

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF INSURANCE**

RULE TITLE: RULE NO.:  
 Guaranteed Availability of Individual Health 4-154.112  
 Coverage to Eligible Individuals

PURPOSE AND EFFECT: The proposed amendment arose from a rule challenge. Paragraph 4-154.112(1)(b) was challenged on the grounds that the rule language conflicted with paragraph 627.6487(4)(a), F.S. The conflicting language is being deleted.

SUBJECT AREA TO BE ADDRESSED: Deletion of conflicting language.

SPECIFIC AUTHORITY: 624.308, 627.6487(4)(b) FS.

LAW IMPLEMENTED: 624.307(1), 627.6487 FS.

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

TIME AND DATE: 2:00 p.m., July 10, 2001

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Richard Robleto, Chief, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5110

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-154.112 Guaranteed Availability of Individual Health Coverage to Eligible Individuals.

(1)(a) Each health insurance issuer that offers individual health insurance coverage shall make available to eligible individuals the two policy forms with the largest and the next to largest premium volume of all such policy forms offered by the issuer in the state or a particular marketing or service area in the individual market.

~~(b) Where the policy form provides multiple benefit structures, such as indemnity and PPO in one form, the aggregate of all options shall be used in making this determination.~~

~~(b)(e)~~ First year premium volume shall be calculated by using first year premium for the calendar year. In compiling the earned first year premium for the year, the company shall include earned premium for individuals renewing into a replacement form where a previously approved form has been discontinued.

~~(c)(d)~~ An insurer offering coverage in the individual market is not prohibited from establishing premium discounts.

(2) through (8) No change.

Specific Authority 624.308, 627.6487(4)(b) FS. Law Implemented 624.307(1), 627.6487 FS. History--New 9-19-00. Amended.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

|  |            |
|--|------------|
| RULE TITLES:   | RULE NOS.: |
| Instructional Personnel Certification  | 6A-4.001   |
| General Provisions   | 6A-4.002   |
| Degrees, Programs, and Credits   | 6A-4.003   |
| Florida Educator's Certificates with<br>Academic, Administrative, Degreed<br>Vocational, and Specialty Class Coverages | 6A-4.004   |
| Renewal and Reinstatement of a<br>Professional Certificate   | 6A-4.0051  |
| General and Professional Preparation   | 6A-4.006   |

PURPOSE AND EFFECT: The purpose of this rule development is to revise certification rules to align with requirements in Florida Statutes. It is anticipated that as a result of the amendment to the rules listed above, the following rules will be recommended for repeal: 6A-4.050, 6A-4.052, 6A-4.066, 6A-4.068, and 6A-4.072, FAC. The effect of this action will be rules that are streamlined and reflect current requirements of Florida Statutes.

SUBJECT AREAS TO BE ADDRESSED: General certification requirements, professional education requirements, and requirements for renewal of Florida Educator Certificates.

SPECIFIC AUTHORITY: 229.053(1), 231.15(1), 231.17(5),(11), 231.24 FS.

LAW IMPLEMENTED: 229.053, 231.02, 231.145, 231.15, 231.17, 231.24 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

Requests for the rule development workshop should be addressed to: Wayne V. Pierson, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: David Ashburn, Director, Division of Professional Educators, Department of Education, Room 203, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)487-3663

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

#### 6A-4.001 Instructional Personnel Certification.

(1) The purpose of instructional personnel certification is to provide evidence that educators ~~the teachers~~ in the State of Florida are professionally qualified in order to protect the educational interests of students, parents, and the public at large. Instructional personnel who obtain certification in the State of Florida shall possess adequate pedagogical and relevant subject matter knowledge and demonstrate an acceptable level of professional performance.

(2) The certificates are issued by the Florida Department of Education in accordance with Chapter 231, Florida Statutes, and these rules. Other statutory provisions may have an impact on the educator ~~teacher~~ certification process. Persons should refer to both the statutes and the rules for complete information regarding the legal basis of the instructional personnel certification process.

(3) Certification is administered and implemented by the Bureau of Educator ~~Teacher~~ Certification, Florida Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399-0400. Communications to the Department should be directed to that office. The office of the superintendent of schools for each district ~~county~~ school system may also be contacted for information regarding the educator ~~teacher~~ certification process.

Specific Authority 229.053(1), 231.15(1), 231.17~~(1)~~(11) FS. Law Implemented 231.02, 231.15, 231.17 FS. History—Amended 4-20-64, 4-11-69, Revised 7-19-72, Repromulgated 12-5-74, Amended 5-11-76, 7-1-79, 12-11-79, 3-17-81, 9-30-84, Formerly 6A-4.01, Amended 12-25-86, 10-31-88,

#### 6A-4.002 General Provisions.

##### (1) Educator's certificates.

(a) Types of certificates. The types of certificates are the professional certificate, the nonrenewable professional certificate, the temporary certificate, and the athletic coaching ~~part-time~~ certificate. Requirements for obtaining all types of certificates are specified in Rules 6A-4.004, ~~6A-4.050, and 6A-4.066~~, FAC.

(b) The professional, nonrenewable professional, and temporary certificates are full-time educator's certificates. An applicant for a full-time Florida educator's certificate shall be governed by Florida Statutes and rules for the temporary and professional certificates that are in effect at the time of application and qualification for the initial full-time certificate provided successive full-time certificates are issued for consecutive school fiscal years. An individual who permits a

temporary certificate to expire for at least one (1) school fiscal year may secure another full-time certificate in accordance with Florida Statutes and rules for temporary and professional certificates which are in effect at the time the most recent application is received in the Bureau of Educator ~~Teacher~~ Certification, Florida Department of Education.

(c) Effective date of certificates. Each certificate shall bear an effective date of July 1 of the school fiscal year for which it is issued.

(d) Definition of coverage. The term "coverage" as used in Florida State Board of Education rules for educator ~~teacher~~ certification purposes shall be defined as the designation on a Florida educator's certificate which indicates the area in which an individual has a content knowledge base. The term "coverage" shall be used synonymously with the terms "subject," "area," or "field."

(e) Definition of endorsement. The term "endorsement" as used in Florida State Board of Education rules for educator ~~teacher~~ certification purposes shall be defined as a rider on a Florida educator's certificate with a designated coverage. An endorsement shown on a certificate with a coverage signifies a pedagogical knowledge base which targets particular levels, stages of development, or circumstances.

(f) Classification of coverages and endorsements shown on certificates. Each coverage or endorsement shown on a certificate shall be identified as an academic class, administrative class, specialty class, or vocational class. The classification is specified in the specialization rule for each coverage or endorsement.

(g) Authority of the Commissioner of Education. Under extenuating circumstances not covered in these rules, the Commissioner is authorized to issue a certificate to an individual upon the request of a Florida district school superintendent.

(h) Responsibility to qualify for and maintain a valid certificate. It shall be the responsibility of each applicant to complete all requirements for the temporary and professional certificates and to file with the Bureau of Educator ~~Teacher~~ Certification, Florida Department of Education, evidence of such completion within the specified timelines. For renewal of the professional certificate, it shall be the responsibility of each applicant to obtain current information regarding renewal requirements and complete such requirements prior to expiration of the professional certificate. Information regarding renewal of the professional certificate may be obtained by contacting the employing Florida district school board or nonpublic school, or by contacting the Bureau of Educator ~~Teacher~~ Certification, Florida Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399-0400.

(i) Certificates from other states. Certificates from other states shall not be valid for teaching in Florida.

1. Certificates from other states used to document eligibility for a Florida certificate shall:

a. Be the standard educator's certificate issued by that state which is comparable to a Florida Professional Certificate.

b. Be issued in a subject comparable to a Florida certification subject, and

c. Require the same level of training required for certification in that subject in Florida.

2. Official documentation of another state's certificate shall be a photocopy of the front and back of the original certificate.

(j) Alteration of certificates. The alteration of any certificate with the intent to mislead or defraud shall be sufficient grounds for revocation of the certificate. It shall be incumbent upon the certificate holder to establish evidence of the absence of intent to mislead or defraud.

(2) Degree major.

(a) A degree major used in Florida State Board of Education rules for educator teacher certification purposes is defined as the major field of study as identified by the degree granting institution. A degree major completed at an accredited or approved standard institution as defined in Rule 6A-4.003(4), FAC., in an area in which Florida offers certification may be utilized to satisfy the specialization requirements specified in Rules 6A-4.008 through 6A-4.035 and Rules 6A-4.054 through 6A-4.062, FAC., for the subject to be shown on the certificate.

(b) The Commissioner is authorized to deny acceptance of a major for educator teacher certification purposes if the courses completed for the major are not comparable in quantity and content to the specific course requirements listed in Florida State Board of Education rules for certification in that subject.

(3) College credit. College credit used for educator teacher certification purposes shall be undergraduate or graduate credit earned at an accredited or approved standard institution ~~or a community or junior college~~ as specified in Rule 6A-4.003, FAC. Credit used to satisfy vocational education course requirements shall be completed at an accredited or approved a standard institution approved by the State Board for Vocational Education. All college credit shall be computed by semester hours. One (1) quarter hour of college credit shall equal two-thirds (2/3) of one (1) semester hour. Community and junior college credit used for educator teacher certification purposes shall parallel those of the first and second years of course work at an accredited or approved standard institution and shall be comparable to courses offered at Florida community and junior colleges which have been approved by the Florida Department of Education.

(4) Waiver of college credit.

(a) Course exemption. Exemption from a college course shall be accepted the same as credit earned in that course to meet a specific course requirement for certification.

(b) College teaching experience. Teaching a college course at an accredited or approved standard institution or an accredited community or junior college as described in Rule 6A-4.003, FAC., shall be accepted the same as credit earned in that course to meet a specific course requirement for certification. A written statement from the registrar or other official designated by the president verifying the college teaching experience shall be filed with the Bureau of Educator Teacher Certification, Florida Department of Education.

(5) Teaching experience.

(a) Definition of teaching experience. Teaching experience as used in Florida State Board of Education rules for educator teacher certification purposes shall be defined as full-time teaching, administrative, or supervisory service.

1. Teaching experience used for academic, administrative, and specialty class subjects shall be gained in a public, state supported, or nonpublic elementary or secondary school; or in a prekindergarten (ages three [3] and four [4]) school as defined in Section 228.041(5), Florida Statutes; or in a birth through age two (2) school as follows: a school which is part of a public or state supported school, a contractor for a public school system, a nonpublic school which is accredited by the National Academy of Early Childhood Programs and which has an approved system for documenting the demonstration of required professional education competence, ~~Florida Professional Orientation Program~~, or a contractor for the Department of Children and Family Services (DCF) ~~Department of Health and Rehabilitative Services (HRS)~~ providing services under the provisions of the "Individuals with Disabilities Education Act (IDEA), Part 'H'." Such DCF HRS contractor shall have an approved system for documenting the demonstration of required professional education competence ~~Professional Orientation Program~~. However, teaching experience in a nonpublic school shall be acceptable provided the applicant held a valid full-time teaching certificate issued by the state department of education in the state where the teaching experience was acquired.

