

Section I
 Notice of Development of Proposed Rules
 and Negotiated Rulemaking

NONE

Section II
 Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09430 Florida Alternate Assessment Requirements
PURPOSE AND EFFECT: Establish achievement level standards for reporting student proficiency levels for the statewide alternate English Language Arts assessment for grades 3 through 10, the statewide alternate Mathematics assessment for grades 3 through 8, the statewide alternate Science assessment for grade 5 and 8, and the end-of-course alternate assessments in Algebra 1, Biology 1, and Geometry.

SUMMARY: Establish achievement level standards for all new English Language Arts, Mathematics, Science, and the Algebra 1, Biology 1, and Geometry end-of-course alternate assessments to report student proficiency levels. Remove reference language duplicative with Florida Statutes and assessment requirements no longer included in the statewide assessment program, per s. 1008.22, F.S.

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 rule revisions relate only to establishing achievement levels for statewide, standardized alternate assessments; therefore, there is no direct or immediate impact on economic growth, private sector job creation, employment, or private sector investment. If there is any impact on such economic growth and private sector job creation, the impact would be positive because the establishment of rigorous yet attainable assessment standards positively impacts student outcomes, which, in turn, positively impacts economic growth, private sector job creation, and employment. For the same

reasons, though no impact on business competitiveness is anticipated, any impact would be positive. Because the proposed rule relates only to the establishment of achievement levels for statutorily required statewide alternate assessments, it is not likely to increase regulatory costs.

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

RULEMAKING AUTHORITY: 1001.02, 1008.22, 1008.25, FS.

LAW IMPLEMENTED: 1001.02, 1001.11, 1008.22, 1008.25, FS.

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

DATE AND TIME: May 16, 2017, 9:00 a.m.

PLACE: Miami Senior High School, 2450 SW 1st St., Miami, FL 33135.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Vince Verges, Assistant Deputy Commissioner, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, Florida 32399-0400, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 6A-1.09430 follows. See Florida Administration Code for present text.

6A-1.09430 Statewide, Standardized Florida Alternate Assessment Program Requirements.

(1) Definitions. For the purpose of this rule, the following definitions shall apply:

(a) "Achievement level" means the level of content mastery a student has acquired in a particular subject as measured by a statewide, standardized alternate assessment. Achievement levels range from one (1) through four (4), with level 1 being the lowest achievement level, level 4 being the highest achievement level, and level 3 indicating satisfactory performance on the assessment.

(b) "Baseline year" means the first school year in which an assessment is administered. Achievement levels are established using the results from the baseline year.

(c) "Eligible students" means students who are eligible to participate in the statewide, standardized alternate assessment based upon subsection (5) of Rule 6A-1.0943, F.A.C.

(2) The statewide, standardized alternate assessment program required by Section 1008.22, F.S., shall be developed under the direction and supervision of the Commissioner of Education and shall be:

(a) Kept secured at all times, in accordance with the provisions of Rule 6A-10.042, F.A.C.

(b) Provided to all school districts in the quantity needed for the students in the district.

(c) Administered in accordance with standard written instructions appropriate for the assessment. The written instructions will be issued by the Commissioner in the form of test administration manuals and other written communications, and provided to school districts prior to each test.

(e) As appropriate, developed in consultation with teachers and other appropriate professionals and shall be approved by the Commissioner prior to being administered to students.

(3) The alternate assessment program shall include comprehensive assessments in English Language Arts (ELA), Mathematics, Science, Social Studies, and end-of-course (EOC) assessments.

(a) The statewide alternate ELA assessments shall measure reading skills in grade three and reading and writing skills in grades four through ten.

(b) The statewide alternate Mathematics assessments shall measure students' mathematics skills in grades three through eight.

(c) The statewide alternate Science assessments shall measure students' science skills in grades five and eight.

(d) The statewide alternate EOC assessments shall consist of assessments measuring the skills specified in five (5) courses: Algebra 1, Biology 1, Geometry, Civics, and United States History.

(4) The statewide alternate assessment program shall be administered as follows:

(a) Beginning with the 2015-2016 school year, all eligible students in grades three through ten shall take the alternate ELA assessment.

(b) Beginning with the 2015-2016 school year, all eligible students in grades three through eight shall take the alternate Mathematics assessment.

(c) Beginning with the 2015-2016 school year, all eligible students in grades five and eight shall take the alternate Science assessment.

(d) Beginning with the 2015-2016 school year, all eligible students enrolled in a high school Algebra 1 or equivalent course must take the alternate Algebra 1 EOC assessment; all eligible students enrolled in a high school Biology 1 or equivalent course must take the alternate Biology 1 EOC assessment; all eligible students enrolled in a high school Geometry or equivalent course must take the alternate Geometry EOC assessment.

(e) Beginning with the 2016-2017 school year, all eligible students enrolled in a high school United States History or equivalent course must take the alternate United States History EOC assessment.

(f) Beginning with the 2016-2017 school year, all eligible students enrolled in a middle schools civics education course must take the alternate Civics EOC assessment.

(g) Provisions shall be made by the Commissioner to permit the test to be administered to home school students and private school students pursuant to Sections 1002.39 and 1002.395, F.S., under conditions which preserve the security of the assessment and require the public school districts to be responsible for the test administration procedures and requirements of Rule 6A-10.042, F.A.C.

(5) Examinee scores on statewide alternate ELA, Mathematics, Science, and EOC assessments shall be reported by the use of achievement levels determined by the baseline year assessment administered according to the schedule established in subsection (4) of this rule.

(a) The achievement levels for the statewide alternate assessments are as shown in the following tables:

Statewide alternate ELA assessment standards (540 to 660) for each achievement level:

<u>Grade</u>	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>
<u>3</u>	<u>540-582</u>	<u>583-598</u>	<u>599-617</u>	<u>618-660</u>
<u>4</u>	<u>540-581</u>	<u>582-596</u>	<u>597-617</u>	<u>618-660</u>
<u>5</u>	<u>540-582</u>	<u>583-598</u>	<u>599-617</u>	<u>618-660</u>
<u>6</u>	<u>540-582</u>	<u>583-598</u>	<u>599-617</u>	<u>618-660</u>
<u>7</u>	<u>540-582</u>	<u>583-598</u>	<u>599-617</u>	<u>618-660</u>
<u>8</u>	<u>540-581</u>	<u>582-597</u>	<u>598-613</u>	<u>614-660</u>
<u>9</u>	<u>540-581</u>	<u>582-597</u>	<u>598-619</u>	<u>620-660</u>
<u>10</u>	<u>540-583</u>	<u>584-597</u>	<u>598-616</u>	<u>617-660</u>

Statewide alternate Mathematics assessment standards (540 to 660) for each achievement level:

<u>Grade</u>	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>
<u>3</u>	<u>540-585</u>	<u>586-599</u>	<u>600-616</u>	<u>617-660</u>
<u>4</u>	<u>540-586</u>	<u>587-598</u>	<u>599-617</u>	<u>618-660</u>
<u>5</u>	<u>540-585</u>	<u>586-599</u>	<u>600-616</u>	<u>617-660</u>
<u>6</u>	<u>540-585</u>	<u>586-599</u>	<u>600-616</u>	<u>617-660</u>
<u>7</u>	<u>540-586</u>	<u>587-599</u>	<u>600-616</u>	<u>617-660</u>
<u>8</u>	<u>540-585</u>	<u>586-597</u>	<u>598-614</u>	<u>615-660</u>

Statewide alternate Science assessment standards (540 to 660) for each achievement level:

<u>Grade</u>	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>
<u>5</u>	<u>540-579</u>	<u>580-598</u>	<u>599-615</u>	<u>616-660</u>
<u>8</u>	<u>540-579</u>	<u>580-599</u>	<u>600-618</u>	<u>619-660</u>

(b) The achievement levels for the statewide alternate EOC assessments are as shown in the following tables:

Statewide alternate Algebra 1 EOC assessment standards (725 to 875) for each achievement level:

<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>
<u>725-773</u>	<u>774-796</u>	<u>797-822</u>	<u>823-875</u>

Statewide alternate Biology 1 EOC assessment standards (725 to 875) for each achievement level:

<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>

725-772 773-794 795-822 823-875
Statewide alternate Geometry EOC assessment standards (725 to 875) for each achievement level:

<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>
<u>725-776</u>	<u>777-798</u>	<u>799-826</u>	<u>827-875</u>

(7) The assessments shall be administered according to a schedule approved by the Commissioner.

