

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**FISH AND WILDLIFE CONSERVATION  
COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-20.005      RULE TITLE: Specific Fish Management Area Regulations

PURPOSE AND EFFECT: Fishing regulations for black crappie at select waterbodies to provide additional harvest opportunities

SUBJECT AREA TO BE ADDRESSED: Fishing regulations for black crappie

RULEMAKING AUTHORITY: Art. IV, Sec 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec 9, Florida Constitution

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Graef, Director, Division of Freshwater Fisheries Management, 620 South Meridian St., Tallahassee, Florida 32399; [Fltrophybass@myfwc.com](mailto:Fltrophybass@myfwc.com).

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

## Section II

### Proposed Rules

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Food Safety**

RULE NOS.: 5K-9.001      RULE TITLES: Content, Department Responsibilities and Definitions

5K-9.003      Permitting Requirements

5K-9.005      Source, Construction and Operating Requirements

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal the regulations provided in Chapter 5K-9 regarding water vending machines. On 3/16/2020, these rules were transferred into section 5K-4.023 Packaged Ice, Ice Vending Machines, and Water Vending Machines.

SUMMARY: Water vending machine regulations have been transferred into 5K-4.023 thus making 5K-9 obsolete.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The department’s proposed rules do not increase fees or otherwise impose any other costs, directly or indirectly, on the regulated industry. Based on this information, the department determined there will be no adverse impact to small businesses and the potential regulatory costs of the proposed rule chapter does not exceed any of the criteria established in Section 120.541(2)(a), F.S. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 500.459(4), 500.459(5)(g), 500.459(6), 500.459(6)(a), 570.07(23) FS.

LAW IMPLEMENTED: 500.459 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chris Hilliard by email at [Chris.Hilliard@FDACS.gov](mailto:Chris.Hilliard@FDACS.gov)

THE FULL TEXT OF THE PROPOSED RULE IS:

**5K-9.001 Content, Department Responsibilities and Definitions**

Rulemaking Authority 500.459(6), 570.07(23) FS. Law Implemented 500.459 FS. History–New 8-20-86, Formerly 10D-22.001, 5E-16.001, Amended 8-22-95, 9-3-96, 3-18-98-, Repealed.

**5K-9.003 Permitting Requirements.**

Rulemaking Authority 500.459(4), 500.459(6)(a), 570.07(23) FS. Law Implemented 500.459 FS. History–New 8-20-86, Formerly 10D-22.003, 5E-16.003, Amended 8-22-95, 3-18-98-, Repealed.

**5K-9.005 Source, Construction and Operating Requirements.**

Rulemaking Authority 500.459(5)(g), (6), 570.07(23) FS. Law Implemented 500.459 FS. History—New 8-20-86, Formerly 10D-22.005, 5E-16.005, Amended 8-22-95, 3-18-98, ~~Repealed~~.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Chris Hilliard, Bureau Chief.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Nicole "Nikki" Fried, Commissioner of Agriculture.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 20, 2022

**DEPARTMENT OF EDUCATION****State Board of Education**

RULE NO.: 6A-6.0981  
RULE TITLE: Provider Approval and Renewal for Virtual Instruction Program

PURPOSE AND EFFECT: To update Rule 6A-6.0981; Form VSP-02 Virtual Instruction Program Application for Provider Approval; and Form VSP-02R Virtual Instruction Program Application for Provider Renewal. The rule will be updated to reflect change in provider approval, incorporate Virtual Instruction Financial Statement (Form VSP-FS) add on, and applicant's assurance of submitting audit report to the State Board of Education and the Auditor General. The rule will not incorporate Model Virtual Instruction Program Contract (Form VSP-C) at this time; it will undergo rule development in the near future. The applications will be updated to reflect new B.E.S.T. Standards.

SUMMARY: Per new legislation in Senate Bill 2524 and House Bill 5003, the rule will be updated to reflect the change in provider approval (from the Department of Education to the State Board of Education); incorporate Virtual Instruction Financial Statement and, add an applicant's assurance of submitting an audit report to the State Board of Education and the Auditor General yearly. The rule will not incorporate Model Virtual Instruction Program Contract (Form VSP-C) at this time; it will undergo rule development in the near future.

The applications will be updated to reflect new requirements for applicants to meet the new Florida B.E.S.T. Standards with their proposed curriculum.

**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 proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of this rule. This amendment updates the provider approval, incorporates the model contract, financial statement, applicant's assurance of submitting an audit report and the requirement for courses to reflect the B.E.S.T. Standards.

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), 1002.45(10), F.S.

LAW IMPLEMENTED: 1002.45, F.S.

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

DATE AND TIME: August 17, 2022, 9:00 a.m.

PLACE: Pensacola State College. Switzer Center for Visual Arts (Bldg. 15), 1000 College Boulevard, Pensacola, FL 32504.  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sandy Eggers, Virtual Education Director, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, FL 32399, Sandra.Eggers@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-6.0981 Provider Approval and Renewal for Virtual Instruction Program.**

(1) No change.

(2)(a) Application Form. Form VSP-02, Virtual Instruction Program Application for Provider Approval (<https://www.flrules.org/Gateway/reference.asp?No=Ref-43503>), for becoming an approved provider for the Virtual Instruction Program, will be used for those virtual education providers applying for approved status from the State Board Department of Education. Form VSP-02 is hereby incorporated by reference and made a part of this rule to become effective September ~~2022~~ 2021.

(b) Application Form. Form VSP-02R, Virtual Instruction Program Application for Provider Renewal (<http://www.flrules.org/Gateway/reference.asp?No=Ref-43504>), for renewing an approved provider for the Virtual Instruction Program, will be used for those virtual education providers applying for renewal status from the State Board

~~Department~~ of Education. Form VSP-02R is hereby incorporated by reference and made a part of this rule to become effective September ~~2022~~ 2024. Copies of forms VSP-02 and VSP-02R may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(3) Applications. The applications to become an approved provider or for renewal will be available at <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources> beginning September 1 of each year for the following school year and must be accessed and submitted electronically. The deadline for filing the application is September 30.

(a) Pursuant to Section 1002.45(2)(a)5., F.S., the applicant must possess prior successful experience offering online courses to elementary, middle and high school students as demonstrated by quantified student learning gains in each subject area and grade level provided for consideration as an instruction program option.

1. Initial Approval. For applicants seeking initial approval, prior successful experience shall be demonstrated as follows: Learning gains shall show the degree of student learning growth occurring from one school year to the next as required by state board rule for purpose of calculating school grades, in accordance with Section 1008.34, F.S. The ~~State Board Department~~ of Education shall conditionally approve a provider who is otherwise qualified but without sufficient prior, successful experience offering online courses, to offer courses measured by statewide assessments under Section 1008.22, F.S., with a learning gains component, end-of-course assessments, or Advanced Placement (AP) examinations. Conditional approval shall be valid for ~~two (2) one (1)~~ school years ~~only~~ and, based on the provider's subsequent experience in offering the courses under this paragraph, the ~~State Board of Education Department~~ shall determine whether to grant final approval to offer a virtual instruction program under the criteria for successful experience as outlined in this paragraph. Beginning July 1, 2023, conditional approval shall be valid for one (1) school year.

2. Renewal. Renewal applicants with a school grade in the most recent grades release by the Department of Education meet the prior successful experience criteria unless they are disqualified pursuant to Section 1002.45(7)(~~8~~), F.S. Pursuant to Section 1002.45(7)(~~8~~), F. S., a provider who was disqualified under this section shall be ineligible for approval for one (1) year. Thereafter, the provider must submit an application for initial approval. Renewal applicants without a school grade must meet the criteria for prior successful experience required for initial approval.

(b) In accordance with Section 1002.45(2)(a)6., F.S., the applicant must be accredited by at least one of the following K-12 regional accrediting agencies, their successors or assigns: Cognia (~~AdvancED~~), Middle States Association of Colleges and Schools Commission on Elementary School and Secondary Schools, New England Association of Schools and Colleges, Northwest Accreditation Commission, or Western Association of Schools and Colleges.

(c) Pursuant to Section 1002.45(2)(a)7., F.S., the curriculum plan must include evidence:

1. through 3. No change.

