

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NO.: **RULE TITLE:**
1B-2.011 Library Grant Programs

PURPOSE AND EFFECT: Amendment will revise State Aid to Libraries Grant Guidelines in order to incorporate changes to grant agreement and a new certification form.

SUBJECT AREA TO BE ADDRESSED: State Aid to Libraries Grant agreement will be revised.

RULEMAKING AUTHORITY: 257.14, 257.191, 257.192, 257.24, 257.41(2) FS.

LAW IMPLEMENTED: 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carlos A. Rey, Florida Department of State, 500 S. Bronough St, Tallahassee, FL 32399

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

DEPARTMENT OF CITRUS

RULE NO.: **RULE TITLE:**
20-34.001 Test House Facilities and Equipment to be Furnished

PURPOSE AND EFFECT: Correcting rule from previous filing to utilize the current 'standard containers' language defined in 20-39.018.

SUBJECT AREA TO BE ADDRESSED: Container language correction.

RULEMAKING AUTHORITY: 601.10(1), (7), 601.24 FS.

LAW IMPLEMENTED: 601.11, 601.24, 601.27 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice

Wiggins, Legal Assistant, Florida Department of Citrus, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NOS.: **RULE TITLES:**
61G3-21.001 Normal Penalty Ranges
61G3-21.002 Aggravating and Mitigating Circumstances
61G3-21.003 Repeat Violations
61G3-21.004 Penalties Cumulative and Consecutive
61G3-21.006 Probation
61G3-21.009 Citations
61G3-21.010 Revocation
61G3-21.012 Notice of Non-Compliance

PURPOSE AND EFFECT: The purpose of the rule development is to update the disciplinary rules to make them comply with requirements in Chapter 456, F.S., to establish new penalties for violations of statute and rule provisions, and to delete unnecessary rules.

SUBJECT AREA TO BE ADDRESSED: Disciplinary rules.

RULEMAKING AUTHORITY: 455.224, 455.225(3)(a), 455.2273, 476.064(4), 476.194(1)(b), 476.204(2) FS., Ch. 86-90, § 2, Laws of Florida.

LAW IMPLEMENTED: 455.224, 455.225(3), 455.2273, 476.204(1)(h), (2), 477.204 FS., Ch. 86-90, § 2, Laws of Florida.

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: Robyn Barineau, Executive Director, Barbers' Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: **RULE TITLE:**
69A-64.005 Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: The purpose of the amendment is to adjust the firefighter death benefits provided in section

112.191, F.S., for the 2018-2019 year based on the Consumer Price Index (CPI) for All Urban Consumers published by the United States Department of Labor.

SUBJECT AREA TO BE ADDRESSED: Adjustment of firefighter line of duty death benefits.

RULEMAKING AUTHORITY: 112.191(2)(h) FS.

LAW IMPLEMENTED: 112.191 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: August 30, 2018, 9:30 a.m.

PLACE: Division of State Fire Marshal, 3rd Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, FL

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: Jason Fryar at (850)413-3647 or Jason.Fryar@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jason Fryar, Government Analyst II, Division of State Fire Marshal, 200 E. Gaines Street, Tallahassee, FL 32399-0342, (850)413-3647 or Jason.Fryar@MyFloridaCFO.com. The text of the proposed rule is also available on the Department's website @ <http://www.MyFloridaCFO.com/LegalServices/ruleHearing/>
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09414
RULE TITLE: Course Requirements - Grades PK-12 Exceptional Student Education

PURPOSE AND EFFECT: To adopt course requirements for each course contained in the “Course Code Directory and Instructional Personnel Assignments” for Grades PK-12 Exceptional Student Education. The effect will be the proposed adoption of the exceptional education course descriptions as appropriate for each grade level and content area.

SUMMARY: The proposed amendment will incorporate the Access Art, Access Music and Access Physical Education

courses for grade levels K, 1, 2, 3, 4 and 5. Access Art K-5 (course #7701010), Access Music K-5 (course #7713010) and Access Physical Education K-5 (course #7715010) are daggered for the 2018-19 school year, to be deleted in the 2019-20 school year. Access English 1/2 (course #7910111) and Access English 3/4 (course #7910112) courses have been deleted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. The proposed amendment does not impose any new costs on any stakeholder.

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

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

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

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

DATE AND TIME: September 14, 2018, 8:00 a.m.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

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

A course description directs district personnel by providing the essential content and course requirements for each course in grades PK-12 contained in the “Course Code Directory and Instructional Personnel Assignments” adopted in Rule 6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publication “2018-2019 ~~2017-2018~~ Florida Course Descriptions for Grades PK-

12, Exceptional Student Education (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06770>),” which is hereby incorporated by reference and made a part of this rule. Copies of approved course descriptions may be obtained from Division of Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. Rulemaking Authority 1001.02, 1001.03(1), 1011.62(1)(t) FS. Law Implemented 1001.03, 1011.62(1)(t) FS. History—New 7-9-86, Amended 12-28-86, 12-13-88, 12-11-89, 11-12-91, 6-6-93, 10-18-94, 9-28-99, 8-21-12, 3-25-14, 6-23-15, 6-23-16, 11-21-17, ____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hershel Lyons, Chancellor, Division of Public Schools.
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 08, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 5, 2018.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.094224
 TITLE: Uniform Assessment Calendar Requirements

PURPOSE AND EFFECT: To adopt an updated uniform assessment calendar template that is no longer applicable.

SUMMARY: The passage of House Bill 7069, which went into effect on July 1, 2017, amended section 1012.34, F.S., to make the use of Florida’s Value-Added Model (VAM) optional for the purposes of teacher evaluation. The template is, therefore, being amended to remove “teacher evaluation” as a required use of the statewide, standardized assessments; to ensure the template accurately reflects current purposes, required uses, and statutory citations for the statewide, standardized assessment; and to remove footnotes that pertain only to specific assessments and not to the blank portion of the template.

SUMMARY: The passage of House Bill 7069, which went into effect on July 1, 2017, amended section 1012.34, F.S., to make the use of Florida’s Value-Added Model (VAM) optional for the purposes of teacher evaluation. The template is, therefore, being amended to remove “teacher evaluation” as a required use of the statewide, standardized assessments; to ensure the template accurately reflects current purposes, required uses, and statutory citations for the statewide, standardized assessment; and to remove footnotes that pertain only to specific assessments and not to the blank portion of the template.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule revision relates only to the removal of language in the uniform assessment calendar template that is no longer applicable; therefore, there is no impact on economic growth, private sector job creation, employment, private sector investment, or business competitiveness. If there is any impact on such economic growth and private sector job creation, the impact would be positive because the use of a uniform assessment calendar aids in the uniformity of standardized testing across the state and, by making the uniform assessment calendar available to parents, assists in preparing students for standardized assessments, leading to higher testing performance. For the same reasons, though no impact on business competitiveness is anticipated, any impact would be positive. Because the proposed rule only relates to the removal of language that is no longer applicable from the uniform assessment calendar template, it is not likely to increase regulatory costs or 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: 1002.23(5), 1008.22(7)(i), (13), FS.

LAW IMPLEMENTED: 1002.23(5), 1008.22(7), FS.

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

DATE AND TIME: September 14, 2018, 8:00 a.m.

PLACE: Collier County School Board Office, 575 Osceola Trail, Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Vince Verges, Assistant Deputy Commissioner, Accountability, Research, and Measurement; 325 W. Gaines St., Room 414, Tallahassee, FL 32399, 850-245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.094224 Uniform Assessment Calendar.

(1) through (4) No change.