Rulemaking Authority 1001.02, 1008.22, 1008.25 FS. Law Implemented 1001.02, 1001.11, 1008.22, 1008.25 FS. History—New 5-3-10_

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 3, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-6.03020 Specially Designed Instruction for Students Who Are Homebound or Hospitalized

PURPOSE AND EFFECT: Update language to clarify that prekindergarten students may be considered eligible for homebound or hospitalized services, expand instructional practices, and reflect changes from the 2016 Legislative Session.

SUMMARY: Providing exceptional student education eligibility for students who are homebound or hospitalized.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under s. 120.541(1), F.S., and 2) based on past experiences with rules that affect individual students and their families in an educational setting and have no impact on small businesses, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis

criteria set forth in s. 120.541(2)(a), F.S. and will not require legislative ratification.

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), 1003.57(1)(b), FS.

LAW IMPLEMENTED: 1001.03(8), 1001.42(4)(l), 1003.01(3)(a), (b), 1003.57(1)(b), 1003.571, 1011.62(1)(c), FS. A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2017, 9:00 a.m.

PLACE: Miami Senior High School, 2450 SW 1st St., Miami, FL 33135.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, at Mary.Tappen@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03020 Exceptional Student Education Eligibility Specially Designed Instruction for Students Who Are Homebound or Hospitalized.

(1) Definition. For the purposes of this rule, the following definition applies:

(a) Homebound or hospitalized student. A homebound or hospitalized student is a student who has a medically diagnosed physical or psychiatric condition ~~that~~ ~~which~~ is acute or catastrophic in nature, ~~or~~ a chronic illness, or a repeated intermittent illness due to a persisting medical problem and which confines the student to home or hospital, and restricts activities for an extended period of time. ~~The medical diagnosis shall be made by a licensed physician.~~

(2) ~~The term licensed physician, as used in this rule, is defined in Chapters 458 and 459, F.S., and is one who is qualified to assess the student's physical or psychiatric condition.~~

(2)(3) Criteria for eligibility. A student, ~~who~~ is eligible for educational instruction through homebound or hospitalized services, ~~is eligible for specially designed instruction~~ if the following criteria are met.

(a) A physician licensed in Florida in accordance with Chapter 458 or 459, F.S., unless a report of medical examination from a physician licensed in another state is permitted in accordance with Rule 6A-6.0331(3)(e), F.A.C., A licensed physician must certify that the student:

1. Is expected to be absent from school due to a physical or psychiatric condition for at least fifteen (15) consecutive school days, or the equivalent on a ~~the~~ block schedule, or due to a chronic condition, for at least fifteen (15) school days, or the

equivalent on a block schedule, which need not run consecutively; and

2. Is confined to home or hospital;
3. Will be able to participate in and benefit from an instructional program;
4. Is under medical care for illness or injury that which is acute, catastrophic, or chronic in nature; and,
5. Can receive instructional services without endangering the health and safety of the instructor or other students with whom the instructor may come in contact.

(b) The student is enrolled in a public school in kindergarten through twelfth grade ~~prior to the referral for homebound or hospitalized services~~, unless the student meets criteria for eligibility under Rules 6A-6.03011, 6A-6.03012, 6A-6.030121 6A-6.03013, 6A-6.03014, 6A-6.030151, 6A-6.030152, 6A-6.030153, 6A-6.03016, 6A-6.03018, 6A-6.03022, 6A-6.03023 or and 6A-6.03027, F.A.C.; and,

(c) A child is three (3) through five (5) years of age and has been determined eligible as a student with a disability in accordance with Section 1003.571, F.S., and Rule 6A-6.03011, 6A-6.03012, 6A-6.030121, 6A-6.03013, 6A-6.03014, 6A-6.030151, 6A-6.030152, 6A-6.030153, 6A-6.03016, 6A-6.03018, 6A-6.03022, 6A-6.03023, 6A-6.03026, 6A-6.03027 or 6A-6.03411, F.A.C.

(d)(e) A parent, guardian or primary caregiver signs a parental agreement concerning homebound or hospitalized policies and parental cooperation.

(3)(4) Procedures for student evaluation. In addition to the provisions of Rule 6A-6.0331(5), F.A.C., the minimum procedures for evaluation shall include the following:

(a) A current medical report from a licensed physician, as defined in paragraph (2)(a) of this rule, describing the following:

1. The disabling condition or diagnosis with any medical implications for instruction;
2. A statement that the student is unable to attend school;
3. The plan of treatment;
4. Recommendations regarding school re-entry and other school-related activities; and
5. An estimated duration of condition or prognosis.

~~(b)(a) The minimum evaluation for a student to determine eligibility shall be an annual medical statement from a licensed physician(s) including a description of the disabling condition or diagnosis with any medical implications for instruction. This report shall state that the student is unable to attend school, describe the plan of treatment, provide recommendations regarding school re-entry, and give an estimated duration of condition or prognosis. The team determining eligibility may require additional evaluation data. This additional evaluation data must be obtained provided at no cost to the parent.~~

~~(c)(b) A physical reexamination and a medical report by a licensed physician or physicians, which physician(s) may be requested by the administrator of exceptional student education or the administrator's designee on a more frequent basis than annually, required in paragraph (4)(a) of this rule and may be required if the student is scheduled to attend school part of a day during a recuperative period of readjustment to a full school schedule. This physical reexamination and medical report shall be obtained provided at no cost to the parent.~~

~~(5) Procedures for determining eligibility. Procedures for determining eligibility shall be in accordance with Rule 6A-6.0331, F.A.C.~~

(4)(6) Procedures for providing an individual educational plan(IEP) or individualized family support plan (IFSP). The IEP or IFSP ~~individual educational plan~~ shall be developed or revised following determination of eligibility in accordance with this rule, prior to assignment to the homebound or hospitalized program placement as required in Rule 6A-6.03028, F.A.C. A student may be alternatively assigned to both ~~a~~ the homebound or hospitalized program and to a school-based program due to an acute, chronic, or intermittent condition as certified by a licensed physician, as specified in subparagraph (2) ~~(3)~~(a)1. of this rule. This decision shall be made by the IEP or IFSP individual educational plan (IEP) team in accordance with the requirements of Rule 6A-6.03028 or 6A-6.03029, F.A.C.

(5)(7) Instructional services. The following settings and instructional modes, or a combination thereof, are appropriate methods for providing instruction to students determined eligible for these services:

(a) Instruction in a home. The parent, guardian or primary caregiver shall provide a quiet, clean, and well-ventilated setting where the teacher and student will work; ensure that a responsible adult is present; and establish a schedule for student study between teacher visits that which takes into account the student's medical condition and the requirements of the student's coursework.

(b) Instruction in a hospital. The hospital administrator or designee shall provide appropriate space for the teacher and student to work and allow for the establishment of a schedule for student study between teacher visits.

(c) Instruction through telecommunications or electronic computer devices. When the IEP or IFSP individual education plan (IEP) team determines that instruction is by telecommunications or electronic computer devices, an open, uninterrupted telecommunication link shall be provided at no additional cost to the parent, during the instructional period. The parent shall ensure that the student is prepared to actively participate in learning.

(d) Instruction in other specified settings. The IEP or IFSP team may determine that instruction would be best delivered in

a mutually agreed upon alternate setting other than the home, hospital or through telecommunications or electronic devices.

(e) Instruction in a school setting on a part-time basis may be appropriate as the student transitions back to the student’s regular class schedule, if the IEP or IFSP team determines this meets the student’s needs.

(6) Services for students in specialty hospitals. In accordance with the requirements of Section 1003.57, F.S., eligible students receiving treatment in a children’s specialty hospital licensed in accordance with Chapter 395, Part I, F.S., must be provided educational instruction from the school district in which the hospital is located until the school district in which the hospital is located enters into an agreement with the school district in which the student resides. The agreement must ensure the timely provision of seamless educational instruction to students who transition between school districts while receiving treatment in the children’s specialty hospital.

(7) Notification Agreement. A school district in which a children’s specialty hospital is located must enter into an agreement with the hospital that establishes a process by which the hospital must notify the school district of students who may be eligible for educational instruction through homebound or hospital services pursuant to Section 1003.57, F.S.

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3)(a), 1003.57(1)(b) (~~5~~) FS. Law Implemented 1001.03(8), 1001.42(4)(l), 1003.01(3)(a), (b), 1003.57(1)(b) (~~5~~), 1003.571, 1011.62(1)(c) FS. History—New 7-1-77, Amended 7-2-79, 4-27-82, Formerly 6A-6.3020, Amended 5-18-86, 9-20-04, ~~9-20-04~~, 1-16-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, K-12 Public Schools.
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2017
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 5, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.033
RULE TITLE: Postsecondary Instructional Unit Definitions
PURPOSE AND EFFECT: This rule is to be repealed.
SUMMARY: This rule is being consolidated within rule 6A-14.0303, F.A.C. and will provide definitions and awards in one rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule does not impose any direct fees or associated costs and is not expected to require legislative ratification. The requirement for SERC was not triggered under Section 120.541(1), F.S., and the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), 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: 1001.02(1), (6)(c), 1001.03(12), FS.

