

shall select an appropriate alternative instrument and the evaluator shall state in writing the reason the instruments specified in (2) below were inappropriate and the justification for the alternative instrument or instruments selected.

(2) Unless determined to be inappropriate in accordance with (1) above, one of the following tests shall be used in capital felony cases.

(a) The Stanford-Binet intelligence scale.

(b) Wechsler Intelligence Scale.

Specific Authority 921.137 FS. Law Implemented 921.137 FS. History--New

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Requests for Inspections, Reinspections
PURPOSE AND EFFECT: Applicable law, § 616.242(7), Florida Statutes, requires amusement rides must receive an inspection certificate each time the ride is set up or moved to a new location in the state, with certain exceptions. The Legislature added to the exceptions a kiddie ride used at a public event, provided there are no more than three amusement rides at the event, none of the kiddie rides at the event exceed a capacity of 12 persons, and the ride has an inspection certificate that was issued within the preceding 6 months. The purpose of the rule is to give the Department's inspectors guideline to use when determining if a rides capacity meets or exceeds the exception when it is not clearly specified by the manufacturer.

SUMMARY: This amendment of Rule 5F-8.005, Florida Administrative Code, removes the set-up inspections required of kiddie rides provided there are no more than three amusement rides at the event, none of the kiddie rides at the event exceed a capacity of 12 persons, and the ride has an inspection certificate that was issued within the preceding 6 months. The purpose of the rule is to give guidelines on how the Department's Inspectors will determine ride capacity if it is not clearly specified by the manufacturer.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs has been prepared as costs are anticipated to be negligible.

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

SPECIFIC AUTHORITY: 616.241, 616.242 FS.

LAWS IMPLEMENTED: 616.241, 616.242 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., August 28, 2002

PLACE: Division of Standards Conference Room, Suite E, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-8.005 Request for Inspections, Reinspections.

(1) through (8) No change.

(9) Where a manufacturer has not determined nor specified the capacity of a kiddie ride the Department will determine the capacity as follows:

(a) A Department Inspector will count the number of carrier units or tubs per ride. The number of carrier units or tubs per ride is based on the manufacturer's intended configuration of the ride in order to make it fully operational. Lacking the manufacturer's guidance on proper configuration of carrier units or tubs, the department's inspector will evaluate the ride and make a recommendation to the Bureau for final determination. Arbitrary reduction of carrier units by operators are not permitted.

(b) Having determined the number of carrier units or tubs per ride, the Department inspector will count the number of passenger positions per carrier unit, or individual tub, i.e. the number of seat belts, pre-formed seating spots or other identifiable seating arrangements. With no identifiable passenger positions, the inspectors will determine the number of positions based on the number of 12 year old passengers that can be positioned safely in the carrier unit, i.e. each passenger must have a separate position and meet the required height and/or weight requirements for that ride. Sitting on laps to qualify as one position will not be permitted.

Specific Authority 616.241, 616.242 FS. Law Implemented 616.241, 616.242 FS. History--New 9-15-92, Amended 2-23-94, 5-27-96, 9-23-97, 2-15-99, 3-21-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael W. Rinehart, Operations & Management Consultant II, Bureau of Fair Rides Inspection, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)488-9790

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE TITLE: Food Permits; Requirements and Fees
RULE NO.: 5K-4.020

PURPOSE AND EFFECT: The rule amendment establishes a fee charged by the Department to recover the costs incurred to reinspect food establishments that have received previous unsatisfactory reports of inspection. The Department reinspects these food establishments to verify compliance with Chapter 500, F.S., the Florida Food Safety Act and Chapter 5K-4, FAC.

SUMMARY: The Department is charged with the duty of inspecting and regulating food establishments in the State of Florida. The rule amendment establishes a fee charged to a food establishment to recover the cost of reinspection pursuant to s. 500.09(7), F.S. When the Department inspects a food establishment and issues an unsatisfactory report of inspection due to sanitation violations, the firm is reinspected to verify compliance with Chapter 500, F.S. and Chapter 5K-4, FAC. This rule amendment sets forth the fee a firm shall pay for recovery of the cost of the reinspection.

FEDERAL STANDARDS STATEMENT: A federal rule on this subject does not exist.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the 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: 500.09(7), 570.07(23) FS.

LAW IMPLEMENTED: 500.12(1)(f), 500.147 FS.

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

TIME AND DATE: 2:00 p.m., September 4, 2002

PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, Training Center, Basement Level, 3125 Conner Boulevard, Tallahassee, FL, (850)488-3951

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. John Fruin, Chief, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-3951

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-4.020 Food Permits; Requirements and Fees.

(1) through (6) No change.

(7) Recovery of Cost for Reinspections

(a) A food establishment shall pay a fee of \$110 to the department for recovery of the cost incurred to provide each reinspection of the food establishment. For the purposes of this section, a reinspection refers to any inspection conducted for the purpose of verifying compliance with Chapter 500, F.S., or the rules promulgated thereunder, following a previous

unsatisfactory inspection. Such unsatisfactory inspection shall be indicated by issuance of an inspection report listing conditions which are not in compliance and which, when viewed as a whole, are more likely to contribute to food contamination, illnesses or environmental health hazards.

(b) Nothing in this section shall prohibit the department from imposing additional sanctions for violations of Chapter 500, F.S., or the rules promulgated thereunder. The costs of reinspection may be included in any administrative action taken against the establishment for violations of Chapter 500 or this Chapter, or may be billed separately by invoice of the department. If the cost of reinspection is billed separately by invoice, the fee shall be paid within 21 days receipt thereof. Failure to pay a reinspection fee is a violation of this chapter and shall be grounds for suspension of the establishment's food permit.

(c) The fee established for a reinspection shall include the average cost per inspection for inspectors' salary, benefits, travel, training, equipment, supervision, and other costs or charges directly related to administration of the food establishment inspection program.

(d) The fee shall be applicable for each reinspection regardless of whether the reinspection is satisfactory or unsatisfactory. Provided however, a fee for reinspection shall not be required when both of the following conditions are met:

1. The conditions which were deemed unsatisfactory in the prior inspection are in compliance and the overall finding of the reinspection is satisfactory and

2. No previous reinspection of the establishment has been conducted during the same calendar year.

(e) This rule shall become effective January 1, 2003.

Specific Authority 500.09, 500.12(1)(b), 570.07(23) FS. Law Implemented 500.04, 500.10, 500.12(1)(a),(b),(c),(d), 500.171, 500.172, 500.177 FS. History—New 1-10-93, Formerly 5E-6.020, Amended 8-8-95, 3-11-98, 3-6-01, 10-30-01, 1-1-03.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. John Fruin, Chief, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-3951

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Marion Fuller, Director, Division of Food Safety

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 24, 2002, Vol. 28, No. 21

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE CHAPTER TITLE: Aquaculture Best Management Practices
RULE CHAPTER NO.: 5L-3

RULE TITLE: Aquaculture Best Management Practices Manual
 RULE NO.: 5L-3.004

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend 5L-3 to reference an updated aquaculture best management practice manual, dated May, 2002. The manual change will specifically include an additional section to the aquaculture best management practices for aquatic animal health.

SUMMARY: The proposed rule establishes the procedures to follow and best management practices to implement by aquaculture producers in order to obtain an aquaculture certificate of registration from the Florida Department of Agriculture and Consumer Services.

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

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

SPECIFIC AUTHORITY: 570.07(23), 597.004(2)(b) FS.

LAW IMPLEMENTED: 597.002, 597.003, 597.004 FS.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Kal Knickerbocker, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., Tuesday, September 3, 2002

PLACE: Division of Aquaculture Conference Room, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida
 If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist, Bureau of Personnel Management, (850)921-6262, at least seven days before the meeting.

THE PROPOSED RULE AND REFERENCE MANUAL ARE AVAILABLE ON THE DIVISION OF AQUACULTURE’S WEBSITE: www.FloridaAquaculture.com

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kal Knickerbocker, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301, (850)488-4033

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-3.004 Aquaculture Best Management Practices Manual.

(1) The Best Management Practices manual used by the Department under Rule 5L-3, F.A.C. is adopted and incorporated by reference in this section. The manual is listed below by subject title and date. Copies of the manual may be obtained by contacting the Department.

(2) Aquaculture Best Management Practices Manual, ~~May, 2002~~ July, 2000.

Specific Authority 570.07(23), 595.004(2)(b) FS. Law Implemented 597.003, 597.004 FS. History—New 10-4-00, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kal Knickerbocker

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sherman Wilhelm, Director, Division of Aquaculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 19, 2002

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Educational Leadership Examination
 RULE NO.: 6A-4.00821

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt and publish a revised set of the competencies and skills required for certification in educational leadership in Florida. The effect of the amendment is that revised competencies and skills will be used on the Florida Educational Leadership Examination and the revised competencies and skills may be accessed by professional certification candidates, professors, and other interested individuals.

SUMMARY: Revised competencies and skills required for Florida educational leadership certification are adopted and made accessible through this rule amendment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the 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 the notice.

SPECIFIC AUTHORITY: 231.15(1), 231.17(8)(11), 231.30(1) FS.

LAW IMPLEMENTED: 231.15, 231.17, 231.30 FS.

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

TIME AND DATE: 9:00 a.m., September 10, 2002

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas H. Fisher, Bureau of Curriculum, Instruction, and Assessment, Division of Public Schools and Community Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)488-8198

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.00821 Florida Educational Leadership Examination.

(1) No change.

(2) Description of the examination.

(c) The competencies to be demonstrated by means of a written examination are contained in the publication "Competencies and Skills Required for Certification in Educational Leadership in Florida, Second ~~First~~ Edition 2002 ~~1998~~," which is hereby incorporated by reference and made a part of this rule. Copies of this publication may be obtained from the Department of Education, Assessment and Evaluation Section, 325 West Gaines Street, Tallahassee, Florida 32399 at a price to be established by the Commissioner not to exceed actual cost.

Specific Authority 231.15(1), 231.17(8)(11), 231.30(1) FS. Law Implemented 231.15, 231.17, 231.30 FS. History—New 12-25-86, Amended 1-11-89, 5-19-98, 10-5-99, 7-17-00, 7-16-01, 3-24-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Betty Coxe, Deputy Commissioner for Educational Programs, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charlie Crist, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES:

Definition of Terms for State Student Aid Programs

RULE NOS.:

6A-20.001

William L. Boyd, IV, Florida Resident Access Grants

6A-20.007

Critical Teacher Shortage Tuition Reimbursement Program

6A-20.012

Critical Teacher Shortage Student Loan

Forgiveness Program

6A-20.013

Children of Deceased or Disabled Veterans or

Children of Servicemen Classified as

Prisoners of War or Missing in

Action Scholarships

6A-20.019

Seminole and Miccosukee Indian Scholarships

6A-20.020

Jose Marti Scholarship Challenge Grant Fund

6A-20.023

Grants for Teachers for Special Training in

Exceptional Student Education

6A-20.025

Rosewood Family Scholarship Fund

6A-20.027

Mary McLeod Bethune Scholarship

Program and Trust Fund

6A-20.029

Florida Public Student Assistance Grant

6A-20.031

Florida Private Student Assistance Grant

6A-20.032

Florida Postsecondary Student

Assistance Grant

6A-20.033

Right to Appeal Eligibility Determination

6A-20.0371

Florida Work Experience Program

6A-20.038

Florida Teacher Scholarship and Forgivable

Loan Program

6A-20.039

Occupational Therapist or Physical Therapist

Tuition Reimbursement Program

6A-20.040

Occupational Therapist or Physical Therapist

Student Loan Forgiveness Program

6A-20.041

Occupational Therapist or Physical Therapist

Scholarship Loan Program

6A-20.042

PURPOSE AND EFFECT: The above rule amendments update administrative procedures and forms based upon the decentralization of the Florida Student Assistance Grant programs and the creation of the State Student Financial Aid database. Obsolete references and eligibility requirements have also been removed from the rules or updated.

SUMMARY: The rule amendments update the procedures for administration of state-funded student financial aid programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None prepared.

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

SPECIFIC AUTHORITY: 229.053(1), 231.62(1), 231.621(4), 295.01(3), 240.1201(11), 240.4042(1), 240.405(5), 240.4063(1), 240.4064(2), 240.409(6), 240.4095(6), 240.4097(7), 240.412(1), 240.4125(10), 240.4126(2), 240.413(1), 240.437(4), 240.465(7), 240.605(2), 240.606(7), 240.6063(1), 240.6072(3), 240.6074(4), 295.01(3), 295.02 FS.