(5) The Uniform Statewide Assessment Calendar template, Form ARM 001, effective ~~July 2016~~ October 2018, (<http://www.flrules.org/Gateway/reference.asp?No=Ref->

~~07093~~) is incorporated herein by reference and made part of this rule. Copies of the Uniform Assessment template may be obtained from the Office of Assessment, Division of Accountability Research and Measurement, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida, 32399-0400 or by emailing assessments@fldoe.org. Rulemaking Authority 1002.23(5), 1008.22(7)(i), (13) F.S. Law Implemented 1002.23(5), 1008.22(7) F.S. History–New 7-26-16, Amended 10-17-17,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 08, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2018.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-18.0401	Federal Regulations Adopted by Reference
6A-18.042	Issuance of License
6A-18.0421	Conditions for Termination of a L.O.F.A.; Suspension or Revocation of License
6A-18.045	Newspaper Vending Sales

PURPOSE AND EFFECT: To ensure that the federal regulations relating to the program are accurately incorporated, to ensure that the requirements for licensure in the Bureau of Business Enterprise program are accurately described, and to incorporate the Division of Blind Service’s (Division) designation of minor violations. The effect will be rules that accurately reflect all current requirements related to the operation of the Bureau of Business Enterprise and the designation of minor violations under section 120.695, Florida Statutes.

SUMMARY: This proposed rulemaking addresses the federal regulations governing the Division’s programs; the requirements for licensure in the Bureau of Business Enterprise Programs; streamlining of the discipline provisions of the Rule 6A-18.0421; F.A.C., and the incorporation of the designations of minor violations made pursuant to section 120.695, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the nature of the proposed rules and review by the Division of Blind Services, the impact of the proposed rules will not exceed any of the factors in section 120.541(2)(a), Florida Statutes. Pursuant to s. 120.541(3), Florida Statutes, a rule only needs to be ratified by the legislature when the impact is expected to exceed the factors in s. 120.541(2)(a), Florida Statutes. Therefore, the current proposed rulemaking does 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: 413.011, 413.041, 413.051, FS.

LAW IMPLEMENTED: 413.011, 413.041, 413.051, FS.

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

DATE AND TIME: September 14, 2018, 8:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Taylor Wolff, Assistant General Counsel, 325 W. Gaines St. Suite 1244, Tallahassee, FL 32399-0400, phone: (850)245-0442.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-18.0401 Federal Regulations Adopted by Reference. The Department adopts and incorporates by reference Title 34, Code of Federal Regulations, Parts 361, effective August 19, 2016 ~~January 17, 2004~~, (DOS link) 363, effective August 19, 2016, (DOS link) ~~and~~ 395, effective January 19, 1981 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07265>), and 397, effective August 19, 2016 (DOS link). The regulations may also be obtained by contacting the Division of Blind Services, 325 West Gaines Street, Suite 1114, Tallahassee, Florida 32399-0400. Rulemaking Authority 413.011(3)(l), 413.051(12) FS. Law Implemented 413.011(3)(l) FS. History–New 8-24-16, Amended.

6A-18.042 Issuance of License.

(1) In order to be eligible for and maintain a license to operate a Vending facility, an individual must be:

(a) A Blind person as defined in 34 CFR §395.1, Terms, and Section 413.033(1), F.S.;

- (b) A citizen of the United States;
- (c) Eighteen (18) years of age or older;
- (d) Determined eligible to receive services as a client of the Division of Blind Services pursuant to Rule 6A-18.050, F.A.C.;
- ~~(e)(d)~~ Possess a high school diploma or equivalency;
- ~~(f)(e)~~ Must pass a security background investigation, which shall include fingerprinting, statewide criminal and juvenile records checks through the Florida Department of Law Enforcement and federal criminal records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies; and,
- (2) No change.
- (3) The Division may grant an exemption from disqualification from this section only as provided in section 435.07, F.S., except that the requirements of section 435.07(1)(a)1., F.S., shall apply to all disqualifying offenses described in Rule 6A-18.042(2), F.A.C.
- (4) To apply for licensure, an individual must:
 - (a) Meet with his or her Division vocational rehabilitation counselor and express an interest in the Vending facility program;
 - (b) Complete a vocational assessment;
 - (c) Determine, as agreed to by his or her vocational rehabilitation counselor pursuant to 34 C.F.R. §§ 361.45 and 361.46, that Vending facility operator is an appropriate employment outcome, based on the results of of the vocational assessment and any other pertinent training received by the client within the past calendar year. The counselor may recommend further assessment and training as needed.
- ~~(5)(3)~~ The Division shall issue a license to operate a Vending facility after an individual has satisfactorily completed: ~~the Vending Facility Training Program Application (Form DBS-BBE 005) as incorporated by reference in Rule 6A-18.046, F.A.C., the subsequent Vending Facility Training Program, and the Licensure Examination.~~
 - (a) The Vending Facility Training Program Application (Form DBS-BBE 005) as incorporated by reference in Rule 6A-18.046, F.A.C.;
 - (b) An assessment interview before a panel comprised of Division employees and members of the State Committee of Vendors;
 - (c) A ten-day work experience in which the individual works with a local licensed Vendor to determine whether Vending facility operator is an appropriate employment goal;
 - (d) The Vending Facility Training Program at the Rehabilitation Center for the Blind in Daytona Beach, Florida, with scores of eighty (80) percent or higher on all testing;
 - (e) Four (4) to ten (10) weeks of on-the-job training at an existing Vending facility; and
 - (f) The Licensure Examination with a score of eighty (80) percent or higher.

- ~~(6)(4)~~ The license shall be continuously valid, subject to:
 - (a) The Blind licensee’s continuing to meet the requirements of licensure;
 - (b) The voluntary relinquishment of the license;
 - (c) Death of the Blind licensee;
 - (d) Revocation of the license as set forth in Rule 6A-18.00421, F.A.C.; or
 - (e) The Blind licensee failing, for a period of five (5) years, to actively hold either a Permanent or a Temporary L.O.F.A.
 - ~~(7)(5)~~ Any Blind licensee whose license becomes invalid under paragraph 6A-18.042~~(6)(4)~~(e), F.A.C., must complete the requirements of subsection 6A-18.042~~(5)(3)~~(3), F.A.C., prior to participating in any future selection process.
- Rulemaking Authority 413.011(3)(l), 413.051(12) FS. Law Implemented 413.011(3)(f), 413.041, 413.051 FS. History—New 4-5-83, Amended 11-5-85, Formerly 6A-18.04, Amended 7-8-87, Formerly 6A-18.004, Amended 10-20-98, Formerly 38K-1.004, Amended 10-25-10, 8-24-16,

6A-18.0421 Conditions for Termination of a L.O.F.A.; Suspension or Revocation of License.