LAW IMPLEMENTED: 1001.02, 1001.03, 1004.93, 1007.24, FS.

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

DATE AND TIME: May 16, 2017, 9:00 a.m.
PLACE: Miami Senior High School, 2450 SW 1st St., Miami, FL 33135.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Karinda Barrett, Associate Vice Chancellor for Academic & Student Affairs, (850)245-9523 or karinda.barrett@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.033 Postsecondary Instructional Unit Definitions.
Rulemaking Authority 1001.02(1), (6)(c), 1001.03(12) FS. Law Implemented 1001.02, 1001.03, 1004.93, 1007.24 FS. History—New 7-13-83, Amended 5-14-85, Formerly 6A-10.33, Amended 11-21-05, 3-25-13, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Madeline Pumariega, Chancellor, Florida College System.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-10.051	Approval of Treatment Programs and Treatment Providers
6A-10.052	Participation in the Recovery Network Program
6A-10.053	Evaluating Participating Educators

PURPOSE AND EFFECT: To revise and clarify the responsibilities of participants and treatment providers of the Recovery Network Program. This will establish criteria for provider approval and rescission and educator participation as they relate to the Recovery Network Program.

SUMMARY: Rule 6A-10.051, F.A.C., identifies the requirements of provider approval and specific rescission criteria of approval. Rule 6A-10.052, F.A.C., identifies the requirements of participants in the program and the criteria for use by the Recovery Network Program to evaluate participant progress, and adopts the Recovery Network Program Intake and Limited Waiver of Confidentiality Form (Form # RNP-1). Rule 6A-10.053, F.A.C., identifies specific duties of treatment providers providing evaluation and treatment services to participants of the Recovery Network Program and adopts the Recovery Network Program Contract Form (Form # RNP-2).

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: Neither the existing rules, nor the rules as amended, impose any direct fees or associated costs and is not expected to require legislative ratification. The requirement for SERC was not triggered under Section 120.541(1), F.S., and the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), 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: 1001.02, 1012.798, Florida Statutes.

LAW IMPLEMENTED: 1012.798, Florida Statutes.

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

DATE AND TIME: May 16, 2017, 9:00 a.m.

PLACE: Miami Senior High School, 2450 SW 1st St., Miami, FL 33135.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Morgan Thompson, Administrator, Recovery Network Program, 325 West Gaines Street, Suite 224, Tallahassee, Florida 32399-0400.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rules 6A-10.051, 6A-10.052 and 6A-10.053 follows. See Florida Administrative Code for present text.

6A-10.051 Approval of ~~Treatment Programs and Treatment Providers~~ by the Recovery Network Program.

(1) The Recovery Network Program shall approve an individual treatment provider if the individual treatment provider meets the following criteria:

(a) Is certified by a state-approved certification board, state licensed, or nationally certified, with the certification or licensure being in treatment for the specific impairment identified;

(b) Has at least three (3) years of experience;

(c) Executes a contract, Form # RNP-2, adopted by Rule 6A-10.053, F.A.C., with the participant and the Recovery Network Program; and

(d) Agrees to provide, at minimum, monthly progress reports regarding treatment of the participant for submission to the Recovery Network Program.

(2) The Recovery Network Program shall approve a treatment program if the treatment program:

(a) Is a state-licensed clinical setting, and if not located in the State of Florida, the treatment program must be nationally accredited and meet all requirements for licensure in the state where located;

(b) Submits one of the following to the Recovery Network Program:

1. Proof of accreditation by the Joint Commission on Accreditation of Health Care Organizations (JCAHCO) including the JCAHCO report of the program;

2. Proof of accreditation by the Council on Accreditation of Rehabilitation Facilities; or

3. Proof of licensure, appropriate for each specific impairment identified for treatment, under Chapters 394, 395, or 397, Florida Statutes.

(c) Executes a contract, Form # RNP-2, adopted by Rule 6A-10.053, F.A.C., with the participant and the Recovery Network Program; and

(d) Agrees to provide, at minimum, monthly written progress reports regarding treatment to the participant.

(3) The Recovery Network Program may rescind approval of a treatment provider if the treatment provider:

(a) Fails to maintain all qualifications required by subsections (1) and (2) of this rule;

(b) Fails to comply with the terms of any contract entered into with a participant or the Recovery Network Program in accordance with this rule;

(c) Fails to provide a participant with, at minimum, a monthly written progress report regarding treatment;

(d) Fails to ensure that participants under the treatment provider's care receive treatment that meets or exceeds the standard of care required by law and by professional standards of practice;

(e) Receives a suspension, revocation, or other discipline resulting in the restriction of the scope of practice of a license, certification, or accreditation that is required for approval of the treatment provider pursuant to subsections (1) and (2) of this rule that limits the ability to provide services;

(f) Receives three (3) instances of disciplinary action of any kind against its license, certification, or accreditation that is required for approval of the treatment provider pursuant to subsections (1) and (2) of this rule;

(g) Has charged participant fees for services in excess of the reasonable, prevailing fees and charges for the same or similar services in the provider's local area;

(h) Has charged participant fees for services in excess of those outlined by the treatment provider's fee schedule provided to the participant and the Recovery Network Program in accordance with Rule 6A-10.053, F.A.C.; or

(i) Has failed to contact a participant or the Recovery Network Program within two (2) business days of receiving an inquiry.

Rulemaking Authority 1001.02(1), 1012.798(12) FS. Law Implemented 1012.798 FS. History—New 1-9-95; Amended ____.

6A-10.052 Participation in the Recovery Network Program.

(1) A participant enrolled in the Recovery Network Program shall:

(a) Execute a "Recovery Network Program Intake and Limited Waiver of Confidentiality Form (Form # RNP-1)." (DOS link) effective June 2017, and hereby adopted and incorporated by reference, allowing the Recovery Network Program to discuss the participant's requirements for and participation in the program with the treatment provider and the participant's current employer. The incorporated form is available from the Recovery Network Program, 325 West Gaines Street, Ste. 224, Tallahassee, Florida, 32399;

(b) Execute a contract, Form # RNP-2, as adopted by Rule 6A-10.053, F.A.C., with the treatment provider(s) and the Recovery Network Program;

(c) Follow a treatment plan developed by the treatment provider;

(d) Authorize monitoring of the treatment plan by the Recovery Network Program;

(e) Participate in the Recovery Network Program until discharged from treatment by the treatment provider in consultation with the Recovery Network Program;

(f) Authorize the Recovery Network Program's notification of the participant's employer upon notification from the treatment provider that the participant is unable to perform his or her professional duties;

(g) Notify the Recovery Network Program of any change in employment or the participant's contact information within forty-eight hours of the change; and

(h) Provide progress reports received from the treatment provider to the Recovery Network Program within one (1) week of receipt.

(2) Participation in a treatment program is progress driven, and therefore, the participant is required to make satisfactory progress in the treatment program as determined by the Recovery Network Program. The Recovery Network Program shall use the following factors to evaluate the participant's progress:

(a) Attendance at scheduled appointments as documented by the treatment provider;

(b) Meeting of treatment goals as prescribed in the original or amended treatment plan accepted by the Recovery Network Program;

(c) Results of substance abuse screenings. Positive screenings which are the result of the use of a documented prescription or other substance administered based on a physician's orders will be considered a negative screening;

(d) Maintenance of contact with and responses to correspondence from the Recovery Network Program;

(e) Submittal to periodic and random blood, hair, or urine screening on the day selected as directed by the Recovery Network Program, the treatment provider(s), or the employer. The educator must bear the cost for all screenings;

(f) Performance of professional duties in a competent manner in any position requiring a Florida Educator's Certificate and requiring direct contact with students;

(g) Endangerment of the health, safety, or welfare of students, colleagues, or the general public; and

(h) Remaining free from substances with dependence liability except when such substances are prescribed by the participant's physician.

Rulemaking Authority 1001.02(1), 1012.798(12) FS. Law Implemented 1012.798 FS. History—New 1-2-95; Amended

6A-10.053 Evaluating and Treating Program Participants Participating Educators.

(1) Approved treatment providers shall not provide both evaluation services and treatment to the same participant in the Recovery Network Program.