LAW IMPLEMENTED: 229.053, 231.62, 231.621, 240.1201, 240.40201, 240.40202, 240.40203, 240.40204, 240.40205, 240.40206, 240.40207, 240.40209, 240.404, 240.40401, 240.4041, 240.4042, 240.405, 240.4063, 240.4064, 240.4065, 240.408, 240.409, 240.4095, 240.4097, 240.412, 240.4125, 240.4126, 240.413, 240.424, 240.437, 240.465, 240.6045,

240.605, 240.606, 240.4063, 240.6071, 240.6072, 240.6073, 204.6074, 240.6075, 295.01, 295.015, 295.016, 295.017, 295.018, 295.019, 295.0195, 295.02, 295.03, 295.04, 295.05 FS.

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

TIME AND DATE: 9:00 a.m., September 10, 2002

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jeanine Blomberg, Director, Division of Support Services, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)488-6023

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-20.001 Definitions of Terms for State Student Aid Programs.

These definitions apply to all Rules 6A-20.001 through ~~6A-20.099~~, ~~6A-20.100~~, FAC.

(1) through (22) No change.

(23) Reinstatement student. A student who was eligible for a specific state aid program but did not receive an award during the previous academic year(s) and wishes to reestablish use of the scholarship.

~~(24)~~(23) Remedial course. A course defined by a college or university as necessary for a student to acquire the necessary skills or knowledge to perform successfully in college-level courses.

~~(25)~~(24) Renewal student. A student who has received an award the previous academic year and who continuously met the program eligibility requirements for to be continued on a specific state aid program.

~~(26)~~(25) Repayment. Money received from state aid which a student is required to return to the educational institution; or an amount of money received from a state scholarship loan which a student is required to return to the state.

~~(27)~~(26) Residency. The legal status which a person acquires as the result of establishment of a domicile with the intent to permanently remain in that domicile other than for temporary absences. However, any domicile established solely or primarily for the purpose of obtaining an education or of obtaining financial aid from the state shall not constitute residency.

(28) Restoration student. A student who lost eligibility for a specific state aid program that provided for restoration due to a low renewal grade point average, but earned the required grade point average in a subsequent academic year.

~~(29)~~(27) School year. The period of time beginning with the academic year from one fall term to the next fall term.

~~(30)~~(28) Three-quarter-time undergraduate enrollment. Undergraduate enrollment in nine (9) to eleven (11) credit hours, or in three hundred fifty (350) to four hundred forty-nine (449) clock hours during an academic term.

~~(31)~~(29) Undergraduate student. A student who is in the process of attaining a first bachelor's or baccalaureate degree.

Specific Authority 229.053(1), ~~240.605~~ FS. Law Implemented 229.053, 240.405, 240.4063, 240.4064, 240.408, 240.409, 240.4095, 240.4097, 240.412, 240.4125, 240.4126, 240.413, 240.465, 240.6045, 240.605, 240.606, 240.6072, 240.6073, 240.6074, 240.6075 FS. History--New 12-9-86, Amended

6A-20.007 William L. Boyd, IV, Florida Resident Access Grants.

(1) Eligibility Criteria for Awards. To receive aid, a student shall meet the provisions of Sections 240.605, ~~240.4042~~, and 240.404, Florida Statutes, and Rules 6A-20.001, 6A-20.003, ~~6A-20.004~~, ~~6A-20.005~~, and ~~6A-20.0371~~, ~~6A-20.006~~, FAC., and:

(a) Meet the application procedures established by the participating institution. Submit each year to the institution, by the date established by the institution, Form FRAG-1, Florida Resident Access Grant Application, which is hereby incorporated by reference and made a part of this rule to become effective October, 1994. A copy of Form FRAG-1 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399. Participating institutions may, however, elect not to require students to submit FRAG-1 and may determine the procedures to be used to collect the necessary information to determine each year the student's eligibility.

(b) Not have previously received a bachelor's degree.

(c) Be enrolled in a degree program in an eligible institution, pursuant to Section 240.605(3), Florida Statutes.

(d) Not be enrolled in a degree program which has the primary purpose of advancing or impeding religion.

(e) Be enrolled for a minimum of twelve (12) credits at the end of the regular registration period, inclusive of the drop-add period, for each academic term in which aid is received.

~~(f) Have met the College Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC.~~

~~(g) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(f)~~(h) Have been a bona fide Florida resident, pursuant to Section 240.1201, Florida Statutes, and Rule 6A-20.003, FAC., for twelve (12) months prior to the first day of class for the first academic term for which funds are being requested.

~~(g)~~(i) Not owe a repayment of a grant under the Pell Grant, Supplemental Educational Opportunity Grant, or any state grant or scholarship program.

(h)(4) Not be in default on any federal or state student loan program, unless satisfactory arrangements to repay the loan have been made.

(i)(4) Eligibility for the renewal of awards pursuant to Section 240.404(1)(b), Florida Statutes, shall be evaluated at the end of the second semester or third quarter of each academic year. As a condition for renewal, a student shall:

1. Have earned, at the last institution attended, a minimum cumulative grade point average of 2.0 on a 4.0 scale, and

2. Have earned during the previous summer and two (2) semesters or three (3) quarters, if a renewal applicant, twelve (12) credit hours per term, or the equivalent, for the number of terms for which the award was received. A student who has received the funds through this program who fails to earn the required credits shall be ineligible for a renewal award.

3. A student who earns the minimum number of credits required for renewal, but who fails to meet the minimum 2.0 cumulative grade point average, may be granted a probationary award for two (2) semesters or three (3) quarters. To be eligible for renewal the following year, each such student shall have earned the required credits and a cumulative grade point average of 2.0 on a 4.0 scale by the end of the probationary period.

4. A student who fails to meet the renewal requirements stated in subparagraphs (1)(k)2. and 3. of this rule shall, after two (2) semesters or three (3) quarters, be eligible to apply for restoration reinstatement. Each such student may be eligible for a reinstatement if he has an earned grade point average of 2.0 on a 4.0 scale at the end of the second semester or third quarter of the academic year for which he was ineligible for an award.

5. Reinstatement awards. A student who met the requirements for a renewal award, but did not receive an award during a full year of eligibility and wishes to reestablish use of the grant may apply for reinstatement in any subsequent year provided the student has earned a cumulative grade point average of 2.0 on a 4.0 scale as of the end of the second semester or third quarter of the academic year preceding the year the award is sought.

(2) Appeals. An applicant may appeal decisions of ineligibility made due to failure to meet academic progress requirements ~~or selective service registration requirements~~, or errors made by the Office of Student Financial Assistance under the provisions of Rules ~~6A-20.004, 6A-20.006 and 6A-20.0371~~, FAC.

(3) Maximum Terms of Eligibility. A student shall be eligible to receive financial aid for a maximum of nine (9) semesters or fourteen (14) quarters. However, pursuant to Section 240.404(3), Florida Statutes, a student participating in college preparatory instruction, a student requiring additional time to complete the college-level communication and computation skills testing program, or a student enrolled in a five-year undergraduate degree program shall be eligible to

receive financial aid for a maximum of ten (10) semesters or fifteen (15) quarters. Five-year eligibility does not extend to a program of study which leads to the simultaneous award of a graduate and undergraduate degree.

(4) Amount of Awards. The amount of the annual award may be no more than forty (40) percent of the full cost to the state per academic year of an undergraduate student in public postsecondary education established pursuant to Section 240.209, Florida Statutes, or as specified in the General Appropriations Act. Awards for the first academic term shall be one-half of the annual award for semester schools and one-third of the annual award for quarter schools. However, should the funds requisitioned by participating institutions, in accordance with subsection (5) of this rule, exceed the appropriation, the Department shall prorate awards for the second semester or second and third quarters accordingly.

(5) Institutional Responsibilities. The institution each academic term shall determine the eligibility of students and notify students of their award eligibility. The institution shall certify to the Department utilizing the State Student Financial Aid Database, no later than October 30 and February 28 for first and second semesters or quarters respectively, and April 15 for third quarter, each student's enrollment and eligibility status, ~~on Form REQ Requisition for Payment, which is hereby incorporated by reference and made a part of this rule to become effective October, 1994. A copy of Form REQ may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399. The requisition~~ This certification shall include a list of eligible students awarded and official certification of each student's eligibility. When awarding and requisitioning funds for a student receiving other aid designated for tuition and fees, the institution shall assure that the amount of the grant, when combined with such aid, does not exceed the cost of the student's tuition and fees. Refunds shall be received by the Department within sixty (60) days of the end of the institution's regular registration period, inclusive of the drop-add period.

(6) Supplemental Requisitions for Payment. Institutions submitting supplemental requisitions for additional students may receive payment for such students at the end of the academic year. Supplemental requisitions will be honored by the Department to the extent that funds are available after all regular requisitions have been funded.

(7) Payments of Awards. The Department shall provide for the delivery of funds to students by transmitting the funds each academic term to the institutions for distribution.

Specific Authority 229.053(1), ~~240.404~~, 240.605(2) FS. Law Implemented 240.1201, 240.404, 240.4042, 240.605 FS. History—New 9-27-79, Amended 3-23-83, Formerly 6A-7.397, 6A-7.0397, Amended 12-25-86, 1-11-88, 4-3-90, 10-18-94, _____.

6A-20.012 Critical Teacher Shortage Tuition Reimbursement Program.

(1) To receive aid, teachers shall meet the provisions of Section 240.4064, Florida Statutes, and Rule 6A-20.001, FAC., and:

(a) Submit, ~~each term by the date established by the Department, Form FFAA-2, Florida Financial Aid Application for Teachers, Form CPSI-1, Postsecondary Institution Certification, and Form CEMP-1, Employment Certification Form by September 15, TR-1, Tuition Reimbursement Application Critical Teacher Shortage Tuition Reimbursement Program and Exceptional Student Education Training Grant Program for Out-of-Field Teachers, which is Forms FFAA-2, CPSI-1, and CEMP-1~~ are hereby incorporated by reference and made a part of this rule to become effective October 2002 ~~March, 1994~~. A copy of Forms FFAA-2, CPSI-1, and CEMP-1 ~~TR-1~~ may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(b) Have as a minimum a valid temporary Florida teacher's certificate or license.

(c) Intend to gain or renew certification, or to earn a graduate degree, in a designated critical teacher shortage area.

(d) Not receive reimbursement from other sources sufficient to pay the full cost of ~~for~~ tuition and registration fees for a course(s) for which reimbursement is being sought ~~from other sources~~.

(e) Not owe a repayment of a grant received under the Pell Grant, Supplemental Educational Opportunity Grant, or any state scholarship or grant program.

(f) Not be in default on a National Defense Loan, Perkins National Direct Loan, Guaranteed Student Loan, Federally Insured Student Loan, Parent Loans for Undergraduate Students, Auxiliary Loans to Assist Students, or any state loan program, unless satisfactory arrangements to repay the loan have been made.

(2) By October August 15 of each year, the Department shall distribute to Florida publicly funded school district superintendents applications and a description of the program and application process utilizing the State Student Financial Aid Database and the program.

(3) Publicly funded schools shall be responsible for providing teachers with information regarding the Tuition Reimbursement Program and the necessary forms.

(4) ~~The Department shall make awards each academic term; however, an~~ An applicant may receive aid for a maximum of nine (9) credit hours during a period beginning with the fall summer term and ending with the close of the summer term second semester, or equivalent.

(5) The Department may prorate awards if funds are not available to make full awards ~~shall make awards on a first come, first served basis~~.

(6) The Department shall notify applicants of their award eligibility and shall provide for the delivery of funds to eligible applicants on a funds available basis.

Specific Authority 240.4064(2) FS. Law Implemented 240.4064 FS. History—New 5-24-84, Formerly 6A-7.163, 6A-7.0163, Amended 12-25-86, 3-22-89, 3-6-94.

6A-20.013 Critical Teacher Shortage Student Loan Forgiveness Program.

(1) Eligibility criteria for initial awards. To receive aid, an initial applicant shall meet the provisions of Section 231.621, Florida Statutes, and shall:

(a) ~~Have, as a minimum in the first year of application, a valid temporary Florida Educator's Certificate or license which indicates certification or licensure in the critical teacher shortage subject area in which employed for the academic year for which funds are requested; Submit by July 15, during the first year of teaching full time as a certified teacher in a critical teacher shortage area Form LF-1, Critical Teacher Shortage Student Loan Forgiveness Program Application, which is hereby incorporated by reference and made a part of this rule to become effective February, 1995. A copy of Form LF-1, may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399.~~

(b) Have taught a full school year, as defined in Section 228.041(16), Florida Statutes, in a Florida publicly-funded school or developmental research school, in a designated critical teacher shortage subject area. If an otherwise eligible applicant completes eligible teaching service for at least ninety (90) days during a school year and does not complete one (1) full year of teaching service, the Department may provide up to one-half of a full award; Submit, by July 15, an academic transcript from each postsecondary educational institution which the applicant attended in order to complete an education program.

(c) Not owe a repayment of a state or federal student grant or scholarship unless satisfactory arrangements have been made; Submit, by July 15, Form LF-3, Critical Teacher Shortage Student Loan Forgiveness Program Employment Verification, which is hereby incorporated by reference and made a part of this rule to become effective May, 1990. A copy of Form LF-3 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399.