File names for course alignment documents must include the Florida course codes and titles specified in Florida's most current Course Code Directory incorporated in Rule 6A-1.09441, F.A.C. ~~Rule 6A-1.09441~~ (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07480>) and Rule 6A-1.09412, F.A.C. (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07481>) are hereby incorporated by reference and made a part of this rule. Copies may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

4. No change.

(d) No change.

(4) No change.

(5) Notice of Denial. If the application is denied, the applicant will receive written notification identifying the specific areas of deficiency. The applicant shall have thirty (30) calendar days after receipt of the notice of denial to resolve any outstanding issues, and resubmit its application for reconsideration. The applicant will receive a final notice of approval or denial. If an application is denied a second time, the ~~State Board Department~~ of Education will provide a final written notice to the provider indicating that the application has been administratively closed and that the provider may apply during the next application phase in accordance with subsection (3) of this rule.

(6) Financial Statement. The applicant shall use the Virtual Instruction Financial Statement (Form VSP-FS) as the basis for the required monthly financial statement that must be provided to the contracting school district, pursuant to Section 1002.45(4)(g), F.S. Form VSP-FS is hereby incorporated by reference (DOS link), effective September 2022, and may be obtained electronically on the Department's website at <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources/>, or from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(7) Annual Audit. The applicant shall submit the annual audit report and a written statement from the applicant in

response to any deficiencies identified within the report to the State Board of Education and the Auditor General no later than nine (9) months after the end of the preceding fiscal year. Submit annual audit and written statement to the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

~~(8)(6)~~ Revocation. The State Board of Education ~~Department~~ shall revoke the approval of a provider who fails to comply with all the requirements of Section 1002.45, F.S. Rulemaking Authority 1001.02(1), (2)(n), 1002.45(10)(11) FS. Law Implemented 1002.45 FS. History—New 11-26-08, Amended 10-21-09, 3-20-11, 12-20-11, 1-23-13, 1-1-14, 7-28-15, 10-30-16, 8-21-18, 9-21-21.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sandy Eggers, Virtual Education Director, Office of Independent Education and Parental Choice.  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2022  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 16, 2022

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.0982  
 RULE TITLE: Florida Approved Online Course Providers  
 PURPOSE AND EFFECT: To update Rule 6A-6.0982; Form VSP-03, Online Course Provider Approval Application; Form VSP-04, Application for Currently Approved Online Course Provider; and Form VSP-05, Online Course Provider Renewal Approval Application. The applications will be updated to reflect the new B.E.S.T. Standards requirements.

SUMMARY: The applications must be updated to reflect new requirements for applicants to meet the new Florida B.E.S.T. Standards with their proposed curriculum.

**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 proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of this rule. This amendment updates the requirement for courses to reflect the B.E.S.T. Standards.

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), 1003.499(2)(b), F.S.

LAW IMPLEMENTED: 1003.499(2)(b), F.S.

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

DATE AND TIME: August 17, 2022, 9:00 a.m.

PLACE: Pensacola State College. Switzer Center for Visual Arts (Bldg. 15), 1000 College Boulevard, Pensacola, FL 32504.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sandy Eggers, Virtual Education Director, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, FL 32399, Sandra.Eggers@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-6.0982 Florida Approved Online Course Providers.**

(1) No change.

(2)(a) Application Form. Form VSP-03, Online Course Provider Approval Application (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13505>), for becoming an approved online course provider, will be used for those online course providers applying for approved status from the Department of Education. Form VSP-03 is hereby incorporated by reference and made a part of this rule to become effective September ~~2022~~ 2024.

(b) Application Form. Form VSP-04, Application for Currently Approved Online Course Provider (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13506>), for a currently approved online course provider to add new courses to their approval, will be used for online course providers applying for additional online course approval status from the Department of Education. Form VSP-04 is hereby incorporated by reference and made a part of this rule to become effective September ~~2022~~ 2024.

(c) Application Form. Form VSP-05, Online Course Provider Renewal Approval Application (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13507>), for renewing an approved provider, will be used for those online course providers applying for renewal approval status from the Department of Education. Form VSP-05 is hereby incorporated by reference and made a part of this rule to

become effective September ~~2022~~ 2024. Copies of Form VSP-03, VSP-04, and VSP-05 may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(3) through (7) No change.

Rulemaking Authority 1003.499, 1008.31 FS. Law Implemented 1003.499, 1008.31 FS. History—New 12-23-14, Amended 7-28-15, 10-30-16, 10-17-17, 8-21-18, 9-21-21,

NAME OF PERSON ORIGINATING PROPOSED RULE: Sandy Eggers, Virtual Education Director, Office of Independent Education and Parental Choice.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 16, 2022

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-10.024  
 RULE TITLE: Articulation Between and Among Universities, Florida Colleges, and School Districts

PURPOSE AND EFFECT: To incorporate new language related to the governing of military credit and incorporation of a military course equivalency list for use by Florida’s public postsecondary institutions to award credit or clock hours for courses taken and occupations held by military service members. Additionally, the rule amendment will also modify the Credit-by-Examination Equivalencies list incorporated by reference.

SUMMARY: The rule implements the statewide articulated acceleration mechanisms of Section 1007.27, Florida Statutes, which facilitates a variety of acceleration mechanisms that are available to secondary and postsecondary students.

**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 proposed rule is not expected to have any adverse

impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of this rule. This is based upon the nature of the proposed rule.

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

RULEMAKING AUTHORITY: 1001.02(2)(n), 1004.096, 1007.23(1), 1007.25, 1007.27, F.S.

LAW IMPLEMENTED: 1001.64(8)(a), 1004.096, 1007.01(2), 1007.23, 1007.25, 1007.27, F.S.

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

DATE AND TIME: August 17, 2022, 9:00 a.m.

PLACE: Pensacola State College. Switzer Center for Visual Arts (Bldg. 15), 1000 College Boulevard, Pensacola, FL 32504.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Abbey Ivey, Assistant Vice Chancellor for Articulation, Abbey.Ivey@fldoe.org.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

**6A-10.024 Articulation Between and Among Universities, Florida Colleges, and School Districts.**

It is the intent of the Board of Governors in regulation and the State Board of Education in rule to facilitate articulation and seamless integration of the education system by agreeing to the provisions of this articulation agreement, pursuant to Section 1007.23, F.S. The authority to adopt and amend this rule aligns with the Constitutional power given the Board of Governors for the state university system and the statutory authority given the State Board of Education for the district school boards, the Florida College System, and the Department of Education.

(1) through (2) No change.

(3) Associate in Arts (A.A.) Degree. Every associate in arts graduate of a Florida College System institution shall be granted admission to the upper division of a public postsecondary institution consistent with Section 1007.23, F.S. Admission to the student’s preferred public postsecondary institution or program is not guaranteed. The associate in arts degree is defined in subsection 6A-14.030(3)(2), F.A.C., (The rule may be obtained from the Office of Articulation, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399) which definition is incorporated by reference herein, and for purposes of this agreement, shall include:

(a) through (c) No change.

(4) through (5) No change.

(6) Associate in Science (A.S.) Degree. The associate in science degree is defined in subsection 6A-14.030(4)(3), F.A.C.

~~(The rule may be obtained from the Office of Articulation, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399), which definition is incorporated by reference herein, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02357>), and for purposes of this agreement shall include:~~

(a) Completion of the minimum number of semester hours of college credit courses in an established program of study as required in subsection 6A-14.030(4)(3), F.A.C.

(b) through (f) No change.

(7) No change.

(8) Credit by examination.

(a) For examination programs listed in Section 1007.27, F.S., a list of examinations, minimum scores for guaranteed transfer credit, maximum credits guaranteed to transfer, and recommended course equivalents shall be maintained by the Articulation Coordinating Committee and reviewed annually. The list is incorporated in the document Articulation Coordinating Committee Credit-by-Examination Equivalencies, Effective ~~September 2022~~ August 2024, which is herein incorporated by reference and located at (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13401>). The list may be requested from the Office of Articulation, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(b) through (h) No change.

(9) through (12) No change.