(2) For evaluations, an approved treatment provider shall:

(a) Execute a contract, "The Recovery Network Program Contract Form (Form # RNP-2)," (DOS link) effective June 2017, and hereby adopted and incorporated by reference, with the participant and the Recovery Network Program that identifies the responsibilities of the treatment provider, the participant, and the Recovery Network Program prior to the treatment provider conducting an evaluation. The incorporated form is available from the Recovery Network Program, 325 West Gaines Street, Ste. 224, Tallahassee, Florida, 32399;

(b) Provide the participant and the Recovery Network Program notice of the treatment provider's fees for services and for reports prior to the treatment provider conducting an evaluation; and

(c) Provide the Recovery Network Program a written evaluation of the participant. The participant shall also be provided a copy of the written evaluation unless providing access to the evaluation would be harmful to the participant as determined by the treatment provider in accordance with applicable professional standards. The written evaluation shall include, but is not limited to, the following:

1. Participant's history;
2. Participant's presenting problem;
3. Participant's assessment results;
4. Participant's diagnosis;
5. Participant's prognosis;
6. The treatment provider's opinion as to the severity of the participant's impairment;
7. The treatment provider's recommendation regarding treatment; and
8. If requested by the Recovery Network Program, to the extent the treatment provider may ethically predict, written verification as to whether the participant at the time of the evaluation:

- a. Is capable of assuming his or her professional duties; or
- b. Poses a threat to students.

(d) For participants being evaluated for substance abuse, include in the written evaluation required by paragraph (2)(c) of this rule:

1. Participant's substance use history;
2. A description of participant's legal, social, professional, family, and financial problems resulting from the participant's substance abuse; and
3. Participant's prior substance abuse treatment.

(3) For treatment of participants, the treatment provider shall:

(a) Prior to initiating treatment, execute a contract, Form # RNP-2, adopted herein, with the participant and with the Recovery Network Program that identifies the responsibilities of the participant, the treatment provider, and the Recovery Network Program.

(b) Provide the participant and the Recovery Network Program notice of the treatment provider's fees for services and for reports prior to initiating treatment; and

(c) Provide the participant, at minimum, monthly written progress reports regarding his or her progress toward the completion of goals outlined in the treatment plan.

Rulemaking Authority 1001.02(1), 1012.798(12) FS. Law Implemented 1012.798 FS. History—New 1-2-95; Amended _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 17, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-14.030 RULE TITLE: Instruction and Awards in Florida College System Institutions

PURPOSE AND EFFECT: Consolidate rule 6A-14.030, F.A.C. with 6A-10.033, F.A.C. and repeal rule 6A-10.033, F.A.C.

SUMMARY: To consolidate definitions and awards in one rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for SERC was triggered under s. 120.541(1), F.S. and is not expected to require legislative ratification, and 2) Based on past experiences with instructional awards there would be no economic impact from this amendment and the adverse impact or regulatory cost, if any, does not exceed nor would be expected to exceed any one of the

economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes.

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), (6)(c), 1001.03(12), 1004.91, 1004.93, 1007.24, FS.

LAW IMPLEMENTED: 1001.02, 1001.03(12), 1004.02, 1004.91, 1004.93, FS.

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

DATE AND TIME: May 16, 2017, 9:00 a.m.

PLACE: Miami Senior High School, 2450 SW 1st St., Miami, FL 33135.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Karinda Barrett, Associate Vice Chancellor for Academic & Student Affairs, (850)245-9523 or karinda.barrett@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-14.030 Post Secondary Instructional Unit Definitions ~~Instruction~~ and Awards in Florida College System Institutions. Florida College System institutions are authorized to provide instruction and to confer degrees, certificates, and diplomas only as prescribed herein. Any Florida College System institution degree program, certificate, or diploma program shall be offered at the standard credit hour length, established and approved by the State Board of Education. The courses within the programs identified in the subsections below shall be submitted to the Division of Accountability, Research, and Measurement in the Department of Education.

(1) Definitions. The following definitions apply to instruction in postsecondary career centers operated by school districts and Florida College System institutions.

(a) Credit. Credit is a unit of measure assigned to courses or course equivalent learning. Credit is awarded if the learning activity it represents is part of, or preparatory for, an organized and specified program leading to a postsecondary certificate or degree. Credit is a device which indicates to the learner, to educational institutions, to employers, and to others how much of the program the learner has completed. The credit awarded may be independent of where the learning occurs. If a learning activity does not meet these requirements, credit shall not be awarded. The only types of postsecondary credit authorized are:

1. College credit. College credit is the type of credit assigned by Florida College System institutions to courses or course equivalent learning that is part of an organized and specified program leading to a baccalaureate, associate degree, certificate, or Applied Technology Diploma pursuant to the

stipulations in subsections (2) through (9). One (1) college credit is based on the learning expected from the equivalent of fifteen (15) fifty-minute periods of classroom instruction; with credits for such activities as laboratory instruction, internships, and clinical experience determined by the institution based on the proportion of direct instruction to the laboratory exercise, internship hours, or clinical practice hours.

a. Lower division college credit. Lower division college credit is assigned to college credit courses offered to freshmen and sophomores (1000 and 2000 level courses).

b. Upper division college credit. Upper division college credit is assigned to college credit courses offered to juniors and seniors (3000 and 4000 level courses).

2. Clock Hour. A clock hour is the unit assigned to courses or course equivalent learning that is part of an organized and specified program leading to an Applied Technology Diploma or a Career and Technical Certificate pursuant to subsections (7) and (10). It applies to postsecondary adult career courses as defined in Section 1004.02(25), F.S. One (1) clock hour is based on the learning expected from the equivalent of thirty (30) hours of instruction.

3. Developmental credit. Developmental credit is the type of credit assigned by Florida College System institutions to courses that provide degree seeking students who wish to enroll in college credit courses with additional academic preparation determined to be needed pursuant to Rule 6A-10.0315, F.A.C. One (1) developmental credit is based on the learning expected from the equivalent of fifteen (15) fifty-minute periods of classroom instruction.

4. Institutional credit. Institutional credit is postsecondary credit that is competency-based. Institutional credit is not guaranteed to automatically transfer.

(b) Noncredit. Noncredit is a term indicating that credit, as defined herein, is not awarded. It applies to the instructional classifications of noncredit continuing education, adult general education, citizenship, recreational, community education, and community instructional services. The unit of measure is hours of instruction.

(2)(4) Bachelor's degree. Each Florida College System institution is authorized to seek State Board of Education approval to provide programs of instruction consisting of upper division college credit courses as defined in subparagraph 6A-10.033(1)(a)2., F.A.C., to prepare for entry into employment, pursuant to Section 1007.33, F.S. The bachelor's degree shall be awarded upon satisfactory completion of a planned program of one hundred and twenty (120) college credits, unless otherwise approved by the State Board of Education, after demonstration of the attainment of predetermined and specified performance requirements. The bachelor's degree must include thirty-six (36) college credits of general education coursework and foreign language competence.

~~(3)(2)~~ Associate in arts degree. Each Florida College System institution shall provide the program of arts or general instruction consisting of lower division college credit courses as defined in subparagraph 6A-10.033(1)(a)1., F.A.C. The associate in arts degree is a transfer degree and a basis for admission to a bachelor's degree. The associate in arts degree shall be awarded upon satisfactory completion of a planned program of sixty (60) college credits after demonstration of the attainment of predetermined and specified performance requirements. The associate in arts degree must include thirty-six (36) college credits of general education coursework.

~~(4)(3)~~ Associate in science degree. Each Florida College System institution is authorized to provide programs of career and technical instruction consisting of lower division college credit courses as defined in subparagraph 6A-10.033(1)(a)1., F.A.C., to prepare for entry into employment. The associate in science degree is a transfer degree and a basis for admission to a related bachelor's degree. The associate in science degree shall be awarded upon satisfactory completion of a planned program of instruction comprised of the standard credit hour length established, after demonstration of the attainment of predetermined and specified performance requirements. The standard credit hour length of all associate in science degree programs as defined in Rule 6A-6.0571, F.A.C. The associate in science degree must include a minimum of fifteen (15) college credits of general education coursework.

~~(5)(4)~~ Associate in applied science degree. Each Florida College System institution is authorized to provide programs of career and technical instruction consisting of lower division college credit courses as defined in subparagraph 6A-10.033(1)(a)1., F.A.C., to prepare for entry into employment. The associate in applied science degree shall be awarded upon satisfactory completion of a planned program of instruction comprised of the standard credit hour length established, after demonstration of the attainment of predetermined and specified performance requirements. The standard credit hour length of all associate in applied science degree programs as defined in Rule 6A-6.0571, F.A.C. The associate in applied science degree must include a minimum of fifteen (15) college credits of general education coursework.

