies.com/childcare or from the following link: (insert link) http://www.flrules.org/Gateway/reference.asp?No=Ref_10579.

Once reviewed and approved by the DEL Department, the designation will be issued in the legal name of the provider. The designation will be effective the date approved by the DEL Department through the duration of the provider's accreditation certification, up to a maximum of five (5) years, unless terminated by the DEL Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

(b) A child care facility, licensed family day care home, or large family child care home operating on a military installation must submit to the DEL Department copies of any inspection reports conducted by the Department of Defense within fifteen (15) 15 business days from the date of the inspection. The DEL Department will review the inspection to determine compliance with criteria for the issuance and maintenance of an active Gold Seal Quality Care Provider Designation.

(c) In order to obtain and maintain Gold Seal designation, the applicant must:

1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name and address on the accrediting association certificate required by Form DEL-GS05 CF FSP Form 5386 must be the same as that on the provider's license. A list of approved accrediting associations may be obtained from the DEL's Department website at www.floridaearlylearning.com www.myflfamilies.com/childcare.

2. Be inspected for compliance with health and safety standards, as prescribed by the Department of Children and Families, the local licensing authority, or the United States, Department of Defense, prior to approval for the Gold Seal Quality Care Program to meet the criteria outlined in section 1002.945(4), F.S. The most recent inspection cannot be older than two (2) years from the date of application.

~~2. Meet the criteria of Section 402.281(4), F.S.~~

(d) To renew a Gold Seal Quality Care designation, the provider must submit Form DEL-GS05 CF FSP Form 5386 at least thirty (30) 30 calendar days prior to expiration of the current designation. The DEL Department cannot guarantee late-filed renewal forms will be processed in time to avoid a lapse in the designation. Designations are effective on the date the application is approved.

(3) Gold Seal Quality Care Enforcement.

(a) No change.

(b) A provider's Gold Seal designation will be terminated if the Department of Children and Families or local licensing agency determines the provider has committed a disqualifying

minimum standards violation as defined in section 1002.945(4) 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination.

(c) The DEL Department will notify providers accredited by a Gold Seal accrediting association that has lost its status as an approved accrediting entity and will afford such providers one hundred eighty (180) 180 calendar days from the date of notification, to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. The DEL Department will thereafter terminate the Gold Seal designation of any provider that is not accredited by an approved accrediting association at the conclusion of the 180-day period.

(d) In the event that a provider receives notice that the Department intends to revoke the current Gold Seal designation, or deny the provider's application for a Gold Seal designation, as a result of a Class I violation being committed within the preceding two (2) years of receiving the notice, the provider may request that the Department recommend to the State Board that the provider be permitted to maintain its Gold Seal designation based on the grounds established in section 1002.945(4)(b), F.S.

1. The provider must submit a written request and the following documentation to the Department:

a. The owner of the child care facility, family day care home, or large family child care home, which may be an individual, partnership, limited liability company (LLC), corporation, or other business or ownership entity recognized by the State of Florida, must provide documentation of being continuously in business and licensed or license exempt by the DCF, the local licensing authority, or the United States, Department of Defense for at least five (5) years prior to date of the notice; and

b. The child care facility, family day care home, or large family child care home must provide documentation of inspections that support there are no other Class I violations recorded by the DCF, the local licensing authority, or the United States, Department of Defense.

2. The provider must submit the written request and documentation within twenty-one (21) days of the date of the notice. The Department may request additional information from providers to supplement their request to address any deficiencies identified by the Department.

~~(4) Gold Seal Quality Care Accrediting Association Requirements.~~

~~(a) An accrediting association seeking recognition as a Gold Seal Quality Care Accrediting Association must:~~

~~1. Have been active and accrediting child care family day care homes and large family child care homes in Florida for a period of five years prior to submission of an application to the Department.~~

2. Hold an active corporation registration with the Florida Department of State to do business in Florida.

3. Submit and meet all requirements outlined on the CF-FSP Form 5315, Gold Seal Quality Care Accrediting Association Application, May 2019, which is incorporated by reference. CF-FSP Form 5315 may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref_10484.

4. Submit a crosswalk of the Accrediting Association's standards with the Department's Gold Seal Quality Standards.

(b) Applications will be accepted only in January and July each year. An accrediting association whose application is denied cannot reapply until at least six months from the date of the denial.

(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on form CF-FSP 5390, Gold Seal Quality Care Accrediting Association Evaluation Manual for Family Day Care Homes and Large Family Child Care Homes, April 2015, this form is incorporated by reference and a copy of this form may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref_05509. The Department will evaluate applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures, April 2015 document, which is incorporated by reference and may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref_05512.

(d) The Department's Gold Seal Quality Care Standards are established in CF-FSP Form 5388, Gold Seal Quality Care Standards for Family Day Care Homes and Large Family Child Care Homes, April 2015, incorporated by reference and copies may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref_05508.

(e) A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five years, unless terminated by the Department or voluntarily surrendered during the approved period.

(f) A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, CF-FSP 5315. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.

(g) The following acts or omissions are grounds for revocation of an accrediting association's approval.

1. Failure to notify the Department of a change in the association's administration, corporate structure or any condition under which the accreditation association was initially approved by the Department.

2. Any changes resulting in the Association's inability to meet the criteria provided in Section 402.281, F.S.

(h) A Gold Seal Accrediting Association must notify the Department, in writing, within fifteen days of a revocation or expiration of the accreditation of a family day care home or large family child care home in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide the Department such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two years.

(i) Gold Seal Quality Care Associations must apply to renew approval by submitting CF-FSP Form 5315 a minimum of six months prior to end of the five year approval period. A current Gold Seal accrediting association whose approval expires prior to July 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to have its approval renewed.

(j) An accrediting association approved under this rule must notify the Department and all of its accredited providers in writing 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five years from the lapse of the existing approval.

(k) The Department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.

(l) An Accrediting Association approved by the Department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including affiliated groups, and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.

Rulemaking Authority 1002.945 402.281 FS. Law Implemented 1002.945 402.281 FS. History—New 5-1-08, Amended 1-13-10, 7-7-15, 10-25-17, 6-12-19, Formerly 65C-20.014.