- (1) A Blind licensee’s Vendor’s L.O.F.A. may be terminated or a license may be suspended or revoked for any one of the offenses listed in subsection (2) below. When the Division finds that a Blind licensee has committed any act for which the Division may impose discipline, the Division shall impose an appropriate penalty within the ranges set forth in subsection (2) unless, based upon consideration of aggravating and mitigating factors in the individual case that are among those set out in subsection (4) of this rule, the Division determines that a penalty outside the range in those guidelines but within statutory limitation is appropriate. In those cases in which the Division relies on aggravating or mitigating factors to depart from the ranges in the disciplinary guidelines, such aggravating and mitigating factors shall be stated in the written notice informing the Blind licensee of the penalty. ~~failing or refusing to comply with any one of the following:~~
 - ~~(a) The rules of Chapter 6A-18, F.A.C.;~~
 - ~~(b) The terms and conditions for licensure as set forth in subsection 6A-18.042(1), F.A.C.;~~
 - ~~(c) The Permanent or Temporary L.O.F.A.; or~~
 - ~~(d) The terms and conditions of any permit or lease for property on which a Vending facility is located.~~
- (2) A Vendor’s L.O.F.A. may also be terminated, or a license may be suspended or revoked for any of the following reasons:
 - ~~(a) Misuse or unauthorized use of Vending facility or equipment, in violation of the L.O.F.A., including damage or destruction due to negligence or the failure to use ordinary or reasonable care;~~

~~(b) Removal of state property or state funds from a Vending facility without the prior written approval of the Division;~~

~~(c) Misuse or misappropriation of state funds;~~

~~(d) Falsification of facility records or reports relating to the selection for or the operation of a Vending facility;~~

~~(e) The use of threatening, discriminatory, harassing, or abusive language at the Vending facility;~~

~~(f) Being in possession of, selling or being under the influence of illegal drugs or alcohol at a Vending facility;~~

~~(g) Becoming incapacitated to such a degree that the Vendor can no longer manage the Vending facility in a manner consistent with the requirements of subsection 6A-18.0421(1), F.A.C.;~~

~~(h) Failure to successfully complete, every two (2) years, three (3) continuing education units (CEUs) of courses approved by the Division;~~

~~(i) Conviction of or plea of guilty or nolo contendere to, whether or not adjudication of guilt is withheld, a crime that is a felony or a first degree misdemeanor;~~

~~(j) Unlicensed carrying of concealed weapons or concealed firearms, as set forth in Section 790.01, F.S., in a Vending facility by the Blind licensee, excluding tools typically used in the operation of a Vending facility;~~

~~(k) Failure by the Blind licensee to pay the Division for:
1. Initial working capital when due;
2. Set aside funds.~~

~~(l) Failure by the Blind licensee to pay commissions or other financial obligations incurred in execution of the L.O.F.A., following due notice from the Division;~~

~~(m) Default on any repayment plan between the Blind licensee and the Division for initial working capital, Set aside funds, or commission deficiencies. Default shall be determined as lack of satisfaction of the balance on said debt, following due notice from the Division;~~

~~(n) Failure by the Blind licensee on two (2) consecutive occasions to submit, under the L.O.F.A., the monthly business reports or Set aside funds by the due date; or~~

~~(o) Failure on three (3) separate occasions during any calendar year to submit, under the L.O.F.A., the monthly business reports and Set aside funds by the date due.~~

~~(3) When the Division finds that a Blind licensee has committed any act for which the Division may impose discipline, the Division shall impose an appropriate penalty within the ranges set forth for various acts or violations in the following disciplinary guidelines unless, based upon consideration of aggravating and mitigating factors in the individual case that are among those set out in subsection (5) of this rule, the Division determines that a penalty outside the range in those guidelines but within statutory limitation is appropriate. In those cases in which the Division relies on~~

~~aggravating or mitigating factors to depart from the ranges in the discipline guidelines, such aggravating and mitigating factors shall be stated in the written notice informing the Vendor of the penalty.~~

~~(2)(4) The table below includes the acts for which the Division may impose discipline, along with the applicable following disciplinary guidelines shall apply to the below listed rule violations and to the described action that may be a basis for determining violations of particular rule provisions. Each of the following disciplinary guidelines shall be interpreted to include the following range of disciplinary actions: "letter of warning," "letter of sanction," "termination of L.O.F.A.," "suspension," and "revocation." The term "letter of sanction" shall mean a written communication from the Division to the Blind licensee Vendor outlining a violation as described in this subsection and carrying such penalty as described in subparagraph 6A-18.0425(3)(b)4., F.A.C. The terms "suspension" and "revocation" shall mean any length of suspension or revocation of a license to operate a Vending facility, including permanent revocation, and shall include a comparable period of denial of an application for a license.~~

(a) Violation of the rules set forth laid out in Chapter 6A-18, F.A.C.	Letter of Warning – Revocation
(b) Violation of the requirements for licensure as set forth in Rule subsection 6A-18.042(1), F.A.C.	Termination of L.O.F.A. – Revocation
(c) Non-compliance with Breach of the terms of a L.O.F.A. in violation of paragraph 6A-18.0421(1)(e), F.A.C.	Letter of Warning – Termination of L.O.F.A.
(d) Non-compliance with the terms and conditions of any permit or lease for property on which a Vending facility is located in violation of paragraph 6A-18.0421(1)(d), F.A.C.	Letter of Warning – Termination of L.O.F.A.
(e) Misuse or unauthorized use of Vending facility or equipment, including damage or destruction due to negligence or the failure to use ordinary or reasonable care in violation of paragraph 6A-18.0421(2)(a), F.A.C.	Letter of Warning – Termination of L.O.F.A.
(f) Removal of state property or state funds from a Vending facility without the prior written approval of the Division in violation of paragraph 6A-18.0421(2)(b), F.A.C.	Termination of L.O.F.A. – Revocation
(g) Misuse or misappropriation of state funds in violation of paragraph 6A-18.0421(2)(c), F.A.C.	Termination of L.O.F.A. – Revocation

(h) Falsification of facility records or reports in violation of paragraph 6A-18.0421(2)(d), F.A.C.	Letter of Warning Revocation	of -
(i) The use of threatening, discriminatory, harassing, or abusive language at the Vending facility in violation of paragraph 6A-18.0421(2)(e), F.A.C.	Letter of Sanction Revocation	of -
(j) Being in possession of, selling or being under the influence of illegal drugs or alcohol at a Vending facility in violation of paragraph 6A-18.0421(2)(f), F.A.C.	Letter of Sanction Revocation	of -
(k) Becoming incapacitated to such a degree that the Blind licensee can no longer manage the Vending facility in a manner consistent with the requirements of subsection 6A-18.0421(1), F.A.C.	Termination of L.O.F.A. Revocation	of -
(l) Failure to successfully complete, every two (2) years, three (3) continuing education units (CEUs) of courses approved by the Division in violation of paragraph 6A-18.0421(2)(h), F.A.C.	Suspension Revocation	- -
(m) Conviction of or plea of guilty or nolo contendere to, whether or not adjudication of guilt is withheld, a crime that is a felony or a first degree misdemeanor in violation of paragraph 6A-18.0421(2)(i), F.A.C.	Termination of L.O.F.A. Revocation	of -
(n) Unlicensed carrying of concealed weapons or concealed firearms, as set forth in Section 790. 01, F.S., in a Vending facility by the Blind licensee, excluding tools typically used in the operation of a Vending facility, in violation of paragraph 6A-18.0421(2)(j), F.A.C.;	Termination of L.O.F.A. Revocation	of -
(o) Failure by the Blind licensee to pay the Division for initial working capital when due, or Set-aside funds, in violation of paragraph 6A-18.0421(2)(k), F.A.C.	Termination of L.O.F.A. Revocation	of -
(p) Failure by the Blind licensee to pay commissions or other financial obligations incurred in execution of the L.O.F.A., following due notice from the Division, in violation of paragraph 6A-18.0421(2)(l), F.A.C.	Termination of L.O.F.A. Revocation	of -

(q) Default on any repayment plan between the Blind licensee and the Division for initial working capital, Set-aside funds, or commission deficiencies. Default shall be determined as lack of satisfaction of the balance on said debt, following due notice from the Division, in violation of paragraph 6A-18.0421(2)(m), F.A.C.	Termination of L.O.F.A. Revocation	of -
(r) Failure by the Blind licensee on two (2) consecutive occasions to submit, under the L.O.F.A., the monthly business reports or Set-aside funds by the due date in violation of paragraph 6A-18.0421(2)(n), F.A.C.	Termination of L.O.F.A. Revocation	of -
(s) Failure on three (3) separate occasions during any calendar year to submit, under the L.O.F.A., the monthly business reports or Set-aside funds by the date due in violation of paragraph 6A-18.0421(2)(o), F.A.C.	Termination of L.O.F.A. Revocation	of -
(t) Failure to pass the security background investigation required by <u>Rule 6A-18.042(2), F.A.C., subject to the exemption criteria in Rules 6A-18.042(2) and 6A-18.042(3), F.A.C.</u>	<u>Suspension</u> <u>Revocation</u>	- -

(3) Pursuant to section 120.695, F.S., the Division designates the first violation of the following rules as minor violations for which the Division shall issue a Notice of Noncompliance, allowing the Blind licensee fifteen (15) days to correct the violation prior to application of the discipline outlined in Rule 6A-18.0421(2), F.A.C.:

- (a) Rule 6A-18.0421(2)(l), F.A.C.;
- (b) Rule 6A-18.0421(2)(o), F.A.C.;
- (c) Rule 6A-18.0421(2)(p), F.A.C.; and
- (d) Rule 6A-18.0421(2)(q), F.A.C.