~~(6)(5)~~ A Technical Certificate (College Credit Certificate). Each Florida College System institution is authorized to provide programs of career and technical instruction consisting of less than sixty (60) college credits as defined in paragraph 6A-10.033(1)(a), F.A.C., which are part of an associate in science degree or an associate in applied science degree program and prepare students for entry into employment. The standard credit hour length of all technical certificate programs as defined in Rule 6A-6.0571, F.A.C.

~~(7)(6)~~ An Applied Technology Diploma. Each Florida College System institution is authorized to provide programs of

career and technical instruction that are part of an associate in science degree or an associate in applied science degree, that are less than sixty (60) credit hours, and leads to employment in a specific occupation. An applied technology diploma program may consist of either clock hours or college credit as defined in paragraphs 6A-10.033(1)(a), (b), F.A.C. The standard credit hour length of all applied technology diploma programs as defined in Rule 6A-6.0571, F.A.C.

~~(8)(7)~~ An Advanced Technical Certificate. Each Florida College System institution is authorized to provide programs of career and technical instruction consisting of nine (9) hours or more but less than forty-five (45) college credits of lower division and/or upper division courses as defined in subparagraphs 6A-10.033(1)(a)1. and 2., F.A.C. Florida College System institutions offering advanced technical certificates with upper division courses must be approved to offer baccalaureate programs containing those courses. An advanced technical certificate may be awarded to students who have already received an associate in science degree or an associate in applied science degree and are seeking an advanced specialized program of instruction to supplement their associate degree.

~~(9)(8)~~ Certificate of Professional Preparation. Each Florida College System institution is authorized to provide college-level professional instruction, consisting of not less than nine (9) and not more than thirty (30) college or institutional credits of courses and course equivalent modules as defined in paragraphs 6A-10.033(1)(a), (d), F.A.C., to prepare baccalaureate degree holders for licensure, certification, credentialing, examinations, or other demonstrations of competency necessary for entry into professional occupations.

~~(10)(9)~~ Career and Technical Certificate. Each Florida College System institution is authorized to provide programs of career and technical instruction consisting of clock hour courses as defined in paragraph 6A-10.033(1)(b), F.A.C., to prepare for entry into employment. Upon satisfactory completion of a planned program of instruction, after the demonstration of the attainment of predetermined and specified performance requirements, the career and technical certificate shall be awarded. The standard clock hour length of all career and technical certificate programs as defined in Rule 6A-6.0571, F.A.C.

~~(11)(10)~~ Continuing Workforce Education. Each Florida College System institution may provide noncredit continuing workforce education instruction as defined in subsection 6A-10.033(2), F.A.C., tailored to individual needs and designed to improve job performance.

~~(12)(11)~~ High school diploma. Each Florida College System institution with responsibility for adult basic and adult secondary instruction, shall provide adult basic and adult secondary instruction as defined in Section 1004.02, F.S. Upon

satisfactory completion of a planned high school program, after the demonstration of the attainment of predetermined and specified performance requirements, the high school diploma shall be awarded.

~~(13)(42)~~ Developmental instruction. Each Florida College System institution shall provide, according to the needs of its students, basic instruction to provide degree seeking students who wish to enroll in college credit courses with additional academic preparation determined to be needed pursuant to Rule 6A-10.0315, F.A.C. Satisfactory completion of such instruction shall be recognized by the award of units of measure called developmental credit as defined in paragraph 6A-10.033(1)(c), F.A.C.

~~(14)(43)~~ English for Academic Purposes. Each Florida College System institution is authorized to provide, according to the needs of its students, instruction that provides English Language Learners with essential language and academic preparation necessary to enroll in college credit instruction in Communications. Satisfactory completion of such instruction shall be recognized by the award of units of measure called institutional credit (0100-0400 series pursuant to the Statewide Course Numbering System EAP taxonomy) or college credit (1500-1600 series pursuant to the Statewide Course Numbering System EAP taxonomy) as defined in paragraphs 6A-10.033(1)(a), (d), F.A.C.

~~(15)(44)~~ Lifelong learning instruction. Each Florida College System institution shall provide noncredit instructional activities as defined in subsection 6A-10.033(2), F.A.C., to address community social and economic issues related to health and human relations, government, parenting, consumer economics, and senior citizens.

~~(16)(45)~~ Recreational and leisure time instruction. Each Florida College System institution shall provide noncredit instructional activities as defined in subsection 6A-10.033(2), F.A.C., to develop recreational or leisure time skills.

~~(17)(46)~~ These provisions shall not prevent Florida College System institutions from conferring honorary degrees, certificates, or diplomas, in accordance with the Florida College System board of trustees policy.

Rulemaking Authority 1001.02(1), (6)(c), (d), 1001.03(12), 1004.91, 1004.93 FS. Law Implemented 1001.02, 1001.03(12), 1004.02, 1004.91, 1004.93 FS. History—12-19-74, Formerly 6A-8.50, Amended 8-27-84, 8-29-85, Formerly 6A-14.30, Amended 5-14-91, 11-10-92, 5-2-95, 2-13-96, 12-30-99, 5-3-01, 7-20-04, 6-20-07, 3-25-13, 6-23-16.

NAME OF PERSON ORIGINATING PROPOSED RULE: Madeline Pumariega, Chancellor, Florida College System.
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 31, 2017

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agent and Agency Services

RULE NOS.:	RULE TITLES:
69B-250.001	Purpose and Scope
69B-250.002	Qualifications of Mediators
69B-250.003	Penalties for Violation of Section 627.745, F.S.

PURPOSE AND EFFECT: The Department of Financial Services (DFS) administers two insurance claim mediation programs. The first program is for property insurance claims (homeowner and commercial residential) pursuant to Section 627.7015, F.S., and the second is for automobile insurance claims pursuant to Section 627.745, F.S. The mediators must be approved by the DFS to conduct such mediations. The requirements for approval as a DFS mediator in paragraph 627.745(3)(b), F.S., were amended in 2014 to allow an individual who possesses an active certification as a Florida Supreme Court certified circuit court mediator to qualify as a DFS mediator. The amendment also grandfathered in current and active DFS mediators if they conducted at least one mediation for the DFS from July 1, 2010, through July 1, 2014. Paragraph 627.7015(4)(b), F.S., was amended to require the DFS to adopt rules for the denial of applications, suspension, revocation, and other penalties for mediators as provided in Section 627.745, F.S., and the Florida Rules for Certified and Court-Appointed Mediators. Subsection 627.745(4), F.S., sets forth the grounds for the denial of an application and for the suspension or revocation of the approval of a mediator.

SUMMARY: The proposed rules establish mediator qualifications, specify grounds for the denial of applications, and specify grounds for the suspension or revocation of mediator approval.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department conducted an economic analysis of the potential impact of the proposed rule and determined that there

will be no adverse economic impact or regulatory increases that would require legislative ratification.

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: 627.7015(4), 627.745, 627.745(4), FS

LAW IMPLEMENTED: 627.7015, 627.745, FS

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

DATE AND TIME: Tuesday, May 9, 2017, 10:30 a.m.

PLACE: Room 116, Larson Bldg., 200 E. Gaines Street, Tallahassee

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: Matt Tamplin, Bureau Chief, telephone: (850)413-5496, email: Matt.Tamplin@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Matt Tamplin, Bureau Chief, address: 200 E. Gaines St., Tallahassee, FL 32303, telephone: (850)413-5496, email: Matt.Tamplin@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-250.001 Purpose and Scope.

(1) The purpose of this rule chapter is to establish mediator qualifications, specify grounds for the denial of applications, and specify grounds for the suspension or revocation of mediator approval.

(2) This rule chapter shall apply to all applicants for mediator approval and approved mediators participating in the property insurance claim mediation program pursuant to Section 627.7015, F.S., and in the motor vehicle insurance claim mediation program pursuant to Section 627.745, F.S.

Rulemaking Authority 627.7015(4), 627.745 FS. Law Implemented 627.7015, 627.745 FS. History – New _____.

69B-250.002 Qualifications of Mediators.

(1) An applicant for approval to participate as a mediator in the property insurance claim mediation program pursuant to Section 627.7015, F.S., or the motor vehicle insurance claim mediation program pursuant to Section 627.745, F.S., must submit a completed Mediator Application, Form DFS-H2-591,

to the Department of Financial Services, Bureau of Licensing, 200 E. Gaines Street, Tallahassee, FL 32399-0319. The Mediator Application is incorporated by reference in Rule 69B-211.002, F.A.C., and can be obtained at the following website: <http://www.myfloridacfo.com/Division/Agents/Licensure/Forms/documents/DFS-H2-591.pdf>.