6M-10.002 Gold Seal Quality Care Accrediting Associations Program for Regulated Child Care Facilities.**(1) Definitions.**

(a) “Class I Violation” has the same meaning as provided for the same term in subparagraph 65C 22.010(2)(d)1., F.A.C.

(b) “Class II Violation” has the same meaning as provided for the same term in subparagraph 65C 22.010(2)(d)2., F.A.C.

(c) “Class III Violation” has the same meaning as provided for the same term in subparagraph 65C 22.010(2)(d)3., F.A.C.

(a) ~~(d)~~ Gold Seal Quality Care Provider means a child care facility, family day care home, or large family child care home regulated by the Department of Children and Families (DCF), department or local licensing authority, or the United States, Department of Defense that meets the accreditation compliance requirements in section 1002.945(1) Section 402.281(1), F.S.

(b) “Accrediting Association” means an entity that certifies early and school-age care providers and accredits programs that meet or exceed heightened standards following self-study and observation that standards are met and continue be met during the period of accreditation.

(c) ~~(e)~~ “Gold Seal Quality Care Accrediting Association” means an accrediting association that has applied to and been approved by the Division of Early Learning (DEL) Department as an accrediting association for the purpose of Gold Seal Designation pursuant to section 1002.945(3) Section 402.281(3), F.S.

(f) “Regulated by the Department” means a child care facility that has been licensed by the Department or a child care facility that is exempt from licensure pursuant to Section 402.3025 or 402.316, F.S., that has agreed to periodic inspection by the Department as part of the application process.

(2) Gold Seal Quality Care Provider Requirements.**(a) Gold Seal Quality Care Provider Designation.**

A child care facility regulated by the Department seeking designation as a Gold Seal Quality Care provider shall apply to the Department on form CF FSP Form 5386, Gold Seal Quality Care Provider Application, May 2019, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the Department’s website at www.myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref_10472. Once reviewed and approved by the Department, the designation will be issued in the legal name of the provider. The designation will be effective the date approved by the Department through the duration of the provider’s accreditation certification, up to a maximum of five years, unless terminated by the Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

(b) A child care facility operating on a military installation must submit to the Department copies of any inspection reports

conducted by the Department of Defense within 15 business days from the date of the inspection. The Department will review the inspection to determine compliance with criteria for the issuance of and to maintain an active Gold Seal Quality Care Provider Designation.

(c) In order to obtain and maintain Gold Seal designation, the applicant must:

1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name and address on the accrediting association certificate required by form CF FSP Form 5386, must be the same as on the provider’s license. A list of approved accrediting associations may be obtained from the Department’s website at www.myflfamilies.com/childcare.

2. Meet the criteria of Section 402.281(4), F.S.

(d) To renew a Gold Seal Quality Care designation, the provider must submit CF FSP Form 5386 at least 30 days prior to expiration of the current designation. The Department cannot guarantee late-filed renewal forms will be processed in time to avoid a lapse in the designation.

(3) Gold Seal Quality Care Enforcement.

(a) Gold Seal Quality Care providers must maintain accreditation and continuously meet the standards established by their Gold Seal Quality Care Accrediting Association in order to retain their designation. A provider’s Gold Seal designation will be terminated upon expiration of its accreditation, or when its accreditation is surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider’s accreditation.

(b) A provider’s Gold Seal designation will be terminated if the Department or local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination.

(c) The Department will notify providers accredited by a Gold Seal accrediting association that has lost its status as an approved accrediting entity and will afford such providers 180 days from the date of notification to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. The Department will thereafter terminate the Gold Seal designation of any provider that is not accredited by an approved accrediting association at the conclusion of the 180 day period.

(2) (4) Gold Seal Quality Care Accrediting Association Requirements.

(a) An accrediting association seeking recognition as a Gold Seal Quality Care Accrediting Association must:

1. Have been active and accrediting child care facilities, licensed family day care homes, or large family child care

homes in Florida for a period of five (5) years immediately prior to submission of an application to the DEL Department.

2. Hold an active corporation registration with the Florida Department of State to do business in Florida.

3. Submit and meet all requirements outlined on the Form DEL-GS06 CF FSP Form 5315, Gold Seal Quality Care Accrediting Association Application, May 2022 2019, which is incorporated by reference. Form DEL-GS06 CF FSP Form 5315 may be obtained from the DEL's Department's website at www.floridaearlylearning.com www.myflfamilies.com/childcare or from the following link: (insert link) <http://www.flrules.org/Gateway/reference.asp?No=Ref-10508>.

4. Submit a crosswalk of the Accrediting Association's standards with the DEL's Department's Gold Seal Quality Standards.

(b) Applications will be accepted only in January and July each year. An accrediting association whose application is denied cannot reapply until at least six (6) months from the date of the denial.

(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be evaluated in the manner described in Form DEL-GS07 Gold Seal Quality Care Program Review Process and Procedures, May 2022, which is incorporated by reference and may be obtained from the DEL's website at www.floridaearlylearning.com or from the following link: (insert link)~~reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on form CF FSP 5389, Gold Seal Quality Care Accrediting Association Evaluation Manual for Child Care Facilities, April 2015. This form is incorporated by reference and a copy may be obtained from the Department's website www.myflfamilies.com/childcare or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05514>. The Department will evaluate applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures, April 2015 document, which is incorporated by reference and may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05545>.~~

(d) Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on Form DEL - GS02 Gold Seal Quality Care Accrediting Association Evaluation Manual for Family Day Care Homes and Large Family Child Care Homes, May 2022, or Form DEL-GS04 Gold Seal Quality Care Accrediting Association Evaluation Manual for Child Care Facilities, May 2022. These forms are

incorporated by reference and a copy may be obtained from the DEL's website at www.floridaearlylearning.com or from the following link: (insert link).

1. An Accrediting Association approved by the DEL as a Gold Seal Quality Care Accrediting Association under this rule must ensure, when issuing accreditations to Florida child care providers for the purposes of Gold Seal designation, that the child care providers have met an overall compliance percentage of 85% or higher under the association's accreditation standards.