2. Teaching experience used for vocational class subjects shall be gained in an elementary or secondary school as specified in Subparagraph (5)(a)1. of this rule, in a public or state supported vocational or technical school, or in an accredited community or junior college as described in Rule 6A-4.003, FAC.

(b) Utilization of teaching experience. A year of full-time teaching experience may be accepted in lieu of three (3) semester hours of college credit. A maximum of three (3) years of teaching experience may be used in lieu of nine (9) semester hours of college credit. Not more than two (2) years of teaching experience may be used in lieu of six (6) semester hours of college credit toward satisfying requirements in general preparation, professional preparation, or a specialization area. When teaching experience is used to satisfy a course requirement in a specialization area or to satisfy a

methods course requirement in professional preparation, the teaching experience shall be comparable to the course requirement acquired in the subject or field and at the appropriate instructional level to which it is applied.

(c) Limitations on the use of teaching experience. Teaching experience shall not be accepted in lieu of college credit to satisfy the following certification requirements:

1. Renewal or reinstatement of a professional certificate,
2. Reissuance of a temporary certificate,
3. Satisfaction of a graduate credit requirement,
4. Satisfaction of an entire certification subject.

(6) Noncitizens. A noncitizen may be issued an Official Statement of Status of Academic Eligibility or a certificate as specified below:

(a) An Official Statement of Status of Academic Eligibility shall be issued when the applicant meets requirements specified in Rule 6A-4.004(1), FAC.

(b) The certificate may be issued when the applicant meets requirements specified in Rule 6A-4.004(2), FAC., and an official of the employing Florida public, state supported, or nonpublic school submits documentation of appropriate immigration status, ~~as follows: The documentation shall be a photocopy of the completed United States Immigration and Naturalization Form I-9, Employment Eligibility Verification, accepted for employment in compliance with the United States Immigration Reform and Control Act of 1986.~~

~~1. Verification from the United States Immigration and Naturalization Services, 7880 Biscayne Boulevard, Miami, Florida 33138, of legal admission to the United States and no restrictions on employment, or~~

~~2. Verification from an official of the employing Florida public, state supported, or nonpublic school of eligibility for employment. The verification shall be a photocopy of the completed United States Immigration and Naturalization Form I-9, Employment Eligibility Verification, accepted for employment in compliance with the United States Immigration Reform and Control Act of 1986.~~

(c) Exchange teachers.

1. An exchange teacher is defined as a teacher from a country other than the United States teaching ~~on an exchange basis~~ as the result of a reciprocal arrangements with the United States government or ~~between~~ a nationally recognized organization in the United States and another country.

2. A temporary certificate valid for ~~three (3) two (2)~~ years may be issued to an exchange teacher. The certificate shall reflect the designation of exchange teacher and shall not reflect a subject. Only one (1) certificate may be issued under this provision when an applicant meets the following requirements:

- a. Submits an application form and fee as specified in Rule 6A-4.0012, FAC.,

b. Submits verification of participation in an exchange program. Verification shall be provided by the employing school district, state supported or nonpublic school, and

c. Submits a request for issuance of the temporary certificate from the employing Florida school superintendent or chief administrative officer of the state supported or nonpublic school which has an approved system for documenting the demonstration of required professional education competence Florida professional orientation program.

Specific Authority 229.053(1), 231.15(1), 231.17(1)(11) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History—Amended 4-10-64, 4-8-68, 4-11-70, 10-18-71, 3-19-72, 12-18-72, 6-17-73, 4-19-74, Repromulgated 12-5-74, Amended 6-22-76, 6-27-77, 12-26-77, 4-27-78, 7-1-79, 7-2-79, 6-26-80, 7-28-81, 1-3-82, 5-11-82, 6-22-83, 3-28-84, 1-31-85, 3-13-85, Formerly 6A-4.02, Amended 12-25-86, 10-18-88, 10-10-89, 4-15-91, 11-10-92, 5-30-94, 11-13-96,\_\_\_\_\_.

6A-4.003 Degrees, Programs, and Credits.

Degrees, programs, and credits shall be determined acceptable for educator teacher certification purposes based on the following:

(1) Accredited institutions. Degrees and credits awarded by an institution of higher learning accredited by one (1) of the accrediting associations listed below shall be acceptable for educator teacher certification purposes.

(a) Regional accrediting associations.

~~1.~~ The regional accrediting associations are as follows:

~~1.a.~~ The Southern Association of Colleges and Schools,

~~2.b.~~ The Middle States Association of Colleges and Secondary Schools,

~~3.c.~~ The New England Association of Colleges and Secondary Schools,

~~4.d.~~ The North Central Association of Colleges and Secondary Schools,

~~5.e.~~ The Northwest Association of Secondary and Higher Schools, and

~~6.f.~~ The Western Association of Colleges and Schools.

(b) Accrediting agencies approved by the United States Department of Education.

~~2. A bachelor's or higher degree awarded by an institution accredited by one (1) of the six (6) regional accrediting associations shall be considered as having been awarded by a standard institution. A standard institution shall be defined as an institution accredited by one (1) of the six (6) regional accrediting associations to award a bachelor's or higher degree or a newly created university in the State University System of Florida for no more than two (2) years from the date of first course offerings. To be defined as a standard institution, the newly created university shall offer degree programs that have evolved from degree programs at an existing university in the State University System of Florida accredited by the Southern Association of Colleges and Schools. The institution shall have been accredited at the level of the degree at the time the degree was awarded. Degrees and credits granted within the four (4)~~

year period immediately preceding the date of initial accreditation of the institution shall be considered as having been granted by a standard institution.

3. Credit awarded by a community or a junior college accredited at the associate's level by one (1) of the six (6) regional accrediting associations shall be accepted for certification purposes as specified in Rule 6A-4.002(3)(b), FAC. The community or junior college shall have been accredited at the time the credit was awarded. Credit granted within the two (2) year period immediately preceding the date of initial accreditation of the institution shall be considered as having been granted by an accredited institution.

(b) Council on Postsecondary Accreditation. A bachelor's or higher degree awarded by an institution in the State of Florida accredited by an accrediting association which is a member of the Council on Postsecondary Accreditation shall be accepted as granted by a standard institution. The institution shall have been accredited at the level of the degree at the time the degree was awarded.

(c) Professional law associations. A degree awarded by an institution or law school accredited by either the American Bar Association or the Association of American Law Schools shall be accepted as granted by a standard institution. The institution or law school shall have been accredited at the time the degree was awarded.

(2) Nonaccredited approved institutions. A non-accredited approved institution of higher learning shall be identified as having a quality program resulting in a bachelor's or higher degree by one (1) of the following criteria: Nonaccredited institutions. The criteria for identifying a nonaccredited institution and the utilization of degrees and credits from a nonaccredited institution are specified below:

(a) The institution is accepted for certification purposes by the state department of education where the institution is located. Degrees or credits awarded by an institution which is not an accredited institution as specified in Rule 6A-4.003(1), FAC., shall be considered as having been awarded by a nonaccredited institution provided the institution meets one (1) of the following:

1. The institution was listed at the time the degree was awarded as an institution of higher learning in the Directory of Higher Education published by the United States Office of Education prior to and including the 1968-69 directory.

2. The institution was recognized as a candidate or correspondent at the time the degree was awarded by one (1) of the six (6) regional accrediting associations listed in Rule 6A-4.003(1)(a)1., FAC.

3. The foreign institution is listed in the International Handbook of Universities or the Commonwealth Universities Yearbook or accepted as an institution of higher learning by a standard institution.

(b) The institution holds a certificate of exemption pursuant to Section 246.085(1)(b), Florida Statutes. Utilization of degrees and credits awarded by a nonaccredited institution.

1. A bachelor's or higher degree from a nonaccredited institution shall be accepted for Florida teacher certification purposes provided the degree has been validated as specified in Rule 6A-4.003(4), FAC.

2. Credits earned at a nonaccredited institution which do not terminate in a bachelor's or higher degree shall not be accepted for any certification purposes unless the credits were accepted in transfer toward a degree awarded by a standard institution.

(c) The institution is a newly created university in the State University System of Florida that offers degree programs.

(d) The institution is located outside the United States and awards a degree that is the equivalent to a bachelor's or higher degree awarded by an accredited or approved institution in the United States. Isolated credit will be acceptable for certification purposes provided the credit is the equivalent of college credit earned in the United States, or

(e) The degree from the institution was accepted by an accredited or approved institution either in transfer or as a basis for admission into the graduate program which resulted in the conferral of a higher degree.

An applicant who holds a valid standard educator's certificate issued by a state other than Florida which may be used to satisfy the eligibility requirements for a professional certificate as described in Sections 231.17(1) and (2), Florida Statutes, or to demonstrate mastery of subject matter knowledge as in Section 231.17(4), Florida Statutes, is considered to have met the requirements of the subsection.

(3) Nonlisted institutions. The criteria for identifying a nonlisted institution and the utilization of degrees and credits from a nonlisted institution are specified below:

(a) Degrees or credits awarded by an institution which does not meet the criteria of an accredited institution specified in Rule 6A-4.003(1), FAC., or a nonaccredited institution specified in Rule 6A-4.003(2), FAC., shall be considered as awarded by a nonlisted institution.

(b) Utilization of degrees and credits awarded by a nonlisted institution.

1. A bachelor's, master's, or specialist's degree awarded by a nonlisted institution shall be accepted for Florida teacher certification purposes provided the degree has been validated as specified in Rule 6A-4.003(4), FAC.

2. A doctor's degree awarded by a nonlisted institution may not be used for any certification purposes. There are no provisions for validation of a doctor's degree awarded by a nonlisted institution.

3. Credits earned at a nonlisted institution which do not terminate in a bachelor's, master's, or specialist's degree shall not be accepted for any certification purposes unless the credits are accepted in transfer toward a degree awarded by a standard institution.

(4) Validation of degrees.

(a) Bachelor's, master's, and specialist's degrees awarded by nonaccredited or nonlisted institutions. A bachelor's, master's, or specialist's degree awarded by a nonaccredited institution as described in Rule 6A-4.003(2), FAC., or a nonlisted institution as described in Rule 6A-4.003(3), FAC., may be validated by one (1) of the following plans:

1. Plan One. Earn a degree which is at least one (1) degree level above the level of the degree to be validated at a standard institution. The institution shall be accredited at the appropriate degree level. The registrar or other official designated by the president of the validating institution shall verify that the degree earned at the nonaccredited or nonlisted institution was used as a basis for admission to the degree program.