(2) An applicant for approval as a mediator must meet one of the following requirements:

(a) Possess an active certification as a Florida Supreme Court certified circuit court mediator; or

(b) Was approved as a Department mediator as of July 1, 2014, and conducted at least one mediation on behalf of the Department during the period of June 30, 2010, through July 1, 2014.

(3) The Department shall deny an application if the applicant fails to meet one of the qualifications in subsection (2) above.

(4) A mediator shall incur a 6-month suspension of approval to participate in the property insurance claim and motor vehicle insurance claim mediation programs for failure to maintain his or her certification as a Florida Supreme Court certified circuit court mediator. Mediators qualifying based on their status as a Florida Supreme Court certified circuit court mediator must notify the Department in writing within 5 business days if such certification is placed in a lapsed, suspended, sanctioned, or decertified status. Such notice shall be mailed to the Bureau of Licensing at the address in subsection (1) or electronically submitted to the Department at AgentLicensing@MyFloridaCFO.com. A Florida Supreme Court certified circuit court mediator in a lapsed, suspended, sanctioned, or decertified status is not eligible to participate in either of the mediation programs until the certification is reinstated by the Florida Supreme Court.

(5) The Department shall maintain a list of all approved mediators, which will include the mediator's name, address, telephone number, a listing of counties in which each mediator is willing to mediate, and the date the mediator's name was added to the list.

Rulemaking Authority 627.7015(4) FS. Law Implemented 627.7015, 627.745 FS History – New _____.

69B-250.003 Penalties for Violation of Section 627.745, F.S.

(1) An application for approval as a mediator shall be denied by the Department if any of the grounds set forth in paragraphs 627.745(4)(a) through (e), F.S., exist.

(2) If an approved mediator has violated any of the following provisions of subsection 627.745(4), F.S., the following penalty shall apply:

(a) Paragraph 627.745(4)(a), F.S. – suspension of approval for 6 months.

(b) Paragraph 627.745(4)(b), F.S. –

1. Suspension of approval for 12 months if the application would have been granted, if accurate, based on the statutes and Department rules applicable to the application and the documentation in the applicant’s file at the time the Department issued the approval; or

2. Revocation of approval if the application would have been denied, if accurate, based on the statutes and Department rules applicable to the application at the time the Department issued the approval.

(b) Paragraph 627.745(4)(c), F.S. – suspension of approval for 12 months.

(c) Paragraph 627.745(4)(d), F.S. – revocation of approval.

(d) Paragraph 627.745(4)(e), F.S. – revocation of approval. Rulemaking Authority 627.745(4), 627.7015(4) FS. Law Implemented 627.7015, 627.745 FS. History – New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Matt Tamplin

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 24, 2016

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:
64B14-7.003 Disciplinary Guidelines

NOTICE OF PUBLIC HEARING

The Board of Orthotists and Prosthetists announces a hearing regarding the above rule, as noticed in Vol. 42 No. 53, March 17, 2016 Florida Administrative Register.

DATE AND TIME: April 26, 2017, 9:00 a.m., Eastern Time

PLACE: By Telephone Conference Call

Call-in Number – (888)670-3525; Participant Code - 7342425515

GENERAL SUBJECT MATTER TO BE CONSIDERED: Written comments from the Joint Administrative Procedures Committee.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-75.003 Minimum Technical Qualification Standards by Type of Work

The Department of Transportation hereby gives notice:

That on April 13, 2017, FDOT entered an Order Granting Variance from Rule 14-75.003, F.A.C. On February 28, 2017, Monarch Landscape Architecture, LLC requested a waiver from the provisions of subparagraph 14-75.003(5)(m)2., F.A.C., providing minimum experience requirements for landscape architects on Department projects. Notice of the Petition for Variance was published in the March 20, 2017, edition of the Florida Administrative Register. DOT granted the variance, because Monarch demonstrated that the strict application of subparagraph 14-75.003(5)(m)2., F.A.C., would create a substantial hardship and would result in an unreasonable and unfair result in this particular instance.

A copy of the Order or additional information may be obtained by contacting: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458, FDOT.AgencyClerk@dot.state.fl.us.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-26.300 Consultant Pharmacist Licensure

NOTICE IS HEREBY GIVEN that on April 13, 2017, the Board of Pharmacy, received a petition for variance or waiver filed by Tevieca Andrews Johnson, PharmD, CPh, on behalf of Kethura S. Pullins, PharmD, seeking a variance or waiver of the requirement of Rule 64B16-26.300(4)(a), Florida Administrative Code, that requires that in order to act as a preceptor, a person shall be a consultant pharmacist of record at an institutional pharmacy which is required to have a consultant pharmacist under the provisions of Chapter 465, F.S., and the Board of Pharmacy rules.

A copy of the Petition for Variance or Waiver may be obtained by contacting: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or at info@Floridaspharmacy.gov.

Comments on this petition should be filed with the Board of Pharmacy/MQA, within 14 days of publication of this notice.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on April 10, 2017, the Florida Housing Finance Corporation, received a petition for waiver from Dunbar Improvement Associations, INC requesting a waiver of paragraph 67-48.0072(4)(C) F.A.C., to grant waiver of rule to extend the first EHCL Award closing deadline from May 23, 2017 to May 23, 2018 ad not require that an additional extension fee be imposed.

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATES AND TIMES: Monday, April 24, 2017, 5:00 p.m.; Wednesday, April 26, 2017, 5:00 p.m.

PLACE: Monday, April 24, 2017: Florida Agriculture Center & Horse Park Authority, 11008 S Highway 475, Ocala, FL 34480; Wednesday, April 26, 2017: Peterson + Smith Equine Hospital, Conference Room, 4747 SW 60th Ave., Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors Meeting on Wednesday, April 19, 2017 is being cancelled.

Monday, April 24, 2017: This is an Executive Committee meeting to discuss general business.

Wednesday, April 26, 2017: This is a Board of Directors meeting to discuss general business.

A copy of the agenda may be obtained by contacting: Emily Holmes at (352)307-6699 or email at: events@flhorsepark.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Emily Holmes at (352)307-6699 or email at: events@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Rehabilitation Council for the Blind and the Division of Blind Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 1, 2017, 2:00 p.m.

PLACE: Teleconference number: 1(888)670-3525, participant code: 1242528392#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a joint effort between the Florida Rehabilitation Council for the Blind and the Division of Blind Services(DBS) to develop specific ideas to support DBS and help them achieve their goals.

A copy of the agenda may be obtained by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, FL 32399, Selena Sickler, (850)245-0329, Selena.Sickler@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, FL 32399, Selena Sickler, (850)245-0329, Email:Selena.Sickler@dbs.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, FL 32399, Selena Sickler, (850)245-0329, Selena.Sickler@dbs.fldoe.org.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, April 25, 2017, 5:30 p.m. – 7:30 p.m.

PLACE: Sanford City Hall, Utilities Training Room, 300 North Park Avenue, Sanford, Florida 32771

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Financial Management Number: 242592-4-32-01-02

Project Description: This project proposes to reconstruct and widen State Road (S.R.) 400/Interstate 4 (I-4) as part of the I-4 Beyond the Ultimate (BtU) concept. The project involves the build-out of the interstate to its ultimate condition from one mile east of S.R. 434 to east of U.S. 17-92 in Seminole County, Florida. This project is also referred to as Segment 3 of the BtU. The proposed improvements include widening the existing six-lane divided interstate to a 10-lane divided urban interstate. The design proposes the addition of two new express lanes in each direction, with three general-use lanes in each direction for use by all drivers. The four express lanes will be tolled with variable pricing, based on congestion. A barrier wall between the adjacent shoulders will separate the express lanes from the general-use lanes. One auxiliary lane will be provided in some areas in both directions.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator, by phone at (386)943-5367 or via email at jennifer.smith2@dot.state.fl.us. The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding (MOU) dated December 14, 2016 and executed by the Federal Highway Administration (FHWA) and FDOT.

A copy of the agenda may be obtained by contacting: Ms. Beata Stys-Palasz, P.E., FDOT Project Manager, by phone at (386)943-5418 or by email at beata.stys-palasz@dot.state.fl.us or by mail at 719 South Woodland Boulevard, Mail Station 542, DeLand, FL 32720.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Jennifer Smith, District Five Title VI Coordinator, by phone at (386)943-5367 or by email at jennifer.smith2@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Beata Stys-Palasz, P.E., FDOT Project Manager, by phone at (386)943-5418 or by email at beata.stys-palasz@dot.state.fl.us. Additional information is available on the project website at www.i4express.com.