(e) ~~(d)~~ The DEL's Department's Gold Seal Quality Care Standards are established in Form DEL-GS03 CF FSP Form 5387, Gold Seal Quality Care Standards for Child Care Facilities Programs, May 2022, April 2015, and Form DEL-GS01, Gold Seal Quality Care Standards for Licensed Family Day Care Homes and Large Family Child Care Homes, May 2022, which are incorporated by reference and copies may be obtained from the DEL's website at www.floridaearlylearning.com or from the following link: (insert link).

(f) ~~(e)~~ A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five (5) years, unless terminated by the DEL Department or voluntarily surrendered during the approved period.

(g) ~~(f)~~ A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, Form DEL-GS06, CF FSP 5315 on or before July 1st. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.

(h) ~~(g)~~ The following acts or omissions are grounds for revocation of an accrediting association's approval.

1. Failure to notify the DEL Department of a change in the association's administration, corporate structure or any condition under which the accreditation association was initially approved by the DEL Department.

2. Any changes resulting in the Association's inability to meet the criteria provided in section 1002.945 Section 402.281, F.S.

3. Contracting with or otherwise authorizing any other entity or parties, including affiliated groups and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.

4. Acts of fraud committed by an accrediting association.

(i) ~~(h)~~ A Gold Seal Quality Care Accrediting Association must notify the DEL Department, in writing, within fifteen days of a revocation or expiration of the accreditation of a child care facility, family day care home, or large family child care home provider in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the

specific reasons for revocation or expiration. Failure to provide the ~~DEL Department~~ such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two (2) years.

~~(j) (4) Gold Seal Quality Care Associations must apply to renew approval by submitting Form DEL-GS06 CF FSP Form 5315 a minimum of six (6) months prior to end of the five-year approval period. A current Gold Seal accrediting association whose approval expires prior to July 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to have its approval renewed.~~

~~(k) (4) An accrediting association approved under this rule as a Gold Seal Quality Care Accrediting Association must notify the DEL Department and all of its accredited providers in writing six (6) 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five (5) years from the lapse of the existing approval.~~

~~(l) (4) The DEL Department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.~~

~~(m) (4) An Accrediting Association approved by the DEL Department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including affiliated groups and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.~~

~~(n) Gold Seal Quality Care Accrediting Associations must submit quarterly reports as required in section V of the Form DEL-GS06 that includes the name and full address of each accredited child care program, the accreditation effective and expiration date for each program, and any programs for which accreditation has expired or been terminated during the quarter. Failure to submit quarterly reports of accredited child care programs will be grounds for terminating the association's approval as a Gold Seal Accrediting Association. DEL will recommend the reason and length of the termination to the State Board.~~

~~(o) Any accrediting associations that were designated as a Gold Seal Quality Care Accrediting Association without being required to apply must submit an application and all supporting documentation by December 31, 2022 for approval as a Gold Seal Quality Care Accrediting Association. Child care providers accredited by these associations shall remain eligible to use their accreditation to obtain and maintain a Gold Seal~~

designation until the accrediting association has been approved or denied by the DEL. Child care providers accredited by these associations will remain subject to the requirements outlined in 6M-10.001, F.A.C.

(3) Gold Seal Quality Care Accrediting Association Audits

(a) Each Gold Seal Quality Care Accrediting Association shall be audited by the DEL biennially to verify compliance with criteria outlined in section 1002.945(3)(a)4., F.S. Each accrediting association shall provide evidence of its accreditation process to DEL within thirty (30) calendar days of a DEL notification of the association's audit date. Documentation may be submitted electronically to DEL.

(b) Results from the audit shall be provided to the accrediting association upon DEL's determination that the audit is complete. Any issue of noncompliance with the criteria in section 1002.945(3)(a)4., F.S., shall result in corrective action or termination as a Gold Seal accrediting association.

1. If the DEL determines that an accrediting association is not in compliance with section 1002.945(3)(a)4., F.S., the accrediting association will be notified of corrective action requirements and the deadline to implement and comply with such requirements. Failure to comply with corrective actions within the timeframe indicated in the corrective action notice shall result in termination as a participating Gold Seal Quality Care Accrediting Association.

2. The DEL shall notify an accrediting association of termination as a participating Gold Seal Quality Care Accrediting Association a minimum of two (2) weeks prior to the termination date. Termination from participation as a Gold Seal Quality Care Accrediting Association shall be in effect for a minimum of two (2) years but not more than five (5) years. DEL will recommend the reason and length of the termination to the State Board.

(c) A Gold Seal Quality Care Accrediting Association must annually submit the Gold Seal Accrediting Associations Annual Self-Assessment Survey, Form DEL-GS08, May 2022, on or before October 1st. This form is incorporated by reference and a copy may be obtained from the DEL's website at www.floridaearlylearning.com or from the following link: (insert link). If changes have occurred since the previous submission, the appropriate supporting documentation of the change must accompany the survey.

Rulemaking Authority 1002.945 402.281 FS. Law Implemented 1002.945 402.281 FS. History—New 5-1-08, Amended 1-13-10, 8-1-13, 7-7-15, 10-25-17, 6-12-19, Formerly 65C-22.009.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Katerina Maroney, Office of Early Learning
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2022
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 23, 2021

Section III
Notice of Changes, Corrections and Withdrawals

NONE

Section IV
Emergency Rules

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NO.: RULE TITLE:
 65DER22-2 Clinical and Operational Standards for Medication-Assisted Treatment for Opioid Use Disorders

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: On May 03, 2017, the Governor of the State of Florida signed an executive order declaring that the opioid epidemic threatens the State of Florida with an emergency. This executive order was extended eleven times. Also, on April 01, 2019, the Governor signed an additional order creating the Statewide Task Force on Opioid Abuse to combat the opioid epidemic. Florida currently ranks second in the nation for overdose deaths, and deaths from a drug overdose increased in Florida by 37 percent from 2019. The Department has determined that the concern in the increase of overdoses and deaths due to opioid use, coinciding with a critical shortage of clinical staff, necessitates revising the methadone treatment procedures. This emergency rule will help address the crisis by reducing staffing and fiscal burdens on providers of medication-assisted treatment for opioid use disorders.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The procedure is fair and necessary under the circumstances because it ensures equitable treatment of medication-assisted treatment providers in enabling them to increase access to care for individuals in the community and decrease chances of opioid related overdoses and deaths. Proposed changes in this emergency rule focus on changing the following: the criteria for methadone take-home privileges, the requirement on conducting face-to-face assessments, and the requirement for counselor caseloads.