(d) Not be in default on a National Defense Loan, Perkins National Direct Loan, Guaranteed Student Loan, Federally Insured Student Loan, Parent Loans for Undergraduate Students, Auxiliary Loans to Assist Students, or any state loan program, unless satisfactory arrangements to repay the loan have been made; Submit, by July 15, Form LF-4, Critical Teacher Shortage Student Loan Forgiveness Program Loan Record, which is hereby incorporated by reference and made a part of this rule to become effective May, 1990. A copy of

Form LF-4 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399.

(e) ~~Not have received a Paul Douglas Teacher Scholarship, Critical Teacher Shortage Scholarship Loan, "Chappie" James Most Promising Teacher Scholarship Loan, Master's Fellowship Loan Program for Teachers, or Critical Teacher Shortage Forgivable Loan under the Florida Teacher Scholarship and Forgivable Loan Program; and Have, as a minimum the first year of application, a valid temporary Florida Teacher's Certificate which indicates certification in the critical teacher shortage area in which employed for the academic year for which funds are requested.~~

(f) ~~Submit by July 15: Have taught a full school year, as defined in Section 228.041(16), Florida Statutes, in a Florida public school or developmental research school, in a designated critical teacher shortage subject area. If an otherwise eligible applicant completes eligible teaching service for at least ninety (90) days during a school year and does not complete one (1) full year of teaching service, the Department may provide up to one-half of a full award.~~

~~1. After the end of the academic year in which the applicant taught for the first time as a full-time certified teacher in a critical teacher shortage subject area for at least ninety (90) days, Form FFAA-2, Florida Financial Aid Application for Teacher Program, as incorporated by reference in Rule 6A-20.012, FAC.,~~

~~2. An academic transcript from each postsecondary educational institution which the applicant attended in order to complete an education program.~~

~~3. Form CEMP-1, Employment Certification, as incorporated by reference in Rule 6A-20.012, FAC., and~~

~~4. Form CLON-1, Loan Certification, which is hereby incorporated by reference in this rule to become effective October 2002.~~

~~A copy of Form FFAA-2, Form CEMP-1, and Form CLON-1 may be obtained by contacting the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.~~

~~(g) Not owe a repayment of a state or federal student grant or scholarship unless satisfactory repayment arrangements have been made.~~

~~(h) Not be in default on any federal or state student loan program, unless satisfactory arrangements to repay the loan have been made.~~

~~(i) Not have received the Paul Douglas Teacher Scholarship, the Critical Teacher Shortage Scholarship Loan, the "Chappie" James Most Promising Teacher Scholarship Loan, the Master's Fellowship Loan Program for Teachers, or the Critical Teacher Shortage Forgivable Loan under the Florida Teacher Scholarship and Forgivable Loan Program.~~

(2) Eligibility criteria for renewal awards. Eligibility for renewal shall be evaluated at the end of the renewal year of teaching. As a condition for renewal, a teacher shall meet the provisions of Section 231.621, Florida Statutes, and shall:

(a) ~~Have, each academic year, a valid Florida Educator's Certificate or license which indicates certification or licensure in the subject area for which an initial award was made or in a current critical teacher shortage subject area for the academic year for which funds are being requested; Submit, by July 15 of each academic year, Form LF-3, Critical Teacher Shortage Student Loan Forgiveness Program Employment Verification.~~

~~(b) Have taught a full school year in a Florida publicly-funded school, or developmental research school, in the subject area for which the original loan repayment was made or in a current critical teacher shortage area in which the applicant is certified. If an otherwise eligible renewal applicant completes eligible teaching service for at least ninety (90) days and does not complete a full year of teaching service, the Department may provide up to one-half of a full award; Have, each academic year, a valid Florida Educator's Certificate which indicates certification in the subject area for which an initial award was made or in a current critical teacher shortage subject area for the academic year for which funds are being requested.~~

~~(c) Not owe a repayment of a grant received under the Pell Grant, Supplemental Educational Opportunity Grant, or any state grant or scholarship program; Have taught a full school year in a Florida public school, or developmental research school, in the subject area for which the original loan repayment was made or in a current critical teacher shortage area in which the applicant is certified. If an otherwise eligible renewal applicant completes eligible teaching service for at least ninety (90) days and does not complete a full year of teaching service, the Department may provide up to one-half of a full award.~~

~~(d) Not be in default on a National Defense Loan, Perkins National Direct Loan, Guaranteed Student Loan, Federally Insured Student Loan, Parent Loans for Undergraduate Students, Auxiliary Loans to Assist Students, or any state loan program, unless satisfactory arrangements to repay have been made; Not owe a repayment of a grant received under the Pell Grant, Supplemental Educational Opportunity Grant, or any state grant or scholarship program.~~

~~(e) Not have received a Paul Douglas Teacher Scholarship, Critical Teacher Shortage Scholarship Loan, "Chappie" James Most Promising Teacher Scholarship Loan, Masters' Fellowship Loan Program for Teachers, or Critical Teacher Shortage Forgivable Loan under the Florida Teacher Scholarship and Forgivable Loan Program; and Not be in default on any federal or state student loan program, unless satisfactory arrangements to repay have been made.~~

(f) Submit by July 15 of each academic year, Form CEMP-1, Employment Certification. Not have received the Paul Douglas Teacher Scholarship, the Critical Teacher Shortage Scholarship Loan, the Masters' Fellowship Loan Program for Teachers, or the Critical Teacher Shortage Forgivable Loan under the Florida Teacher Scholarship and Forgivable Loan Program.

(3) Amount of award. The annual amount of student loan repayment shall be a maximum of twenty-five hundred (2,500) dollars for undergraduate loans and a maximum of five thousand (5,000) dollars for graduate loans for up to a combined total of five thousand (5,000) dollars annually. The amount of the award is based on the principal balance outstanding on the applicant's loan as of the June 30 prior to the beginning date of teaching as a certified teacher in a critical teacher shortage subject area.

(4) Maximum terms of eligibility. A teacher shall be eligible to receive student loan forgiveness for either a maximum of four (4) academic years or a total repayment of ten thousand (10,000) dollars whichever comes first.

(5) Award procedures. The Department shall determine eligibility and make awards on a first come, first served basis. Awards may be prorated if funds are not available to make full awards. Renewal applicants will be given priority upon timely receipt of all required forms and documentation. The Department shall notify applicants of their award eligibility.

(6) Payment of awards. The Department shall provide for the delivery of funds to teachers by issuing warrants made payable to the teachers and the lending institutions for all loans held by lending institutions. The Department will forward the warrants to the teachers for submission to the lending institutions; however, a teacher who submits documentation from all lenders that all principal balances which were due as of the June 30 prior to the beginning date of teaching, pursuant to subparagraph (1)(f)1, Paragraph (1)(a) of this rule, have been paid by the teacher may have the warrant made payable directly to the teacher. If the loan was a National Direct Student Loan, National Defense Loan, or Perkins Loan, each lending institution must also indicate that the repayment was not a result of teaching service cancellation.

Specific Authority 229.053(1), 231.621(4) FS. Law Implemented 231.621 FS. History—New 5-24-84, Formerly 6A-7.612, 6A-7.0612, Amended 12-25-86, 3-22-89, 5-16-90, 2-15-95.

6A-20.019 Children of Deceased or Disabled Veterans or Children of Servicemen Classified as Prisoners of War or Missing in Action Scholarships.

(1) Eligibility criteria for awards. To receive aid, a student shall meet the provisions of Sections 240.404, 240.4042, 295.01, 295.02, 295.03, 295.04, and 295.05, Florida Statutes, and Section 295.015, or 295.016, or 295.017, or 295.018, or 295.019, or 295.0195, Florida Statutes, and Rules 6A-20.001, ~~6A-20.004, 6A-20.005, 6A-20.006,~~ and 6A-20.0371, FAC., and:

(a) Submit, for each academic year on or before April 1, Form FFAA-1, Florida Financial Aid for Students, as incorporated by reference in Rule 6A-20.020, FAC., and Form ~~CDDV-1 CVS-1~~, Scholarships for Children of Deceased or Disabled Veterans or Children of Servicemen Classified as Prisoners of War or Missing in Action Certification Form Application. Form ~~CDDV-1 CVS-1~~ is hereby incorporated by reference and made a part of this rule to become effective ~~October 2002 April, 1992.~~ A copy of Forms FFAA-1 and ~~CDDV-1 CVS-1~~ may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399-0400.

(b) Be enrolled at a state university, state community college, or state postsecondary vocational-technical school, or any postsecondary institution pursuant to Section 240.40204, Florida Statutes.

(c) Be enrolled for a minimum of twelve (12) credits, or four hundred fifty (450) clock hours, at the end of the regular registration period, inclusive of the drop-add period, for each academic term in which aid is received.

~~(d) Have met the College Level Academic Skills Test (CLAST) requirements for the receipt of state student assistance, pursuant to Rule 6A-20.005, FAC.~~

~~(e) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(d)(f)~~ Not have previously received a bachelor's degree if in undergraduate study.

~~(e)(g)~~ Not owe a repayment of a grant under the Pell Grant, Supplemental Educational Opportunity Grant, or any state scholarship or grant program.

~~(f)(h)~~ Not be in default on a National Defense Loan, National Direct Loan, Guaranteed Student Loan, Federally Insured Student Loan, Parent Loans for Undergraduate Students, Auxiliary Loans to Assist Students, or any state loan program, unless satisfactory arrangements to repay the loan have been made.

~~(g)(i)~~ Eligibility for the renewal of awards shall be evaluated at the end of the second semester or third quarter of each academic year. As a condition for renewal, a student shall:

1. Have earned, at the last institution attended, a minimum cumulative grade point average of 2.0 on a 4.0 scale; and

2. Have earned during the previous summer and two (2) semesters or three (3) quarters, if a renewal applicant, twelve (12) credit hours or four hundred fifty (450) clock hours per term or the equivalent for the number of terms for which the award was received. A student who has received funds through this program who fails to earn the required credits shall be ineligible for an award the following year. However, such student may be considered for restoration reinstatement after one year, if the student has an earned cumulative grade point average of 2.0 on a 4.0 scale.

3. Pursuant to Section 240.404(1)(b)2., Florida Statutes, a student who earns the minimum number of credits required for renewal, but who fails to meet the minimum 2.0 cumulative grade point average, may be granted a probationary award for two (2) semesters or three (3) quarters. To be eligible for renewal the following academic year, each such student shall have earned the required credits and a cumulative grade point average of 2.0 on a 4.0 scale by the end of the probationary period.

4. Reinstatement awards. A student who met the requirements for a renewal award but did not receive an award during a full year of eligibility and wishes to reestablish use of the scholarship may apply for reinstatement in any subsequent year provided that the student has earned a cumulative grade point average of 2.0 on a 4.0 scale as of the end of the second semester or third quarter of the academic year preceding the year the award is sought.

(2) Appeals. A student who receives state student aid and subsequently fails to meet state academic progress requirements due to verifiable illness or other emergencies may, pursuant to Section 240.404(1)(b)4., Florida Statutes, be granted an exception from the academic requirements. An applicant may appeal the denial of an award pursuant to Sections 240.404 and 240.4042, Florida Statutes, and Rule 6A-20.0371, FAC.

(3) Maximum terms of eligibility. A student shall be eligible to receive financial aid for a maximum of eight (8) semesters or twelve (12) quarters. However, pursuant to Section ~~240.402~~ 240.204, Florida Statutes, and ~~Rule 6A-20.004, FAC.~~, a student participating in college preparatory instruction, a student requiring additional time to complete the college-level communication and computation skills testing program, or a student enrolled in a five (5) year undergraduate degree program shall be eligible to receive financial aid for a maximum of ten (10) semesters or fifteen (15) quarters. Five-year eligibility does not extend to a program of study which leads to the simultaneous award of a graduate and undergraduate degree.

(4) Verification of student eligibility. The Department shall be responsible for verifying applicant's eligibility.

(5) Period of award. Scholarships shall be awarded annually for the following academic year.

(6) Amount of award. The maximum amount of a scholarship shall be the amount of tuition and registration fees assessed the student at the end of regular registration, inclusive of the drop-add period. However, the amount of the scholarship in combination with other student aid shall not exceed the student's cost of education. A student who receives a Children of Deceased or Disabled Veterans Scholarship, who is enrolled in nonpublic postsecondary institution, and who is assessed tuition and fees that are the same as those of a full-time student at that institution, shall receive a fixed award calculated by using the average matriculation and fee

calculation for full-time attendance at a public postsecondary education institution at the comparable level. A student enrolled part-time shall receive a reduced award by either one-half or three-fourths of the maximum award, depending on the level or fees assessed.