(13) All postsecondary courses offered for college credit, clock hours, or developmental education credit as they are defined in Rule ~~6A-14.030~~ 6A-10.033, F.A.C. (The rule may be obtained from the Office of Articulation, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399), which definitions are incorporated by reference herein, shall be entered in the statewide course numbering system. Each course shall be assigned a single prefix and a single identifying number in the course numbering system.

(14) No change.

(15) Credit for Military Experience.

(a) The Credit or Clock Hour for Military Experience Equivalency List (“Equivalency List”) contains a list of military courses, training, and occupations which have been evaluated to determine equivalency and alignment with courses taught in Florida’s public colleges and career centers. The Equivalency List, Effective September 2022, is herein incorporated by reference and located at (DOS Link). The list may be requested from the Office of Articulation, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(b) Where the student’s military course(s) or occupation(s) are not found on the Equivalency List, a college institution or district career center must evaluate the student’s experience

using its policies and procedures for awarding military credit or clock hours. Such policies must include evaluation of military coursework to determine equivalency and alignment with postsecondary learning outcomes and course descriptions.

(c) Where the student’s military course(s) or occupation(s) are found on the Equivalency List, a college institution or district career center must award a student the minimum number of credit hours or equivalent clock hours listed in the fourth or fifth columns, respectively, as appropriate toward the applicable program of study when the student’s record demonstrates that the student:

1. Earned the required passing score in a military course, or held the rank associated with the occupation, as found on the Equivalency List; and

2. Demonstrates the required skills listed on the Equivalency List.

(d) To determine the postsecondary courses for which to award credit for military course(s) or occupation(s), institutions must consider each student’s program of study and the institution’s course offerings within each discipline area. Columns six and seven contain recommended credits by discipline and aligned courses to guide course selection. When credits or clock hours are awarded for military experience under paragraph (15)(b) or (c) of this rule, credit must be awarded in the following rank order:

1. First, general education courses;

2. Second, program-specific courses; and

3. Third, elective courses.

(e) Florida course numbers on the Equivalency List correspond to postsecondary courses on the Statewide Course Numbering System, described in Section 1007.24, F.S., or in the Career Education Curriculum Frameworks, described in Rule 6A-6.0571, F.A.C.

Rulemaking Authority 1001.02(2)(n), 1007.23(1), 1007.25, 1007.27, 1004.096(1). FS. Law Implemented 1007.01(2), 1001.64(8)(a), 1007.23, 1007.25, 1007.27, 1004.096, FS. History—New 5-5-75, Amended 10-7-75, 6-8-76, 8-22-77, 12-26-77, 3-28-78, 5-10-78, 7-2-79, 2-27-80, 5-27-81, 1-6-83, 4-5-83, 6-28-83, 1-9-85, Formerly 6A-10.24, Amended 8-4-86, 5-18-88, 5-29-90, 7-30-91, 10-4-93, 5-3-94, 1-2-95, 9-30-96, 6-15-98, 12-13-99, 8-14-00, 10-15-01, 9-22-03, 12-18-05, 12-23-14, 3-23-16, 8-23-17, 6-19-18, 6-25-19, 10-27-20, 8-23-21,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Abbey Ivey, Assistant Vice Chancellor for Articulation.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 29, 2022

**DEPARTMENT OF EDUCATION****State Board of Education**

RULE NO.: RULE TITLE:

6A-10.0351 Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund

**PURPOSE AND EFFECT:** To administer s. 1009.897, F.S., Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund. The effect of this new rule will be to provide information about the administration of the fund to Florida College System (FCS) institutions and school district career centers and charter technical centers under ss. 1001.44 and 1002.34, F.S., that offer licensed practical nursing programs.

**SUMMARY:** Senate Bill 2524 created the PIPELINE Fund, which is intended to combat the growing nursing shortage in the state.

**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 proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of this rule. This is based upon the nature of the proposed rule.

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

**RULEMAKING AUTHORITY:** 1001.02(1), (2)(n), 1009.897(4), F.S

**LAW IMPLEMENTED:** 1009.897, F.S.

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

**DATE AND TIME:** August 17, 2022, 9:00 a.m.

**PLACE:** Pensacola State College. Switzer Center for Visual Arts (Bldg. 15), 1000 College Boulevard, Pensacola, FL 32504.  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Dr. Carrie Henderson, Executive Vice Chancellor, Division of Florida Colleges, Carrie.Henderson@fldoe.org, (850)245-0407

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-10.0351 Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund.**

(1) **Purpose.** This rule administers the Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) fund, in accordance with Section 1009.897, F.S.

(2) **Definitions.** For the purposes of administering the program, the following definitions shall be used.

(a) **“Department”** means the Florida Department of Education.

(b) **“Institution”** means a school district career center under Section 1001.44, F.S. that offers a licensed practical nurse program, a charter technical career center under Section 1002.34, F.S. that offers a licensed practical nurse program, or a Florida College System institution.

(c) **“Passage rates”** means the percent of first-time test takers who take and pass the National Council of State Board of Nursing Licensing Examination (NCLEX) per program type as determined pursuant to section 464.019, F.S.

(d) **“Post-licensure nursing education program”** means programs of study that advance the training of licensed Registered Nurses.

(e) **“Pre-licensure nursing education program”** means programs of study that prepare graduates to become eligible to apply to be licensed as a Licensed Practical Nurse or a Registered Nurse.

(f) **“Program completer”** means a nursing program graduate as reported by the institution to the Department.

(3) **Measures.** The calculation of institutional allocations shall include the following measures. These measures, as described herein, are to be used for purposes of the distribution of the PIPELINE Fund, subject to appropriation and unless appropriated differently by the Florida Legislature.

(a) **Pre-Licensure Nursing Program Performance.** Institutions receive a proportion of funds based on the number of students who are awarded a certificate or degree in a pre-licensure nursing education program, which is weighted by licensure passage rates. Agency allocations are determined by:

1. Identifying the count of pre-licensure nursing programs completers.

2. Identifying the licensure passage rates for pre-licensure nursing programs.

3. Multiplying the pre-licensure completer counts by the licensure passage rates.

4. Using the completions weighted by licensure passage rates, calculating each eligible agency’s pro-rata share of the funds for pre-licensure nursing program performance.

(b) Pre-Licensure Nursing Program Excellence. Institutions receive a proportion of funds based on the number of students who are awarded a certificate or degree in a pre-licensure nursing education program, which is weighted by licensure passage rates exceeding the national average. Agency allocations are determined by:

1. Identifying the licensure passage rates for pre-licensure nursing programs.
2. Identifying the national average of licensure passage rates for pre-licensure nursing programs.
3. Calculating the percentage point difference for pre-licensure nursing programs with passage rates above the national average.
4. Calculating each eligible agency’s pro-rata share of the funds for pre-licensure nursing program excellence.

(c) Post-Licensure Nursing Program Performance. Institutions receive a proportion of funds based on the number of students who are awarded a certificate or degree in a post-licensure nursing education program. Agency allocations are determined by:

1. Identifying the count of post-licensure nursing programs completers.
2. Calculating each eligible agency’s pro-rata share of the funds for post-licensure nursing program performance.

(4) Funding. Subject to appropriation, the Department shall notify institutions of the allocations and the timeline for disbursement. Rulemaking Authority 1001.02(1), (2)(n), 1009.897(4) FS. Law Implemented 1009.897 FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Carrie Henderson, Executive Vice Chancellor, Division of Florida Colleges.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 29, 2022

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-10.0352  
 RULE TITLE: Linking Industry to Nursing Education (LINE) Fund

PURPOSE AND EFFECT: To specify the procedures for implementation of the Linking Industry to Nursing Education (LINE) Fund for a nursing education program at a school district career center under s. 1001.44, F.S., a charter technical career center under s. 1002.34, F.S., a Florida College System

institution under s. 1000.21(3), F.S., or an independent nonprofit college or university located and chartered in this state and accredited by an agency or association that is recognized by the database created and maintained by the United States Department of Education to grant baccalaureate degrees. The effect of this new rule will be to provide information regarding key definitions, allocation of funds, and application and award procedures.