SUMMARY: This rule makes changes to permanent Rule 65D-30.0142, F.A.C., relating to clinical and operational requirements for medication-assisted treatment for opioid use

disorders. Changes are necessary to address an immediate danger to the public health by modifying the requirements related to conducting assessment services through telehealth, by adjusting the methadone take-home standards to reflect the current federal regulations, and by expanding the maximum counselor caseloads.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Elizabeth Floyd. Elizabeth Floyd can be reached at Elizabeth.Floyd@myflfamilies.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

65DER22-2 (65D-30.0142) Clinical and Operational Standards for Medication-Assisted Treatment for Opioid Use Disorders.

(1) General Requirements.

(a) through (d) No change.

(e) Minimum Responsibilities of the Physician. Physicians must adhere to best practice standards for an individual receiving methadone medication-assisted treatment. Best practices are evidence-based practices which are subject to scientific evaluation for effectiveness and efficacy. Best practice standards may be established by entities such as the Substance Abuse and Mental Health Services Administration, national trade associations, accrediting organizations recognized by the Department, or comparable authorities in substance use treatment. In addition, the responsibilities of the physician include the following:

1. through 4. No change.

5. To ensure that ~~an a face-to-face~~ assessment is conducted, either face-to-face or via telehealth, with each individual at least annually, including evaluation of the individual's physical/medical status, progress in treatment, and justification for continued maintenance or medical clearance for voluntary withdrawal or a dosage reduction protocol. The initial assessment for methadone medication-assisted treatment shall be conducted face-to-face. The assessment shall be conducted by a physician or a P.A. or A.P.R.N. under the supervision of a physician. The protocol shall include criteria and the conditions under which the assessment would be conducted more frequently.

(f) through (h) No change.

(2) Maintenance Treatment Standards.

(a) through (f) No change.

(g) Methadone Take-home Privileges.

1. Take-home doses of methadone are permitted only for individuals participating in a methadone medication-assisted treatment program. Requests for take-home doses greater than the amount allowed, as stipulated in paragraph (2)(h) of this rule, must be entered into the Substance Abuse and Mental Health Services Administration/Center for Substance Abuse

Treatment (SAMHSA/CSAT) Opioid Treatment Program Extranet for federal and state approval. The following must be indicated on the exception request:

a. through b. No change.

~~e. Dates and results of last three (3) drug screens, for individuals in treatment longer than 90 days;~~

d. through f. are redesignated c. through e. No change.

2. through 5. No change.

(h) Take-home Phases. To be considered for take-home privileges, all individuals shall be in compliance with the following criteria; as stated in 42 CFR 8.12(i)(2).

1. No Change.

2. Take-home privileges shall be in accordance with the following:

a. Under this rule, stable individuals are individuals who have completed a minimum of 60 days in treatment, and whose medical record fully documents all of the following:

(I) The benefits of providing unsupervised doses to an individual outweigh the risks;

(II) The individual demonstrates total adherence per the provider's discretion with their treatment plan for at least 60 days;

(III) The individual maintained negative toxicology tests for 60 calendar days;

(IV) An absence of serious behavioral problems;

(V) Stability in the individual's living arrangements and social relationships;

(VI) An absence of substance misuse-related behaviors;

(VII) An absence of recent diversion activity; and

(VIII) The individual provided assurance that the medication can be safely stored.

b. Under this rule, less stable individuals are individuals who have completed a minimum of 30 days in treatment, and whose medical record fully documents all of the following:

(I) The benefits of providing unsupervised doses of methadone to the individual outweigh the risks;

(II) The individual demonstrated partial adherence with their treatment plan for at least 30 days;

(III) The individual maintained 30 days of negative toxicology tests;

(IV) An absence of recent diversion activity; and

(V) The individual provided assurance that the medication can be safely stored.

c. The provider may request blanket exceptions for stable individuals in a methadone medication-assisted treatment program to receive 28 days of take-home doses of the individual's medication for opioid use disorder.

d. The provider may request up to 14 days of take-home medication for those individuals who are less stable but who the provider believes can safely handle this level of take-home medication.

~~2. No take-homes shall be permitted during the first 30 days following placement, unless approved by both the state and federal authorities.~~

~~a. Phase I. Following 30 consecutive days in treatment, the individual may be eligible for one (1) take home per week from day 31 through day 90, provided that the individual has had negative drug screens and is following program requirements for the preceding 30 days.~~

~~b. Phase II. Following 90 consecutive days in treatment, the individual may be eligible for two (2) take homes per week from day 91 through day 180, provided that the individual has had negative drug screens for the preceding 60 days.~~

~~c. Phase III. Following 180 consecutive days in treatment, the individual may be eligible for three (3) take homes per week with no more than a two (2) day supply at any one time from day 181 through one (1) year, provided that the individual has had negative drug screens for the preceding 90 days.~~

~~d. Phase IV. Following one (1) year in continuous treatment, the individual may be eligible for four (4) take-homes per week through the second year of treatment, provided that the individual has had negative drug screens for the preceding 90 days.~~

~~e. Phase V. Following two (2) years in continuous treatment, the individual may be eligible for five (5) take homes per week, provided that the individual has had negative drug screens for the preceding 90 days.~~

~~f. Phase VI. Following three (3) years in treatment, the individual may be eligible for six (6) take homes per week provided that the individual had all negative drug screens for the past year.~~

3. Diversion Control Requirements.

a. All individuals in medical maintenance shall receive their medication orally in the form of liquid, diskette or tablet. Diskettes and tablets are allowed if formulated to reduce potential parenteral abuse.

b. All individuals will participate in a "call back" program by reporting back to the provider upon notice for a medication count.

c. All criteria for take-home privileges as listed under paragraph (2)(g) shall continue to be met.