(7) Award procedures. The Department shall, if funds are insufficient to award all eligible applicants, first award renewal applicants and then rank initial applicants according to the postmark or electronic receipt dates of the applications. Students applying pursuant to subparagraph (1)(j)3., of this rule shall be considered for awards after all eligible renewal and initial students are awarded. The Department shall notify students and institutions of the student's award eligibility.

(8) Institutional responsibilities. Participating institutions shall verify the continued eligibility of awarded students, provide for the disbursement of funds to students, comply with the Department's reporting requirements, and refund to the Department any undisbursed funds. Institutions shall certify to the Department, each academic term within ~~thirty (30) fifteen (15)~~ days of the end of the regular registration period, the student's enrollment, continued eligibility, and the award amount of tuition and fees on Form CVS-3, Scholarships for Children of Deceased or Disabled Veterans or Children of Servicemen Classified as Prisoners of War or Missing in Action Request for Payment, which is hereby incorporated by reference and made a part of this rule to become effective December, 1986. A copy of Form CVS-3 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399. Refunds shall be received by the Department within sixty (60) days of the end of the institution's regular registration period, inclusive of the drop-add period.

(9) Payment of awards. The Department shall, ~~upon receipt of Form CVS-3,~~ provide for the delivery of funds to students by transmitting the funds to the institution for distribution.

Specific Authority 229.053(1), 295.02 FS. Law Implemented 240.404, 240.4042, 240.4045, 295.01, 295.015, 295.016, 295.017, 295.018, 295.019, 295.0195, 295.02, 295.03, 295.04, 295.05 FS. History--New 12-28-86, Amended 3-22-89, 5-16-90, 3-24-92, 10-18-94, _____.

6A-20.020 Seminole and Miccosukee Indian Scholarships.

(1) General Eligibility Criteria. To receive aid, a student shall meet the provisions of Sections 240.404, ~~240.4045~~ and 240.413, Florida Statutes, Rules 6A-20.001, ~~6A-20.004, 6A-20.005,~~ and 6A-20.006, FAC., and:

(a) Submit, for each academic year ~~a completed application to their respective tribal office~~ by the date established by the Department, Form FFAA-1, Florida Financial Aid Application for Students and Form CSMT-1, Tribal Certification Instructions and Worksheet for Tribal Use Only Form SM-1, Seminole and Miccosukee Indian Scholarship Application. Forms FFAA-1 and CSMT-1 ~~SM-1~~ are hereby incorporated by reference and made a part of this

rule to become effective ~~October 2002~~ ~~December, 1990~~. A copy of Forms ~~FFAA-1 and CSMT-1 SM-1~~ may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(b) Demonstrate financial need as defined by the Department and as defined by the respective tribe. Financial need is the student's cost of education, less the family contribution and Federal Pell Grant as determined by the federal need analysis methodology or by the respective tribe in the event of extenuating circumstances.

(c) Annually submit to the respective tribe written evidence of extenuating family financial circumstances within time limits specified by the tribe.

(d) Have been a bona fide Florida resident for twelve (12) months prior to the first day of classes for the first academic term of the academic year for which funds are being requested.

(e) Be enrolled in a degree program in a state university or community college authorized by Florida law; a nursing diploma school approved by the Board of Nursing; any Florida college, university, or community college which is accredited by a member of the Council on Postsecondary Accreditation; or any Florida institution the credits of which are acceptable for transfer to state universities.

(f) Enroll each semester either full time, three-quarter time, half time, or less than half time for the number of credit hours as described below:

	Undergraduate	Graduate
Full time	12 or more	9 or more
Three quarter time	9-11	-
Half time	6-8	6-8
Less than half time	1-5	1-5

For the purpose of disbursement ~~of~~ ~~or~~ an award, enrollment shall be determined at the end of the regular registration period inclusive of the drop-add period for each academic term in which aid is received.

(g) Not owe a repayment of a grant under the Pell Grant, Supplemental Educational Opportunity Grant, or any state scholarship or grant.

(h) Not be in default on any federal Title IV loan program or any state loan program, unless satisfactory arrangements to repay the loan have been made.

~~(i) Have met the College-Level Academic Skills Test (CLAST) requirements for the receipt of state student aid prior to the completion of sixty semester credit hours toward an associate of arts or bachelor's degree, pursuant to Rule 6A-20.005, FAC. Students enrolled in graduate school shall be exempt from this requirement.~~

~~(j) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(1)(4)~~ Be a member or eligible for membership in the Seminole Tribe of Florida or the Miccosukee Tribe of Indians of Florida.

(2) Eligibility for Initial Awards. To be eligible for an initial award a student must meet the general eligibility requirements of this rule in subsection (1) of this rule.

(3) Eligibility for renewal awards. Eligibility for renewal of an award shall be evaluated at the end of the second semester or third quarter of each academic year. A renewal award shall be made, to the extent funds are available, to an applicant who accepted a disbursement for an award during the academic year immediately preceding the academic year for which applying, and who:

(a) Meets the general eligibility requirements of this rule in subsection (1) above.

(b) Has earned a minimum cumulative grade point average of 2.0 on a 4.0 scale.

(c) Has earned the minimum number of credit hours per term for full-time, three-quarter time, half-time, or less than half-time enrollment, or the equivalent, for the number of terms for which the scholarship was awarded. The number of credit hours earned will be determined at the end of the second semester or third quarter of the academic year, and shall, if to the benefit of the student, include credit hours earned during the previous summer. ~~An undergraduate or graduate student who does not earn the required credits shall be ineligible to continue on the program, except as provided in subsection (5) of this rule.~~

(4) Eligibility for reinstatement awards. A reinstatement award is an award made to an applicant who was previously eligible for an award but did not accept any disbursements for an award during the academic year immediately preceding the academic year for which applying, and who:

(a) Meets the general eligibility requirements of this rule in subsection (1) above.

(b) Has earned a minimum cumulative grade point average of 2.0 on a 4.0 scale for previous college work.

(5) Probationary awards. A student who has received funds through this program and who fails to earn a minimum cumulative grade point average of 2.0 on a 4.0 scale is granted a probationary award for one (1) academic year, not to exceed two (2) semesters or three (3) quarters. Probationary awards will be made to the extent that funds are available. To be eligible for renewal the following year, each such student shall have earned the required credits and an institutional cumulative grade point average of 2.0 on a 4.0 scale by the end of the probationary period. A student who does not earn a cumulative 2.0 grade point average on a 4.0 scale by the end of the spring semester or third quarter of the probationary academic year shall be ineligible to continue under this program.

(6) Restoration awards. A student who fails to meet the provisions of paragraphs (3)(a), (b), and (c) or subsection (5) of this rule shall be eligible to apply for restoration during a

subsequent application period. Each such student may be eligible for restoration if the student has earned an institutional cumulative grade point average of 2.0 on a 4.0 scale.

~~(7)~~(6) Appeals. A student who receives state student aid and subsequently fails to meet state academic progress requirements due to verifiable illness or other emergencies may file a written appeal with the respective tribal education office. The appeal shall include a description and verification of the circumstances. Verification of illness or other emergencies include the written statement of a physician, parent, college official or other responsible adult. The tribal education office shall recommend exceptions with necessary documentation to the Department. The Department may accept or deny such recommendations for exceptions. The Department shall determine if an exception is to be granted, dependent upon the recommendation of the tribe and the relevance of the students' documented circumstances for the failure to meet academic progress standards. A student who is successful in an appeal for an exception shall be granted an award.

~~(8)~~(7) Maximum terms of eligibility.

(a) Undergraduate students shall be eligible to receive financial aid for a maximum of eight (8) semesters or twelve (12) quarters, or the equivalent for less than full-time enrollment, or until receipt of a first baccalaureate degree, whichever occurs first. However, pursuant to Section 240.404(3), Florida Statutes, an undergraduate student participating in college preparatory instruction, a student requiring additional time to complete the College-Level Academic Skills Test (CLAST), or a student enrolled in an approved five-year undergraduate degree program shall be eligible to receive financial aid for a maximum of ten (10) semesters or fifteen (15) quarters. An eligible five-year degree program is a program of study which requires the completion of at least one hundred thirty two (132) semester hours or one hundred ninety two (192) quarter hours for an undergraduate degree. Five-year eligibility also applies to a program which leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five-year programs will be allowed based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132-143	9
144 or more	10
Quarter Hours Required	Terms of Eligibility
192-203	13
204-215	14
216 or more	15

(b) Graduate students shall be eligible to receive financial aid for a maximum of four (4) semesters or six (6) quarters, or the equivalent for less than full-time study.

(c) A student who used any terms of eligibility as an undergraduate student may subsequently apply for an award for graduate study. However, such student will be considered as an initial applicant for purposes of eligibility determination and award distribution.

~~(9)~~(8) Amount of awards. The tribe shall recommend an annual award amount to the Department on Form SM-1. The amount of the scholarship in combination with other student aid shall not exceed the student's cost of education for full-time or less than full-time study.

~~(10)~~(9) The respective tribes shall submit annually to the Department a written description of the criteria to be used in making their respective award recommendations.

~~(11)~~(10) The respective tribes shall designate a scholarship coordinator to act as liaison with the Department.

~~(12)~~(11) The Department shall provide each tribe with an annual report that will show the distribution of scholarship funds.

~~(13)~~(12) Award procedures. The Department shall allocate the appropriation annually based on the proportionate percentage of the tribal membership populations each year. Priority for awards will first be given to renewal applicants, and then to initial, and reinstatement and restoration applicants. The tribes will submit to the Department applications for renewal, initial, and reinstatement and restoration awards in priority order for consideration. The Department shall be responsible for verifying the applicants' eligibility, and will make awards to eligible applicants of each tribe in priority order up to the maximum amount of each tribe's allocation. In the event that awards for one tribe are less than the tribe's annual allocation, the Department may make additional awards to applicants from the other tribe until all funds are committed. The Department shall provide for the delivery of funds to students by transmitting funds each academic term to the institutions for distribution.

~~(14)~~(13) Institutional responsibilities. Participating institutions shall verify the continued eligibility of awarded students, provide for the disbursement of funds to students, and comply with the Department's reporting requirements. The institution will notify the Department of the eligibility status of awarded students within thirty (30) days of the date that the warrant was mailed by the Department, or within thirty (30) days of the end of the regular registration period each term, whichever is later. Refunds and accompanying documentation shall be received by the Department within sixty (60) days of the date that the warrant was mailed by the Department, or within sixty (60) days of the end of regular registration, whichever is later.

Specific Authority 229.053(1), 240.1201, 240.4041, 240.413(1) FS. Law Implemented 240.404, 240.413 FS. History—New 10-15-80, Amended 3-23-83, Formerly 6A-7.292, 6A-7.0292, Amended 12-25-86, 12-18-90, 3-15-94, _____.

6A-20.023 Jose Marti Scholarship Challenge Grant Fund.

(1) General eligibility criteria. To receive aid, a student shall meet the provisions of Sections 240.404 and 240.412, Florida Statutes, Rules 6A-20.001, 6A-20.003, ~~6A-20.004, 6A-20.005, and 6A-20.0371, 6A-20.006, FAC., and:~~

(a) Be a person of Spanish culture who was born in, or whose natural parent was born in, either Mexico or Spain, or a Hispanic country of the Caribbean, Central America or South America, regardless of race.

~~(b) Submit, each year by April 1, Form JM-1, Jose Marti Scholarship Challenge Grant Fund Application, which is hereby incorporated by reference and made a part of this rule to become effective February, 1995. A copy of Form JM-1 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399.~~

~~(b)(c)~~ Complete and submit annually, ~~either the College Scholarship Service or American College Testing Program a~~ need analysis form ~~specified by the Department to the need analysis agency~~ in time to be processed error-free by May 15 received by that agency by April 15.

~~(c)(d)~~ Have been a bona fide Florida resident for twelve (12) months prior to the first day of classes for the fall term of the academic year for which funds are being requested pursuant to Section 240.1201, Florida Statutes, and Rule 6A-20.003, FAC.

~~(d)(e)~~ Be a United States citizen or permanent resident pursuant to regulations established by the U.S. Congress or the U.S. Department of Education for the receipt of federal financial assistance.

~~(e)(f)~~ Be enrolled in a degree program in a state university or community college authorized by Florida law, or any Florida college, university, or community college which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.

~~(f)(g)~~ Be enrolled for a minimum of twelve (12) credits for undergraduate study, or nine (9) credits for graduate study, at the end of the regular registration period inclusive of the drop-add period for each academic term in which aid is received.

~~(h) Have met the College Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC. Students enrolled in graduate school shall be exempt from this requirement.~~

~~(i) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(g)(f)~~ Demonstrate sufficient financial need to receive a full two thousand (2,000) dollar scholarship. Student financial need is the student's cost of education less the family contribution as determined by the need analysis service.

~~(h)(k)~~ Not owe a repayment of a state or federal student grant or scholarship unless satisfactory repayment arrangements have been made.

~~(i)(4)~~ Not be in default on a state or federal student loan unless satisfactory repayment arrangement have been made.