2. Plan Two. Gain admission to a graduate degree program at a standard institution. The degree program shall be at least one (1) degree level above the level of the degree to be validated. The institution shall be accredited at the appropriate degree level. The registrar or other official designated by the president of the validating institution shall verify that the degree earned at the nonaccredited or nonlisted institution was used as a basis for admission to the degree program.

3. Plan Three. Complete an individualized validation program at a standard institution. The institution shall be accredited at the same degree level or a degree level higher than the degree to be validated. The registrar or other official designated by the president of the validating institution shall verify that the validated degree is equivalent to a degree awarded by the validating institution in the same subject and at the same degree level.

(b) Doctor's degrees awarded by nonaccredited institutions. A doctor's degree from a nonaccredited institution as described in Rule 6A-4.003(2), FAC., may be validated by completion of an individualized validation program at a standard institution. The institution shall be accredited at the doctor's degree level. The registrar or other official designated by the president of the validating institution shall verify that the validated degree is equivalent to a doctor's degree awarded by the validating institution in the same subject or field.

(3)(5) Highest acceptable degree level of training.

(a) The highest degree which has been awarded by an accredited or approved standard institution as described in Subsections (1) and (2) of this rule, Rule 6A-4.003(1), FAC., or the highest degree which has been validated as specified in Rule 6A-4.003(4), FAC., shall be recognized for certification. The degree level shall be determined by the criteria listed below.

1. Bachelor's degree. An earned bachelor's degree, such as the bachelor of arts, bachelor of science, or bachelor of education degree which normally required four (4) years of higher education; or a foreign degree that required sixteen (16) years of combined pre-university and university education; or a foreign degree that has been evaluated by an education credential evaluation agency or an accredited or approved standard institution and as the verified by the validating institution to be equivalent to a bachelor's degree from an institution as described in Subsections (1) and (2) of this rule of higher learning in the United States shall be recognized as the bachelor's degree level of training.

2. Master's degree. An earned master's degree or an earned advanced bachelor's degree of a professional nature, such as library science, in combination with an earned four-year bachelor's degree; or a post-bachelor's foreign degree that required at least five (5) years of higher education; or a foreign post-bachelor's degree that has been evaluated by an education credential evaluation agency or an accredited or approved standard institution and as the verified by the validating institution to be equivalent to a master's degree from an institution as described in Subsections (1) and (2) of this rule of higher learning in the United States shall be recognized as the master's degree level of training.

3. Specialist in education degree. An earned sixth-year post-master's level degree in education, such as specialist in education degree shall be recognized as the specialist's degree level of training.

4. Doctor's degree. An earned academic or professional doctor's degree, or an earned Bachelor of Laws (LLB) or higher law degree granted by an institution of higher learning in the United States, or a foreign doctor's degree that required at least seven (7) years of higher education, or a foreign doctor's degree that has been evaluated by an education credential evaluation agency or an accredited or approved standard institution as the and verified by the validating institution to be equivalent to a doctor's degree from an institution as described in Subsections (1) and (2) of this rule, of higher learning in the United States shall be recognized as the doctor's degree level of training.

(b) A certificate, diploma, or other award shall not be recognized as an earned degree.

(4)(6) Accreditation and acceptance of teacher education programs for specific certification purposes.

(a) ~~Teacher education programs at institutions accredited by the National Council for the Accreditation of Teacher Education. A teacher education program at the bachelor's degree level at an institution of higher learning which was accredited by the National Council for the Accreditation of Teacher Education shall fulfill the general and professional preparation requirements and the specialization requirements in the major subject of the approved program indicated on the college transcript. The institution shall have been accredited by~~

~~the National Council for the Accreditation of Teacher Education at the time the degree was awarded. A degree granted within the four (4) year period immediately preceding the date of initial accreditation of the institution shall be considered as having been granted by an institution which is accredited by the National Council for the Accreditation of Teacher Education.~~

~~(a)(b)~~ Teacher education programs approved by the Florida Department of Education. A teacher education program approved by the Florida Department of Education shall fulfill the general and professional preparation requirements and the specialization requirements in the major subject of the approved program. The teacher education program shall have been approved at the time the program was completed.

~~(b)(e)~~ Inservice components in a Florida District Inservice Plan approved by the Florida Department of Education. A core of inservice components prescribed for a specific endorsement and approved by the Department of Education in the master inservice plan shall satisfy the professional preparation and specialization requirements for the designated endorsement. Successful completion of the components in the approved master inservice plan shall be verified by the Florida district superintendent.

~~(c)(d)~~ Teacher education programs in states other than Florida. A teacher education program at the bachelor's or higher degree level shall fulfill the general and professional preparation requirements and the specialization requirements for an academic class subject or a degreed vocational class subject in accordance with the following provisions:

1. The teacher education program shall have been approved for the initial regular certificate at the time of completion by the state department of education in the state where the institution is located, or by the National Council for the Accreditation of Teacher Education; and

2. The major subject of the approved program shall be in a subject in which Florida offers certification; and

3. The instructional level of the major subject of the approved program shall be comparable to or broader than the instructional level at which Florida offers certification in the subject; and

4. When a master's or higher degree is required for Florida certification in a subject, the program must have been completed at the same level ~~provisions of (6)(d) of this rule are not applicable.~~

~~(e) Teacher certificates issued by states other than Florida. A valid teaching certificate at the bachelor's or higher degree level of training shall fulfill the general and professional preparation requirements and the specialization requirements for an academic class subject or a degreed vocational class subject in accordance with the following provisions:~~

~~1. The certificate shall be the standard certificate issued by that state and comparable to the professional certificate issued by Florida; and~~

2. The subject shown on the certificate shall be a subject in which Florida offers certification, and the instructional level of the subject shall be comparable to or broader than the instructional level at which Florida offers certification in the subject; and

3. ~~Two (2) years of successful full-time teaching experience shall have been gained under the certificate. The experience shall have been gained during two (2) of the five (5) years immediately preceding the date of application for the Florida certificate.~~

~~4. When a master's or higher degree is required for Florida certification in a subject, a master's or higher degree shall have been used as a basis for issuance of the certificate and certification in that subject.~~

Specific Authority 229.053(1), 231.15(1), 231.17(4)(e)4, (11) FS. Law Implemented 229.053, 231.15, 231.17(4)(e)4. FS. History—Amended 4-20-64, 3-26-66, 4-8-68, 7-7-68, 4-11-70, 1-17-72, Repromulgated 12-5-74, Amended 6-22-76, 11-9-76, 10-12-77, 7-1-79, 1-3-82, 4-30-85, Formerly 6A-4.03, Amended 12-25-86, 9-12-89, 4-15-91, 11-25-97, \_\_\_\_\_.

(Substantial rewording of Rule 6A-4.004 follows. See Florida Administrative Code for present text.)

6A-4.004 Florida Educator's Certificates with Academic, Administrative, Degreed Vocational, and Specialty Class Coverages.

A Florida educator's certificate is issued to an applicant with academic, administrative, degreed vocational, and specialty class coverages as specified below.

(1) Temporary certificate.

(a) The three-year nonrenewable temporary certificate may be issued to an applicant who does not qualify for the professional certificate but meets the following requirements:

1. Holds a valid Official Statement of Status of Eligibility as specified in Section 231.17(1)(b), Florida Statutes, which reflects that the applicant has satisfied specialization requirements for the subject requested,

2. Obtains full-time employment in a position for which a Florida educators' certificate is required in a Florida public, state supported, or a nonpublic school which has an approved system for documenting the demonstration of required professional education competence. Verification of employment shall be submitted by a Florida district superintendent or designee or the chief administrative officer, and

3. Satisfies the fingerprint requirement as follows:

a. Submits the original fingerprint reports which have been processed by the Florida Department of Law Enforcement and the Federal Bureau of Investigation as specified below:

(I) Original fingerprint reports shall be provided by the employing district, state supported school, or nonpublic school. A name and description search shall be acceptable in lieu of a technical fingerprint search after two (2) sets of fingerprints are declared illegible by the Florida Department of Law

Enforcement or the Federal Bureau of Investigation or when an individual is unable to provide fingerprints because of a physical disability, and

(II) Fingerprints shall have been submitted to the Florida Department of Law Enforcement and the Federal Bureau of Investigation within the two-year period immediately preceding the date of employment for which the certificate is required, or

b. Holds a Florida educator's certificate which has not expired for more than one (1) school fiscal year from the date the application for a certificate is received by the Bureau of Educator Certification.

(b) Expired temporary certificates. A three-year nonrenewable temporary certificate may be issued to an applicant who held a temporary certificate but did not hold a temporary certificate for the school year immediately preceding the school fiscal year for which the certificate is requested and meets all requirements specified in paragraph (1)(a) of this rule.

(2) Professional certificate. The professional certificate is the highest type of full-time certificate issued. The professional certificate is issued to an applicant who meets the requirements as specified in Sections 231.17(1) and (2), Florida Statutes. However, if a subject area test has not been developed and the absence of such test prohibits an individual from obtaining a professional certificate or adding a subject to a professional certificate, the employing Florida district superintendent or chief administrative officer of a state supported or nonpublic school may verify the attainment of the essential subject matter competencies. When the Praxis I: Academic Skills Test is used for the general knowledge test, the score must meet the score established in Rule 6A-4.0021, FAC.

(3) Nonrenewable certificates covering speech-language impaired.

(a) One nonrenewable temporary certificate valid for two (2) school fiscal years shall be issued to an applicant who meets the following requirements:

1. Completes the application requirements as specified in Rule 6A-4.0012, FAC.,

2. Obtains full-time employment as specified in subparagraph (1)(a)2., of this rule.

3. Submits fingerprint reports as specified in subparagraph (1)(a)3., of this rule, and

4. Holds a bachelor's degree in speech-language impairment from an accredited or approved institution as specified in Rule 6A-4.003, FAC.,

(b) One nonrenewable professional certificate valid for five (5) school fiscal years shall be issued to an applicant who meets the following requirements:

1. Meets requirements for a temporary certificate covering speech-language impaired as specified in paragraph (3)(a) of this rule.

2. Demonstrates mastery of general knowledge by one of the options specified in Section 231.17(3), Florida Statutes.

3. Demonstrates mastery of professional preparation and education competence by one of the options specified in Section 231.17(5), Florida Statutes, and

4. Submits verification of acceptance and enrollment into a graduate degree program in speech-language impaired at an accredited or approved institution as prescribed in Rule 6A-4.003, FAC. Verification of admission to the program shall be an official transcript or a letter from an official of the college or university.

(4) Certificates covering only athletic coaching (grades K-12).