SUMMARY: Senate Bill 2524 created the LINE Fund, which is intended to incentivize collaboration between nursing education programs and health care partners to combat the growing nursing shortage in the state.

**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 proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of this rule. This is based upon the nature of the proposed rule.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1009.8962(10), F.S.

LAW IMPLEMENTED: 1009.8962, F.S.

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

DATE AND TIME: August 17, 2022, 9:00 a.m.

PLACE: Pensacola State College. Switzer Center for Visual Arts (Bldg. 15), 1000 College Boulevard, Pensacola, FL 32504.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Katie Grissom, Director of Workforce and Academic Alignment, Division of Florida Colleges, katie.grissom@fldoe.org, (850)245-9035.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-10.0352 Linking Industry to Nursing Education (LINE) Fund.**

(1) Purpose. The purpose of this rule is to set forth the requirements relating to the Linking Industry to Nursing Education (LINE) Fund, which is intended to meet local, regional, and state workforce demand by recruiting faculty and clinical preceptors, increasing the capacity of high-quality nursing education programs, and increasing the number of nursing education program graduates who are prepared to enter the workforce.

(2) Definitions.

(a) "Health care partner" means a health care provider as defined in Section 768.38(2), F.S. For purposes of the LINE Fund, the health care partner must be located and licensed to operate in the state and make a monetary contribution to the postsecondary institution.

(b) "Department" means the Florida Department of Education.

(c) "Institution" means a school district career center under Section 1001.44, F.S., a charter technical career center under Section 1002.34, F.S., a Florida College System institution, or an independent nonprofit college or university located and chartered in this state and accredited by an agency or association that is recognized by the database created and maintained by the United States Department of Education to grant baccalaureate degrees, which has a nursing education program that meets or exceeds the following:

1. For a certified nursing assistant program, a completion rate of at least seventy (70) percent for the prior year.

2. For a licensed practical nurse, associate of science in nursing, and bachelor of science in nursing program, a first-time passage rate on the National Council of State Boards of Nursing Licensing Examination of at least seventy (70) percent for the prior year.

(d) "Student" means a person who is a resident for tuition purposes pursuant to Section 1009.21, F.S., and enrolled in a nursing education program at an institution.

(e) "Eligible purpose" means student scholarships, recruitment of additional faculty, equipment, and simulation centers. Construction of new facilities are not considered eligible.

(f) "Match" means the LINE funds provided to the institution on a dollar-to-dollar basis, subject to funds availability, to the health care partner's contribution.

(g) "Health care partner's contribution" means the dollars provided by an eligible health care partner to an eligible postsecondary institution.

(3) Notification of Funding Opportunity. Each year that the LINE Fund is funded by the legislature, the Department will publish notice of the availability of grants and Request for Proposals at <https://www.fl DOE.org/academics/career-adult-edu/funding-opportunities> at least fifteen (15) days prior to the notice of intent submission. For the 2022-2023 year, the

notification of funding opportunity will be posted no later than September 15. The notification of funding opportunity will include:

(a) Grant period. For Fiscal Year 2022-2023, the grant period is July 1, 2022, to June 30, 2023.

(b) Date to submit a notice of intent to apply for a grant. The notice of intent will be due fifteen (15) days following publication of the notification of funding opportunity.

(c) Earliest and latest date to apply for the grant. Proposals will be accepted as early as thirty (30) days following the notice of intent deadline and will continue to be accepted for another fifteen (15) days or until all appropriated funds are awarded, whichever comes first.

(d) The dollar amount of available grant funds.

(4) Proposals. If funds are designated in the General Appropriations Act, the Department shall solicit proposals for LINE funds. To be eligible for an allocation, proposals must include the following components which will be used to prioritize funding along with the criteria established in subsection (5).

(a) The total proposed budget for the program, which includes the health care partner contribution and the amount of LINE Funds requested. The proposed budget includes personnel costs, operating expenses, equipment costs and training expenses, and other allowable expenses.

(b) Narrative explaining how the institution plans to use the health care partner contribution and LINE matching funds to address the criteria in subsection (5).

(c) Statement of assurances that statutory requirements will be satisfied.

(d) Documentation of health care partner's contribution. Documentation must indicate the cash amount the health care partner plans to contribute ("pledged") or has contributed ("fulfilled"). If the contribution has been pledged but not been fulfilled at the time of application, acceptable documentation includes a scope of work, copies of irrevocable pledge letters, or letters of intent; the documentation must indicate the timeline for the fulfillment of the contribution. If the contribution has been pledged and fulfilled at the time of application, acceptable documentation includes financial statements, bank statements, budget reports, or bank letters that show the cash transaction(s).

(5) Review Process.

(a) The Department will evaluate and rank, by institution type, each completed and timely submitted proposal on the extent to which the application supports the following minimum criteria.

1. Whether funds committed by the health care partner will contribute to an eligible purpose.

2. How the institution plans to use the funds, including how such funds will be utilized to increase student enrollment and program completion.

3. How the health care partner will onboard and retain graduates.

4. How the funds will expand the institution's nursing education programs to meet local, regional, or state workforce demands. If applicable, this shall include advanced education nursing programs and how the funds will increase the number of faculty and clinical preceptors and planned efforts to utilize the clinical placement process established in Section 14.36, F.S.

(b) Once the proposals are evaluated and ranked pursuant to paragraph (5)(a), the Department will consider the strength of the proposed programs, the geographic location of the proposals and statewide workforce demands in order to promote the distribution of funds and avoid a concentration of funds in a small number of institutions.

(6) Award Notice. The Department will award grant funding on a dollar-to-dollar basis, subject to available funds, to eligible institutions based on subsections (4) and (5). The Department will notify institutions of the approved proposals and award amounts.

(7) Disbursements. Prior to the release of funds to an institution that has been awarded LINE funds, the institution must provide to the Department documentation of the health care partner providing the cash contribution to the institution. Acceptable documentation includes financial statements, bank statements, budget reports, or bank letters that show the cash transaction(s). Funds will be released on no more than a quarterly basis.

(8) Required Reporting.

(a) Quarterly, institutions that have been awarded LINE funds must report to the Department the amount and use of funds, as outlined in the proposal, expended in the prior three months. Quarterly submissions are due on January 15, April 15, July 15, and October 15 of each year. No later than thirty (30) days before the submission deadline, the Department will release guidelines for institutions to securely transmit an electronic file to meet this requirement.

(b) Annually, by February 1, institutions that have been awarded LINE funds must report to the Department all information required by Section 1009.896(9)(b), F.S. Minimally, the report must include, by program level, the number of additional nursing education students enrolled; if scholarships were awarded using grant funds, the number of students who received scholarships and the average award amount; and the outcomes of students as reported by the Florida Talent Development Council pursuant to Section 1004.015(6), F.S. No later than thirty (30) days before the submission deadline, the Department will release guidelines for institutions to transmit an electronic file to meet this requirement. Rulemaking Authority 1001.02(1), (2)(n), 1009.896(10) FS. Law Implemented 1009.8962 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Katie Grissom, Director of Workforce and Academic Alignment, Division of Florida Colleges.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 29, 2022

## DEPARTMENT OF EDUCATION

### State Board of Education

RULE NO.: RULE TITLE:

6A-14.092 Textbook Affordability

PURPOSE AND EFFECT: To align the rule with new statutory requirements outlined in Senate Bill 2524 and 7044 from the 2022 legislative session. The rule sets forth the adoption, posting, and reporting requirements for Florida College System (FCS) institutions related to textbook and instructional materials. The rule also addresses required posting of course syllabi for certain courses.

SUMMARY: The rule will address additional guidelines regarding textbook and instructional materials adoption and affordability. Approval of the proposed amendment of this rule may require FCS institutions to update current policies and procedures to bring greater transparency to textbooks and instructional materials costs. In addition, the rule will require FCS institutions to post syllabi for general education core courses.

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 proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of this rule. This is based upon the nature of the proposed rule.

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

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

RULEMAKING AUTHORITY: 1001.02(1), (2),(n), 1004.085(5), 1004.085(6), 1006.73(4)(e), F.S.

LAW IMPLEMENTED: 1004.085, 1006.73, F.S.