(4)(5) Based upon consideration of aggravating and mitigating factors present in an individual case, the Division may deviate from penalties recommended in subsection (2) of this rule. The Division may consider the following as aggravating or mitigating factors:

- (a) The severity of the offense;
- (b) The danger to the public;
- (c) The number of repetitions of offenses;
- (d) Length of time since the violation;
- (e) The number of times the Blind licensee has been previously disciplined by the Division;
- (f) The length of time the Blind licensee has been licensed and contributions to the program;
- (g) The actual damage, physical or otherwise, caused by the violation;

- (h) The deterrent effect of the penalty imposed;
- (i) The effect of the penalty on the Blind licensee's livelihood;
- (j) Any effort of rehabilitation by the Blind licensee;
- (k) The actual knowledge of the Blind licensee pertaining to the violation;
- (l) Attempts by the Blind licensee to correct or stop the violation or refusal by the Blind licensee to correct or stop the violation;
- (m) Actual negligence related to the Blind licensee in any violation;
- (n) Penalties imposed for related offenses under subsection (4) of this rule;
- (o) Monetary or other benefit to the Blind licensee;
- (p) Present status of physical and/or mental condition contributing to the violation including recovery from addiction;
- (q) Any other relevant mitigating or aggravating factors under the circumstances.

~~(6) A vendor's license to operate a Vending facility may be revoked for failure to pass the security background investigation required by Rule 6A-18.042, F.A.C., subject to the exemption criteria in subsection 6A-18.042(2), F.A.C.~~

~~(5)(7) The Division shall serve written notice of its intent to remove a Blind licensee Vendor from a Vending facility or to suspend or revoke a license by hand delivery or certified mail, to the Blind licensee's Vendor's last known address. Such action shall be governed by Rule 6A-18.0423, F.A.C., and Chapter 120, F.S.~~

Rulemaking Authority 413.011(3)(l), 413.051(12) FS. Law Implemented 413.011(3)(f), 413.041, 413.051 FS. History—New 10-20-98, Formerly 38K-1.0041, Amended 10-25-10, 8-24-16,

6A-18.045 Newspaper Vending Sales.

(1) through (5) No change.

(6) Pursuant to section 120.695, F.S., the Division has designated the first violation of Rule 6A-18.045(2), F.A.C., as a minor violation for which the Division shall issue a Notice of Noncompliance, allowing the vendor fifteen (15) days to correct the minor violation prior to application of other appropriate discipline.

Rulemaking Authority 413.011(3)(l), 413.051(12) FS. Law Implemented 413.011(3)(f), 413.041, 413.051 FS. History—New 3-1-93, Formerly 6A-18.012, 38K-1.012, Amended 8-24-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Doyle, Director, Division of Blind Services.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 08, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2018.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-25.001	Federal Regulations Adopted by Reference
6A-25.006	Ability to Serve All Eligible Individuals and Order of Selection for Services
6A-25.008	Authorization for Services
6A-25.009	Scope of Vocational Rehabilitation Services

PURPOSE AND EFFECT: To implement portions of the Workforce Innovation and Opportunity Act (WIOA) amendments to the Rehabilitation Act, streamline internal Division of Vocational Rehabilitation processes, and ensure that the appropriate regulations are incorporated into the rules.

SUMMARY: The proposed rulemaking includes the following amendments: incorporation of the federal regulations governing the Division of Vocational Rehabilitation's programs; incorporation of the Division of Vocational Rehabilitation's Vendor Registration Qualifications Manual; the job retention exception to the order of selection authorized by WIOA; the provision of pre-employment transition services to students with disabilities beginning at age 14; and the streamlining of the Division's prior approval process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the nature of the proposed rules and review by the Division of Vocational Rehabilitation, the impact of the proposed rules will not exceed any of the factors in section 120.541(2)(a), Florida Statutes. Pursuant to s. 120.541(3), Florida Statutes, a rule only needs to be ratified by the legislature when the impact is expected to exceed the factors in s. 120.541(2)(a), Florida Statutes. Therefore, the current proposed rulemaking does 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: 413.22, FS.

LAW IMPLEMENTED: 413.24, 413.28, 413.30, 413.32, FS.

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

DATE AND TIME: September 14, 2018, 8:00 a.m.
 PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Taylor Wolff, Assistant General Counsel, 325 W. Gaines St. Suite 1244, Tallahassee, FL 32399-0400, phone: (850)245-0442.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-25.001 Incorporation Federal Regulations Adopted by Reference.

(1) The Department adopts and incorporates by reference Title 34, Code of Federal Regulations, Part 361 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00644>), effective in ~~2016~~ 2011; Title 34, Code of Federal Regulations, Part 363 (*DOS Link*), effective 2016; Title 34, Code of Federal Regulations, Part 397 (*DOS Link*), effective 2016; and Title 45, Code of Federal Regulations, Part 1329 (*DOS Link*), effective 2016.

(2) The Department incorporates by reference, to be effective October 2018, the Division of Vocational Rehabilitation Vendor Registration Qualification Manual (*DOS Link*), (rev. 08/2018). A copy of this manual may be obtained from the Division of Vocational Rehabilitation, 4070 Esplanade Way, Tallahassee, FL 32399-7016. Rulemaking Authority 413.22, 1001.02 FS. Law Implemented 413.24, 413.28, 413.30 FS. History—New 5-14-12, Amended _____.

6A-25.006 Ability to Serve All Eligible Individuals and Order of Selection for Services.

(1) through (5) No change.

(6) Job Retention. An eligible individual who requires specific services or equipment to retain existing employment may receive such services or equipment regardless of their placement in one of the priority classifications set forth above. Rulemaking Authority 413.22, 1001.02 FS. Law Implemented 413.24, 413.28, 413.30 FS. History—New 5-14-12, Amended _____.

6A-25.008 Authorization for Services.

(1) The division shall not pay for goods or services unless such goods or services are listed in the Individualized Plan for Employment (IPE) ~~or Individualized Plan for Extended Evaluation (IPEE)~~, or an amendment thereto, or are part of the assessment for determining eligibility and vocational rehabilitation needs and:

(a) The goods or services were authorized in writing by the division prior to the time they were provided; or

(b) The goods or services were provided under emergency circumstances subsequent to verbal authorization by the division.