(2) Eligibility for initial awards. To be eligible for an initial award a student must:

~~(a) For undergraduate study, submit an application, Form FFAA-1, Florida Financial Aid Application for Students, as incorporated by reference in Rule 6A-20.020, FAC., and Form CHS-1, High School Certification, which is hereby incorporated by reference and made a part of this rule to become effective October 2002, JM-1, complete with high school grade point average certification and postmarked or electronically dated by no later than April 1 during the applicant's last year in high school. For graduate study, submit an application, Form FFAA-1 and Form CPSI-1, Postsecondary Institution Certification, as incorporated by reference and made a part of this rule to become effective October 2002, JM-1, complete with undergraduate grade point average certification by the graduate school and postmarked or electronically dated by no later than April 1 immediately prior to the academic year for which funds are being requested. A copy of Form FFAA-1, Form CHS-1, and Form CPSI-1 may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.~~

(b) For undergraduate study, have earned by the end of the seventh semester of high school, a 3.0 unweighted grade point average on a 4.0 scale for high school subjects creditable towards a diploma. For graduate study, have earned a 3.0 cumulative grade point average on a 4.0 scale for undergraduate college level course work completed by the date of application. Eligibility determinations shall not be influenced, positively or negatively, by grade point averages calculated subsequent to the application period. Unweighted grade point averages shall be computed to three (3) decimals and shall not be rounded.

(c) Meet the general eligibility requirements in subsection (1) of Rule 6A-20.023, FAC.

(3) Eligibility for renewal awards. Eligibility for renewal of an award shall be evaluated at the end of the second semester or third quarter of each academic year. A renewal award may be made to an applicant who used one (1) or more terms of eligibility for an award during the academic year immediately preceding the academic year for which applying, and who:

~~(a) Submits an application, Form JM-1, to the Department which is postmarked no later than April 1 immediately preceding the academic year for which funds are being requested.~~

~~(a)(b)~~ Meets the general eligibility requirements in subsection (1) of Rule 6A-20.023, FAC.

~~(b)(c)~~ Has earned, at the last institution attended, a minimum cumulative grade point average of 3.0 on a 4.0 scale.

~~(c)~~ For undergraduate study, has earned during the previous summer and two (2) semesters or three (3) quarters, at least twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received. For graduate study, has earned during the previous summer and two (2) semesters or three (3) quarters, at least nine (9) credit hours per term or the equivalent for the number of terms for which the award was received. An undergraduate or graduate student who does not earn the required credits shall be ineligible to continue on the program, except as provided in subsection (5) of Rule 6A-20.023, FAC.

(4) Probationary awards. A student who has received funds through this program and who fails to earn a minimum grade point average of 3.0 on a 4.0 scale may be granted a probationary award for one (1) academic year, not to exceed two (2) semesters or three (3) quarters. A student who does not earn a 3.0 grade point average on a 4.0 scale by the end of the spring semester or third quarter of the probationary academic year shall be ineligible to continue under this program.

(5) Appeals. A student who receives state student aid and subsequently fails to meet state academic progress requirements described in paragraph (3)(d) of Rule 6A-20.023, FAC., due to verifiable illness or other emergencies may be granted an exception from the academic requirements, pursuant to Section 240.404(1)(b)4., Florida Statutes.

(6) Maximum terms of eligibility.

(a) An undergraduate student shall be eligible to receive financial aid for a maximum of eight (8) semesters or twelve (12) quarters, or until receipt of a first baccalaureate degree, whichever occurs first. However, pursuant to Section 240.404(3), Florida Statutes, an undergraduate student participating in college preparatory instruction, a student requiring additional time to complete the college-level communication and computation skills testing program, or a student enrolled in an approved five-year undergraduate degree program shall be eligible to receive financial aid for a maximum of ten (10) semesters or fifteen (15) quarters. An eligible five-year degree program is a program of study which requires the completion of at least one hundred thirty two (132) semester hours or one hundred ninety two (192) quarter hours for an undergraduate degree. Five-year eligibility may apply to a program of study which leads to a simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five-year programs will be allowed based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132-143	9
144 or more	10
Quarter Hours Required	Terms of Eligibility
192-203	13
204-215	14
216 or more	15

(b) A graduate student shall be eligible to receive financial aid for a maximum of four (4) semesters or six (6) quarters.

(c) A student who used any terms of eligibility as an undergraduate student may subsequently apply for an award for graduate study. However, such student will be considered as an initial graduate applicant for purposes of eligibility determination and award distribution.

(7) Amount of awards. The amount of each annual award is two thousand (2,000) dollars.

(8) Award distribution. The Department shall make awards based on the annual appropriation and the amount of contributions received by the Department. Priority in the distribution of funds will be as follows:

(a) Eligible renewal applicants shall be given priority,

(b) Initial undergraduate applicants shall first be ranked by the least family contribution as determined by the nationally recognized need analysis report,

(c) Then by high school grade point average,

(d) And, if necessary, by the postmarked or electronic receipt date of Form FFAA-1 JM-1.

(e) From funds remaining, initial graduate applicants shall be ranked and awarded, based on the least family contribution and then by undergraduate grade point average, and, finally, on the postmark date of the Form FFAA-1 JM-1.

(9) Institutional responsibilities. Participating institutions shall verify the continued eligibility of awarded students, provide for the disbursement of funds to students, and comply with the Department's reporting requirements. Within thirty (30) days of the end of the regular registration period each term, the institution shall notify the Department of the eligibility status of each awarded student. The institution shall remit refunds and submit accompanying documentation to the Department within sixty (60) days of the end of the institution's regular registration period. For supplemental awards, the institution will notify the Department of the eligibility status of awarded students within thirty (30) days of the date that the warrant was mailed by the Department. Refunds and accompanying documentation shall be received by the Department within sixty (60) days of the date that the warrant was mailed by the Department.

(10) Reserve funds for renewal awards. The Department shall reserve in the trust fund sufficient state and matching dollars to ensure the availability of funds to renew each eligible applicant for the necessary number of years to complete the educational objective stated on the initial application, Form FFAA-1 JM-1.

(11) Award procedures. The Department shall notify students and institutions of the students' eligibility for awards, and shall provide for the delivery of funds to students by transmitting funds each academic term to the institutions for distribution.

(12) Contributions from private sources. Scholarship contributions to the Jose Marti Scholarship Challenge Grant Fund from private sources may be accepted by the Department and deposited in the Jose Marti Scholarship Challenge Grant Trust Fund.

Specific Authority 229.053(1), 240.4041, 240.412(1) FS. Law Implemented 240.1201, 240.404, 240.412 FS. History—New 12-28-86, Amended 5-16-90, 2-15-95, _____.

6A-20.025 Grants for Teachers for Special Training in Exceptional Student Education.

(1) Eligibility criteria. To be eligible to receive a tuition reimbursement grant for special training in exceptional student education, the applicant shall:

(a) Hold a full-time contract to teach in a district school system, a state operated or a state supported program, or an agency or organization under contract with the Department.

(b) Hold a valid Florida educator’s certificate that does not reflect an exceptional student education coverage or endorsement which is appropriate for the assignment.

(c) Complete specialization course(s) needed for certification in the area in which he or she is assigned to teach with a minimum grade of 3.0 on a 4.0 scale.

~~(d) Comply with the Selective Service System registration requirements.~~

~~(d)(e) Submit for each institution, and by the established deadline for each term, a completed Form FFAA-2, Florida Financial Aid application for Teachers, Form CPSI-1, Postsecondary Institution Certification, and Form CEMP-1, Employment Certification as incorporated by reference in Rule 6A-20.012, FAC. TR-1, Tuition Reimbursement Application Critical Teacher Shortage Tuition Reimbursement Program and Exceptional Student Education Training Grant Program for Out-of-Field Teachers, which is hereby incorporated by reference and made a part of this rule to become effective March, 1994. These forms This form may be obtained from the Office of Student Financial Assistance, Teacher Training Grant Program, Bureau of Education for Exceptional Students, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399-0400.~~

(2) Review agency. Pending review of the application by the Department of Education, the applicant shall receive notification of award eligibility.

(3) Reimbursement. Eligible applicants may receive tuition reimbursement not to exceed nine (9) semester hours, or the equivalent quarter hours, per term. Reimbursement shall be at a rate consistent with that established for programs authorized by Section 240.4064, Florida Statutes. No special fees charged by the universities or colleges shall be included in the payment to a recipient nor shall payments be made if tuition has been paid, waived or assumed, in full ~~or in part~~, through other public sources. For each fiscal year, grants are

~~awarded on a first come, first served basis to the extent of funds appropriated for this program. Awards may be prorated if funds are not available to make full awards.~~

~~(4) Certification agency. The Bureau of Education for Exceptional Students shall certify to the Office of Student Financial Assistance, Department of Education, eligible applicants with specified amounts to be disbursed to each.~~

~~(4)(5) Fiscal agency. The Office of Student Financial Assistance, Department of Education, upon receipt of eligible applicants, shall provide for payment of eligible applicants to the extent of funds appropriated for the program.~~

Specific Authority ~~120.55(1)(a)4,~~ 229.053(1), 240.405~~(4)(5)~~ FS. Law Implemented 240.405 FS. History—New 4-13-87, Amended 3-6-94, _____.

6A-20.027 Rosewood Family Scholarship Fund.

(1) General eligibility criteria for awards. To receive aid, a student shall meet the provisions of Sections 240.404, ~~240.4042, 240.4045,~~ and 240.4126, Florida Statutes, and Rules ~~6A-20.001, 6A-20.004, 6A-20.005,~~ and 6A-20.0371, 6A-20.006, FAC., and:

(a) Be a minority individual belonging to one (1) of the following race/ethnic categories: Black, not of Hispanic origin; Hispanic; Asian or Pacific Islander; American Indian or Alaskan native.

(b) If an initial, ~~or reinstatement, or restoration~~ applicant, submit a completed application to the Department, Form FFAA-1, Florida Financial Aid Application for Students, as incorporated by reference in Rule 6A-20.012, FAC., ~~RFS-1, Rosewood Family Scholarship Application,~~ by the established April 1 deadlines. ~~Form RFS-1 is hereby incorporated by reference and made a part of this rule to become effective October, 1994. A copy of Form FFAA-1 RFS-1 may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399-0400.~~

~~1. For the 1994-95 academic year, a completed Form RFS-1 must be postmarked to the Department no later than November 1, 1994.~~

~~2. For the 1995-96 and subsequent academic years, a completed Form RFS-1 must be postmarked no later than April 1 prior to the academic year for which the award is sought.~~

(c) Submit to the appropriate processor a completed need analysis document which is designed to use the need analysis methodology currently approved by the U.S. Congress:

~~1. For the 1994-95 academic year, out-of-state applicants must postmark a copy of the student aid report (SAR) received from the need analysis agency with the application by November 1. All Florida residents must submit the need analysis document in sufficient time for it to be considered by November 1.~~

~~1.2. For the 1995-96 and subsequent academic years, a A~~
 Florida resident must submit the need analysis document in time for it to be processed by the U.S. Department of Education no later than May 15.

~~2.3. For the 1995-96 and subsequent academic years, a A~~
 non-Florida resident, must postmark a copy of the SAR received from the need analysis agency to the Department no later than May 15.

(d) Be enrolled in an undergraduate degree or certificate program at a state university, state community college, or state postsecondary vocational-technical school. A certificate-seeking student must be enrolled in a program that requires a minimum of nine hundred (900) clock hours to complete.

(e) At the end of the regular registration period, inclusive of the drop add period for each academic term for which aid is received, an eligible student shall be:

1. Enrolled for a minimum of twelve (12) credits for a degree program or
2. Enrolled for a minimum of twenty-four (24) clock hours per week for a certificate program, to include the Associate in Applied Science (A.A.S.) Degree.

(f) Not have previously received a baccalaureate degree.

~~(g) Have met the College Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC.~~

~~(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(g)(i)~~ Not owe a repayment of a federal Title IV grant, or any state grant or scholarship unless satisfactory arrangements have been made to repay.

~~(h)(i)~~ Not be in default on any state or federal student loan program unless satisfactory arrangements have been made to repay.

(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter of each academic year.

(a) To be eligible for a renewal award, a student shall:

1. Have earned a minimum cumulative institutional grade point average of 2.0 on a 4.0 scale for postsecondary work.
2. If degree-seeking, have earned during the previous summer and two (2) semesters, a minimum of twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received.
3. If certificate-seeking, have completed eighty (80) percent of the clock hours for which the student was enrolled during the terms for which the award was received. A student who earns less than the required clock hours will be eligible for renewal if the institution certifies that the student successfully completed all competencies on an accelerated basis and that

the student was unable to continue full-time enrollment because there were no courses available in the program of study.