(a) A certificate valid for three (3) school fiscal years reflecting only athletic coaching may be issued to an applicant who does not meet the requirements specified in paragraph (4)(b) of this rule. The certificate may be issued one (1) time to an applicant who meets the following requirements:

1. Completes the application requirements as specified in Rule 6A-4.0012, FAC., and

2. Submits fingerprint reports as specified in subparagraph (1)(a)3., of this rule.

(b) A certificate valid for five (5) school fiscal years reflecting only athletic coaching may be issued to an applicant who meets the following requirements:

1. Completes the application requirements as specified in Rule 6A-4.0012, FAC.,

2. Satisfies specialization requirements as specified in subsection (2) of Rule 6A-4.0282, FAC., and

3. Submits fingerprint reports as specified in subparagraph (1)(a)3., of this rule.

(5) Addition of subjects to a professional certificate. A subject may be added to a valid professional certificate when an applicant meets the following requirements:

(a) Completes application requirements as specified in Rule 6A-4.0012, FAC., and

(b) Demonstrates mastery of the subject matter as specified in Section 231.17(4), Florida Statutes, for each subject to be added to a professional certificate.

(6) Addition of endorsements. An endorsement may be added to a valid temporary or professional certificate when an applicant meets the following requirements:

(a) Completes the application requirements as specified in Rule 6A-4.0012, FAC., and

(b) Satisfies the specialization requirements specified in the rules of the Florida State Board of Education for each endorsement to be added to the certificate.

(7) Expired certificates.

(a) Certificates which have expired are permanently invalid.



(b) An applicant who held a professional certificate which has expired may secure another professional certificate provided all requirements for the professional certificate in effect at the time the application is filed have been completed. Completion of requirements for issuance of a professional certificate which has expired shall not be considered as satisfaction of requirements for subsequent professional certificates.

(c) An applicant who does not qualify for the professional certificate may be issued a temporary certificate as specified in subsection (1) of this rule.

(d) An applicant whose professional certificate has been expired for less than five (5) years may reinstate the professional certificate if requirements are completed as specified in Rule 6A-4.0051(6), FAC.

Specific Authority 229.053(1), 231.15(1), 231.17~~(4)~~<sup>(11)</sup> FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History—Amended 4-20-64, 4-8-68, 7-7-68, 4-11-69, 4-11-70, 9-17-72, 8-17-74, Repromulgated 12-5-74, Amended 11-9-76, 7-1-79, 8-27-80, 1-3-82, 4-26-84, 11-18-84, 6-18-85, Formerly 6A-4.04, Amended 12-25-86, 10-18-88, 9-12-89, 12-4-89, 4-15-91, 10-10-91, 5-3-94, \_\_\_\_\_.

#### 6A-4.0051 Renewal and Reinstatement of a Professional Certificate.

A professional certificate is renewed or reinstated and certification coverages retained on the certificate in accordance with the following provisions:

(1) Professional certificate – ~~active status~~. A professional certificate may be renewed for with “active status” by an individual who is employed in Florida by a public school district, state supported school, or nonpublic school that requires state certification and has a Florida Department of Education approved Professional Orientation Program; or an employee on special assignment or on leave which has been authorized through collective bargaining contracts or school board rule; a school board member; or an employee of the Department of Education. The professional certificate reflecting active status shall be issued to the individual who meets the requirements specified below:

(a) Completes six (6) semester hours of college credit or the equivalent as described below or an amount as specified in Subsection (2) of this rule for retention of certificate covers: Completes at least one (1) year of full-time teaching experience or service during the last validity period of the certificate. This teaching experience or service shall be verified by the Florida district school superintendent, chief administrative officer of the state supported or nonpublic school, or a Florida Department of Education supervisor.

(b) Completes college credit, inservice training, or the equivalent which meets the criteria specified in Rule 6A-4.0051(3), FAC., for the retention of certification coverages on the certificate and one (1) of the criteria listed below:

1. College credit. ~~Six (6) semester hours of Ceollege credit earned at an accredited or approved standard institution or an accredited community or junior college as specified in Rule 6A-4.003, FAC., may be used to renew the professional certificate.~~

2. Inservice training. ~~One hundred twenty (120) Inservice points earned through inservice education activities which were part of a District Master Plan for Inservice Education developed and approved by a Florida school district and approved by the Florida Department of Education in accordance with Rules 6A-5.061 and 6A-5.071, FAC., may be used to renew the professional certificate. Twenty (20) inservice points shall be equal to one (1) semester hour of college credit.~~ The inservice training shall be verified by the Florida district school superintendent or chairperson of the governing board and shall include the number of inservice points earned in each area of certification.

~~3. College credit and inservice training. A combination of college credit and inservice points may be used to renew the professional certificate provided the combined college credit and inservice points are equal to one hundred twenty (120) inservice points. One (1) semester hour of college credit shall be equal to twenty (20) inservice points. The inservice points shall be verified by the Florida district school superintendent as specified in Rule 6A-4.0051(1)(b)2., FAC.~~

~~(b)4. Subject area tests. A p~~Passing scores on a subject area tests in ~~two (2)~~ of the certification areas shown on the certificate may be used to renew the coverage on the professional certificate. A subject area test shall be approved by the Florida State Board of Education and shall be in a certification area shown on the certificate. ~~When only One (1) test is used toward meeting the requirements for renewal of the certificate, the test shall be equal to three (3) semester hours of college credit sixty (60) inservice points and shall be used in combination with college credit, additional inservice points, or completion of a Florida Department of Education approved summer work program in a certification area shown on the certificate.~~ Official documentation of a passing score on each subject area test used for renewal of the certificate shall be submitted to the Bureau of ~~Educator Teacher~~ Certification, Florida Department of Education and shall be the original score report issued by the test administration agency.

(c) National board certification. A certificate issued by the National Board for Professional Teaching Standards is deemed to meet state renewal requirements for the life of the educator’s national certificate in the subject shown on the national certificate. Official documentation shall be a photocopy of the national certificate.

5. Summer work programs. Completion of summer work programs in two (2) of the certification areas shown on the certificate may be used to renew the professional certificate. A summer work program shall be approved by the Florida Department of Education and shall be completed in a business

or industry directly related to an area of certification listed on the certificate. When completion of only one (1) summer work program is used toward meeting the requirements for renewal of the certificate, the summer work program shall be equal to sixty (60) inservice points and shall be used in combination with college credit, additional inservice points, or passage of a Florida State Board of Education approved subject area test in a certification area shown on the certificate. Completion of a summer work program used for renewal of the certificate shall be verified by the Florida district school superintendent.

~~(2) Professional certificate — inactive status:~~

~~(a) A professional certificate may be renewed with “inactive status” by an individual who has not been employed as described in Rule 6A 4.0051(1), FAC. The professional certificate reflecting inactive status shall be issued to an individual who earns college credit or the equivalent as specified below:~~

~~1. College credit. Six (6) semester hours of college credit earned at a standard institution or an accredited community or junior college as described in Rule 6A 4.003, FAC., may be used to renew the professional certificate.~~

~~2. Subject area tests. Passing scores on subject area tests in two (2) of the certification areas shown on the certificate may be used to renew the professional certificate. A subject area test shall be approved by the Florida State Board of Education and shall be in a certification area shown on the certificate. When only one (1) test is used toward meeting the requirements for renewal of the certificate, the test shall be used in lieu of three (3) semester hours of college credit in combination with additional college credit. Official documentation of a passing score on each subject area test used for renewal of the certificate shall be submitted to the Bureau of Teacher Certification, Florida Department of Education, and shall be the original score report issued by the test administration agency.~~

~~3. Inservice training. One hundred twenty (120) inservice points earned through inservice education activities which were part of a district Master Plan for Inservice Education developed by a Florida school district and approved by the Florida Department of Education in accordance with Rules 6A 5.061 and 6A 5.071, FAC., may be used to renew the professional certificate. The inservice training shall be verified as specified in subparagraph (1)(b)2., of this rule.~~

~~4. College credit and inservice training. A combination of college credit and inservice points may be used to renew the professional certificate provided the combined college credit and inservice points are equal to one hundred twenty (120) inservice points. One (1) semester hour of college credit shall be equal to twenty (20) inservice points. The inservice points shall be verified as specified in subparagraph (1)(b)2., of this rule.~~

(b) A professional certificate with an inactive status shall be converted to a professional certificate with an active status reflecting the same validity period when a Florida district school superintendent or chairperson of the governing board verifies that the individual meets the requirements specified below:

~~1. Becomes employed in Florida in an instructional or administrative position by a public school district, state supported, or nonpublic school that requires state certification and has a Florida Department of Education approved Professional Orientation Program;~~

~~2. Completes one (1) of the following:~~

~~a. Demonstration of successful performance as measured by a Florida Department of Education approved performance measurement system. The evaluation shall be conducted during the first ninety (90) school days following the date of employment, or~~

~~b. Completion of an approved Florida Professional Orientation Program as described in Rule 6A 5.075, FAC.~~

~~(2)(3) Retention of certification coverages. When renewing a professional certificate, certification coverages shall be retained on a professional certificate in accordance with the following:~~

~~(a) To retain one (1) certification coverage on a professional certificate, at least three (3) semester hours of college credit or the equivalent shall be completed in the specialization area or an appropriate category in accordance with Section 231.24(3)(a), Florida Statutes of that certification coverage. Three (3) additional semester hours or sixty (60) additional inservice points may be completed in any area.~~

~~(b) To retain two (2) coverages on a professional certificate, at least three (3) semester hours of college credit or the equivalent shall be completed for each subject in the specialization area or an appropriate category in accordance with Section 231.24(3)(a), Florida Statutes of each certification coverage. When requirements have not been satisfied for the retention of a certification coverage on the certificate, the coverage shall be deleted from the certificate when the certificate is renewed.~~

~~(c) To retain more than two (2) certification coverages on a professional certificate, the applicant shall be permitted two (2) successive validity periods for renewal of all specialization areas, but must earn no fewer than six (6) semester hours or the equivalent in any one (1) validity period. ~~To retain more than two (2) certification coverages on a professional certificate, at least three (3) semester hours of college credit or the equivalent shall be completed in the specialization area of at least two (2) certification coverages shown on the certificate. For the first renewal subsequent to June 30, 1988, all coverages on the certificate shall be retained for the next validity period. A coverage shall not continue to be retained on a certificate unless three (3) semester hours or the equivalent is completed in the specialization area or an appropriate category in~~~~

accordance with Section 231.24(3)(a), Florida Statutes, of that coverage during one (1) of two (2) successive validity periods. When requirements specified herein have not been satisfied for the retention of a certification coverage or coverages on a certificate, the coverage or coverages shall be deleted from the certificate when the certificate is renewed.

~~(3)~~(4) General requirements.

(a) All requirements necessary for the renewal of a certificate shall be completed during the last validity period of the certificate to be renewed and prior to the expiration date of the certificate. Requirements for the first renewal shall be completed subsequent to the date that the application for the certificate was received in the Bureau of ~~Educator~~ Teacher Certification, Florida Department of Education, or subsequent to the beginning validity date shown on the certificate, whichever is later.