~~3. Methadone Medical Maintenance. Providers may place an individual on methadone medical maintenance in cases where it can be demonstrated that the potential benefits of medical maintenance to the individual exceed the potential risks, in the professional judgment of the physician. Only a physician may authorize placement of an individual on medical maintenance. The physician shall provide justification in the clinical record regarding the decision to place an individual on medical maintenance.~~

~~The following conditions shall apply to medical maintenance.~~

~~a. To qualify for partial medical maintenance, an individual may receive no more than 13 take homes and must have been in continuous treatment for four (4) years with negative drug screens for the previous two (2) years.~~

~~b. To qualify for full medical maintenance an individual may receive no more than 27 take homes and must have been in continuous treatment for five (5) years with negative drug screen for the previous two (2) years.~~

~~c. All individuals in medical maintenance will receive their medication orally in the form of liquid, diskette or tablet. Diskettes and tablets are allowed if formulated to reduce potential parenteral abuse.~~

~~d. All individuals will participate in a "call back" program by reporting back to the provider upon notice for a medication count.~~

~~e. All criteria for take homes as listed under paragraph (2)(g) shall continue to be met.~~

(i) through (m) No change.

(n) Caseload. No full-time counselor shall have a caseload that exceeds the equivalent of 50 ~~32~~ currently participating individuals. Participating individual equivalents are determined in the following manner.

1. An individual seen once per week would count as 1.0 equivalent.

2. An individual seen bi-weekly would count as a .5 equivalent.

3. An individual seen monthly or less would count as a .25 equivalent.

~~4. As an example, a counselor has a caseload of 15 individuals that are seen weekly (counts as an equivalent of 15), 30 individuals seen biweekly (counts as an equivalent of 15), and 8 individuals seen monthly (counts as an equivalent of 2). The counselor would have a total caseload of 53 individuals equaling 32 equivalent individuals.~~

(o) through (r) No change.

(3) through (5) No change.

(6) This emergency rule will become effective on February 24, 2022 and expire 90 days later.

Rulemaking Authority 397.321(5) FS. Law Implemented 397.311(26), 397.321, 397.410, 397.427 FS. History—New 8-10-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: February 24, 2022

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

NOTICE IS HEREBY GIVEN that on February 21, 2022, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Dr. George Samuel, regarding Rule 64B2-13.004, F.A.C., which states the required hours of continued chiropractic education for renewing a license. Petitioner requests that the Board approve for purposes of Petitioner's renewal for the 2022 biennium certain listed CE courses which were taken within the appropriate time and were certified as "in-person" courses and subsequently converted to online due to the COVID limitations on in-person gatherings. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Acting Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or by electronic mail- Joe.Baker@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs

NOTICE IS HEREBY GIVEN that on February 3, 2022, the Clinical Laboratory Personnel, received a petition for variance and waiver submitted by the Gulf Coast Pathologists. Petitioner is seeking a variance or waiver of Rule 64B3-3.001, F.A.C., requiring the submission of proof of accreditation from the National Accrediting Agency for Clinical Laboratory Science (NAACLS) to start a Cytogenetics Training Program in the State of Florida. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3258, telephone: (850)488-0595, or by electronic mail: Joe.Baker@flhealth.gov, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Acting Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, (850)488-0595, or by electronic mail: Joe.Baker@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Board of Podiatric Medicine hereby gives notice: that on February 15, 2022, an Order was filed on the Petition for Variance or Waiver. The Petition for Variance or Waiver was filed by Pooneh Taleghani, D.P.M. on January 11, 2022, seeking a permanent variance or waiver of Rule 64B18-17.005, F.A.C., which requires that during the first biennium or within 24 months of initial licensure, whichever ends later, practitioners are required to obtain five (5) hours of continuing education in the subject area of risk management by attending one full day of a meeting of the Board of Podiatric Medicine at which disciplinary hearings are conducted. The practitioner is then exempt from any other continuing education requirements for his or her first renewal except for a 1-hour course on human trafficking and the hours mandated for prevention of medical errors and HIV/AIDS. Petitioner sought a waiver from the rule requirement due to vacancies on the Florida Board of Podiatric Medicine, the Board lacking a quorum and as such, being unable to conduct disciplinary hearings.

The Notice of Petition for Variance or Waiver was published in Vol.48, No.16, on January 25, 2022, in the Florida Administrative Register. No comments were received on the Petition. The Board, at its meeting held on January 27, 2022, voted to grant the Petition for Variance or Waiver finding that the purpose of the underlying statute would be or has been achieved by other means and that the strict application of the rule would create a substantial hardship and/or would violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Kimberly Marshall, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, kimberly.marshall@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Board of Podiatric Medicine hereby gives notice: that on February 15, 2022, an Order was filed on the Petition for Variance or Waiver. The Petition for Variance or Waiver was filed by Jessica Andrews, D.P.M. on December 15, 2021, seeking a variance or waiver of Rule 64B18-17.005, F.A.C., which requires that during the first biennium or within 24 months of initial licensure, whichever ends later, practitioners are required to obtain five (5) hours of continuing education in the subject area of risk management by attending one full day of a meeting of the Board of Podiatric Medicine at which disciplinary hearings are conducted. The practitioner is then exempt from any other continuing education requirements for his or her first renewal except for a 1-hour course on human trafficking and the hours mandated for prevention of medical

errors and HIV/AIDS. Petitioner sought a waiver from the rule requirement so she does not have to attend disciplinary hearings to renew her podiatry license due to the fact there are vacancies on the Florida Board of Podiatric Medicine, and therefore the Board lacks a quorum and is unable to conduct disciplinary hearings.