EXECUTIVE OFFICE OF THE GOVERNOR

The Financial Emergency Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2017, 10:00 a.m.

PLACE: City Commission Chambers, 215 N. Perviz Avenue, Opa-locka, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
THIS MEETING HAS BEEN CANCELLED.

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: Blair Mathers by email: blair.mathers@eog.myflorida.com or Phone: (850)717-9264. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2017, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by calling: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2017, 6:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Program Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2017, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by calling: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2017, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by calling: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 17, 2017, 10:00 a.m.

PLACE: 455 N. Garland Avenue, 2nd Floor Conference Room, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.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 two (2) days before the workshop/meeting by contacting: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.org.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 17, 2017, 9:00 a.m.

PLACE: 455 N. Garland Avenue, 2nd Floor Conference Room, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the Executive Committee.

A copy of the agenda may be obtained by contacting: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.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 two (2) days before the workshop/meeting by contacting: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District
 The South Florida Water Management District announces a public meeting to which all persons are invited.
DATE AND TIME: April 27, 2017, 9:00 a.m.
PLACE: Collier County Government Center - Commission Chambers, 3299 Tamiami Trail East, Naples, FL 34112-5746
GENERAL SUBJECT MATTER TO BE CONSIDERED: Big Cypress Basin Board Meeting; conduct regular Big Cypress Basin Board business.
 A copy of the agenda may be obtained by contacting: Lucia Martin, lmartin@sfwmd.gov or <https://www.sfwmd.gov/bcb>. 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: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.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). For more information, you may contact: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.gov.

DEPARTMENT OF ELDER AFFAIRS

The Department of Elder Affairs announces a telephone conference call to which all persons are invited.
DATE AND TIME: Monday, May 15, 2017, 10:00 a.m. – 11:00 a.m.
PLACE: Telephone conference call: 1(888)670-3525, conference code: 962 076 0613
GENERAL SUBJECT MATTER TO BE CONSIDERED: General updates on departmental programs.
 A copy of the agenda may be obtained by contacting: Jenny Rojas at rojasj@elderaffairs.org or (850)414-2000. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Jenny Rojas at rojasj@elderaffairs.org or (850)14-

2000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 The Florida Communities Trust Governing Board announces a public meeting to which all persons are invited.
DATE AND TIME: April 27, 2017, 9:30 a.m.
PLACE: Florida Department of Environmental Protection, Carr Building, Conference Room 153, 3800 Commonwealth Blvd., Tallahassee, Florida 32399
 Interested parties may participate via conference call by dialing toll-free: 1(888)670-3525 and entering participant code: 2255967442, then #.
GENERAL SUBJECT MATTER TO BE CONSIDERED: The FCT Governing Board will consider the minutes from the February 8, 2017, meetings, approval of UA17 final ranking list, amendment and restatement of perpetual conservation easement and amendment to grant award agreement submitted by Hillsborough County, and any other business deemed necessary.
 A copy of the agenda may be obtained by contacting: Linda Reeves, Florida Department of Environmental Protection, Office of Operations, Land and Recreation Grant Programs, 3900 Commonwealth Blvd., Mail Station 103, Tallahassee, Florida 32399, (850)245-2702, Linda.Reeves@dep.state.fl.us, or at http://www.dep.state.fl.us/lands/FL_Communities_Trust/. 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: Linda Reeves using the contact information provided above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, announces a public meeting to which all persons are invited.
DATE AND TIME: May 2, 2017, 9:30 a.m.
PLACE: Williamson Conference and Education Center - Dixon Hendry Campus, 2229 NW 9th Ave., Okeechobee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of interested stakeholders to discuss the Lake Okeechobee Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the adopted Total Maximum Daily Load (TMDL). The primary purpose of this meeting is to provide the annual update on the on the adopted BMAP.
 A copy of the agenda may be obtained by contacting: Sara C. Davis, Florida Department of Environmental Protection, 2600

Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail at Sara.C.Davis@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sara C. Davis at (850)245-8825. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

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

DATE AND TIME: April 25, 2017, 10:00 a.m.

PLACE: Conference call: 1(888)670-3525, participant code: 5311418626 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Biomedical Research Advisory Council will discuss issues regarding the release of the FY 2017-2018 Bankhead-Coley and James and Esther King FOAs.

A copy of the agenda may be obtained by contacting: Teresa Mathew at Teresa.Mathew@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Division of Medical Quality Assurance announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 2, 2017, 9:00 a.m.

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the Boards of Dentistry, Medicine, Nursing, Osteopathic Medicine, and Pharmacy will discuss improving patient care through a multi-disciplinary team approach to health care regulation pursuant to Section 456.005, FS.

A copy of the agenda may be obtained by contacting: Denise Simpson, Division of Medical Quality Assurance/Strategic Planning Services Unit, 4052 Bald Cypress Way, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Denise Simpson, MQA/SPS, 4052 Bald Cypress Way, Tallahassee, FL 32399, (850)245-4065. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Pain Management Clinic Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 27, 2017, 10:00 a.m.

PLACE: Meet-Me #: 1(888)670-3525, participation code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Sheila Autrey, (850)245-4444, ext. 8210, sheila.autrey@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sheila Autrey, (850)245-4444, ext. 8210, sheila.autrey@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.

For more information, you may contact: Sheila Autrey, (850)245-4444, ext. 8210, sheila.autrey@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Florida Department of Health, Division of Children's Medical Services, Early Steps Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 26, 2017, 10:00 a.m.

PLACE: 1(888)670-3525, participant code: 6272156732#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the conference call is to coordinate the Early Steps, Early Wishes event scheduled for June 16, 2017.

A copy of the agenda may be obtained by contacting: Kelly.Rogers@flhealth.gov.

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

For more information, you may contact: Kelly.Rogers@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: May 16, 2017, 9:00 a.m. – 12:00 Noon, Central Time

PLACE: 160 West Government Street, Room 101, Pensacola, Florida 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to negotiate the potential terms and conditions for the Circuit 1 Community Based Care Lead Agency Contract to be executed pursuant Exceptional Purchase as noticed on the Vendor Bid System # ITN-01FS18001.

A copy of the agenda may be obtained by contacting: Randy Fleming at (850)483-6621 or email: Randy.Fleming@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Randy Fleming. 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.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-602.101 Care of Inmates

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from Inmate Francisco A. Pereira, DC# M06039. The petition seeks the agency’s opinion as to the applicability of § 944.09, 945.215, Florida Statutes, and Rule(s) 33-602.101, Florida Administrative Code, as it applies to the petitioner.

The petition alleges that it seeks to resolve a controversy or answer questions or doubts regarding the application of § 944.09, 945.215, Florida Statutes, and Rule(s) 33-602.101, Florida Administrative Code. Persons whose substantial interests may be affected by a declaratory statement issued in this matter may file a motion to intervene or a petition for administrative hearing within twenty-one (21) days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Drugs Devices and Cosmetics has issued an order disposing of the petition for declaratory statement filed by Mr. Paul Reid, Maitland Labs, 7972 Forest City Road, Orlando, FL 32810, (407)730-7002 on April 07, 2017. The following is a summary of the agency's disposition of the petition:

The petition for declaratory statement filed by Mr. Paul Reid, Maitland Labs, on April 7, 2017 with the Division of Drugs, Devices and Cosmetics has been withdrawn by the petitioner and the withdrawal was accepted.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: A copy of the email withdrawing the petition for Declaratory Statement maybe obtained by contacting: Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399, Dinah.Greene@myfloridalicense.com, (850)717-1802.

Please refer all comments to: Drew F. Winters, Division Director, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399, Drew.Winters@myfloridalicense.com, website http://interredesignalpha/dbpr/ddc_division_notices.html.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION
 MIAMI DADE COLLEGE - PROFESSIONAL SERVICES
 AND TRADE CONTRACTORS
 DISTRICT BOARD OF TRUSTEES
 MIAMI DADE COLLEGE
 PUBLIC ANNOUNCEMENT
 REGARDING SOLICITING APPLICATIONS
 FOR
 Request for Qualifications
 PROFESSIONAL SERVICES AND TRADE
 CONTRACTORS

Scope of Services: Pursuant to Sections 255.0525, 255.20 and 1013.45, Florida Statutes the District Board of Trustees of Miami Dade College (the "Board") is soliciting applications for Professional Services and Trade Contractors

Application Packet: Interested parties can obtain application materials by visiting Miami Dade College Purchasing website on or after March 7, 2017 at <http://www.mdc.edu/purchasing/bids.asp> or by contacting the Purchasing Department at (305)237-0011.