(3) Probationary awards. A student who earns the minimum number of credit or clock hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters. To be eligible for renewal the following year, the student must earn the required credit or clock hours for the probationary award year and a cumulative grade point average of 2.0 on a 4.0 scale.

(4) Restoration and Reinstatement awards. A student who failed to earn the minimum number of credit or clock hours required for renewal, or who failed to meet the requirements for renewal of a probationary award, is eligible to apply for restoration reinstatement after one (1) academic year if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale as of the end of the second semester or third quarter of the academic year preceding the year the award is sought. A student who met the requirements for a renewal award but did not receive an award during a full year of eligibility and wishes to reestablish use of the scholarship may apply for reinstatement in any subsequent year provided that the student has earned a cumulative grade point average of 2.0 on a 4.0 scale as of the end of the second semester or third quarter of the academic year preceding the year the award is sought.

(5) Maximum terms of eligibility. A student will be eligible to receive an award for a maximum of eight (8) semesters or twelve (12) quarters or until receipt of the first baccalaureate degree, whichever is less. However, a student who is required to participate in college preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters. Five (5) year eligibility does not extend to a program of study that leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year degree programs will be based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132-143	9
144 or more	10
Quarter Hours Required	Terms of Eligibility
192-203	13
204-215	14
216 or more	15

(6) Appeals. An applicant may appeal decisions of ineligibility made due to failure to meet academic progress requirements ~~or selective service registration requirements~~, or errors made by the Office of Student Financial Assistance under the provisions of Rules ~~6A-20.004, 6A-20.006 and 6A-20.0371, FAC.~~

(7) Amount of award. The amount of each annual award may not exceed four thousand (4,000) dollars; the amount of tuition and fees in the state university system, the public community colleges or the public postsecondary vocational-technical schools for the equivalent of fifteen (15) semester hours or four hundred fifty (450) clock hours per term of undergraduate study; or the amount established in the General Appropriations Act, whichever is less. If the appropriation is insufficient to provide the maximum award to each of the twenty-five (25) recipients, the amount of each award will be prorated.

(8) Award procedures. The Department will make awards based on the annual appropriation, not to exceed twenty-five (25) scholarship awards per year.

(a) A direct descendant of an African-American Rosewood family is an applicant whose ancestor is a member of a family identified as an affected Rosewood resident as provided in Section 240.4126, Florida Statutes Sections 3 and/or 4 of CS/HB 591, as enacted by the 1994 Legislature. The applicant shall provide the Department proof sufficient to establish eligibility as a Rosewood descendant as defined by this rule. The Department may verify eligibility by using records already in possession of the State of Florida. Among eligible Rosewood family descendant applicants:

1. First priority will be given to renewal applicants.

2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked and selected first by the least family contribution as specified on the need analysis report and second by the earliest postmark or electronic receipt date of the application, ~~Form RFS-1~~. If the number of awards remaining is insufficient to award all equally ranked applicants, the tie will be broken through random selection.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked and selected first by the least family contribution as specified on the need analysis report and second by the earliest postmark or electronic receipt date of the application, ~~Form RFS-1~~. If the number of awards remaining is insufficient to award all equally ranked applicants, the tie will be broken through random selection.

(b) Other minority applicants. If awards remain after all eligible applicants who are direct descendants of Rosewood families have received awards, all other eligible minority applicants will be divided into renewal, initial and reinstatement applicants. Among eligible minority applicants:

1. First priority for awards will be given to renewal applicants. If the number of awards remaining is insufficient to award all renewal applicants, they will be ranked and selected by the least family contribution as specified on the need

analysis report. If the number of awards remaining is insufficient to award all equally ranked applicants, the tie will be broken through random selection.

2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all initial applicants, they will be ranked and selected using the procedures specified in subparagraph (8)(a)2., of this rule.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all reinstatement applicants, they will be ranked and selected using the procedures specified in subparagraph (8)(a)3., of this rule.

(9) Payment of awards. The Department will provide for the delivery of funds to students each academic term by transmitting the funds to the institution for distribution to students. To be eligible for payment, the student must be enrolled full time at the end of the institution's drop/add period. After disbursement of funds to a student or to the student's account, the student may not return part or all of the award for the purpose of restoring a term of eligibility.

(10) Institutional responsibilities. Participating institutions must verify the continued eligibility of awarded students, provide for the disbursement of funds to students, comply with the Department's reporting and refund requirements as specified in Rules 6A-20.002 and 6A-20.0021, FAC.

Specific Authority 229.053(1), ~~240.4041~~, 240.4126(2) FS. Law Implemented 240.404, 240.4042, 240.4126 FS. History—New 10-30-94, Amended

6A-20.029 Mary McLeod Bethune Scholarship Program and Trust Fund.

(1) General eligibility criteria for awards. To receive aid, a student must meet the provisions of Sections 240.4125, 240.404, and 240.4042, ~~and 240.4045~~, Florida Statutes, and Rules 6A-20.001, 6A-20.003, ~~6A-20.004, 6A-20.005, and 6A-20.0371, 6A-20.006~~, FAC., and:

(a) Be enrolled as a degree-seeking undergraduate student at either Florida Agricultural and Mechanical University, Bethune-Cookman College, Edward Waters College, or Florida Memorial College.

(b) Have been a bona fide Florida resident, pursuant to Section 240.1201, Florida Statutes, and Rule 6A-20.003, FAC., for twelve (12) months prior to the first day of class of the fall term of the academic year for which funds are being requested.

(c) Be enrolled for a minimum of twelve (12) credits at the end of the regular registration period, inclusive of the drop-add period, for each academic term in which aid is received.

~~(d) Have met the College Level Academic Skills Test (CLAST) requirements for the receipt of state student assistance, pursuant to Rule 6A-20.005, FAC.~~

~~(e) Meet the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(d)(f)~~ Not owe a repayment of a federal Title IV grant, or any state grant or scholarship program unless satisfactory arrangements to repay have been made.

~~(e)(g)~~ Not be in default on any state or federal student loan program, unless satisfactory arrangements to repay the loan have been made.

(2) Eligibility for initial awards.

~~(a) Eligible institutions shall select 1994-95 initial year scholarship recipients from the pool of applicants who applied under the provisions of Section 240.4125, Florida Statutes, which were in effect prior to July 1, 1994. Beginning with the 1995-96 academic year, the~~ The application procedure shall be established and communicated to students by each participating institution.

(b) To be eligible for an initial award, a student must have earned a minimum, unweighted, cumulative grade point average of 3.0 on a 4.0 scale, or the equivalent, for high school subjects creditable towards a diploma.

(3) Eligibility for renewal awards. An applicant who receives the scholarship in one year will be considered for renewal the following year. ~~Applicants who received scholarships during the 1993-94 academic year will be evaluated for renewal of 1994-95 scholarships based on the provisions of Section 240.4125(5)(b), Florida Statutes, which were in effect prior to July 1, 1994.~~ All applicants for renewal of scholarships for the 1995-96 academic year and thereafter will be considered for awards in accordance with the following academic progress standards and the rating system established under subsection (8) of this rule. To be eligible for renewal of the scholarship, a student shall have met the following conditions of academic progress at the end of the second semester or third quarter of each academic year:

(a) Have earned a minimum institutional cumulative grade point average of 3.0 on a 4.0 scale;

(b) Have earned a minimum of twelve (12) credit hours each term for the number of terms for which the award was received; and

(c) Have filed a renewal application, if required by the institution.

(4) Reinstatement awards. A reinstatement applicant is a student who received the scholarship during one academic year and met the academic progress requirements for renewal of the scholarship, but did not receive the scholarship in the following year. To be eligible for reinstatement a student must:

(a) File an application for reinstatement within the deadlines established by the institution, if required by the institution;

(b) Apply for reinstatement within three (3) years of filing an initial application;

(c) Have maintained, at the end of the second semester or third quarter of each academic year, a cumulative grade point average of 3.0 on a 4.0 scale for all college work attempted.

(d) Applicants for reinstatement will be considered for awards in accordance with the rating system established under subsection (8) of this rule.

(5) Appeals. An applicant may appeal decisions of ineligibility made due to failure to meet academic progress requirements ~~or selective service registration requirements~~, or errors made in determining student eligibility pursuant to Sections 240.404, and 240.4042, ~~and~~ 240.4045, Florida Statutes, respectively.

(6) Amount of award. The full amount of the Mary McLeod Bethune Scholarship is three thousand (3,000) dollars annually. However, the institution may prorate its scholarship allocation equally among all eligible initial, renewal and reinstatement students as allowed under paragraph (8)(c) of this rule.

(7) Period of award. Awards are made annually for the first and second semesters of an academic year.

(8) Award procedures. The institution shall rank students prior to the beginning of the fall term each year based on the following rating system:

(a) The institution shall first determine that the applicant meets the general eligibility criteria pursuant to subsection (1) of this rule, and either the initial, renewal or reinstatement eligibility criteria, pursuant to subsections (2), (3) and (4), respectively, of this rule.

(b) The institution shall then rank all eligible applicants on the basis of financial need using the institution's financial need policy pursuant to paragraph (16)(a) of this rule. Students having the greatest financial need shall receive the highest rank. In the event that there are more eligible applicants with financial need than there are scholarships available, the institution shall further rank such applicants on the basis of those having the highest grade point averages.

(c) Based on the number of awards allocated to the institution by the Department, the institution shall make full awards to eligible applicants who have the highest rank based on their financial need and grade point averages. The institution may, however, elect to provide partial scholarships to all applicants who meet the minimum eligibility criteria for an award by prorating the institution's full scholarship allocation equally among all eligible initial, renewal and reinstatement applicants, without regard to ranking by financial need or grade point averages.

(d) The institution shall notify each applicant in writing of the status of the student's application. The institution shall also notify each student in writing who receives a scholarship of the award amount.

(9) Number of awards to be allocated to each institution. The Department will notify each institution annually of the total number of scholarships made available through the General Appropriations Act. Each institution shall notify the Department, no later than June 1 annually, of the maximum number of scholarships for which the institution pledges

matching contributions. In the event that the total number of scholarships pledged by all institutions exceeds the number of scholarships appropriated, the Department shall allocate scholarships on the basis of the institution's request, or on the basis of each institution's proportionate number of full-time equivalent (FTE) students to the FTE of all institutions, whichever is less. FTE is the total number of semester hours attempted by Florida residents enrolled at the eligible institution during the fall term divided by fifteen (15) credit hours. The Department will send to each institution a final allocation notice no later than July 1 of each year which describes the number of scholarships allocated to the institution for the academic year and the amount of matching contribution in increments of one five thousand (1,000) (\$5,000) dollars that must be paid by each institution.

(10) Maximum terms of eligibility. A student is eligible to receive the award for eight (8) semesters or twelve (12) quarters over a period of six (6) consecutive years, or until the student receives a baccalaureate degree, whichever occurs first. A student may receive the award for up to ten (10) semesters or fifteen (15) quarters when: the student has enrolled in college preparatory course work required by the institution; the student needs additional terms of eligibility to meet the requirements of the College Level Academic Skills Testing (CLAST) Program; or the student is enrolled in a five (5) year undergraduate degree program. Five (5) year eligibility does not apply to a program of study which leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year programs will be allowed based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132-143	9
144 or more	10
Quarter Hours Required	Terms of Eligibility
192-203	13
204-215	14
215 or more	15

(11) Matching contributions. Each institution shall submit to the Department the total matching contribution for its scholarship allocation no later than August 1 prior to the academic year for which funds are being matched.

(12) Other contributions. The Department shall deposit in the trust fund any moneys contributed by private sources for use toward Mary McLeod Bethune Scholarships. Contributions received by May 31 of each year shall be used to meet the cost of institution matching contributions for the following academic year. The Department shall allocate any such moneys for use by all institutions or earmark the contribution for use by a specific institution, in accordance with the request of the private source contributor.

(13) Disbursement procedures. The Department shall disburse scholarship funds to the institution on a term-by-term basis. The Department shall disburse an amount each term equal to one-half (1/2) of the annual scholarship amount for semester institutions multiplied by the total number of scholarships allocated to the institution. The institution shall disburse the funds to eligible students each term upon confirming each student's continued eligibility at the end of the regular registration period each term, inclusive of the drop add period. Notwithstanding the provisions of Rule 6A-20.002(1)(k), FAC., the institution shall remit, no later than April 1 of each year, full refunds for any term awards not disbursed during the academic year and full refunds for any disbursements made in error to ineligible students. Refunds for disbursements made to eligible recipients who withdraw during a term shall be submitted to the Department within sixty (60) days of the date that the student's enrollment terminated. Such refunds will be in amounts consistent with the percentage of refund as defined by the institution's refund policy.

(14) Transfer of awards during the academic year. A student may request a transfer of the award from one (1) eligible institution to another during an academic year. To be eligible for transfer during the academic year, the student must notify the Department in writing no later than November 15 of the student's transfer to another eligible institution. The Department will transfer the student's term award, including matching contribution, to the new institution. A student who changes from one eligible institution to another eligible institution between academic years must comply with the renewal application procedures and deadlines established by the institution the student plans to attend.