(b) Application and appropriate fee as specified in Rule 6A-4.0012, FAC., for renewal of a certificate shall be submitted to the Bureau of ~~Educator~~ Teacher Certification, Florida Department of Education or the employing Florida school district, during the last year of the validity period of the certificate and prior to the expiration date of the certificate. However, if the renewal application form is not received by the Bureau of ~~Educator~~ Teacher Certification or the employing Florida school district, before the expiration of the professional certificate, the application form, application fee, and a thirty (30) dollar late fee shall be submitted prior to July 1 of the year following expiration of the certificate in order to retain the professional certificate. ~~In no event will a professional certificate be renewed if it has expired for more than one (1) fiscal year or if requirements for renewal have not been completed prior to the expiration of the professional certificate.~~

(c) The validity period of the renewed certificate shall be for a period not to exceed five (5) years from July 1 of the school fiscal year following the date that the application was received in the Bureau of ~~Educator~~ Teacher Certification, Florida Department of Education or the employing Florida school district. However, if the renewal application is received by the Bureau of ~~Educator~~ Teacher Certification or the employing Florida school district after expiration of the professional certificate as specified in paragraph ~~(3)~~(4)(b) of this rule, the validity period of the renewed certificate shall be for a period not to exceed five (5) years from July 1 following the expiration of the last professional certificate.

(d) A grade of at least "C" or the equivalent shall be earned in each course used for the renewal of a certificate. A grade of pass shall be acceptable under the pass or fail grading system.

(e) A certification coverage which has been deleted from a professional certificate shall be added to the certificate when requirements specified in Rule 6A-4.004~~(5)~~(7), FAC., have been completed.

(f) A one (1) year extension of the validity period of a professional certificate shall be granted by the Florida Department of Education in the event of serious illness, injury, or other extraordinary extenuating circumstances beyond the control of the applicant. The extension shall be granted only upon written request of the applicant or the superintendent of the local school district or of the chief administrative officer of a state supported or nonpublic school. The written request shall explain the extenuating circumstances. In case of illness or injury, a physician's written verification shall be submitted.

~~(4)~~(5) Special provisions for military service. An individual who holds a valid professional certificate and who is called into or volunteers for actual wartime military service or required peacetime military service may renew the professional certificate and retain all certification coverages shown on the certificate for the period of time equal to the time spent in military service. ~~A professional certificate reflecting inactive status shall be issued when the individual does not meet the provisions in Rule 6A-4.0051(1), FAC.~~ To qualify for the renewal of the certificate, the individual shall complete the application requirements as specified in Rule 6A-4.0012, FAC., and submit a notarized copy of the military separation papers.

~~(5)~~(6) Special provisions for teachers of limited English proficient students.

(a) ~~An educator who holds a professional certificate may use college credits or inservice points completed in English-for-Speakers-of-Other-Languages training in excess of six (6) semester hours during one certificate-validity period toward renewal of the professional certificate during the subsequent validity periods. A teacher who holds a professional certificate which expires in the year 1991, 1992, 1993, 1994, or 1995, and who completes the appropriate requirements for renewal of the professional certificate prior to completing training required in Rule 6A-6.0907, FAC., may use the college credit or inservice points completed for teaching limited English proficient students toward the next professional certificate renewal.~~

(b) ~~An educator who holds a temporary certificate may use college credits or inservice points completed in English-for-Speakers-of-Other-Languages training toward renewal of the educator's first professional certificate. Such training must not have been included within the degree program, and the educator's temporary and professional certificates must be issued for consecutive school years. A teacher who holds a temporary certificate valid for the years 1990-1992, 1991-1993, 1992-1994, or 1993-1995, may use the college credit or inservice points completed for teaching limited English proficient students as required in Rule 6A-6.0907, FAC., toward renewal of the first professional certificate. The temporary and professional certificates must be issued for consecutive school years.~~

(c) These provisions supersede the requirements in paragraph (3)(4)(a) of this rule for the individuals noted in paragraphs (5)(6)(a) and (6)(b) of this rule.

(6) Reinstatement of a professional certificate. The Department may reinstate an expired professional certificate within five (5) years after the date of expiration if the certificate holder:

(a) Completes the application requirements as specified in Rule 6A-4.0012, FAC.,

(b) Satisfies the fingerprint requirement as specified in Rule 6A-4.004(1)(a)3., FAC.,

(c) Documents completion of six (6) semester hours of college credit during the five (5) years immediately preceding reinstatement of the expired certificate, completion of one hundred twenty (120) inservice points, or a combination thereof, as specified in paragraph (1)(a) of this rule, and

(d) During the five (5) years immediately preceding reinstatement of the certificate, achieves a passing score on the subject area examination for each subject to be shown on the reinstated certificate. Only subjects currently issued by the Department may be shown on a reinstated certificate.

Specific Authority 229.053(1), 231.15(1)(2), 231.24(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.24 FS. History—New 12-25-86, Amended 4-23-91, 2-12-92, \_\_\_\_\_.

#### 6A-4.006 General and Professional Preparation.

Credit in general and professional preparation as listed below shall be required for the professional certificate unless exemption for a specific certification subject is provided in State Board Rules.

~~(1) General preparation. Forty-five (45) semester hours in general preparation with not less than six (6) semester hours earned and not more than twelve (12) semester hours counted in each of the five areas listed below. A graduate with a bachelor's or higher degree from an accredited or approved standard institution as described in Rule 6A-4.003, FAC., shall be considered to have met the general preparation requirements.~~

##### ~~(a) Arts of communication.~~

~~1. A minimum of six (6) semester hours shall be required in English composition, rhetoric, or grammar.~~

~~2. Up to six (6) semester hours in speech, journalism, or elementary foreign languages may be used to meet the total of twelve (12) semester hours permitted in this area.~~

~~(b) Human adjustment. A minimum of six (6) semester hours shall be required in areas such as: health, physical education, psychology, religion, philosophy, logic, ethics, nutrition, problems of living in home and family, or community living.~~

~~(c) Biological science, physical sciences and mathematics. A minimum of six (6) semester hours shall be required. Credit may be earned in comprehensive courses or separate subjects. The entire six (6) semester hours shall not be in mathematics.~~

~~(d) Social science. A minimum of six (6) semester hours shall be required. Credit may be earned in comprehensive courses or in separate subjects, provided credit is earned in at least two (2) of the following: geography, history, political science, sociology, anthropology, or economics.~~

~~(e) Humanities and applied arts. A minimum of six (6) semester hours shall be required. Credit may be earned in comprehensive courses or in separate subjects, provided credit is earned in at least two of the following: literature (English, American, world), literature written in a foreign language, music, technological skills, construction design and fine arts, or art as applied to personal and family living.~~

~~(2) Professional preparation. Twenty (20) semester hours in professional preparation as specified below:~~

##### ~~(a) Course requirements in education.~~

~~1. Six (6) semester hours in foundations of education with credit in both sociological and psychological foundations as described below:~~

~~a. Sociological foundations include courses such as school and society, introduction to education, history of education, and principles and philosophy of education.~~

~~b. Psychological foundations include courses such as educational psychology, child psychology, adolescent psychology, psychology of learning, and growth and development of the individual.~~

~~2. Six (6) semester hours in general methods of teaching, administration, and curriculum in the elementary school or secondary school. Courses should provide an overview of the entire school program and give specific help with respect to the principles of teaching, general curriculum, instructional design, testing and measurement, evaluation of the school program, general methods, school organization and administration needed by teachers in the public schools.~~

##### ~~3. Special methods.~~

~~a. Grades K-12. Four (4) semester hours in methods of teaching the subject to include credit at the elementary and secondary levels for each of the following subjects: art, computer science, foreign languages, health, humanities, and music.~~

~~b. Middle grades (5-9) and secondary (6-12). Two (2) semester hours in methods of teaching the subject at the appropriate level for each middle grade or secondary subject.~~

~~c. Home Economics (6-12). Six (6) semester hours in home economics education to include two (2) semester hours in methods of teaching home economics at the secondary level. The six (6) semester hours shall be earned at one (1) institution which is approved by the State Board of Vocational Education.~~

~~(b) Practical experience in teaching. Practical experience in teaching may be satisfied by one (1) of the plans listed below:~~

~~1. Six (6) semester hours earned in a college student teaching program or in a supervised internship completed in an elementary or secondary school, or~~

2. Two (2) years of full-time teaching experience as specified in Rule 6A-4.002(5)(a), FAC.

(3) Professional preparation for agriculture. Twenty (20) semester hours in professional preparation to include credit in each of the following areas: psychological foundations of education as specified in subparagraph (2)(a)1.b. of this rule, secondary school curriculum, basic principles or philosophy of vocational education, general methods or techniques of teaching vocational education, program planning in vocational agriculture education, methods of teaching vocational agriculture, and practical experience in teaching. The practical teaching experience requirement may be satisfied as specified in paragraph (2)(b) of this rule.

(4)(3) Exemptions.

(a) Requirements which are specified in Paragraphs (2)(a) and (2)(b) of this rule shall be waived for issuance of a professional certificate covering only school food service.

(b) Requirements which are specified in Paragraph (2)(a) of this rule shall be waived for issuance of a professional certificate covering only prekindergarten/primary education, preschool education, school social worker, and speech-language impaired.

(c) Special methods of teaching the subject which are specified in Subparagraph (2)(a)3., of this rule shall be waived for the following coverages: educational leadership, educational media specialist, elementary education, English to speakers of other languages, exceptional student education coverages, guidance and counseling, physical education, ~~professional school principal~~, reading, school principal, and school psychologist.

Specific Authority 229.053(1), 231.15(1), 231.17(5)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History—Amended 4-20-64, 4-8-68, 7-7-68, 4-11-69, 6-17-73, Repromulgated 12-5-74, Amended 10-12-76, 7-1-79, 11-5-84, Formerly 6A-4.06, Amended 9-12-89, 5-30-94, 7-17-00,

**DEPARTMENT OF CORRECTIONS**

RULE TITLES: RULE NOS.:

Food Services – Definitions 33-204.002

Food Services – Standards of Operation 33-204.003

PURPOSE AND EFFECT: The purpose of the proposed rule is to correct technical matters, add applicable definitions, and clarify procedures relating to food service. The effect is to add applicable history notes for the rules, clarify titles of key staff members, update references to forms, add definitions for applicable terms, add provisions relating to the National Child Nutrition Program, and clarify procedures for substitutions from the master menu.

SUBJECT AREA TO BE ADDRESSED: Food services.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.; Child Nutrition Act of 1966, 42 USC § 1773, Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq.

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 WEEKLY:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Giselle Lylen Rivera, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-204.002 Food Services – Definitions.