2016-6-20-A Mechanical Contractors and related trades (to add new vendors. Vendors currently prequalified need not to reapply)

- 2017-RB-09 Architectural Services
- 2017-RB-10 Engineering Services
- 2017-RB-11 Construction Management Services
- 2017-RB-12 General Contractors
- 2017-RB-13 ACCESS Control, IP Cameras and Alarms
- 2017-RB-14 Plumbing Services
- 2017-RB-15 Commercial Painting
- 2017-RB-16 Moving, Storage and Relocation Services

- 2017-RB-17 Fire Sprinklers, Inspections and Alarms
- 2017-RB-18 Pool Repairs, Equipment and Supplies
- 2017-RB-19 Fencing and Gates
- 2017-RB-20 Asphalt, Concrete and Site Works
- 2017-RB-21 Electrical Contractors (Low and High Voltage)
- 2017-RB-22 Commercial Roofing

Please direct questions to:

Ramon S. Bristol Castrillon, MA, CPPO, FCCN
 Assistant Purchasing Director, Facilities/Plant Maintenance
 Tel: (305)237-0011, fax: (305)237-0024
 Email: rbristol@mdc.edu

DEPARTMENT OF EDUCATION

University of Central Florida

Electrical Contractor - Continuing Services

NOTICE TO CONTRACTORS

The University of Central Florida has a need for several firms to provide contractor services in the trade of Electrical on an ongoing basis for campus renovation and construction projects with construction budgets of less than \$2,000,000.

Typical projects may include new construction, renovations, remodeling, equipment installation, fire code corrections, building code corrections, aesthetic enhancements, technology enhancements, communications modifications, air quality, and sustainability modifications. Areas requiring renovation or modifications may include, but are not limited to, animal research or holding areas, research laboratories, classrooms, libraries, media centers, offices, clinics, reception and waiting areas, lobbies, corridors, atriums, courtyards, plazas, student housing, site work, parking areas, and hardscapes. Projects being implemented may border or be within occupied areas, and projects will in many cases need to be phased to allow partial occupancy during construction. ALL projects will, need to ensure the safety of faculty, staff, and students. Projects may be located on the University of Central Florida main campus or branch campuses.

Instructions for submitting a proposal can be found on the Project Fact Sheet. The Project Fact Sheet and General Contractor's Form may be obtained on our website: www.fp.ucf.edu or by contacting: Gina Seabrook, Email: gina.seabrook@ucf.edu, Phone: (407)823-5894.

We are accepting only electronic submissions, to be uploaded at: <https://ucf.bonfirehub.com/opportunities/3308>

Submittals must be received by 5:00 p.m. local time May 15, 2017. Late submissions or additional documentation will not be accepted.

Continued work from the university will be based on a periodic contractor performance evaluation. Evaluations will assess the contractor's: quality of work, ability to maintain budget, ability to stay on schedule, safety, no-change orders for same scope of work, and customer service. Contractors that do not receive

satisfactory evaluations may not be given additional work, and their contracts may be terminated.

**Section XII
Miscellaneous**

Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed
with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Monday April 10, 2017 and 3:00 p.m., Friday, April 14, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
40CER17-1	4/12/2017	4/12/2017
40CER17-2	4/12/2017	4/12/2017
60S-11.001	4/10/2017	4/30/2014
60S-11.002	4/10/2017	4/30/2014
61-9.011	4/12/2017	5/2/2017
61-9.012	4/12/2017	5/2/2017
61-9.013	4/12/2017	5/2/2017
61-9.014	4/12/2017	5/2/2017
61-9.015	4/12/2017	5/2/2017
64B8-8.012	4/11/2017	5/1/2017
68A-15.006	4/14/2017	7/1/2017
68A-15.062	4/14/2017	7/1/2017
68A-17.005	4/14/2017	7/1/2017
69K-27.001	4/12/2017	5/2/2017
73C-49.001	4/10/2017	4/30/2014
73C-49.002	4/10/2017	4/30/2014

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
40B-9.021	12/21/2016	**/**/****
40B-9.041	12/21/2016	**/**/****
40B-9.126	12/21/2016	**/**/****
40B-9.131	12/21/2016	**/**/****
40B-9.1381	12/21/2016	**/**/****
40B-9.1411	12/21/2016	**/**/****
40B-9.142	12/21/2016	**/**/****
40B-9.145	12/21/2016	**/**/****
40B-9.123	12/9/2016	**/**/****
58M-2.009	2/9/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-17-113

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY POLK CITY
ORDINANCE NO. 2012-1292

FINAL ORDER

APPROVING POLK CITY ORDINANCE NO. 2012-1292

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the Polk City, Florida, (the “City”) Ordinance No. 2012-1292 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.

- 2. The Ordinance was adopted by the City on August 13, 2012, and rendered to the Department on March 17, 2017.
- 3. The Ordinance amends the City’s Unified Land Development Code by amending floodplain regulations, and updating provisions to coincide with amendments to the Florida Building Code.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See section 380.05(6), Florida Statutes.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Element Policies 10.1 and 10.10.1

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically, the following Principles:

- (a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.
- (b) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.
- (c) Protect the water available for aquifer recharge.
- (d) Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.
- (h) Protect the water-retention capabilities of wetlands.
- (j) Protect the natural flow regime of drainage basins.
- (k) Protect the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

WHEREFORE, IT IS ORDERED that the Department finds that the Polk City Ordinance No. 2012-1292 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.
DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
James D. Stansbury, Bureau Chief
Bureau of Community Planning and Growth
Department of Economic Opportunity

Notice of administrative rights

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 13th day of April, 2017.

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

By Certified-U.S. Mail:
Patricia R. Jackson, City Manager
Thomas A. Cloud, City Attorney
Joe LaCascia, Mayor
123 Broadway Blvd. SE
Polk City, FL 33868

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-17-112
In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY LAKE COUNTY
ORDINANCE NO. 2017-14

FINAL ORDER

APPROVING LAKE COUNTY ORDINANCE NO. 2017-14

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by Lake County, Florida, Ordinance No. 2017-14 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. Lake County is a local government within the Green Swamp Area.
2. The Ordinance was adopted by Lake County on March 28, 2017, and rendered to the Department on March 30, 2017.
3. The Ordinance amends the Lake County Code by repealing and replacing Chapter XI “signs,” and amending Chapter II, Definitions.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in the Green Swamp Area of Critical State Concern.
See section 380.05(6), Florida Statutes.
5. “Land development regulations” include “local zoning, subdivision, building, and other regulations controlling the development of land.” Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the Lake County Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Policies 1-2.1.11 and 1-2.3.19.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. *See* section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically Principle “(a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.”

WHEREFORE, IT IS ORDERED that the Department finds that Lake County Ordinance No. 2017-14 is consistent with the Lake County Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.
DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
James D. Stansbury, Bureau Chief
Bureau of Community Planning and Growth
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110

TALLAHASSEE, FLORIDA 32399-4128
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 14th day of April, 2017.

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

By U.S. Mail:

The Honorable Sean M. Parks, Chairman
Lake County Board of County Commissioners
P. O. Box 7800
Tavares, FL 32778-7800

Neil Kelly, Clerk
Lake County Clerk of the Circuit Court
Lake County Courthouse
550 W. Main St.
Tavares, FL 32778

Robert Chandler, Economic Growth Director
Lake County Department of Growth Management
P. O. Box 7800
Tavares, FL 32778-7800

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-17-110
In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY CITY OF LAKE LAND
ORDINANCE NO. 5425

FINAL ORDER
APPROVING CITY OF LAKE LAND ORDINANCE NO.
5425

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations

adopted by the City of Lakeland, Florida, (the “City”) Ordinance No. 5425 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on December 16, 2013, and rendered to the Department on March 3, 2017.
3. The Ordinance amends the entire City’s Land Development Code, including but not limited to, providing zoning maps and districts, addressing nonconformities in development and development standards, establishing planned unit development, subdivision regulations, concurrency standards and historic preservation standards, and establishing administration and enforcement of the zoning code.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Element-Goal A-Objective 1A and Objective 4-Policy 4D.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Lakeland Ordinance No. 5425 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
James D. Stansbury, Bureau Chief
Bureau of Community Planning and Growth

Department of Economic Opportunity

Timothy J. McCausland, Esq., City Attorney
City of Lakeland
228 S. Massachusetts Ave.
Lakeland, Florida 33801

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 14th day of April, 2017.

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

By Certified-U.S. Mail:
R. Howard Wiggs, Mayor
Kelly S. Koos, City Clerk

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.