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

DATE AND TIME: August 17, 2022, 9:00 a.m.

PLACE: Pensacola State College. Switzer Center for Visual Arts (Bldg. 15), 1000 College Boulevard, Pensacola, FL 32504.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Sfiropoulos, Ph.D., Director of Academic Affairs, Division of Florida Colleges, Mike.Sfiropoulos@fldoe.org or (850)245-9523.

THE FULL TEXT OF THE PROPOSED RULE IS:

*Substantial rewording of Rule 6A-14.092 Textbook Affordability follows. See Florida Administrative Code for present text.*

**6A-14.092 Textbook and Course Material Affordability and Transparency.**

(1) Purpose. The purpose of this rule is to set forth the adoption, posting, and reporting requirements for Florida College System institutions relating to textbook and course material affordability and transparency.

(2) Textbook and Instructional Material Adoption.

(a) Each Florida College System institution is required to select textbooks and instructional materials through cost-benefit analyses that enable students to obtain the highest-quality product at the lowest available price. Pursuant to Section 1004.085(1), F.S., the term “instructional materials” means educational materials for use within a course which may be available in printed or digital format.

(b) The cost-benefit analysis must include consideration of the items listed in Section 1004.085(6)(g), F.S., and:

1. The length of time that textbooks and instructional materials remain in use, prioritizing textbooks and instructional materials that will remain in use for a minimum of three (3) years.

2. Course-wide adoption, specifically for general education courses.

(c) Prior to the adoption of the selected textbook and instructional materials, instructors must confirm the intent to use all materials pursuant to Section 1004.085(6)(b), F.S.

(d) Institutions must ensure that proposed new editions have undergone a review process to determine whether the content revisions to the current version of a textbook or instructional material warrant the adoption of the new edition. Institutions may request the publisher provide descriptions of content revisions.

(e) Development, adaptation, and review of open educational resources and instructional materials must be a collaborative process pursuant to Section 1004.085(6)(e), F.S.

(f) For textbooks and instructional materials for use in dual enrollment courses, institutions must consult with school districts as outlined in Section 1004.085(6)(f), F.S.

(g) Institutions must have options in place to make textbooks and instructional materials available to students who may not be able to afford the cost pursuant to Section 1004.085(6)(d), F.S.

(3) Textbook and Instructional Materials Forty-Five (45) Day Posting Requirements. Each Florida College System institution is required to publish on its website and in its course registration system a list of required and recommended textbooks and instructional materials as early as feasible but at least forty-five (45) days before the first day of class for each term for at least ninety-five (95) percent of all scheduled course sections.

(a) The list of required and recommended textbook and instructional materials must meet the requirements of Section 1004.085(5)(a), F.S., and must be searchable by:

1. Course subject;

2. Course number;

3. Course title;

4. Name of the instructor of the course;

5. Title of each assigned textbook or instructional material; and

6. Each author of an assigned textbook or instructional material.

(b) The list of required and recommended textbook and instructional materials must be easily downloadable by current and prospective students.

(c) Sections where no textbook is required or no-cost open educational resources are used must have an icon to indicate their status as zero cost. The Zero Textbook Cost Indicator developed by the Florida Postsecondary Academic Library Network may be used for this purpose pursuant to Section 1006.73(4), F.S.

(d) For course sections added after the forty-five (45) day notification deadline, including course sections with a reasonable exception under paragraph (3)(e), textbook and instructional material information must be posted immediately as such information becomes available.

(e) Limited exceptions to the forty-five (45) day posting requirement are as follows.

1. The originally adopted textbook or instructional material is no longer available;

2. A faculty member is hired or assigned to teach the course section after the forty-five (45) day notification deadline;

3. The course section is added after the forty-five (45) day notification deadline;

4. The instructional modality of the course section changes after the forty-five (45) day notification deadline; and

5. The course is continuing workforce education.

(4) Textbook and Instructional Materials Five-Year (5) Posting Requirements. Each Florida College System institution is required to maintain and publish a list of required and recommended textbooks for the preceding five (5) academic years.

(a) The five-year (5) list must be inclusive of the components required under paragraph (3)(a) and must be easily accessible from the institution’s consumer information website.

(b) By May 1, 2023, each Florida College System institution must publish the textbooks and instructional materials list for academic years 2017-18, 2018-19, 2019-20, 2020-21, and 2021-22.

(c) Beginning in 2023 for academic year 2022-23, and thereafter, the five-year (5) list must be updated annually by September 1 to include the preceding Fall, Spring, and Summer Terms.

(5) General Education Core Course Forty-Five (45) Day Syllabi Posting Requirements. Each Florida College System institution is required to publish course syllabi for each section of a general education core course identified in Rule 6A-14.0303, F.A.C., as early as feasible but at least forty-five (45) days before the first day of class for each term.

(a) Minimally, all general education core course syllabi must include:

1. Curriculum;
2. Goals;
3. Objectives;
4. Student expectations of the course; and
5. How student performance will be measured.

(b) Course syllabi may include other information specific to the institution.

(c) Each institution is required to publish the syllabus for each general education core course section. For general education core course sections added after the forty-five (45) day notification deadline, including course sections with a reasonable exception under paragraph (5)(d), master course syllabi, where available, may be posted. Master course syllabi include course content, learning outcomes, and requirements that must be followed by all instructors who teach the course. Master course syllabi must be replaced immediately as soon as final course section syllabi become available.

(d) Limited exceptions to the forty-five (45) day syllabi posting requirement are as follows.

1. A faculty member has not yet been assigned to teach the course section before the forty-five (45) day notification deadline.

2. The course section is added after the forty-five (45) day notification deadline.

(6) Reporting Requirements. Each Florida College System institution is required to report by September 30 of each year to the Chancellor of the Florida College System, in a format determined by the Chancellor, the following:

(a) The textbook and instructional materials selection process for high-enrollment courses;

(b) Specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials;

(c) Policies implemented regarding the posting of textbook and instructional materials for at least ninety-five (95) percent of all courses and course sections forty-five (45) days before the first day of class;

(d) The number of courses and course sections that were not able to meet the textbook and instructional materials posting deadline for the previous academic year, identifying those related to exceptions provided under paragraph (3)(e);

(e) Procedures implemented regarding the posting of general education core course syllabi for at least ninety-five (95) percent of all courses and course sections forty-five (45) days before the first day of class; and

(f) Evidence of compliance with the general education core course syllabi posting requirement.

Rulemaking Authority 1001.02(1), (2)(n), 1004.085(5), (6), 1006.73(4), FS. Law Implemented 1004.085, 1006.73 FS. History—New 2-25-09, Amended 10-17-17, 3-15-22,

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Sfiropoulos, Ph.D., Director of Academic Affairs, Division of Florida Colleges.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 29, 2022

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-14.0302 Credit for Military Service

PURPOSE AND EFFECT: To repeal the Credit For Military Service rule due to the passing of HB 171 during the 2020 legislative session and the amending of Rule 6A-10.024 which incorporates language from the repealed rule.

SUMMARY: This rule is to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed repeal of the rule is not expected to have any adverse effect on economic growth, business competitiveness, or any of the other forth in section 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: 1004.096, F.S.

LAW IMPLEMENTED: 1004.096, 1004.075, F.S.

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

DATE AND TIME: August 17, 2022, 9:00 a.m.

PLACE: Pensacola State College. Switzer Center for Visual Arts (Bldg. 15), 1000 College Boulevard, Pensacola, FL 32504.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Carrie Henderson, Executive Vice Chancellor, Florida College System, 850-245-9903, carrie.henderson@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

The following rule is hereby repealed:

**6A-14.0302 Credit for Military Service.**

Rulemaking Authority 1004.096 FS. Law Implemented 1004.096, 1004.075 FS. History—New 1-17-13, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Carrie Henderson, Executive Vice Chancellor, Florida College System.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.: RULE TITLE:

68B-14.0039 Recreational Grouper and Tilefish Seasons

PURPOSE AND EFFECT: The Florida Fish and Wildlife Conservation Commission is modifying the gag grouper recreational season in Gulf state waters based on the results of a recent stock assessment and stakeholder concerns about the

status of the Gulf gag grouper fishery. A recent stock assessment determined Gulf gag grouper is overfished and undergoing overfishing, and the Gulf of Mexico Fishery Management Council recently approved an interim measure to reduce harvest by 78% and modify the 2023 recreational season in federal waters.