The Notice of Petition for Variance or Waiver was published in Vol.47, No.245, on December 21, 2021, in the Florida Administrative Register. No comments were received on the Petition. The Board, at its meeting held on January 27, 2022, voted to grant the Petition for Variance or Waiver finding that the purpose of the underlying statute would be or has been achieved by other means and that the strict application of the rule would create a substantial hardship and/or would violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Kimberly Marshall, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, kimberly.marshall@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Board of Podiatric Medicine hereby gives notice: that on February 15, 2022, an Order was filed on the Petition for Variance or Waiver. The Petition for Variance or Waiver was filed by Taylor Tendrich, D.P.M. on January 19, 2022, seeking a variance or waiver of Rule 64B18-17.005, F.A.C., which requires that during the first biennium or within 24 months of initial licensure, whichever ends later, practitioners are required to obtain five (5) hours of continuing education in the subject area of risk management by attending one full day of a meeting of the Board of Podiatric Medicine at which disciplinary hearings are conducted. The practitioner is then exempt from any other continuing education requirements for his or her first renewal except for a 1-hour course on human trafficking and the hours mandated for prevention of medical errors and HIV/AIDS. Petitioner sought a waiver for the in-person meeting with the Board due to the current health crisis with Covid-19 and the variants.

The Notice of Petition for Variance or Waiver was published in Vol.48, No.17, on January 26, 2022, in the Florida Administrative Register. No comments were received on the Petition. The Board, at its meeting held on January 27, 2022, voted to grant the Petition for Variance or Waiver finding that the purpose of the underlying statute would be or has been achieved by other means and that the strict application of the rule would create a substantial hardship and/or would violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Kimberly Marshall, Executive Director, Board

of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08,
Tallahassee, Florida 32399-1708,
kimberly.marshall@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Board of Podiatric Medicine hereby gives notice: that on February 15, 2022, an Order was filed on the Petition for Variance or Waiver. The Petition for Variance or Waiver was filed by Stephanie Kane, D.P.M. on January 4, 2022, seeking a permanent variance or waiver of Rule 64B18-17.005, F.A.C., which requires that during the first biennium or within 24 months of initial licensure, whichever ends later, practitioners are required to obtain five (5) hours of continuing education in the subject area of risk management by attending one full day of a meeting of the Board of Podiatric Medicine at which disciplinary hearings are conducted. The practitioner is then exempt from any other continuing education requirements for his or her first renewal except for a 1-hour course on human trafficking and the hours mandated for prevention of medical errors and HIV/AIDS. Petitioner sought a permanent waiver from attending a disciplinary hearing due to the vacancies on the Florida Board of Podiatric Medicine.

The Notice of Petition for Variance or Waiver was published in Vol.48, No.05, on January 7, 2022, in the Florida Administrative Register. No comments were received on the Petition. The Board, at its meeting held on January 27, 2022, voted to grant the Petition for Variance or Waiver finding that the purpose of the underlying statute would be or has been achieved by other means and that the strict application of the rule would create a substantial hardship and/or would violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Kimberly Marshall, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, kimberly.marshall@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Board of Podiatric Medicine hereby gives notice: that on February 15, 2022, an Order was filed on the Petition for Variance or Waiver. The Petition for Variance or Waiver was filed by Elias Gomas, D.P.M. on January 20, 2022, seeking a variance or waiver of Rule 64B18-17.005, F.A.C., which requires that during the first biennium or within 24 months of initial licensure, whichever ends later, practitioners are required to obtain five (5) hours of continuing education in the subject area of risk management by attending one full day of a meeting of the Board of Podiatric Medicine at which disciplinary hearings are conducted. The practitioner is then exempt from any other continuing education requirements for his or her first

renewal except for a 1-hour course on human trafficking and the hours mandated for prevention of medical errors and HIV/AIDS. Petitioner sought a temporary waiver from the rule requirement due to current vacancies on the Florida Board of Podiatric Medicine, the Board currently lacks quorum and, as such, is unable to conduct disciplinary hearings.

The Notice of Petition for Variance or Waiver was published in Vol.48, No.18, on January 27, 2022, in the Florida Administrative Register. No comments were received on the Petition. The Board, at its meeting held on January 27, 2022, voted to grant the Petition for Variance or Waiver finding that the purpose of the underlying statute would be or has been achieved by other means and that the strict application of the rule would create a substantial hardship and/or would violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Kimberly Marshall, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, kimberly.marshall@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The CRAFT Foundation, Inc. Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 7, 2022, 9:00 a.m.

PLACE: Attendees may join the meeting in person at 600 N. Broadway Avenue, Suite 101, Bartow, FL 33830 or via Zoom web conferencing online at <https://us02web.zoom.us/j/81113382764?pwd=UzVvRnN6MC94MWVfYkZQamRtdlBEUT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CRAFT Foundation Board of Directors will conduct a meeting to discuss and execute matters including, the review and approval of a proposal for additional funding.

A copy of the agenda may be obtained by contacting: Tamara Wood at 1(863)698-9276.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Tamara Wood at 1(863)698-9276. 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: Tamara Wood at 1(863)698-9276.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 17, 2022, 1:30 p.m. – 3:00 p.m. ET

PLACE: Embassy Suites by Hilton Orlando North, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida LP Gas Advisory Board and the Florida Propane Gas Education, Safety and Research Council to discuss industry related issues.

A copy of the agenda may be obtained by contacting: Kyrsten Dalton, Bureau of Standards at (850)921-1545.

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: 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: Kyrsten Dalton, Bureau of Standards at (850)921-1545.

FLORIDA COMMISSION ON OFFENDER REVIEW

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

DATE AND TIME: Wednesday, March 16, 2022, 10:00 a.m.

PLACE: There will be no in person Commission meeting. The meeting will be held via conference call. To participate in the meeting, call United States (Toll Free): 1(877)309-2073 or United States: (571)317-3129 and dial access code 337-350-165. For questions and correspondence from inmate supporters, please email inmatessupporter@fcor.state.fl.us. For questions and correspondence regarding victims' rights, please email victimquestions@fcor.state.fl.us.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Conditional Medical Release cases and all other Commission business.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Commission on Offender Review at ada@fcor.state.fl.us. If you are hearing or speech impaired,

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

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

METROPOLITAN PLANNING ORGANIZATIONS

Martin Metropolitan Planning Organization

The Local Coordinating Board for the Transportation Disadvantaged (LCB-TD) announces a public meeting to which all persons are invited.

DATE AND TIME: March 7, 2022, 10:00 a.m.

PLACE: Martin County Administrative Center, Commission Chambers, 2401 SE Monterey Road, Stuart, Florida 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Transportation Disadvantaged System Review.