For the purposes of this chapter:

(1) “Master menu” means the menu which is designed to be served at all facilities to provide uniformity in items served to each inmate. The master menu shall be planned under the direction of the department’s master menu committee. It should be certified nutritionally adequate as determined by a licensed registered dietitian. The master menu shall provide all Recommended Dietary Allowances or Dietary Reference Intakes as established by the Food and Nutrition Board of the National Academy of Sciences. The Recommended Dietary Allowances and Dietary Reference Intakes are incorporated by reference in Rule 33-204.003, F.A.C.

(2) through (3) No change.

(4) “Master Menu Committee” consists of the central office’s Bureau of Food Services staff as designated by the bureau chief, the public health nutrition program manager, the field food service ~~managers~~ ~~coordinators~~, the central office food service managers, and the field public health nutrition consultants. The chief of food services has the authority to invite other staff.

(5) “Centers” refers to work release centers, ~~probation and restitution centers~~ and drug treatment centers.

(6) “National Child Nutrition Program,” (NCNP), refers to the National School Breakfast Program and School Lunch Program through which reimbursement is received by the department for eligible breakfast and lunch meals. Eligible meals contain specifically required components as defined by the program for the purpose of meeting minimal nutritional requirements. The Food and Nutrition Service, a subdivision of the United States Department of Agriculture, administers the programs which have as their objective the provision of a healthful diet and nutrition in a manner that supports American agriculture and inspires public confidence, pursuant to the Child Nutrition Act of 1966, 42 USC § 1773, and the Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq. The department utilizes the programs to provide enhanced nutrition for qualified and participating inmates under the age of 21 at participating facilities. To qualify and participate, the inmate must be under the age of 21, be housed in NCNP designated housing, and be located at a participating facility.

(7) “Master Menu Manual” refers to that food service technical manual that provides procedural information, such as daily menus, production sheets, and recipes for the service of the regular menu, the alternate entrée and vegan meal pattern, religious and secular holiday menus, the special management meal, and sack lunches.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS., Child Nutrition Act of 1966, 42 USC § 1773, Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq. History—New 1-18-89, Amended 7-21-97, Formerly 33-30.002, Amended 8-9-00, 11-16-00, \_\_\_\_\_.

### 33-204.003 Food Services – Standards of Operation.

(1) General. Inmates in general population shall receive three meals per day, of which at least two shall be hot meals. The meals shall be provided at regular meal times during each 24-hour period, with a period of no more than 14 hours between the end of the evening meal and the beginning of the morning meal, weather and security permitting. The warden or work release center major shall be allowed to authorize an altered meal schedule of two meals for approved holidays listed in the master menu manual, but both must be hot meals. Holiday substitutions that deviate from the master menu must be approved in advance by the chief of food services or the central office food service managers coordinator. An alternate meal schedule for therapeutic diets shall provide regular meal times during each 24-hour period with no more than 14 hours between the end of the evening and the beginning of the morning meal.

#### (2) Confinement.

(a) All inmates in confinement shall receive normal institutional meals as are available to the general population, except that if any item on the normal menu or any food utensil might create a security problem in the confinement area, then another item of comparable quality or other appropriate utensils shall be substituted. Substitutions shall be documented on the Daily Record of Segregation confinement, Form DC6-229 DC4-815. Form DC6-229 DC4-815 has been previously incorporated by reference in Rule Section 33-602.220, F.A.C.

(b) Hot food shall be served hot and cold food shall be served cold in accordance with the standards of the State Sanitary Code, Department of Health, Chapter 64E-11, F.A.C.

(c) The provisions of Rule section 33-602.223, F.A.C., shall be utilized in placing inmates on the special management meal.

#### (d) No change.

(3) Menus. The Recommended Dietary Allowances or the Dietary Reference Intakes of the Food and Nutrition Board – National Academy of Sciences shall serve as the standard for the preparation of menus and the evaluation of menus served. The Recommended Dietary Allowances and the Dietary Reference Intakes of the Food and Nutrition Board are hereby incorporated by reference. A copy of the Recommended Dietary Allowances or the Dietary Reference Intakes may be

obtained from the Bureau of Food Services, Office of Administration, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of the Revised Recommended Dietary Allowances is January 18, 1989. The Dietary Reference Intakes were copyrighted in 2001 2000.

(a) through (c) No change.

(d) The master menu shall be adhered to except that specific menus and menu items are subject to change by the person in charge of food service at each facility due to production problems, product availability, cost, or security issues. When menu substitutions are required, the substitutions will be from the same food group as the original menu item. Menu substitutions will be initially reviewed and approved by a field food service manager. If menu substitutions are determined to deviate from the list of approved substitutions, they will be referred by the field food service manager to the central office public health nutrition program manager for evaluation and final approval. The master menu manual provides a list of appropriate substitutions within food groups.

~~(e)(4)~~ All vegetables shall be prepared without meat, meat fat, meat-based broth or butter so as to be suitable for ~~all~~ religious and strict vegetarian diets.

#### (4) Sanitation.

(a) All food service areas shall meet the standards of the State Sanitary Code, Department of Health, Chapter 64E-11, F.A.C Florida Administrative Code. Food and beverages shall not be consumed in food preparation areas.

(b) Personnel assigned to food service shall meet the standards set by the State Sanitary Code, Department of Health Rule 64E-11.005, F.A.C Florida Administrative Code.

#### (c) No change.

1. Writing instructions for the operation and cleaning of the physical plant, equipment and utensils. A current copy of these instructions shall be forwarded to the regional food service manager coordinator for review initially and as revised to check for compliance with the State Sanitary Code, Department of Health Rule 64E-11.005, F.A.C Florida Administrative Code.

#### 2. through (5) No change.

(6) Security. The person in charge of food service food service director and correctional officer chief of security shall jointly write and post a plan and schedule for supervision of inmates during meals. The correctional officer chief of security shall be responsible for enforcement of the written plan for control.

(7) Therapeutic Diets. Therapeutic diets for medical or dental reasons shall be provided as ordered by a Department of Corrections credentialed physician, clinical associate (physicians assistant, advanced registered nurse practitioner) or dentist. All orders for therapeutic diets shall be in writing utilizing the Diet Prescription/Order, Form DC4-728. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road,

Tallahassee, Florida 32399-2500. The effective date of this form is August 9, 2000. Non-standard therapeutic modified diets shall be approved by the public health nutrition program manager and the regional medical executive director. Therapeutic diets shall be served for a maximum of 90 days. Diets extending for periods longer than 90 days shall require a new diet order from the attending Department of Corrections credentialed physician, clinical associate (physicians assistant or advanced registered nurse practitioner) or dentist. Diet prescription orders must be received in food services prior to the expiration of the current prescription to avoid interruption of the therapeutic modified diet. The Bureau of Food Services shall be responsible for providing consultation to health and food service personnel regarding therapeutic diets.

(8) No change.

(9) National Child Nutrition Program.

(a) It is the intent of the department that all institutions that qualify will participate in the National Child Nutrition Program. To qualify, an institution will have a sufficient number of offenders qualified to be NCNP participants so that adequate revenues will be generated to offset the costs associated with implementing program requirements.

(b) The youthful offender master menu will be utilized to provide enhanced nutrition to program participants who are under the age of 21.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS., Child Nutrition Act of 1966, 42 USC § 1773, Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq. History—New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Inmate Telephone Use

RULE NO.: 33-602.205

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise current telephone procedures in order to provide for the use of a proposed new telephone system, and to provide correct titles for staff with responsibilities related to inmate telephones.

SUBJECT AREA TO BE ADDRESSED: Inmate telephone use.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.205 Inmate Telephone Use.

(1) This subsection sets forth the minimum telephone privileges that shall be granted to inmates housed in institutions or facilities other than community correctional centers, Florida State Prison, or death row at Union Correctional Institution. All inmate calls, with the exception of those calls placed to attorneys pursuant to (3)(~~a~~) shall be subject to monitoring and recording. Due to the high level of security needs at Florida State Prison and death row at Union Correctional Institution, the only telephone privileges available to FSP and UCI death row inmates are those set forth in (3)(a), private calls to attorneys, and (4), calls made in the event of family crisis.

(2) Inmate telephone procedures will be conducted as follows:

(a) No change.

(b) The reception center classification staff shall compile the inmate calling list through use of Form DC6-223, in conjunction with the acquisition of the inmate visiting list. Form DC6-223 shall become part of the inmate's permanent file and shall accompany the inmate with each subsequent transfer. Form DC6-223 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL 32399-2500. ~~If forms are to be mailed, the request must be accompanied by a self-addressed stamped envelope.~~ The effective date of this form is 2-7-00.

(c) An inmate shall be allowed to change his or her telephone list once every six months. Changes can be made more frequently for the following reasons only:

1. No change.

2. The inmate has married and wishes to add the name and telephone number of the spouse. The inmate shall be responsible for providing documentation of the marriage before the list will be amended.

3. An inmate shall be allowed to update his or her telephone list when there is a change in telephone providers, an installation of updated equipment or software, or a repair to the equipment, if the department determines that an update of the phone list would be more efficient in completing the change, installation, or repair.

(d) No change.

(e) Except for calls to attorneys as provided in (3)(a), or calls during family crisis as provided in (4), calls shall be limited to 15 ~~40~~ minutes. Calls to attorneys as provided in (3)(a) and calls in time of family crisis as provided in (4) shall be limited to the amount of time reasonably necessary to accomplish the purpose of the call.

(f) No change.

(g) All calls from the monitored telephones shall be collect and shall contain a prompt which clearly identifies the call as coming from a Florida Department of Corrections institution.

1. No change.

2. The prompt shall clearly identify the caller on a prerecorded ~~message~~ message ~~and~~ which is input at the time of the inmate's first call.

3. No change.

4. The system will detect conference calls or three-way calling activity and terminate the call when such activity is detected.

(h) through (j) No change.

(k) Tape recordings of monitored calls shall be kept in an area where staff access is controlled. Records and tapes of monitored calls shall be retained for a minimum of one year. Access to tapes and records shall be limited to the following persons:

1. No change.

2. ~~Director of Institutions Assistant Secretary for the Office of Security and Institutional Operations~~ or her or his designee;

3. Regional ~~d~~Directors;

4. through 6. No change.

(l) No change.

(3) Calls to attorneys.

(a) Inmates shall be allowed to make private telephone calls to attorneys upon presentation to the warden or his designee of evidence that the call is necessary. Such evidence shall be a letter from the attorney requesting the return call due to an impending court deadline, or a court order containing a deadline, the inmate cannot meet if he must communicate by letter with the attorney. Except as authorized by warrant or order of court, telephone calls to attorneys made pursuant to this section shall not be monitored or electronically recorded. These calls will be placed on telephones designated for this purpose; there shall be at least one telephone at each institution that is not connected to the monitoring system for these calls.