~~(2) Prior Approval. Certain vocational rehabilitation services must be approved at the state office or area office level prior to being initiated.~~

~~(a) Services that require prior approval at the state office level are:~~

- ~~1. All transplants;~~
- ~~2. All procedures to be performed on persons with cancer;~~
- ~~3. Cochlear implants and other implantable hearing devices;~~
- ~~4. Gastrointestinal procedures (e.g., stomach stapling) for morbid obesity;~~
- ~~5. Hyperbaric oxygen treatments for any condition;~~
- ~~6. Intrathecal baclofen infusion for cerebral palsy (cerebral dystonia);~~
- ~~7. Brain surgery;~~
- ~~8. Comprehensive inpatient/outpatient pain management programs conducted by a multi specialty team or by an individual physician;~~
- ~~9. Penis prosthesis;~~
- ~~10. Any cosmetic/reconstructive surgery;~~
- ~~11. Any medical conditions with uncertain prognosis or outcome;~~
- ~~12. Sterilization, abortion, sex change operations or treatment;~~
- ~~13. Bone stimulator; or~~
- ~~14. Treatment to be provided out of state except in southern Georgia or Alabama when in close proximity to the individual's home. The determination of whether an individual lives in close proximity is based on the individual's needs, which may include availability of transportation and availability of services.~~

~~(b) Services that require prior approval at the area office level are:~~

- ~~1. Services to Division of Vocational Rehabilitation staff and family members;~~
- ~~2. Services on an IPE or IPE amendment for eligible individuals with brain and spinal cord injury which can reasonably be expected to require expenditures of totaling \$30,000 or more. Approval will be required for each increment of \$20,000 thereafter. For all other eligible individuals, services on an IPE or IPE amendment which can reasonably be expected to require expenditures totaling \$20,000 or more. Approval will be required for each increment of \$10,000 thereafter;~~
- ~~3. Training to be provided out of state except in southern Georgia or Alabama when in close proximity to the individual's home. The determination of whether an individual lives in close proximity is based on the individual's needs, which may~~

~~include availability of transportation and availability of services;~~

~~4. Graduate level training;~~

~~5. Maintenance payments greater than \$500 per month;~~

~~6. Other goods and services over \$500 provided and not classified as maintenance;~~

~~7. Waivers of maintenance in extenuating circumstance; and,~~

~~8. Purchase of non adaptive computers and related equipment of \$3,000 or more.~~

~~(2)(3)~~ Exceptions. The division shall pay an amount based on prevailing market rates for necessary and customary services incidental to surgery, hospitalization or medical diagnosis when such services were not authorized at the time of authorization of a primary service.

~~(3)(4)~~ The division's highest allowable fee for health care services is the amount payable for such services in Florida under the Medicare Part B system or, for hospital per diem payments, the amount payable under the Medicaid system. In setting its highest allowable fee for all other services, the division shall ensure such fee is not set so low as to deny individuals the right to make informed choices among service providers. The providers of choice shall agree to accept as payment for the service rendered no more than the division's highest allowable fee. If an individual chooses a service provider that charges in excess of the division's highest permitted fee, the individual shall be solely responsible to fully pay such excess, and a signed statement to that effect shall be placed in the case record.

Rulemaking Authority 413.22, 1001.02 FS. Law Implemented 413.24, 413.28, 413.30 FS. History—New 5-14-12, Amended _____.

6A-25.009 Scope of Vocational Rehabilitation Services.

(1) Maintenance. Maintenance is defined in 34 C.F.R. §361.5 (c)(34)(b)(35). Maintenance does not mean support for the discharge of court-ordered obligations or indebtedness of any kind incurred prior to or subsequent to an application for rehabilitation services.

(2) through (6) No change.

(7) Pre-Employment Transition Services. Pre-employment transition services, as defined in 34 C.F.R. §361.5(c)(42) and 34 C.F.R. §361.48(a), may be provided to students with disabilities beginning at age fourteen (14).

Rulemaking Authority 413.22, 1001.02 FS. Law Implemented 413.24, 413.28, 413.30, 413.32, 413.731 FS. History—New 5-14-12, Amended 8-20-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Allison Flanagan, Director, Division of Vocational Rehabilitation.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 09, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 20, 2018.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-208.101 Employee Grooming, Uniform and Clothing Requirements

PURPOSE AND EFFECT: To update the Departmental standards of dress, accessories and personal grooming for all FDC staff in accordance with their professional duties and working environment.

SUMMARY: The rule updates and clarifies the Department's standards related to professional dress, maintenance of hair, facial hair, earrings and excessive or hazardous jewelry.

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 used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. Any person who wishes to provide information regarding the 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.

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: 944.09, FS.

LAW IMPLEMENTED: 944.09, 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: Gregory Hill, Assistant General Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) The following grooming standards shall apply to all Department of Corrections employees, including all non-uniformed employees and contracted employees, while performing official duties:

(a) All employees shall maintain a professional appearance at all times while performing official duties.

(b) All employees shall maintain personal hygiene and shall keep themselves personally neat and clean while on duty.

(c) Clothing will be clean and pressed as is appropriate for the particular garment.

(d) Clothing shall be appropriate for the particular assignment.

(e) Shoes will be clean, presentable, and appropriate for the particular assignment.

~~(f) Policies regarding the wearing of neck ties for office staff will be determined by the Secretary, Deputy Secretary and Office Directors.~~

~~(f)(g) Hair will be neat, clean, trimmed and present a groomed appearance. For male employees, hair will not completely cover any part of the ear or go below the ear or extend 1/2 inch of the top of the collar. If the hair is dyed, only natural shades will be permitted.~~

(g) Facial hair for all male staff is authorized as follows:

1. Staff must notify the correctional office chief or, in the case of non-uniformed staff, their immediate supervisor, in writing, of their intention to grow authorized facial hair. Conversely, staff must also notify the correctional officer chief or, in the case of non-uniformed staff, their immediate supervisor, in writing, of their intent to shave previously authorized facial hair;

2. Any authorized facial hair as described below in subparagraph (1)(g)5 shall not exceed 1/4 inch in length;

3. The wearing of authorized facial hair must not interfere with the performance of assigned duties;

4. Staff must obtain a new staff photo ID within one week of the completion of growing or shaving of authorized facial hair;

5. Authorized facial hair is defined as:

a. A moustache that does not protrude below the top of the upper lip or past the corner of the mouth on the side; or

b. A full-face beard; or

c. A goatee with or without a moustache.

6. The growing of variations of the above, i.e., chin curtain, soul patch, handlebar moustache, mutton chops or any other similar styles is not authorized.

~~(h) Earrings are prohibited for male staff. Earrings for female staff will constitute the only body piercing ornaments allowed. No employee will display while on duty any other jewelry of which any part has been pierced into or through the skin or flesh of any part of the body.~~

~~(i) Undergarments shall not be visible.~~

~~(j) All employees shall dress in a professional manner appropriate to their positions and duties and shall avoid eccentricities in their personal appearance.~~

~~(k) All employees shall dress in appropriate business attire a manner required by the court for all court appearances.~~

~~(l) Identification cards.~~

~~1. Except as provided below, all employees shall wear the department issued ID card in a visible manner that will identify the individual at all times while on duty.~~

~~2. For security purposes when interacting with offenders, probation and parole field staff, including administrative and clerical support, are not required to wear the department issued ID card in a visible manner; however, they must be in possession of the department issued ID card for identification purposes while on duty.~~

~~(2) In addition to the standards set forth in subsection (1), all institutional and community corrections male employees shall comply with the following grooming standards:~~

~~(a) Earrings are prohibited for male staff. Hair will not completely cover any part of the ear or go below the ear or extend below 1/2 inch of the top of the collar.~~

~~(b) If hair is dyed or highlighted, only naturally occurring hair colors will be permitted. For the purpose of this rule, "naturally occurring hair colors" will include: black, brown, blond, auburn, red, grey, and white. Unnatural colors, such as purple, pink, blue, yellow, or green are prohibited. Facial hair for staff is authorized as follows:~~

~~1. Staff must notify the correctional office, chief or, in the case of non uniformed staff, their immediate supervisor, in writing, of their intention to grow authorized facial hair. Conversely, staff must also notify the correctional officer chief or, in the case of non uniformed staff, their immediate supervisor, in writing, of their intent to shave previously authorized facial hair;~~

~~2. Any authorized facial hair as described below in subparagraph (2)(b)5, shall not exceed 1/4 inch in length;~~

~~3. The wearing of authorized facial hair must not interfere with the performance of assigned duties;~~

4. Staff must obtain a new staff photo ID within one week of the completion of growing or shaving of authorized facial hair;

5. Authorized facial hair is defined as:

a. A moustache that does not protrude below the top of the upper lip or past the corner of the mouth on the side; or

b. A full face beard; or

c. A goatee with or without a moustache.