A copy of the agenda may be obtained by contacting: Lucine Martens at (772)288-5412, by email at lmartens@martin.fl.us and on the web at www.martinmpo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Ricardo Vazquez, Senior Planner (Title VI/Non-discrimination Contact) at (772)223-7983 or rvazquez@martin.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lucine Martens at (772)288-5412, by email at lmartens@martin.fl.us or submit your question via mail to 3481 SE Willoughby Blvd., Suite 101, Stuart, FL 34994.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

DATE AND TIME: Friday, March 4, 2022, 12:30 p.m. ET

PLACE: Please join my meeting from your computer, tablet or smartphone. <https://meet.goto.com/811594037>

You can also dial in using your phone. United States (Toll Free): 1(877)309-2073, United States: (646)749-3129, Access Code: 811-594-037

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice is to correct the meeting date on the previous notice (Issue 48/36). The Rules Committee will meet on Friday, March 4, 12:30 p.m.. Please disregard the prior noticed date.

A copy of the agenda may be obtained by contacting: Kevin Brown, (352)333-2505.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kevin Brown, (352)333-2505. 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: Kevin Brown, (352)333-2505.

DEPARTMENT OF HEALTH

Board of Acupuncture

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

DATE AND TIME: March 25, 2022, 9:00 a.m. ET

PLACE: DoubleTree by Hilton Hotel Deerfield Beach-Boca Raton, 100 Fairway Drive, Deerfield Beach, Florida 33441-1856, (954)427-7700

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

A copy of the agenda may be obtained by contacting: www.floridasacupuncture.gov/meeting-information.

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

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

DEPARTMENT OF HEALTH

Division of Environmental Health

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

DATE AND TIME: March 9, 2022, 9:00 a.m. – 1:30 p.m. ET or until completed, whichever is first

PLACE: Call-in toll-free phone number is 1(888)585-9008, Phone Conference ID: 754-420-028#, Your line will automatically be placed on mute, press *2 to unmute your line to speak, then *2 to re-mute line as a courtesy. Please do not place your line on hold.

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOH Public Swimming Pool Advisory Board will review, discuss and make recommendations to the Department regarding applications submitted by owners/agents for variance from the state’s public swimming pool codes per subsection 514.0115(9), of the Florida Statutes.

A copy of the agenda may be obtained by contacting: By email- DOHPoolVariances@FLhealth.gov or calling Ms. Jutta Tolbert, (850)901-6499, or by writing to DOH, 4052 Bald Cypress Way, Bin A-08, Tallahassee, FL 32399-1710. **NOTE:** The Agenda will not be available until a week prior to the meeting.

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: 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: DOHPoolVariances@FLhealth.gov or Ms. Jutta Tolbert as listed above.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: March 22, 2022, 3:00 p.m.

PLACE: Please join meeting from your computer, tablet, or smartphone.

<https://www.gotomeet.me/SolicitationAdministration>

You can also dial in using your phone. United States (Toll Free): 1(866)899-4679, United States: (571)317-3116

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposal opening for DCF RFP 2122 014, Positive Pathways for Transitioning Postsecondary Youth

A copy of the agenda may be obtained by contacting: Jessica Koburger at Jessica.Koburger@myflfamilies.com or (850)717-4393.

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 14 days before the workshop/meeting by contacting: Jessica Koburger at

Jessica.Koburger@myflfamilies.com or (850)717-4393. 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: Jessica Koburger at Jessica.Koburger@myflfamilies.com or (850)717-4393.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

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

DATE AND TIME: Thursday, March 17, 2022, 10:00 a.m. – 12:00 Noon

PLACE: Meeting will take place via the Microsoft Teams platform. Use the below link to connect to the meeting:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTU4Y2I0MGEtM2VINS00ZjMxLWlW14Y2MtZTRmOThhOTFkNmFm%40thread.v2/0?context=%7b%22tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d

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 David Draper 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 David Draper 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 David Draper at (407)317-7335.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: March 1, 2022, 2:00 p.m.

PLACE: The workshop will be available by telephone and webinar.

See the registration information: <https://attendee.gotowebinar.com/register/7700019987511024655>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will be held to solicit comments and suggestions from interested persons relative to the proposed RFA for Housing Stability for Homeless Schoolchildren.

A copy of the agenda may be obtained by contacting: Elaine Roberts at elaine.roberts@floirdahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Elaine Roberts at elaine.roberts@floirdahousing.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).

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

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

DATE AND TIME: March 1, 2022, 1:00 p.m. – 2:30 p.m.

PLACE: Moffitt Cancer Center, Stabile Research Building Trustees Conference Boardroom.

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

A copy of the agenda may be obtained by contacting: Kathia Fernandez at 1(813)745-7705, 12902 Magnolia Drive, CSB-8 Admin, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kathia Fernandez. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kathia Fernandez at 1(813)745-7705, 12902 Magnolia Drive, CSB-8 Admin, Tampa, FL 33612

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

NOTICE IS HEREBY GIVEN that the Board of Cosmetology has issued an order disposing of the petition for declaratory statement filed by Denise Hickey on February 17, 2022. The following is a summary of the agency's disposition of the petition: On December 3, 2021, the Petitioner sought a determination from the Board as to whether it is in the scope of practice for a licensed facial specialist to utilize the

“BioRevitalization Peel PRX-T33,” product and whether this specific product is within the definition of a Level III chemical peel. The Notice of Petition for Declaratory Statement was published in Vol. 47, No. 239, on December 13, 2021, in the Florida Administrative Register. The Board, at its duly-noticed public meeting held on January 25, 2022, declined to issue a declaratory statement in response to Petitioner’s questions where a statute, rule or order of the Board were not identified, because Petitioner fails to identify any facts or circumstances particular to Petitioner; the Petition fails to comply with the requirements of Rule 28-105.002, F.A.C.; and because Petitioner fails to identify Petitioner’s standing to request a statement from agency.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Krista Woodard, Executive Director, Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Krista.Woodard@dbpr.state.fl.us.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP RFP 2022010 Abandoned Drum Removal Services
The Florida Department of Environmental Protection is requesting Proposals for Abandoned Drum Removal Services. The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

PASCO COUNTY BOARD OF COUNTY COMMISSIONERS
IFB-SN-22-097
IFB-SN-22-097 WESLEY CHAPEL WASTEWATER TREATMENT PLANT (WWTP) PARKING AREA MODIFICATIONS; April 12, 2022, 1:30 P.M.; WWW.BIDNETDIRECT.COM

Section XII
Miscellaneous

DEPARTMENT OF STATE
Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, February 17, 2022 and 3:00 p.m., Wednesday, February 23, 2022.