(b) If an inmate requests to place his or her attorney's telephone number on his or her calling list, the attorney must provide written acknowledgment of the telephone procedures by completing Form DC6-214, Inclusion of Attorney on Inmate Telephone List and indicating that he or she understands that there are options available for private calls. The requesting inmate will be responsible for notifying the attorney and arranging for the correspondence to the institution. ~~There will be no special provisions for these calls.~~ They will be placed on regular inmate telephones, will be collect, ~~subject to monitoring and recording~~, and limited to 15 ~~10~~ minutes. The telephone calls will not be monitored or recorded. However, staff will call the numbers submitted to verify the phone number is to the office of a licensed attorney. If the inmate and the attorney want to have non-monitored conversations, the procedures in (3)(a) must be followed. Form DC6-214, Inclusion of Attorney on Inmate Telephone List, is hereby incorporated by reference. A copy of this form is

available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida, 32399-2500. The effective date of this form is \_\_\_\_\_.

(4) No change.

(5) Telephone privileges for inmates in aAdministrative or dDisciplinary cConfinement shall be in accordance with Rules 33-602.220 (Administrative Confinement) and 33-602.222 (Disciplinary Confinement) ~~are not allowed telephone privileges except in cases of emergency or when necessary to insure the inmate's access to attorneys or courts, provided that in Disciplinary Confinement privileges will only be allowed when alternative means of access are not feasible.~~

(6) No change.

(7) All long distance calls shall be "collect" calls except:

(a) No change.

(b) Calls to courts when the inmate is required to participate in a telephone conference hearing. Institutional staff shall place a direct call to the court, using the most efficient and economical means available. If the department is involved as a party, the inmate's account shall not be charged for the cost of such call, unless it can be demonstrated that the hearing was scheduled at the inmate's request. In all other circumstances, the inmate's account shall be charged in full for such cost. The charge shall be based on the current SUNCOM telephone rate for State telephone calls.

(c) If funds are not available in the account to pay the charge in full, then the account shall be charged in part, up to the amount available. A hold shall then be placed on the inmate's account and all subsequent deposits to the inmate's account shall be applied against the unpaid costs until the debt has been paid.

(8) through (10) No change.

(11) The ~~d~~Department is not responsible for maintaining telephone equipment damaged by inmate abuse or for providing telephone service if the telephone company discontinues service as a result of inmate abuse.

(12) Misuse of telephone privileges.

(a) through (b) No change.

(c) Inmates found to have abused telephone privileges shall be subject to disciplinary action in accordance with Rules 33-601.301-33-601.314, F.A.C. In addition, wardens are authorized to suspend an inmate's telephone privileges, other than calls to attorneys as outlined in (3)(a), during an investigation for abuse of telephone privileges.

(12)(d) through (13) No change.

(14) Crime-stoppers Hotline.

(a) A two-digit, toll-free number will be available for dialing from any telephone designated for inmate use to report suspected criminal activity or crimes that occur inside or outside the institution.



(b) The inmate will not have to enter his or her personal identification number (PIN) to access the crime-stoppers hotline.

(c) Signs that reference the toll-free number will be prominently displayed within the institution and on its grounds.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 11-19-81, Formerly 33-3.125, Amended 11-21-86, 1-6-92, 3-24-97, 7-22-97, 12-21-98, Formerly 33-3.0125, Amended 2-7-00.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: Grounds for Disciplinary Proceedings  
 RULE NO.: 61G1-12.001  
 PURPOSE AND EFFECT: The Board proposes to review the current rule text to determine if changes are necessary.  
 SUBJECT AREA TO BE ADDRESSED: Grounds for disciplinary proceedings.  
 SPECIFIC AUTHORITY: 455.304, 481.2055 FS.  
 LAW IMPLEMENTED: 455.303, 455.304, 481.219, 481.225, 481.2251 FS.

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

TIME AND DATE: 9:00 a.m. or thereafter, August 1, 2001  
 PLACE: Renaissance Vinoy Resort and Golf Club, 501 5th Avenue, Northeast, St. Petersburg, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sherry Landrum, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE CHAPTER TITLE: Continuing Professional Education  
 RULE CHAPTER NO.: 64B5-12  
 PURPOSE AND EFFECT: The Board proposes to discuss the rules within this chapter to determine if amendments are necessary.  
 SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements; licensees excused from continuing educational requirements; committee on continuing professional education; subject area requirements; application for provider status; standards for approved providers; individual study; standards for board approval of pro bono

programs; courses required for initial licensure, renewal, or reactivation; courses required of dentists for renewal and reactivation.

SPECIFIC AUTHORITY: 456.013(8), 456.027, 456.031, 456.033, 466.004, 466.0135, 466.014, 466.017(3),(4) FS.  
 LAW IMPLEMENTED: 456.013(8), 456.027, 456.031, 456.033, 466.0135, 466.014, 466.017(3),(5), 466.028(1)(i),(bb) FS.

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

TIME AND DATE: 9:00 a.m. or thereafter, June 30, 2001  
 PLACE: The Hyatt Regency at the Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE CHAPTER TITLE: Fee Schedule  
 RULE CHAPTER NO.: 64B5-15  
 PURPOSE AND EFFECT: The Board proposes to discuss the rules within this chapter to determine if amendments are necessary.  
 SUBJECT AREA TO BE ADDRESSED: Increase in fees.  
 SPECIFIC AUTHORITY: 456.013, 456.017(2), 456.023, 456.025(2),(4),(5), 456.036, 456.064, 465.0276, 466.004, 466.006(1), 466.007(1), 466.013, 466.015, 466.017 FS.  
 LAW IMPLEMENTED: 456.013, 456.017(2), 456.023, 456.025(2),(5), 456.0276, 456.036, 456.064, 466.004(4), 466.006(1),(3)(c), 466.007(1), 466.009(1), 466.013, 466.015, 466.017 FS.

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

TIME AND DATE: 9:00 a.m. or thereafter, June 30, 2001  
 PLACE: The Hyatt Regency at the Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Definitions  
RULE NO.: 64B8-2.001

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to clarify "direct supervision and responsibility."

SUBJECT AREA TO BE ADDRESSED: Clarification of the term "direct supervision and responsibility."

SPECIFIC AUTHORITY: 458.309, 458.315(1), 458.317(1)(c), 458.319(1), 766.314(4) FS.

LAW IMPLEMENTED: 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-2.001 Definitions.

(1) through (5) No change.

(6) The phrase "direct supervision and responsibility," as defined by the Board of Medicine, and as used in Chapter 458 Section 458.3485, Florida Statutes, shall mean that the responsible physician need not be physically present on the premises but must be within close physical proximity and easily accessible.

(7) through (11) No change.

Specific Authority 458.309, 458.315(1), 458.317(1)(c), 458.319(1), 766.314(4) FS. Law Implemented 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) FS. History--New 11-10-82, Amended 12-4-85, Formerly 21M-29.01, Amended 12-4-86, 11-15-88, 3-13-89, 1-1-92, 9-24-92, 2-21-93, Formerly 21M-29.001, Amended 4-14-94, Formerly 61F6-29.001, 59R-2.001, Amended 4-7-99.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Requirement for Physician Office Registration;  
RULE NO.: 64B8-9.0091

Inspection or Accreditation  
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to reference the Department's inspection fee.

SUBJECT AREA TO BE ADDRESSED: The Department's inspection fee for office surgical sites.

SPECIFIC AUTHORITY: 458.309(1),(3) FS.

LAW IMPLEMENTED: 458.309(3), 456.069 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-9.0091 Requirement for Physician Office Registration; Inspection or Accreditation.

(1) No change.

(2) Inspection.

(a) Unless the physician has previously provided written notification of current accreditation by a nationally recognized accrediting agency or an accrediting organization approved by the Board the physician shall submit to an annual inspection by the Department. Nationally recognized accrediting agencies are the American Association for Accreditation of Ambulatory Surgery Facilities (AAAASF), Accreditation Association for Ambulatory Health Care (AAAHC) and Joint Commission on Accreditation of for Ambulatory Healthcare Organizations (JCAHO). All nationally recognized and Board-approved accrediting organizations shall be held to the same Board-determined surgery and anesthesia standards for accrediting Florida office surgery sites.

(b) The office surgery inspection fee set forth in the Department's Rule 64B-4.002, F.A.C., shall be remitted for each practice location.

(b) through (f) renumbered (c) through (g) No change.

(3) No change.

Specific Authority 458.309(1),(3) FS. Law Implemented 458.309(3), 456.069 FS. History--New 5-15-00, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Fluoride Containing Products  
RULE NO.: 64B8-36.004

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment designed to make the rule consistent with the Board of Pharmacy's rule on the same subject.

SUBJECT AREA TO BE ADDRESSED: Fluoride containing products.

SPECIFIC AUTHORITY: 465.186(2) FS.

LAW IMPLEMENTED: 465.186 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 64B8-36.004 follows. See Florida Administrative Code for present text.)

**64B8-36.004 Fluoride Containing Products.**

Oral medicinal drug products containing fluoride may be ordered by pharmacists for their patients who do not have fluoride supplement in their drinking water, pursuant to the following limitations:

(1) The fluoride content of drinking water does not exceed 0.5 ppm.

(2) Once a fluoride treatment has been initiated with one specific fluoride medicinal drug product it should not be interchanged with a product of a different manufacturer for the course of the treatment.

(3) If the fluoride content is less than 0.5 ppm then the following dosage schedule for oral usage shall be followed.

(a)1. For ages 0 – 6 months

a. less than 0.3 ppm in water – no supplementation

b. 0.3 – 0.6 ppm in water – no supplementation

c. 0.6 ppm in water – no supplementation

2. For ages 6 months – 3 years

a. less than 0.3 ppm in water – supplement with 0.25 mg.

F/day

b. 0.3 – 0.6 ppm in water – no supplementation

c. 0.6 ppm in water – no supplementation

3. For ages 3 – 6 years

a. less than 0.3 ppm in water – supplement with 0.5 mg.

F/day

b. 0.3 – 0.6 ppm in water – supplement with 0.25 mg.

F/day

c. 0.6 ppm in water – no supplementation

4. For ages 6 – 16 years

a. less than 0.3 ppm in water – supplement with 1.00 mg.

F/day

b. 0.3 – 0.6 ppm in water – supplement with 0.5 mg. F/day

c. 0.6 ppm in water – no supplementation

(b) No more than 264 mg. of sodium fluoride may be dispensed at any one time to a patient.

(c) Notwithstanding the provisions of Section 64B8-36.002(3) a pharmacist may continue a course of therapy with fluoride products until appropriate referral to another health care practitioner is indicated or in no event shall the course of therapy be more than one (1) year.