(15) Annual report. Each institution shall file an annual report due to the Department no later than April 1 of each academic year. The annual report shall contain, at a minimum, the following information:

(a) A list which includes the social security number, last name, first name, race, sex, and disbursement amount by term for each student, a summary count of the total number of students and total amount of disbursements by term, and a certification that each student listed met all of the eligibility criteria as described in Section 240.4125, Florida Statutes, and this rule.

(b) A reconciliation of funds received and utilized during the academic year including: the total number of scholarship allocations received from the Department; the amount of funds received by the institution each term; the total number of students who received disbursements each term; the amount of dollars disbursed to students each term; and any refunds paid to the Department as described under subsection (13) of this rule.

(c) The institution's method for determining a student's financial need pursuant to paragraph (16)(a) of this rule.

(16) Other institutional responsibilities.

(a) The institution shall develop a written policy which describes the institution's method of determining the financial need of students who apply for Mary McLeod Bethune Scholarships. The institution shall use this policy consistently in the ranking of all eligible initial, renewal and reinstatement applicants for scholarships as described in paragraph (8)(b) of this rule.

(b) All institutions shall comply with all administrative responsibilities described in Rule 6A-20.002, FAC., including the provision of any reports of demographic or directory information on awarded students as needed by the Department. Bethune-Cookman College, Edward Waters College and Florida Memorial College shall comply with Rule 6A-20.0021, FAC.

Specific Authority 229.053(1), 240.4041, 240.4125(10) FS. Law Implemented 240.1201, 240.404, 240.4125 FS. History--New 10-18-94, Amended

6A-20.031 Florida Public Student Assistance Grant.

(1) General Eligibility Requirements. To receive aid, a student shall meet the provisions of Sections 240.1201, 240.404, ~~240.4045~~, and 240.409, Florida Statutes, and Rules 6A-20.001, 6A-20.003, ~~6A-20.004~~, ~~6A-20.005~~, and ~~6A-20.0371~~, ~~6A-20.006~~, FAC., and:

~~(a) Submit each academic year, if a university student, the Florida need analysis document specified by the Department in time for it to be received by the respective need analysis agency no later than April 15. Submit each academic year, if a community college student, the Florida need analysis document specified by the Department in time for it to be received by the respective need analysis agency no later than September 15.~~

~~(a)(b) Be enrolled in an associate or baccalaureate degree program and not have previously received a baccalaureate degree at a Florida public community college or university, pursuant to Section 240.409, Florida Statutes.~~

~~(b)(c) Be enrolled for a minimum of twelve (12) credits for a full-time award, or nine (9) credit hours for a three-quarter time award, or six (6) credit hours for a half-time award at the end of the drop-add period for each academic term in which the award is received.~~

~~(d) Not have previously received a baccalaureate degree.~~

~~(c)(e) Be a United States citizen, or permanent resident, or eligible noncitizen pursuant to regulations established by the U.S. Congress or the U.S. Department of Education for the receipt of federal student financial assistance.~~

~~(f) Be a bona fide resident of Florida, pursuant to Section 240.1201, Florida Statutes, and Rule 6A-20.003, FAC., for reasons other than education for a minimum of twelve (12) months prior to the beginning day of classes of the fall term of the academic year for which the grant is awarded.~~

~~(g) Meet the College Level Academic Skills Test (CLAST) requirements for the receipt of state student assistance, pursuant to Rule 6A-20.005, FAC.~~

~~(h) Meet the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(i) Have a minimum of two hundred (200) dollars in student financial need, pursuant to Subsection (6) of this rule.~~

~~(d)(j) Meet the measurable progress standards of the institution.~~

~~(e)(k) Not owe a repayment of a grant under the Pell Grant, Supplemental Educational Opportunity Grant, or any state grant or scholarship program, unless satisfactory arrangements to repay the grant have been made.~~

~~(f)(l) Not be in default on any state loan program or any federal Title IV loan program, unless satisfactory arrangements to repay the loan have been made.~~

~~(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter of each academic year. To be eligible for a renewal award a student shall, pursuant to Section 240.404(1)(b), Florida Statutes:~~

~~(a) Have earned at the last institution attended a minimum cumulative grade point average for college work of 2.0 on a 4.0 scale; and~~

~~(b) Have earned during the previous summer and two (2) semesters or three (3) quarters, twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received. A student who fails to earn the required credits is ineligible to receive a renewal award; or~~

~~(c) Be granted probationary status. A student who earns the minimum number of credit hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters or three (3) quarters. To be eligible for renewal the following year, each such student shall have earned the required credits and a cumulative grade point average of 2.0 on a 4.0 scale by the end of the probationary period.~~

~~(2)(3) Reinstatement awards. A student who met the requirements for renewal provided in Section 240.404, Florida Statutes, but did not receive an award for a full academic year fails to meet the provisions of Paragraph (2)(b) or (2)(c) of this rule shall be eligible to apply for reinstatement during a subsequent application period. Each such student may be eligible for reinstatement if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale at the last institution attended.~~

~~(3) Restoration awards. A student who fails to meet the renewal provisions of Section 240.404, Florida Statutes, shall be eligible to apply for restoration during a subsequent application period. Each such student may be eligible for restoration if the student has earned an institutional cumulative grade point average of 2.0 on a 4.0 scale.~~

~~(4) Appeals. An applicant may appeal the denial of an award pursuant to Sections 240.404 and 240.4042, Florida Statutes, and Rule 6A-20.0371, FAC.~~

(5) Period of the award. An award is made for the two (2) semesters or three (3) quarters or the equivalent of an academic year.

~~(6) Amount of the award. The award may range from two hundred (200) dollars to fifteen hundred (1,500) dollars, or the amount established by the General Appropriations Act, not to exceed a student's demonstrated financial need or the cost of tuition and fees whichever is less. A student's demonstrated financial need will be the difference between the student's cost of education and the resources available to the student to meet such cost. For this purpose, a student's cost of education will be based on standard education budgets established by the Department. These standard budgets will be developed separately for commuter students and all other students; will provide for the average institutional cost of tuition and fees for thirty (30) semester hours or thirty-six (36) quarter hours; and will include a standard cost for room and board, transportation, books and supplies, and personal expenses. The resources available to a student will include the student's expected family contribution and Pell Grant. An institution may adjust the amount of an award established by the Department when the institution determines that the standard budget, expected family contribution, or Pell Grant amount used by the Department in calculating a student's grant award is in error, and when the use of corrected values yields a different grant award result. An institution will reduce the amount of an award established by the Department when such award in combination with all other resources available to the student exceeds a student's financial need. In making a determination that a student's resources exceed a student's financial need, the institution will use institutional budgets in lieu of Department standard budgets and will consider expected family contribution, Pell Grant, Florida Public Student Assistance Grant, and all other sources of student financial assistance.~~

~~(7) Maximum terms of eligibility. A student shall be eligible to receive grant funds for nine (9) semesters or fourteen (14) quarters over a maximum period of six (6) consecutive years from the time of the first disbursement. However, pursuant to Section 240.404, Florida Statutes, a student who is required to participate in preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five-year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters during the six (6) year period. Five (5) year eligibility does not apply to a program of study which leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five-year programs will be allowed based on the number of credit hours required by the institution for completion of the program of study as follows:~~

Semester Hours Required	Terms of Eligibility
132 or more	10
Quarter Hours Required	Terms of Eligibility
192 or more	15

~~(6)(8) Award procedures. The institution shall make preliminary determinations of applicant eligibility based on information it receives from the need analysis processor, cumulative grade point average, and earned credit information. The institution shall rank applicants who meet preliminary eligibility criteria by the expected family contribution cut-off established by the Department and estimate individual award amounts, taking into consideration a standard cost of education budget, expected family contribution, and estimated Pell Grant award amounts. The Department will make preliminary determinations of applicant eligibility based on information it receives from the need analysis processors and cumulative grade point average and earned credit information it receives from the institutions. The Department will rank applicants who meet preliminary eligibility criteria by expected family contribution and will estimate individual award amounts, taking into consideration a standard cost of education budget, expected family contribution, and estimated Pell Grant award amounts. In the event that available appropriations are not sufficient to award all eligible applicants, the Department shall reduce the amount of each recipient's grant pursuant to Section 240.4095(3), Florida Statutes. The Department will notify each participating institution of the eligibility statuses of its students to receive awards. Each institution shall verify the eligibility of such students and provide individual award notices to the students.~~

~~(9) Transmittal of funds. The Department may transmit a preliminary disbursement of funds to participating institutions prior to registration each academic term. Upon timely receipt of verification from each institution of the continued eligibility of each student, additional funds, if necessary, may be transmitted to the institution.~~

~~(7)(10) Institutional responsibilities. Participating institutions shall verify the continued eligibility of students, provide award notices to students, provide for the disbursement of funds to students, and comply with the Department's reporting requirements. Within the number of days specified by Section 240.409, Florida Statutes, Each institution shall report to notify the Department each term within thirty (30) days of the end of the institution's regular drop/add period the social security number and award amount of each awarded student of the eligibility statuses of awarded students. Each institution shall report to the Department each term within thirty (30) days of the end of the institution's regular drop/add period the social security number of each eligible but not awarded student. Institutions will remit refunds and will submit accompanying documentation to the Department within sixty (60) days of the end of the institution's regular registration period or within sixty (60) days of the date of the transmittal of supplemental warrants.~~

Specific Authority 229.053(1), ~~240.404~~, 240.409(1), ~~(6)(7)~~ FS. Law Implemented 240.1201, 240.404, 240.4042, 240.409 FS. History--New 12-18-90, Amended 3-24-92, 10-18-94, _____.

6A-20.032 Florida Private Student Assistance Grant.

(1) General eligibility requirements. To receive aid, a student shall meet the provisions of Sections 240.1201, 240.404, 240.4045, and 240.4095, Florida Statutes, and Rules 6A-20.001, 6A-20.003, ~~6A-20.004, 6A-20.005,~~ and ~~6A-20.0371, 6A-20.006,~~ FAC., and:

~~(a) Submit each academic year the Florida need analysis document specified by the Department in time for it to be received by the respective need analysis agency no later than April 15.~~

~~(b)~~ Be enrolled in an associate or baccalaureate degree program and not have previously received a baccalaureate degree at a Florida independent nonprofit college or university, pursuant to Section 240.4095, Florida Statutes.

~~(b)~~^(c) Be enrolled for a minimum of twelve (12) credits for a full-time award, or nine (9) credit hours for a three-quarter award, or six (6) credit hours for a half-time award at the end of the drop-add period for each academic term in which the award is received.

(d) Not have previously received a baccalaureate degree.

(e) Be a United States citizen or permanent resident, pursuant to regulations established by the U. S. Congress or the U.S. Department of Education for the receipt of federal student financial assistance.

(f) Be a bona fide resident of Florida, pursuant to Section 240.1201, Florida Statutes, and Rule 6A-20.003, FAC., for reasons other than education for a minimum of twelve (12) months prior to the beginning day of classes of the fall term of the academic year for which the grant is awarded.

(g) Have met the College-Level Academic Skills Test (CLAST) requirements for the receipt of state student assistance, pursuant to Rule 6A-20.005, FAC.

(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.

(i) Have a minimum of two hundred (200) dollars in student financial need, pursuant to subsection (6) of this rule.

(j) Have met the measurable progress standards of the institution.

(k) Not owe a repayment of a grant under the Pell Grant, Supplemental Educational Opportunity Grant, or any state grant or scholarship program, unless satisfactory arrangements to repay the loan have been made.

(l) Not be in default on any state loan program or any federal Title IV loan program, unless satisfactory arrangements to repay the loan have been made.

(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter or each academic year. To be eligible for a renewal award a student shall, pursuant to Section 240.404(1)(b), Florida Statutes:

(a) Have earned at the last institution attended, a minimum cumulative grade point average for college work of 2.0 on a 4.0 scale; and

(b) Have earned during the previous summer and two (2) semesters or three (3) quarters, twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received. A student who fails to earn the required credits is ineligible to receive a renewal award; or

(c) Be granted probationary status. A student who earns the minimum number of credit hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters or three (3) quarters. To be eligible for renewal the following year, each such student shall have earned the required credits and a cumulative grade point average of 2.0 on a 4.0 scale by the end of the probationary period.

(3) Reinstatement awards. A student who fails to meet the provisions of paragraph (2)(b) or (2)(c) of this rule shall be eligible to apply for reinstatement during a subsequent application period. Each such student may be eligible for reinstatement if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale at the last institution attended.

(4) Appeals. An applicant may appeal the denial of an award pursuant to Sections 240.404 and 240.4042, Florida Statutes, and Rule 6A-20.0371, FAC.