The purpose of these rule changes for gag grouper is to help end overfishing, improve stock abundance, and ensure future fishing opportunities.

The effect of the rule amendment is to modify the recreational gag grouper season to be open from September 1 through November 10 in Gulf state waters.

SUMMARY: These rule amendments modify gag grouper recreational harvest season in Gulf state waters. This amendment is consistent with pending regulations in adjacent federal waters.

**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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850) 488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division

of Marine Fisheries Management, 620 S. Meridian St., Tallahassee, Florida 32399, and (850) 487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

**68B-14.0039 Recreational Grouper and Tilefish Seasons.**

(1)(a) In all state waters of the Gulf of Mexico, except in all waters of Monroe County, ~~and the waters described in paragraph (b),~~ the season for the recreational harvest and possession of gag grouper shall be September 1 through November 10 each year ~~June 1 through December 31 each year consistent with the Federal Standards established in 50 C.F.R. §622.34(e) as of May 25, 2016.~~ Except for persons harvesting gag grouper for commercial purposes pursuant to Rule 68B-14.0045, F.A.C., from November 11 ~~January 1~~ through August 31 ~~May 31~~, no person shall harvest in or from state waters of the Gulf of Mexico, except in all waters of Monroe County, nor possess while in or on state waters of the Gulf of Mexico, except in all waters of Monroe County, any gag grouper.

~~(b) In all waters of Franklin, Wakulla, Jefferson, and Taylor counties, including Indian Pass, Apalachicola Bay, and the Steinhatchee River the season for the recreational harvest and possession of gag grouper shall be from April 1 through June 30 and from September 1 through December 31. Recreational harvest of gag grouper is prohibited in these counties January 1 through March 31 and July 1 through August 31.~~

This area is further described:

~~Commencing at the edge of the Gulf of Mexico at Indian Pass at 85 degrees 13.76 minutes west longitude and 29 degrees 40.71 minutes north latitude; thence in a southerly direction to the limit of state jurisdictional waters of the Gulf of Mexico at 85 degrees 13.71 minutes west longitude and 29 degrees 30.32 minutes north latitude; thence in an easterly direction along the southern limit of state jurisdictional waters to the southeast corner of the closed area at 83 degrees 34.52 minutes west longitude and 29 degrees 31.62 minutes north latitude; thence in a northeasterly direction along the Taylor Dixie county waters boundary to the opening of the Steinhatchee River; thence in a northeasterly direction to the eastern shore at the mouth of the Steinhatchee River at 83 degrees 24.53 minutes west longitude and 29 degrees 40.03 minutes north latitude and including all waters of the Steinhatchee River.~~

~~State jurisdictional waters are depicted on official NOAA charts as the “9 Nautical Mile Natural Resources Boundary Line” and commonly referred to as the nine mile line (see NOAA chart numbers 11401, 11405, and 11407, and “Note X” on these charts).~~

(2) through (4) No change.

**PROPOSED EFFECTIVE DATE:** January 1, 2023

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-6-09, Amended 8-27-09, 1-19-10, 6-17-11, 3-23-12, 5-9-13, 10-31-13, 6-1-16, 7-1-16, 8-31-17, 1-1-21, 7-1-22, 01-01-23.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 620 S. Meridian St., Tallahassee, Florida 32399, and (850) 487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 8, 2022

**Section III  
Notice of Changes, Corrections and  
Withdrawals**

**FISH AND WILDLIFE CONSERVATION  
COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-27.003      RULE TITLE: Florida Endangered and Threatened Species List; Prohibitions  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 48 No. 113, June 10, 2022 issue of the Florida Administrative Register.

Proposed amendment to Rule 68A-27.003 has been changed to the following:

- (1) No Change.
- (2) State-designated Threatened species:
  - (a) No Change.
  - (b) The following Species Conservation Measures and Permitting Guidelines from the Commission are hereby incorporated by reference and can be found online at the following links:

- 1. through 24.: No Change.
- 25. Threatened beach-nesting birds (American oystercatcher, snowy plover, black skimmer, least tern) *Haematopus palliatus*, *Charadrius nivosus*, *Rynchops niger*, and *Sternula antillarum*, effective September 2023 ~~December 2022~~

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>);

- 26. through 27. No change.
- (c) through (i): No Change

No other changes were made to the rule amendments as proposed.

**Section IV  
Emergency Rules**

NONE

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

**DEPARTMENT OF EDUCATION**

State Board of Education

RULE NO.: RULE TITLE:

6A-2.0040 Sanitation Standards in K-12 Private Schools

NOTICE IS HEREBY GIVEN that on July 19, 2022, the Department of Education, received a petition for variance from subsection 6A-2.0040(12), F.A.C., Sanitation Standards in K-12 Private Schools. The petition requests a variance or waiver exempting the school from the mandatory diaper changing station requirements prescribed by rule. The petitioner is Fireflies Academy, located in Tampa, Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chris Emerson, Agency Clerk, Department of Education, 325 West Gaines St., Tallahassee, FL 32399, or via email at christian.emerson@fldoe.org. Public comments concerning this petition for a variance can be made at <https://web02.fldoe.org/rules>. The Department 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. on August 4, 2022.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

The South Florida Water Management District (District) hereby gives notice: On July 14, 2022, the District's Governing Board issued SFWMD Order No. 2022-035-DAO-ROW to Florida Power and Light Company (Application No. 220509-34345). The petition for waiver was received by the District on May 9, 2022. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Register, Vol. 48/96 on May 17, 2022. No public comment was received on this item. This Order provides a waiver of the District's criteria for utilization of the District right of way to allow the installation of 5 aerial crossings over the L-15 Canal to provide electric service for pumps and gates proposed with the District's STA-

1W Expansion Project; Sections 24, 29, 30, 31, 4, 5, Township 45, 46 South, Range 38, 39 East; Palm Beach County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Fla. Admin. Code, which govern placement of permanent and semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the proposed installation will not interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268, or by email at: jurussel@sfwmd.gov.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On June 30, 2022 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from La Vikinga Latin Food LLC located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 48/128 on July 1, 2022. The Order for this Petition was signed and approved on July 19, 2022. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental

contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 20, 2022, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code; Paragraph 4-301.12(A), 2017 FDA Food Code and subsection 61C-4.010(5), Paragraph 4-301.11(A); Florida Administrative Code and Section 5-203.13, 2017 FDA Food Code from Service America Corporation located in Miami Beach. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided; the requirement that adequate cold food storage is provided and that each establishment has at least one service sink provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at handwash sink; to share the warewashing facilities, storage (WIC/F) and the mop sink located on the premises of a nearby business under the same ownership.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 20, 2022, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code; Paragraph 4-301.12(A), 2017 FDA Food Code and subsection 61C-4.010(5), Paragraph 4-301.11(A); Florida Administrative Code and Section 5-203.13, 2017 FDA Food Code from Service America Corporation located in Miami Beach. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided; the requirement that adequate cold food storage is provided and that each establishment has at least one service sink provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at handwash sink; to share the warewashing facilities, storage (WIC/F) and the mop sink located on the premises of a nearby business under the same ownership.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-16.0051 Delegation of Remediable Restorative Functions to Dental Assistants; Supervision Level; and Training and Experience Requirements

NOTICE IS HEREBY GIVEN that on July 18, 2022, the Board of Dentistry, received a petition for variance or waiver filed by Jon M. Pellett, Esq., on behalf of Dental Assistant Training Schools of Florida, regarding subsection 64B5-16.0051(3), F.A.C, mandatory training courses. Petitioner is requesting that they be permitted to provide training to dental assistants on the expanded duty of remedial intraoral restorative functions without accreditation from Commission on Dental Accreditation (CODA). Comments on this petition should be

filed with the Board of Dentistry within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jessica Sapp, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3258, Jessica.Sapp@flhealth.gov.