Specific Authority 465.186(2) FS. Law Implemented 465.186 FS. History–New 5-1-86, Formerly 21M-39.004, 61F6-39.004, 59R-36.004, Amended

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE CHAPTER TITLE: Organization  
RULE CHAPTER NO.: 64B11-1

RULE TITLE: Other Business Involving the Board  
RULE NO.: 64B11-1.002

PURPOSE AND EFFECT: The Board proposes to define other business involving the Board for the purpose of Board member compensation.

SUBJECT AREA TO BE ADDRESSED: Other Business Involving the Board.

SPECIFIC AUTHORITY: 456.011(4) FS.

LAW IMPLEMENTED: 456.011(4) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Initial Licensure Fee For Physical Therapists  
RULE NO.: 64B17-2.002

PURPOSE AND EFFECT: The Board proposes to raise the initial licensure fees.

SUBJECT AREA TO BE ADDRESSED: Initial Licensure Fee for Physical Therapists.

SPECIFIC AUTHORITY: 455.564(2), 486.025, 486.061 FS.

LAW IMPLEMENTED: 455.564(2), 486.081(2) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-2.002 Initial Licensure Fee for Physical Therapists.

(1) An applicant who has been certified by the Board during the first year of the biennial renewal period as having satisfied the licensure requirements of either Rule 64B17-3.001 or 64B17-3.003, Florida Administrative Code, shall not be issued a license until he remits to the Department an initial licensure fee in the amount of \$100 \$55.

(2) An applicant who has been certified by the Board during the second year of the biennial renewal period as satisfying requirements of Rule 64B17-3.001 or 64B17-3.003, Florida Administrative Code, shall not be issued a license until he remits to the Department an initial licensure fee in the amount of \$50 \$30.

Specific Authority ~~456.013(2) 455.564(2)~~, 486.025, 486.061 FS. Law Implemented ~~456.013(2) 455.564(2)~~, 486.081(2) FS. History—New 8-6-84, Formerly 21M-7.35, Amended 6-20-89, Formerly 21M-7.035, Amended 10-17-90, Formerly 21MM-2.002, 61F11-2.002, 59Y-2.002, Amended

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: INITIAL LICENSURE FEE FOR PHYSICAL THERAPIST ASSISTANTS

RULE NO.: 64B17-2.004

Initial Licensure Fee for Physical

64B17-2.004

Therapist Assistants

PURPOSE AND EFFECT: The Board proposes to raise the initial licensure fees.

SUBJECT AREA TO BE ADDRESSED: Initial Licensure Fee for Physical Therapist Assistants.

SPECIFIC AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 455.564(2), 486.106, 486.107(2) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-2.004 Initial Licensure Fee for Physical Therapist Assistants.

(1) An applicant who has been certified by the Board during the first year of the biennial renewal period as having satisfied the licensure requirements of either Rule 64B17-2.001 or 64B17-2.004, Florida Administrative Code, shall not be issued a license until he remits to the Department an initial licensure fee in the amount of \$100 \$55.

(2) An applicant who has been certified by the Board during the second year of the biennial renewal period as satisfying the licensure requirements of Rule 64B17-2.001 or 64B17-2.004, Florida Administrative Code, shall not be issued a license until he remits to the Department an initial licensure fee in the amount of \$50 \$30.

Specific Authority 486.025 FS. Law Implemented ~~456.013(2) 455.564(2)~~, 486.106, 486.107(2) FS. History—New 8-6-84, Formerly 21M-10.35, Amended 4-12-87, 9-22-87, 6-20-89, Formerly 21M-10.035, Amended 10-17-90, Formerly 21MM-2.004, 61F11-2.004, 59Y-2.004, Amended

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: BIENNIAL RENEWAL FEE FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS

RULE NO.: 64B17-2.005

Biennial Renewal Fee for Physical Therapists

64B17-2.005

and Physical Therapist Assistants

PURPOSE AND EFFECT: The Board proposes to raise the biennial renewal fees.

SUBJECT AREA TO BE ADDRESSED: Biennial Renewal Fee for Physical Therapists and Physical Therapist Assistants.

SPECIFIC AUTHORITY: 486.025, 486.085(1), 486.108(1) FS.

LAW IMPLEMENTED: 486.085, 486.108(1) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-2.005 Biennial Renewal Fee for Physical Therapists and Physical Therapist Assistants.

Each licensed physical therapist and physical therapist assistant shall submit a biennial fee for the renewal of his or her license no later than the last day of each biennial period, as defined by the Department.

(1) The biennial renewal fee for physical therapists shall be ~~\$100~~ **\$55**.

(2) The biennial renewal fee for physical therapist assistants shall be ~~\$100~~ **\$55**.

Specific Authority 486.025, 486.085(1), 486.108(1) FS. Law Implemented 486.085, 486.108(1) FS. History—New 8-6-84, Formerly 21M-8.10, Amended 9-22-87, 6-20-89, Formerly 21M-8.010, Amended 10-17-90, 3-24-93, Formerly 21MM-2.005, 61F11-2.005, 59Y-2.005, Amended.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Citations  
 RULE NO.: 64B17-7.002

PURPOSE AND EFFECT: The Board proposes to add minor violations and penalties for which a citation should be issued.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 486.025, 455.617 FS.

LAW IMPLEMENTED: 455.617 FS.

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

TIME AND DATE: 4:00 p.m., June 30, 2001

PLACE: The Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-7.002 Citations.

(1) through (3) No change.

(4) The Board designates the following as citation violations:

(a) through (c) No change.

(d) Obtaining a license by issuing a bad check (456.072(1)(h)) – If the check and bad check fee are paid, \$100 fine.

(e) Failure to report in writing to the Board within 30 days after criminal conviction of licensee (456.072(1)(w)) – If reported within six months of conviction, \$250 fine.

(f) First-time failure of the licensee to satisfy continuing education requirements established by the Board – If the licensee rectifies the deficiencies within six months after notification of audit deficit, \$500 fine.

(g) Failure to notify the Board office in writing within 60 days of a change of address, \$250 fine.

(h) Failure to comply with a continuing education audit request within 30 days of the request, \$250 fine.

(5) through (6) No change.

Specific Authority 486.025, 456.077 FS. Law Implemented 456.077 FS. History—New 1-19-92, Formerly 21MM-7.003, Amended 10-28-93, Formerly 61F11-7.003, 59Y-7.003, Amended 1-6-99, Amended.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Continuing Education  
 RULE NO.: 64B17-9.001

PURPOSE AND EFFECT: The Board proposes to amend continuing education requirements and to allow for emergency or hardship exceptions.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.109(2) FS.

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

TIME AND DATE: 4:00 p.m., June 30, 2001

PLACE: The Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE TITLE: Overpayment and Benefit Recovery  
 RULE NO.: 65A-1.900

PURPOSE AND EFFECT: This proposed rule amendment makes changes to food stamp program policies used in benefit recovery. These policy changes are primarily the result of federal regulation changes to 7 CFR s. 273.18 published in the July 6, 2000 federal register.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment provides for: a change in the maximum monthly amount that can be recovered due to intentional program violation; changes in demand letters to provide calculation of the overpayment and a post-hearing demand letter; collection of overpayment from stale electronic benefit transfer (EBT) benefits; adjustment to the claim amount by using expunged EBT benefits and a notice letter to the client; allotment reduction at the time a claim is established; and, a compromise policy for claims.

SPECIFIC AUTHORITY: 414.41, 414.45 FS.

LAW IMPLEMENTED: 24.115(4), 414.31, 414.41 FS.

IF REQUESTED IN WRITING AND DEEMED NECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP(S) WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m., July 2, 2001

PLACE: Building 3, Room 455, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: John Bowman, Acting Coordinator for Special Programs, 1317 Winewood Boulevard, Building 3, Room 417, Tallahassee, Florida 32399-0700, Telephone (850)921-5549

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

Section II
Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

DOCKET NO.: 98-08R

RULE CHAPTER TITLE: Sovereignty Submerged Lands Management RULE CHAPTER NO.: 18-21

Table with 2 columns: RULE TITLES and RULE NOS. containing various rule titles and numbers like Definitions, Management Policies, Standards, and Criteria, etc.

PURPOSE AND EFFECT: The proposed amendments clarify the nature of interest in riparian uplands necessary to make application for a Board of Trustees' authorization for activities on sovereign submerged lands. These amendments are needed to ensure that DEP deals with the person or entity having sufficient interest in the riparian uplands and the riparian rights necessary to conduct activities on sovereign submerged lands. The current rule requires a warranty deed, title insurance, or an attorney's opinion of title but does not require documentation of riparian rights. The proposed rule adds a certificate of title issued by a clerk of the court; a lease; an easement; and condominium, homeowners or similar association documents to the list of acceptable forms of title and requires that the documentation clearly demonstrate that the holder has control and interest in the riparian uplands adjacent to the project area and the riparian rights necessary to conduct the proposed activity. Other forms of documentation may be accepted if they clearly demonstrate that the holder has control and interest in the riparian uplands adjacent to the project area and the riparian rights necessary to conduct the proposed activity. An

exception is provided for public utilities and the Department of Transportation that requires these entities to obtain satisfactory evidence of upland interest prior to construction but does not require that such evidence be submitted as part of the application or authorization process. The proposed amendments also conform the terms used to refer to the type of upland interest required for different forms of authorizations.

The proposed amendments provide that, where an applicant has less than fee simple interest in the uplands, the term of the applicable sovereign submerged lands authorization shall be limited to the term allowed by rule or the term of the upland interest, whichever is less, unless the fee simple title owner agrees to be a co-holder of the sovereign submerged lands authorization.

The proposed amendments provide that for the construction of docks or piers, when the upland interest is less than fee simple title, the upland interest must cover the entire shoreline of the upland parcel or 65 feet of shoreline, whichever is less.

The proposed rule clarifies the riparian line setback provisions for shared single-family docks; situations where riparian lines converge to less than 65 feet apart; and shoreline protection structures and clarifies the requirement for concurrence of the adjacent property owner to a waiver of the setback provision. In addition, a provision has been added enabling the Board of Trustees (or staff to the Trustees) to authorize a structure within the setback area if such location is necessary to avoid or minimize impacts to natural resources.

SUMMARY: Clarification of the types of interest in riparian uplands required to make application to conduct activities on sovereign submerged lands.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 253.03, 253.03(7), 253.0345, 253.73, 370.021 FS.

LAW IMPLEMENTED: 253.002, 253.02, 253.03, 253.034, 253.0345, 253.04, 253.115, 253.12, 253.1221, 253.141, 253.47, 253.51, 253.512, 253.52-.54, 253.61, 253.67-.75, 253.77, 370.16 FS.

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

TIME AND DATE: 10:00 a.m., (Tuesday), July 10, 2001

PLACE: Department of Environmental Protection, Room 609, 2600 Blair Stone Road, Tallahassee, Florida