6. The growing of variations of the above, i.e. chin curtain, soul patch, handlebar moustache, mutton chops and other similar styles is not authorized.

(3) through (5) No change.

(6) The following provisions shall apply to health services employees:

(a) through (d) No change.

(e) The following shall apply to health services staff whose duties require providing direct care to inmates in an institution, including physicians, pharmacists, dentists, clinical associates, registered nurses, LPNs, correctional medical technicians certified, medical technologists, health support workers, UTRs and "ward clerks".

1. ~~Excessive~~ Jewelry that is excessive or could pose a safety or security issue shall not be worn with the uniform. Jewelry that could be used to disable an employee will not be worn. No bulky or ornate jewelry will be worn. Bracelets or earrings are prohibited for male staff. Female staff shall be allowed to wear earrings; however, only one pair of post or clip-on earrings will be worn at a time and will be worn on earlobes only. Earrings for female staff will constitute the only body piercing ornaments allowed. For safety purposes, earrings shall not be hooped or dangling.

2. Fingernails will be neatly trimmed and clean. Fingernails shall not extend more than 1/4 inch past the end of the finger. Artificial fingernails or extenders will not be worn when having direct contact with high risk inmates, i.e., in a licensed hospital facility, intensive care units, operating rooms, or dialysis units. Hair shall be maintained in a manner consistent with infection control practices and safety considerations.

(7) through (8) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00, 4-30-02, 2-20-03, 6-26-03, 10-27-03, 12-28-03, 12-12-04, 9-11-06, 2-6-07, 10-8-07, 6-28-12, 5-18-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Janie Westberry, Director, Office of Administration
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie L. Jones, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2018

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-103.005	Informal Grievance
33-103.006	Formal Grievance - Institution or Facility Level
33-103.007	Appeals and Direct Grievances to the Office of the Secretary
33-103.008	Grievances of Medical Nature
33-103.011	Time Frames for Inmate Grievances
33-103.014	Reasons for Return of Grievance or Appeal Without Processing
33-103.016	Follow Through on Approved Grievances

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the Notice of Proposed Rulemaking published in Vol. 44, No. 136 (July 13, 2018) of the Florida Administrative Register. The language should have been as follows:

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 used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. Any person who wishes to provide information regarding the statement of estimated regulatory costs or

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.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

- RULE NOS.: RULE TITLES:
- 69K-7.009 Reporting Requirements for Preneed Licensees Filing an Initial Application to Utilize a Letter of Credit or Surety Bond in Lieu of Maintaining a Trust Fund
- 69K-7.012 Criteria for Filing a Surety Bond in Lieu of Maintaining a Trust Fund
- 69K-7.0125 Alternative Form of Security for Permanent Outer Burial Receptacle Manufacturers
- NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 111, June 7, 2018 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

- RULE NO.: RULE TITLE:
- 69K-7.0095 Preneed Trust fund; financial reports
- NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 111, June 7, 2018 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

- RULE NO.: RULE TITLE:
- 58A-5.036 Emergency Environmental Control for Assisted Living Facilities
- NOTICE IS HEREBY GIVEN that on July 26, 2018, the Department, received a petition for permanent waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Hudson Manor Assisted Living, License # AL10528. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

- RULE NO.: RULE TITLE:
- 62-610.560 Ground Water Recharge by Injection
- NOTICE IS HEREBY GIVEN that on July 31, 2018, the Department of Environmental Protection, received a petition for variance Sarasota County’s Bee Ridge Water Reclamation Facility to meet the primary drinking water standards requirements to maximize the beneficial reuse for irrigation purposes from Rule 62-610.560, F.A.C., which requires that reclaimed water injected into Class G-II ground water containing 3000 mg/L or less of total dissolved solids or into Class G-I or F-I ground water shall meet the full treatment and disinfection requirements contained in subsection 62-610.563(2), F.A.C. The facility is located at 1001 Sarasota Center Boulevard, Sarasota, FL 34240. The petition has been assigned DEP File No. FLA013372; OGC No. 18-1154.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bill Robertson, 239-344-5657, Bill.D.Robertson@floridadep.gov; Department of Environmental Protection, South District, P.O Office Box 2549, Fort Myers, Florida 33902-2549; during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

- RULE NO.: RULE TITLE:
- 64B3-5.002 Supervisor
- NOTICE IS HEREBY GIVEN that on August 08, 2018, the Board of Clinical Laboratory Personnel, received a petition for variance or waiver filed by Roberto Omar Guajardo. Petitioner is seeking a variance or waiver of paragraph 64B3-5.002(3)(b), Option 3a, Florida Administrative Code, which sets forth the education, training/experience and examination requirements for licensure as a supervisor in the specialty of cytology.
- A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 11, 2018, 9:00 a.m. until conclusion

PLACE: This meeting will be held via webinar and teleconference

To join the AIE panel meeting:

1. Use your computer or portable device for video and your separate telephone for audio:

a. At the time of the meeting, go to <http://joinwebinar.com> in your web browser. Enter your name and Session ID# 866-198-939.

b. Use your telephone to dial in:

i. Click Phone call. Please do NOT use the computer audio option. You will not be able to speak during the meeting unless you use your telephone for audio.

ii. Dial (415)655-0052.

iii. Enter Access Code #: 411-892-628. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.

c. You will be muted during the call. When it is your turn to speak, press *6 to unmute yourself, then *6 to mute yourself again when you are done speaking.

2. If you wish to call in only and not see the video webinar:

a. At the time of the meeting, dial: (415)655-0052

b. Enter Access Code #: 411-892-628. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.

c. You will be muted during the call. When it is your turn to speak, press *6 to unmute yourself, then *6 to mute yourself again when you are done speaking.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2019-2020 Arts in Education grants under the General Program Support and Specific Cultural Project Grant Programs.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rachelle Ashmore at rachelle.ashmore@dos.myflorida.com. If you are hearing or

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

For more information, you may contact: Michelle Smith Grindberg at (850)245-6475 or at michelle.smithgrindberg@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 12, 2018, 9:00 a.m. until conclusion

PLACE: This meeting will be held via webinar and teleconference

To join the Literature panel meeting:

1. Use your computer or portable device for video and your separate telephone for audio:

a. At the time of the meeting, go to <http://joinwebinar.com> in your web browser. Enter your name and Session ID# 730-226-667.

b. Use your telephone to dial in:

i. Click Phone call. Please do NOT use the computer audio option. You will not be able to speak during the meeting unless you use your telephone for audio.

ii. Dial (415)930-5321.

iii. Enter Access Code #: 701-535-400. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.

c. You will be muted during the call. When it is your turn to speak, press *6 to unmute yourself, then *6 to mute yourself again when you are done speaking.