**FLORIDA HOUSING FINANCE CORPORATION**

**RULE NO.: RULE TITLE:**

67-21.003 Application and Selection Process for Developments

NOTICE IS HEREBY GIVEN that on July 20, 2022, the Florida Housing Finance Corporation, received a petition for waiver of paragraphs 67-21.003(1)(b) and 67-21.003(8)(l), Florida Administrative Code for Casa II Venture LP waiving the Corporation's rule which requires the Application include an executed Applicant Certification and Acknowledgement in the form included in the NCA without supplementation and waiving the Timing Requirement and Corporation's requirement that a final Credit Underwriting Report be included in the Application.

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

**Section VI**

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Administration

The CRAFT Foundation, Inc. Technical Working Group committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 3, 2022, 1:00 p.m.

PLACE: Attendees may join the meeting via Zoom web conferencing online at

<https://us02web.zoom.us/j/89865761587?pwd=S1ZZamZPeS92L25wb2tqRG4vK3NXdz09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CRAFT Foundation Technical Working Group will conduct a

meeting to discuss and execute matters including but not limited to the development of Cycle Four and assisting the Florida Department of Citrus regarding expedited propagation.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Tamara Wood at 1(863)698-9276. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tamara Wood at 1(863)698-9276.

**REGIONAL UTILITY AUTHORITIES**

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water, a Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: August 4, 2022, 10:30 a.m.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for Web and Graphic Design, Creative and Development Services

CONTRACT NOS.: 2023-011 - 013. As a part of the selection process, the Selection Committee will meet to review and discuss the responses and ranking of the firms, determine if interviews are needed and review potential interview questions.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Health Facility and Agency Licensing

RULE NOS.:RULE TITLES:

59A-36.019 Emergency Management

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

The Agency for Health Care Administration announces a workshop to which all persons are invited.

DATE AND TIME: September 8, 2022, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308. You may also participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 998-518-088#. The agenda and related materials can be found on the web at: [https://ahca.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Rulemaking.shtml](https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml).

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a follow-up to the notice of rule development published in Vol. 48, No. 129 of the Florida Administrative Register on July 5, 2022, to update workshop information. The Agency proposes to revise Rules 59A-36.019 and 59A-36.025 to align with statute regarding submission and approval of comprehensive emergency management plans (CEMP) and emergency environmental control plans. Revisions will also amend language regarding extensions for emergency environmental control plan implementation, Agency requests for assistance from the State Fire Marshal to complete inspections, annual notification of plan approval to residents or their legal representatives and update the incorporated CEMP form for assisted living facilities.

A copy of the agenda may be obtained by contacting: Jeremy Roberts (850)412-4432, email: [Jeremy.Roberts@ahca.myflorida.com](mailto:Jeremy.Roberts@ahca.myflorida.com). The agenda and related materials can be found on the web at: [https://ahca.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Rulemaking.shtml](https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml).

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: Jeremy Roberts, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4432. 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: Jeremy Roberts (850)412-4432, email: [Jeremy.Roberts@ahca.myflorida.com](mailto:Jeremy.Roberts@ahca.myflorida.com).

DEPARTMENT OF HEALTH

Board of Medicine

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

DATE AND TIME: Friday, July 29, 2022, 2:30 p.m. ET or soon thereafter

PLACE: You may join the meeting from your computer, tablet, or smartphone through the following link: <https://global.gotomeeting.com/join/841195637>. You may also

join the meeting using your phone at the following number: (646)749-3122, access code: 841-195-637. To maximize your access to the meeting, the Department highly recommends that you download the GoToMeeting app on your computer, tablet, or smartphone prior to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The panel will conduct a meeting related to public disciplinary cases.

A copy of the agenda may be obtained by contacting: April Houston at (850)558-9858 or emailing her at [April.Houston@flhealth.gov](mailto:April.Houston@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: April Houston at (850)558-9848 or emailing her at [April.Houston@flhealth.gov](mailto:April.Houston@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: April Houston at (850)558-9848 or emailing her at [April.Houston@flhealth.gov](mailto:April.Houston@flhealth.gov).

Section VII

Notice of Petitions and Dispositions  
Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Hidden Road Partners CIV US Digital LLC. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On 7/15/2022, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Hidden Road Partners CIV US Digital LLC. The petition seeks a declaratory statement from the Office whether its business model (to offer its clients (1)exchange traded transactions, (2)over-the-counter physical or cash settled spot transactions, and/or (3)cash settled derivatives transactions) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov.

**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 HEALTH  
12216300 - DBMP-Duval (Jax) Lab - Central Energy Plant & Cooling Tower

ADVERTISEMENT FOR BIDS

THE FLORIDA DEPARTMENT OF HEALTH - DESIGN AND CONSTRUCTION SECTION (DCS), IS SOLICITING COMPETITIVE, SEALED BIDS FROM A QUALIFIED MECHANICAL CONTRACTOR, LICENSED TO WORK IN

THE JURISDICTION FOR THE PROJECT LISTED BELOW:

FDOH PROJECT NO: 12216300

PROJECT NAME & LOCATION: DBMP-Duval (Jax) Lab - Central Energy Plant & Cooling Tower  
1217 N. Pearl Street, Jacksonville, FL 32202

FOR: Replacement of two (2) existing cooling towers, new support structures, associated pumps and piping, and control system upgrade.

SEALED BIDS WILL BE RECEIVED PUBLICLY, OPENED AND READ ALOUD ON:

Thursday, August 23, 2022, 2:00 p.m. Bids must be received prior to opening.

SUBMIT SEALED BIDS TO: Larry Revere, Maintenance and Construction Superintendent,

FDOH Jacksonville Laboratory 1217 N. Pearl Street, Jacksonville, FL 32202

SUBMIT ALL QUESTIONS TO: Larry Revere, Maintenance and Construction Superintendent,

FDOH Jacksonville Laboratory 1217 N. Pearl Street, Jacksonville, FL 32202 larry.revere@flhealth.gov

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the General Terms and Conditions and all Bid Documents.

BID DOCUMENTS: Full sets of drawings, specifications, proposal forms/exhibits, and addenda in electronic PDF format may be acquired from:

Moses Engineering - 2209 NW 40th Terrace, Ste A Gainesville, FL 32605 Telephone: (352)372-1911 Contact: Linda Khamsavath (Lkhamsavath@moses-eng.com)

PREBID SITE REVIEW: Bidders must have prior approval to review the project site. No access will be given to walk-ups. Bidders are to contact Larry Revere at (904)813-1536 (larry.revere@flhealth.gov) to arrange for access to the project site.

BID BOND: The bidder shall enclose a certified check, cashier's check, treasurer's check, bank draft or Bid Bond in the amount of not less than five percent (5%) of the Bid, payable to the Owner as a guarantee for the purpose set out in Instructions to Bidders. (Failure to submit a bid bond will result in disqualification).

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: A Performance Bond and a Labor and Material Payment Bond are required for this project and will be issued per sub subparagraph 60D-5.004(2)(b)1c, F.A.C.

PREQUALIFICATION: Each bidder must submit a copy of their current Florida Department of Management Services (DMS) biennial prequalification letter to the Design Professional listed above at the time of requesting the bid document package or no later than five (5) calendar days prior to the bid opening date (Please verify that your pre-qualification

is still valid prior to sending). Refer to Exhibit 16-DMS Prequalification Instructions in the General Terms and Conditions for information. After the bid opening, the lowest responsive bidder must qualify in accordance with Section 60D-5.004(2)b, F.A.C.

**CONTRACT AWARD:** The official Notice of Award Recommendation will be by electronic posting on the Vendor Information Portal at <https://myfloridamarketplace.com> Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under chapter 120, Florida Statutes.

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in section 287.017, Florida Statutes for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**DISCRIMINATION, DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH**

**PUBLIC ENTITIES:** Under section 287.134(2) Florida Statutes, entities or affiliates who have been placed on the State of Florida's discriminatory vendor list may not submit a bid or proposal on this contract.

**E-VERIFY:** Vendor/Contractor shall utilize the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed by the Vendor/Contractor during the term of the Contract to perform employment duties within Florida and all persons, including subcontractors, assigned by the Vendor/Contractor to perform work pursuant to the contract with the Department.