Rule No.	File Date	Effective Date
2B-1.003	2/17/2022	3/9/2022
5K-4.020	2/22/2022	3/14/2022
6A-1.09422	2/23/2022	3/15/2022
6A-1.09441	2/23/2022	3/15/2022
6A-1.09963	2/23/2022	3/15/2022
6A-1.094221	2/23/2022	3/15/2022
6A-1.094224	2/23/2022	3/15/2022
6A-4.003	2/23/2022	3/15/2022
6A-4.0051	2/23/2022	3/15/2022

6A-4.0164	2/23/2022	3/15/2022
6A-5.0411	2/23/2022	3/15/2022
6A-6.053	2/23/2022	3/15/2022
6A-6.0652	2/23/2022	3/15/2022
6A-10.042	2/23/2022	3/15/2022
6A-10.0315	2/23/2022	3/15/2022
6A-14.092	2/23/2022	3/15/2022
6A-20.028	2/23/2022	3/15/2022
6A-20.0283	2/23/2022	3/15/2022
6M-8.301	2/23/2022	3/15/2022
62-503.200	2/17/2022	3/9/2022
62-503.300	2/17/2022	3/9/2022
62-503.430	2/17/2022	3/9/2022
62-503.500	2/17/2022	3/9/2022
62-503.700	2/17/2022	3/9/2022
62-503.751	2/17/2022	3/9/2022
62-503.800	2/17/2022	3/9/2022
62-552.200	2/17/2022	3/9/2022
62-552.300	2/17/2022	3/9/2022
62-552.430	2/17/2022	3/9/2022
62-552.680	2/17/2022	3/9/2022
62-552.700	2/17/2022	3/9/2022
62-552.800	2/17/2022	3/9/2022
62-701.805	2/17/2022	3/9/2022
62-701.900	2/17/2022	3/9/2022
62-788.101	2/17/2022	3/9/2022
62-788.151	2/17/2022	3/9/2022
62-788.201	2/17/2022	3/9/2022
62-788.301	2/17/2022	3/9/2022
62-788.311	2/17/2022	3/9/2022
62-788.321	2/17/2022	3/9/2022
62-788.331	2/17/2022	3/9/2022

62-788.341	2/17/2022	3/9/2022
62-788.401	2/17/2022	3/9/2022
64B7-26.0035	2/21/2022	3/13/2022
64B8-3.004	2/18/2022	3/10/2022
64B8-9.009	2/18/2022	3/10/2022
64B8-30.005	2/18/2022	3/10/2022
64B8-30.008	2/18/2022	3/10/2022
64B15-6.0035	2/18/2022	3/10/2022
64B15-6.0038	2/18/2022	3/10/2022
64B16-30.001	2/21/2022	3/13/2022
64ER22-1	2/17/2022	2/17/2022
65C-28.017	2/23/2022	3/15/2022

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

Rule No.	File Date	Effective Date
5K-4.020	12/10/2021	**/**/****
5K-4.035	12/10/2021	**/**/****
5K-4.045	12/10/2021	**/**/****
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	12/8/2021	**/**/****
60P2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	10/22/2021	**/**/****

DEPARTMENT OF TRANSPORTATION
 Proposed Airport Site Approval Order for Med Trans-Gulf
 Coast State College Heliport
 FLORIDA DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Med Trans-Gulf Coast State College Heliport, a private airport, in Bay County, at Latitude 30° 18' 01.35" and Longitude 85° 39' 32.71", to be owned and operated by Gulf Coast State College, 5230 W US Hwy 98 Panama City, FL 32401.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4514, aviation.fdot@dot.state.fl.us. Website: <http://www.fdot.gov/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF TRANSPORTATION

Proposed Airport Site Approval Order for Ascension Sacred Heart Navarre FSED Heliport

FLORIDA DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Ascension Sacred Heart Navarre FSED Heliport, a private airport, in Santa Rosa County, at Latitude 30° 24' 12.39" and Longitude 86° 55' 0.31", to be owned and operated by Sacred Heart Health Systems, Inc., 5151 N 9th Av Pensacola, FL 32504.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Aaron N. Smith,

State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4514, aviation.fdot@dot.state.fl.us. Website:

<http://www.fdot.gov/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

Office of Financial Regulation

NOTICE OF FILINGS

Financial Services Commission

Office of Financial Regulation

February 24, 2022

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		General Counsel's Office
Tallahassee, Florida 32314-8050		The Fletcher Building, Suite 504
Phone: (850)410-9889		101 East Gaines Street
Fax: (850)410-9663		Tallahassee, Florida 32399-0379
		Phone: (850)410-9889

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the Agency Clerk no later than seven (7) days prior to the filing deadline or proceeding, at the Office of Financial Regulation, The Fletcher Building, Suite 118, 101 East Gaines Street, Tallahassee, Florida 32399-0379, Phone: (850)410-9889, or by Email: agency.clerk@flofr.com.

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., March 16, 2022):

APPLICATION FOR A NEW TRUST COMPANY

Applicant and Proposed Location: Adelphi Trust Company, 100 Second Avenue S., Suite, 1204S, Saint Petersburg, Pinellas County, Florida 33701

Correspondent: Mr. Gregory C. Yadley and Thomas C. Blank, Shumaker, Loop & Kendrick, LLP, Bank of America Plaza, 101 E. Kennedy Boulevard, Suite 2800, Tampa, Florida 33602

Received: February 22, 2022

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA

Federal Reserve Bank of Atlanta, Atlanta, GA

Comptroller of the Currency, Atlanta, GA

Florida Bankers Association, Tallahassee, Florida

William Berg

Gregory C. Yadley and Thomas C. Blank

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.