2. If you wish to call in only and not see the video webinar:

a. At the time of the meeting, dial (415)930-5321

b. Enter Access Code #: 701-535-400. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.

c. You will be muted during the call. When it is your turn to speak, press *6 to unmute yourself, then *6 to mute yourself again when you are done speaking.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2019-2020 Literature grants under the General Program Support and Specific Cultural Project Grant Programs.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Rachelle Ashmore at rachelle.ashmore@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michelle Smith Grindberg at (850)245-6475 or at michelle.smithgrindberg@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 12, 2018, 2:00 p.m. until conclusion

PLACE: This meeting will be held via webinar and teleconference

To join the Traditional Arts panel meeting:

1. Use your computer or portable device for video and your separate telephone for audio:

a. At the time of the meeting, go to http://joinwebinar.com in your web browser. Enter your name and Session ID# 347-426-883.

b. Use your telephone to dial in:

i. Click Phone call. Please do NOT use the computer audio option. You will not be able to speak during the meeting unless you use your telephone for audio.

ii. Dial (415)655-0060.

iii. Enter Access Code #: 815-795-217. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.

c. You will be muted during the call. When it is your turn to speak, press *6 to unmute yourself, then *6 to mute yourself again when you are done speaking.

2. If you wish to call in only and not see the video webinar:

a. At the time of the meeting, dial (415)655-0060

b. Enter Access Code #: 815-795-217. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.

c. You will be muted during the call. When it is your turn to speak, press *6 to unmute yourself, then *6 to mute yourself again when you are done speaking.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2019-2020 Traditional Arts grants under the General Program Support and Specific Cultural Project Grant Programs.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting:

Rachelle Ashmore at rachelle.ashmore@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michelle Smith Grindberg at (850)245-6475 or at michelle.smithgrindberg@dos.myflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

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

DATE AND TIME: August 20, 2018, 1:00 p.m. – 5:00 p.m.

PLACE: Lake Mary Marriott, Hibiscus Room, 1501 International Parkway, Lake Mary, FL 32746

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting to discuss recent changes to chapter 527, Florida Statutes. Two or more members of the Florida Liquefied Propane Gas Advisory Board may be in attendance.

A copy of the agenda may be obtained by contacting: Rick Kimsey at (850)921-1556.

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: Mr. Rick Kimsey at (850)921-1556. 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: Mr. Rick Kimsey at (850)921-1556.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Councils Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 22, 2018, 10:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Ste. 100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Local Emergency Planning Committee

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

METROPOLITAN PLANNING ORGANIZATIONS

Martin Metropolitan Planning Organization

The Local Coordinating Board for the Transportation Disadvantaged announces a hearing to which all persons are invited.

DATE AND TIME: August 27, 2018, 1:30 p.m.

PLACE: Administrative Center, 2401 SE Monterey Road, Commission Chambers, Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Public Hearing.

A copy of the agenda may be obtained by contacting: www.martinmpo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Bolivar Gomez, Senior Planner, Title VI/Non-discriminating contact (772)288-5412. 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: Bolivar Gomez, Senior Planner, Title VI/Non-discriminating contact (772)288-5412.

METROPOLITAN PLANNING ORGANIZATIONS

Martin Metropolitan Planning Organization

The Local Coordinating Board for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2018, 2:30 p.m.

PLACE: Administrative Center, 2401 SE Monterey Road, 4th Floor Workshop Conference Room, Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of transportation service for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: www.martinmpo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Bolivar Gomez, Senior Planner, Title VI/Non-discriminating contact (772)288-5412. 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: Bolivar Gomez, Senior Planner, Title VI/Non-discriminating contact (772)288-5412.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Wednesday, August 22, 2018, 9:00 a.m., Big Cypress Basin Board Meeting

PLACE: Collier County Board of County Commissioners Chambers 3299 Tamiami Trail East, 3rd Floor, Naples, FL 34112

GENERAL SUBJECT MATTER TO BE CONSIDERED: Big Cypress Basin Board to discuss and consider activities impacting the Big Cypress Basin of the South Florida Water Management District.

A copy of the agenda may be obtained by contacting: Charity Saieva, (239)263-7615, Ext. 7602.

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: District Clerk, (561)682-6805. 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: Charity Saieva, (239)263-7615, Ext. 7602.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Wednesday, August 22, 2018, 9:30 a.m.

Lower East Coast Water Supply Plan Update: Public Stakeholder Meeting #3

PLACE: City of Boca Raton, 6500 Building, 6500 Congress Avenue, Boca Raton, FL 33487, (561)982-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will include an overview of the draft 2018 LEC Water Supply Plan, which assesses current and projected water needs in the LEC Planning Area through 2040.

A copy of the agenda may be obtained by contacting: Karin Smith, (561)682-2026 or karsmith@sfwmd.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 5 days before the workshop/meeting by contacting: District Clerk, (561)682-6805. 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: Karin Smith, (561)682-2026 or karsmith@sfwmd.gov.

DEPARTMENT OF ELDER AFFAIRS

The Department of Elder Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, September 17, 2018, 10:00 a.m. – 11:00 a.m. (Eastern)

PLACE: The telephone conference call number is: 1(888)670-3525, and the participant conference code is: 962 076 0613

GENERAL SUBJECT MATTER TO BE CONSIDERED: General updates on departmental programs.

A copy of the agenda may be obtained by contacting: Jenny Rojas, (850)414-2000.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Jenny Rojas, (850)414-2000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jenny Rojas, (850)414-2000 or rojasj@elderaffairs.org.

DEPARTMENT OF ELDER AFFAIRS

Long-Term Care Ombudsman Program

The Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

DATES AND TIMES: September 6, 2018, 1:00 p.m. – 5:00 p.m. and September 7, 2018, 8:00 a.m. – 12:00 Noon, ET

PLACE: Embassy Suites, 225 Shorecrest Drive, Altamonte Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Council Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: above referenced number. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

The Board of Clinical Laboratory Personnel announces a public meeting to which all persons are invited.

DATE AND TIME: September 7, 2018, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure and discipline.

A copy of the agenda may be obtained by contacting: <https://floridasclincallabs.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: Anthony.Spivey@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: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

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

DATE AND TIME: September 28, 2018, 9:00 a.m.

PLACE: Embassy Suites, 4955 Kyngs Heath Road, Kissimmee, FL 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure and discipline.

A copy of the agenda may be obtained by contacting: <http://floridasoptometry.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: Anthony.Spivey@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: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: September 13, 2018, 10:00 a.m. – 11:30 a.m., ET

PLACE: Leon County Human Services, 1000 W. Tharpe Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, Circuit 2 Alliance - Community Action Team to provide a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those that cannot attend in person, the following conference call number is being provided for their convenience: 1(888)670-3525, Participant Code: 245-089-579-1 Agenda: Department of Children and Families Update, Big Bend Community Based Care Update, Mental Health Governing Council Update, Assisted Living Facilities Update.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: September 27, 2018, 10:00 a.m. – 11:30 a.m., CT

PLACE: Rivertown Community Church, 4534 Lafayette Street, Marianna, Florida 32446

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, Circuit 14 Community Alliance provides a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those that cannot attend in person, the following conference call number is being provided for their convenience: 1(888)670-3525, Participant Code: 2450895791. Agenda: Department of Children and Families Update, Big Bend Community Based Care Update, Mental Health Governing Council Update, Assisted Living Facilities Update.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com.

QUINCY-GADSDEN AIRPORT AUTHORITY

The Quincy-Gadsden Airport Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 20, 2018, 5:30 p.m., ET
 PLACE: Quincy Municipal Airport Terminal Building, 1300 Airport Drive, Quincy, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Quincy-Gadsden Airport Authority.

A copy of the agenda may be obtained by contacting: Janice Watson, QGAA, P.O. Box 1905, Quincy, FL 32353, quincyairport@tds.net, (850)643-7752.

Section VII

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:

61G6-5.006 Certification of Additional New Business Entity or Transfers

NOTICE IS HEREBY GIVEN that the Electrical Contractors' Licensing Board has received the petition for declaratory statement from Joe Valenti, filed on August 2, 2018. The petition seeks the agency's opinion as to the applicability of Rule 61G6-5.006, F.A.C., as it applies to the petitioner.