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Architect at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD  
REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL  
CONTINUING CONSTRUCTION MANAGEMENT  
SERVICES FOR SARASOTA MEMORIAL HEALTH CARE  
SYSTEM [SMHCS]**

The Sarasota County Public Hospital District d/b/a Sarasota Memorial Hospital and its governing board (collectively, "the Hospital"), located in Sarasota County, Florida, announces that continuing professional services are required for the following discipline:

Construction Manager, minimum of three (3), with the ability to service the Sarasota Memorial Health Care System (SMHCS). These services may be used for projects anywhere in the buildings and spaces owned or operated by the Sarasota Memorial Health Care System.

**PROJECT DESCRIPTION:** The construction manager will be a single point of responsibility for performance of multiple construction contracts up to \$4,000,000.00 individually, functioning as an independent contractor, publicly bidding trade contracts. Three construction management contracts will be awarded, for a period of three years.

Typical projects assigned under this contract may include new construction, renovations, remodeling, alterations, equipment installation, additions, and code compliance corrections. Per Florida Statute 255.103, the maximum per-project construction cost is \$4,000,000. Given that the magnitude of some SMHCS projects have construction costs less than \$500,000, businesses specializing in delivering smaller scope, high-quality, healthcare-related projects are encouraged to apply.

Continuing Service contracts for these projects provide that the Consultant will be available on an as-needed basis for a period of three (3) years. This selection is based upon construction manager at risk services only. Other services (including architectural and engineering project design) that may be required for specific projects shall be provided under a separate agreement with those consultants. Continuing Professional Service contracts for these minor projects provide that the Consultants receiving the awards will not have exclusive contracts to perform services for these projects. SMHCS may have additional consultants under contract during the same time period.

The Applicant, and all future sub-consultants, must be properly registered to practice its profession in the State of Florida at the time of application. If the Applicant is a corporation, it must be properly chartered by the Florida Department of State to practice its profession in the State of Florida at the time of application. It is the Sarasota Memorial Health Care System's responsibility to negotiate a fair, competitive and reasonable compensation on a per project basis. Compensation may vary between projects.

**INSTRUCTIONS:**

Firms interested in being considered as candidates are required to submit ten (10) bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement, latest edition.
3. Proof of general, automobile and workers' compensation liability insurance coverage.
4. Proof of current bonding capacity and current usage of bonding their bonding capacity
5. Identify, by City and State, the Firm's office that will support this service agreement, and provide the approximate distance (miles) from the SMHCS main campus.
6. A list of at least three (3) client references consisting of name, title, address, telephone number and project name(s) for each project specified. Please ensure that your references are updated and are willing to reply. Reference responses are mandatory and non-responding references will not be considered as valid references.
7. Related Experience of the firm, and key individuals: Provide past five (5) years of completed healthcare facility projects that demonstrate the firm's experience. Include related experience with Authorities Having Jurisdiction, including AHCA, the City of Sarasota, and Sarasota County, Florida.
8. Project Team: Provide the resumes of team members assigned to support this service agreement, with all relevant licensure and experience information.
9. An explanation of how the firm intends to respond expeditiously on project matters.
10. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of the submission package.
11. Doing business: Outline the firm's approach to successful project delivery and quality control.

All interested firms are further informed as follows:

1. The SMHCS reserves the right to reject any or all submittals at any time during this process.
2. Selection of finalists will be made on the basis of Construction Manager qualifications including experience and ability; record keeping; project administration; scheduling; cost estimating; cost control; quality control; and qualification of the firm's personnel.
3. The basis for selecting finalists includes, but is not limited to the firm's experience with local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications of proposed team design

criteria experience as stated above, ability to quickly respond, and the firm's proposed project approach.

4. SMHCS reserves the right to request additional information beyond the data set forth above.
5. Questions regarding submissions shall be directed to John Salt, (941)917-1802
6. Except as specified herein, no person employed by or acting on behalf of a firm submitting a proposal may contact directly or indirectly the any member of the Sarasota County Public Hospital Board or any officers, agents or employees of the Sarasota Memorial Health Care System. Violation of this prohibition may result in the firm's proposal being rejected and the firm being disqualified from the review and selection process.

Submissions shall be titled:

Statement of Qualifications for  
CONSTRUCTION MANAGER CONTINUING SERVICES -  
2022

Sarasota Memorial Health Care System

1. Submissions must be received by the SMHCS no later than 1:00p.m. on Friday, August 12, 2022. Submit statements to the attention of John Salt, Director, Facilities Management, Attn: Facility Management, 1700 South Tamiami Trail, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
2. Only John Salt shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification.
3. Interested persons should contact John Salt's office at (941) 917-1802 with any project-related questions.
4. The selection committee will meet in a public meeting at Sarasota Memorial Hospital's Waldemere Auditorium, 1700 S. Tamiami Trail, Sarasota, FL 34239, (ground level entrance), at 9:00 a.m. on Thursday, August 25, 2022, to hear presentations, discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. If fewer than three (3) Firms respond, the Selection Committee will also evaluate current statements of qualifications and performance data on file with Hospital, in determining which Firm is the most highly qualified to perform the required services and announce the top three ranked Firms. All interested parties are invited to attend.

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, July 14, 2022 and 3:00 p.m., Wednesday, July 20, 2022.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
61-35.012	7/15/2022	8/4/2022
61G6-4.006	7/15/2022	8/4/2022
61G15-34.003	7/15/2022	8/4/2022
64B-7.001	7/14/2022	8/3/2022
64B8-9.012	7/19/2022	8/8/2022
64B14-5.002	7/14/2022	8/3/2022
64B14-5.005	7/14/2022	8/3/2022
64B15-14.004	7/19/2022	8/8/2022

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

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
5K-4.020	12/10/2021	**/**/****
5K-4.035	12/10/2021	**/**/****
5K-4.045	12/10/2021	**/**/****
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	12/8/2021	6/2/2022
60P2.002	11/5/2019	6/2/2022
60P-2.003	11/5/2019	6/2/2022
62-6.001	5/10/2022	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****
69L-7.020	10/22/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****

**DEPARTMENT OF HEALTH**

Board of Podiatric Medicine

**NOTICE OF WITHDRAWAL OF PETITION FOR DECLARATORY STATEMENT**

NOTICE IS HEREBY GIVEN that the Board of Podiatric Medicine has received a Notice of Withdrawal of Petition for Declaratory Statement filed by John W. Wallace, Esq., on behalf of Kevin Lam, DPM, FACFAS on July 18, 2022. On April 15, 2022, the Petitioner sought the agency’s opinion as to the applicability of Section 461.003(5), F.S., as it applies to the petitioner. The petition has been withdrawn upon request of Petitioner.

The Notice of Declaratory Statement was published in Vol. 48, No. 79, on April 22, 2022 in the Florida Administrative Register. No comments were received on the Petition.

The person to be contacted regarding this petition is Ashleigh K. Irving, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, Ashleigh.Irving@flhealth.gov.

**DEPARTMENT OF HEALTH**

Board of Podiatric Medicine

**UPDATED NOTICE OF WITHDRAWAL OF PETITION FOR DECLARATORY STATEMENT**

NOTICE IS HEREBY GIVEN that the Board of Podiatric Medicine has received a Notice of Withdrawal of Petition for Declaratory Statement filed by John W. Wallace, Esq., on behalf of Kevin Lam, DPM, FACFAS on July 18, 2022. On April 15, 2022, the Petitioner sought the agency’s opinion as to the applicability of Section 461.003(5), F.S., as it applies to the petitioner. The petition has been withdrawn upon request of Petitioner.

The Notice of Declaratory Statement was published in Vol. 48, No. 79, on April 22, 2022 in the Florida Administrative Register. No comments were received on the Petition.

The person to be contacted regarding this petition is Ashleigh K. Irving, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, Ashleigh.Irving@flhealth.gov. The previous notice published on July 20, 2022 references the incorrect Executive Director as Kimberly Marshall. The notices published on July 21, 2022 refer to the correct Executive Director which is Ashleigh K. Irving.

**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.