Petitioner has inquiries, as listed in the petition, regarding a Florida licensee qualifying his/her business with another company's license. 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: Ruthanne Christie, Executive Director, Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-0751, Ruthanne.Christie@myfloridalicense.com or by telephoning (850)717-1395.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Philippe Symonovicz. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On 7/18/2018, the Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Philippe Symonovicz. The petition sought a declaratory statement from the Office on whether his proposed business model (of collecting checks in other countries that are made payable to American citizens who are retired abroad. These checks are drawn on American banks and are typically retirement pension checks or social security checks. My business consists of having American retirees endorse the checks to my client in which a small commission is paid to the client. The checks are then mailed to the United States where they are deposited in an American bank in the state of Florida for immediate clearance.) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes. On 8/8/2018, the Petition was WITHDRAWN.

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.com.

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.com.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from International Financial Corp. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On 8/6/2018, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from International Financial Corp. The petition seeks a declaratory statement from the Office on whether his proposed business model (of collecting checks in Israel that are made payable to American citizens who are retired abroad. These checks are drawn on American banks and are typically retirement pension checks or social security checks. The checks are then mailed to the United States where they are deposited in an American bank in the state of Florida for immediate clearance.) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes.

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.com.

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.com.

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

EARLY LEARNING COALITION OF NORTH FLORIDA
 Request for Qualifications #2019-01 for External Auditing Services
 Request for Qualifications #2019-01 for external auditing. The Early Learning Coalition of North Florida, Inc. is requesting qualifications for external auditing. The potential auditing firm will be responsible for providing a high level of service for a reasonable cost to the Coalition. The intent of the RFQ is to select an independent auditing firm, preferably with at least two years of Florida Early Learning Coalition auditing experience, to provide basic auditing services for the Coalition's total annual budget of approximately \$29 million. The Request for Qualifications released September 20, 2018 may be obtained at www.elcnorthflorida.org, The deadline for receipt of written questions is October 4, 2018. The deadline for receipt of

proposals (no exceptions) is October 18, 2018 by 4:00 p.m. eastern standard time. Official notice of award will be posted to the Coalition's website and mailed to all proposers. Certified Minority Business Enterprises are encouraged to submit a proposal.

Only written correspondence and/or inquiries directed to the Coalition's Procurement Manager (who is the sole point of contact with the Coalition for purposes of this RFQ) will be accepted. The Procurement Manager's name and contact information is: Tajaro Dixon, Early Learning Coalition of North Florida, Inc., 2450 Old Moultrie Road, Suite 103, St. Augustine, FL 32086, tdixon@elcnorthflorida.org. The Coalition will not participate in any inquiries by phone. Only e-mail inquiries will be responded to and only during the scheduled Question and Answer time frame. Information obtained from any other source is not official and should not be relied upon.

After the release of this RFQ, if any solicitation revisions become necessary or appropriate, as determined by the Coalition, the Coalition will electronically post the addenda to the Coalition's website, www.elcnorthflorida.org. Proposers are responsible for checking the Coalition website and contacting the Coalition's Point of Contact for this solicitation before the RFQ deadline to ascertain whether any addenda have been issued.

The Early Learning Coalition of North Florida, Inc. reserves the right to reject any and all solicitations or ignore or correct minor irregularities when it is in the best interest of the Coalition.

Funding Sources: The services described in this RFQ and the resulting Contract will be funded by the General Revenue from the State of Florida and Federal funds. The State of Florida Voluntary Pre-Kindergarten Program is 100% state funded. The Program Assessment and Pay for Performance Programs are 100% federally funded. And per the July 1, 2018 OEL School Readiness Notice of Award for the ELC of North Florida, the School Readiness Program is approximately 77.55% federally funded, 22.34% state funded, and 0.11% funded by non-governmental sources (CCEP).

Sponsored by: the Early Learning Coalition of North Florida, Inc. and the State of Florida, Office of Early Learning.

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between

3:00 p.m., Friday, August 3, 2018 and 3:00 p.m., Thursday, August 9, 2018.

Rule No.	File Date	Effective Date
34-8.002	8/8/2018	1/1/2019
34-8.008	8/8/2018	1/1/2019
34-8.202	8/8/2018	1/1/2019
34-8.208	8/8/2018	1/1/2019
40C-2.041	8/9/2018	8/29/2018
40C-2.101	8/9/2018	8/29/2018
40C-2.900	8/9/2018	8/29/2018
40C-21.001	8/3/2018	8/23/2018
40C-21.051	8/3/2018	8/23/2018
40C-21.0221	8/3/2018	8/23/2018
40C-21.231	8/3/2018	8/23/2018
40C-21.251	8/3/2018	8/23/2018
40C-21.271	8/3/2018	8/23/2018
40C-21.291	8/3/2018	8/23/2018
40C-21.331	8/3/2018	8/23/2018
40C-21.371	8/3/2018	8/23/2018
40C-21.391	8/3/2018	8/23/2018
40C-21.401	8/3/2018	8/23/2018
40C-21.421	8/3/2018	8/23/2018
40C-21.511	8/3/2018	8/23/2018
40C-21.531	8/3/2018	8/23/2018
40C-21.551	8/3/2018	8/23/2018
40C-21.571	8/3/2018	8/23/2018
40C-21.601	8/3/2018	8/23/2018
40C-21.621	8/3/2018	8/23/2018
40C-21.631	8/3/2018	8/23/2018
40C-21.641	8/3/2018	8/23/2018
40C-21.651	8/3/2018	8/23/2018
53ER18-43	8/6/2018	8/6/2018
53ER18-44	8/7/2018	8/7/2018
61G5-18.007	8/8/2018	8/28/2018
64B6-4.002	8/6/2018	8/26/2018
64B8-8.001	8/8/2018	8/28/2018
64B8-8.011	8/8/2018	8/28/2018
64B8-8.017	8/8/2018	8/28/2018
64B8-10.002	8/8/2018	8/28/2018
64B8-51.008	8/3/2018	8/23/2018
64B20-3.0001	8/6/2018	8/26/2018

64B20-3.002	8/6/2018	8/26/2018
64B20-3.004	8/6/2018	8/26/2018
64B20-3.0045	8/6/2018	8/26/2018
64B20-3.005	8/6/2018	8/26/2018
64B20-3.006	8/6/2018	8/26/2018
64B20-3.007	8/6/2018	8/26/2018
64B20-3.008	8/6/2018	8/26/2018
64B20-3.009	8/6/2018	8/26/2018
64B20-3.091	8/6/2018	8/26/2018
64B20-3.095	8/6/2018	8/26/2018
64B20-3.096	8/6/2018	8/26/2018
64B20-3.010	8/6/2018	8/26/2018
64B20-3.0101	8/6/2018	8/26/2018
64B20-3.0105	8/6/2018	8/26/2018
64B20-3.011	8/6/2018	8/26/2018
64B20-3.012	8/6/2018	8/26/2018
64B20-3.013	8/6/2018	8/26/2018
64B20-3.014	8/6/2018	8/26/2018
64B20-3.016	8/6/2018	8/26/2018
64B20-3.017	8/6/2018	8/26/2018
65C-29.002	8/3/2018	8/23/2018
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority
 Notice of Publication of 2018-2019 Regulatory Plan
 Peace River Manasota Regional Water Supply Authority
 Notice of Publication of 2018-2019 Regulatory Plan
 NOTICE IS HEREBY GIVEN that on August 1, 2018, the Peace River Manasota Regional Water Supply Authority published its 2018-2019 Regulatory Plan on the Peace River Manasota Regional Water Supply Authority’s website. The Regulatory Plan is available on the Authority’s website at: www.regionalwater.org.

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.