(5) Period of the award. An award is made for the two (2) semesters or three (3) quarters of an academic year.

(6) Amount of the award. The award may range from two hundred (200) dollars to fifteen hundred (1500) dollars, or the amount established by the General Appropriations Act, not to exceed a student's demonstrated financial need or the cost of tuition and fees whichever is less. A student's demonstrated financial need will be the difference between the student's cost of education and the resources available to the student to meet such cost. For this purpose, a student's cost of education will be based on standard education budgets established by the Department. These standard budgets will be developed separately for commuter students and all other students; will provide for the average institutional cost of tuition and fees for thirty (30) semester hours or thirty-six (36) quarter hours; and will include a standard cost for room and board, transportation, books and supplies, and personal expenses. The resources available to a student will include the student's expected family contribution and Pell Grant. An institution may adjust the amount of an award established by the Department when the institution determines that the standard budget, expected family contribution, or Pell Grant amount used by the Department in calculating a student's grant award is in error, and when the use of corrected values yields a different grant award result. An institution will reduce the amount of an award established by the Department when such award in combination with all other resources available to the student

exceeds the student's financial need. In making a determination that a student's resources exceed a student's financial need, the institution will use institutional budgets in lieu of Department standard budgets and will consider expected family contribution, Pell Grant, Florida Private Student Assistance Grant, and all other sources of student financial assistance.

(7) Maximum terms of eligibility. A student shall be eligible to receive grant funds for nine (9) semesters or fourteen (14) quarters over a maximum period of six (6) consecutive years from the time of the first disbursement. However, pursuant to Section 240.404, Florida Statutes, a student who is required to participate in preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters during the six (6) year period. Five (5) year eligibility does not apply to a program of study which leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year programs will be allowed based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132 or more	10
Quarter Hours Required	Terms of Eligibility
192 or more	15

(8) Award procedures. The Department will make preliminary determinations of applicant eligibility based on information it receives from the need analysis processors and cumulative grade point average and earned credit information it receives from the institutions. The Department will rank applicants who meet preliminary eligibility criteria by expected family contribution and will estimate individual award amounts, taking into consideration a standard cost-of-education budget, expected family contribution, and estimated Pell Grant award amounts. In the event that available appropriations are not sufficient to award all eligible applicants, the Department shall reduce the amount of each recipient's grant pursuant to Section 240.4095(3), Florida Statutes. The Department will notify each participating institution of the eligibility statuses of its students to receive awards. Each institution shall verify the eligibility of such students and provide individual award notices to the students.

(9) Transmittal of funds. The Department may transmit a preliminary disbursement of funds to participating institutions prior to registration each academic term. Upon timely receipt of verification from each institution of the continued eligibility of each student, additional funds, if necessary, may be transmitted to the institution.

(10) Institutional responsibilities. Participating institutions shall verify the continued eligibility of students, provide award notices to students, provide for the disbursement of funds to

students, and comply with the Department's reporting requirements. Within the number of days specified by Section 240.4095, Florida Statutes, each institution shall notify the Department of the eligibility statuses of awarded students. Institutions will remit refunds and will submit accompanying documentation to the Department within sixty (60) days of the end of the institution's regular registration period or within sixty (60) days of the date of the transmittal of supplemental warrants.

Specific Authority 229.053(1), 240.4041, 240.4095(1),(7) FS. Law Implemented 240.1201, 240.404, 240.4042, 240.4095 FS. History—New 12-18-90, Amended 3-24-92, 10-18-94, _____.

6A-20.033 Florida Postsecondary Student Assistance Grant.

(1) General eligibility requirements. To receive aid, a student shall meet the provisions of Sections 240.1201, 240.404, ~~240.4045~~, and 240.4097, Florida Statutes, and Rules ~~6A-20.001, 6A-20.003, 6A-20.004, 6A-20.005, and 6A-20.0371, 6A-20.006, FAC.~~, and:

~~(a) Submit each academic year the Florida need analysis document specified by the Department in time for it to be received by the respective need analysis agency no later than April 15.~~

~~(a)(b) Be enrolled in an associate or baccalaureate degree program and not have previously received a baccalaureate degree at a Florida independent college or university, pursuant to Section 240.4097, Florida Statutes.~~

~~(b)(c) Be enrolled for a minimum of twelve (12) credits for a full-time award, or nine (9) credit hours for a three-quarter time award, or six (6) credit hours for a half-time award at the end of the drop-add period for each academic term in which the award is received.~~

~~(d) Not have previously received a baccalaureate degree.~~

~~(c)(e) Be a United States citizen, or permanent resident, or eligible noncitizen pursuant to regulations established by the U.S. Congress or the U.S. Department of Education for the receipt of federal student financial assistance.~~

~~(f) Be a bona fide resident of Florida, pursuant to Section 240.1201, Florida Statutes, and Rule 6A-20.003, FAC., for reasons other than education for a minimum of twelve (12) months prior to the beginning day of classes of the fall term of the academic year for which the grant is awarded.~~

~~(g) Have met the College Level Academic Skills Test (CLAST) requirements for the receipt of state student assistance, pursuant to Rule 6A-20.005, FAC.~~

~~(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(i) Have a minimum of two hundred (200) dollars in student financial need, pursuant to Subsection (6) of this rule.~~

~~(d)(j) Have met the measurable progress standards of the institution.~~

~~(e)(k)~~ Not owe a repayment of a grant under the Pell Grant, Supplemental Educational Opportunity Grant, or any state grant or scholarship program, unless satisfactory arrangements to repay the loan have been made.

~~(f)(4)~~ Not be in default on any state loan program or any federal Title IV loan program, unless satisfactory arrangements to repay the loan have been made.

~~(2)~~ Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter of each academic year. To be eligible for a renewal award a student shall, pursuant to Section 240.404(1)(b), Florida Statutes:

(a) Have earned at the last institution attended a minimum cumulative grade point average for college work of 2.0 on a 4.0 scale; and

(b) Have earned during the previous summer and two (2) semesters or three (3) quarters, twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received. A student who fails to earn the required credits is ineligible to receive a renewal award; or

(c) Be granted probationary status. A student who earns the minimum number of credit hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters or three (3) quarters. To be eligible for renewal the following year, each such student shall have earned the required credits and a cumulative grade point average of 2.0 on a 4.0 scale by the end of the probationary period.

~~(2)(3)~~ Reinstatement awards. A student who met the requirements for renewal provided in Section 240.404, Florida Statutes, but did not receive an award for a full academic year fails to meet the provisions of paragraphs (2)(b) or (2)(c) of this rule shall be eligible to apply for reinstatement during a subsequent application period. Each such student may be eligible for reinstatement if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale at the last institution attended.

~~(3)~~ Restoration awards. A student who fails to meet the renewal provisions of Section 240.404, Florida Statutes, shall be eligible to apply for restoration during a subsequent application period. Each student may be eligible for restoration if the student has earned an institutional cumulative grade point average of 2.0 on a 4.0 scale.

(4) Appeals. An applicant may appeal the denial of an award pursuant to Sections 240.404 and 240.4042, Florida Statutes, and Rule 6A-20.0371, FAC.

(5) Period of the award. An award is made for the two (2) semesters or three (3) quarters or the equivalent of an academic year.

(6) Amount of the award. The award may range from two hundred (200) dollars to fifteen hundred (1500) dollars, or the amount established by the General Appropriations Act, not to exceed a student's demonstrated financial need or the cost of

~~tuition and fees whichever is less. A student's demonstrated financial need will be the difference between the student's cost of education and the resources available to the student to meet such cost. For this purpose, a student's cost of education will be based on standard education budgets established by the Department. These standard budgets will be developed separately for commuter students and all other students; will provide for the average institutional cost of tuition and fees for thirty (30) semester hours or thirty-six (36) quarter hours; and will include a standard cost for room and board, transportation, books and supplies, and personal expenses. The resources available to a student will include the student's expected family contribution and Pell Grant. An institution may adjust the amount of an award established by the Department when the institution determines that the standard budget, expected family contribution, or Pell Grant amount used by the Department in calculating a student's grant award is in error, and when the use of corrected values yields a different grant award result. An institution will reduce the amount of an award established by the Department when such award in combination with all other resources available to the student exceeds the student's financial need. In making a determination that a student's resources exceed a student's financial need, the institution will use institutional budgets in lieu of Department standard budgets and will consider expected family contribution, Pell Grant, Florida Postsecondary Student Assistance Grant, and all other sources of student financial assistance.~~

~~(7)~~ Maximum terms of eligibility. A student shall be eligible to receive grant funds for nine (9) semesters or fourteen (14) quarters over a maximum period of six (6) consecutive years from the time of the first disbursement. However, pursuant to Section 240.404, Florida Statutes, a student who is required to participate in preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters during the six (6) year period. Five (5) year eligibility does not apply to a program of study which leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year programs will be allowed based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132 or more	10
Quarter Hours Required	Terms of Eligibility
192 or more	15

~~(6)(8)~~ Award procedures. The institution shall make preliminary determinations of applicant eligibility based on information it receives from the need analysis processor, cumulative grade point average, and earned credit information. The institution shall rank applicants who meet preliminary

~~eligibility criteria by expected family contribution cut-off established by the Department and estimate individual award amounts, taking into consideration a standard cost of education budget, expected family contribution, and estimated Pell Grant award amounts. The Department will make preliminary determinations of applicant eligibility based on information it receives from the need analysis processors and cumulative grade point average and earned credit information it receives from the institutions. The Department will rank applicants who meet preliminary eligibility criteria by expected family contribution and will estimate individual award amounts, taking into consideration a standard cost of education budget, expected family contribution, and estimated Pell Grant award amounts. In the event that available appropriations are not sufficient to award all eligible applicants, the Department shall reduce the amount of each recipient's grant pursuant to Section 240.4095(3), Florida Statutes. The Department will notify each participating institution of the eligibility statuses of its students to receive awards. Each institution shall verify the eligibility of such students and provide individual award notices to the students.~~

~~(9) Transmittal of funds. The Department may transmit a preliminary disbursement of funds to participating institutions prior to registration each academic term. Upon timely receipt of verification from each institution of the continued eligibility of each student, additional funds, if necessary, may be transmitted to the institution.~~

~~(7)(10) Institutional responsibilities. Participating institutions shall verify the continued eligibility of students, provide award notices to students, provide for the disbursement of funds to students, and comply with the Department's reporting requirements. Within the number of days specified by Section 240.4097, Florida Statutes, eEach institution shall report to notify the Department within thirty (30) days of the end of the institution's regular drop add period the social security number and award amount of each awarded student of the eligibility statuses of awarded students. Each institution will report to the Department within thirty (30) days of the end of the institution's regular drop/add period the social security number of each eligible, but not awarded students. Institutions will remit refunds and will submit accompanying documentation to the Department within sixty (60) days of the end of the institution's regular registration period or within sixty (60) days of the date of the transmittal of supplemental warrants.~~

Specific Authority 229.053(1), 240.4041, 240.4097(1),(8) FS. Law Implemented 240.1201, 240.404, 240.4042, 240.4097 FS. History--New 12-18-90, Amended 3-24-92, 10-18-94, _____.

6A-20.0371 Right to Appeal Eligibility Determination.

(1) This ~~appeals~~ rule applies to all state student financial assistance programs administered by the Bureau of Student Financial Assistance, Florida Department of Education.

(3) Circumstances for appeal. If the applicant believes that either of the situations identified in subsection (2) of this rule was not resolved with the program section of the Bureau of Student Financial Assistance, the applicant may file a formal written appeal for review by the Director, Bureau of Student Financial Assistance, using the following procedure:

(a) Submit a written appeal to the Director, Bureau of Student Financial Assistance, Florida Department of Education, 1940 North Monroe Street, Suite 70, Tallahassee, Florida 32303-4759. The written appeal must fully describe the nature of the error the applicant believes has been made and must contain documentation which supports the applicant's claim of eligibility to receive a state student financial aid award or to have the award transferred to another eligible institution. A copy of the notice of the applicant's ineligibility shall be attached to the written appeal.

(4) Appeals committee. If an applicant continues to believe an error has been made after receiving the Director's response to an appeal submitted in accordance with subsection (3) of this rule, the applicant may request further review by an appeals committee. The request for committee review must be submitted to the Director of the Bureau of Student Financial Assistance in writing within twenty (20) days of the date of the Director's response to the applicant's formal written appeal. A final decision will be issued by the appeals committee within thirty (30) days of receiving the applicant's request for an appeals committee review. The applicant will be provided a written copy of the appeals committee's decision in the form of a final order. The decision issued by the appeals committee is final agency action.

Specific Authority 229.053(1), 240.4042(1) FS. Law Implemented 240.4042 FS. History--New 2-18-93, Amended _____.

6A-20.038 Florida Work Experience Program.

(1) General eligibility requirements. To receive aid, a student shall meet the provisions of Sections 240.404, ~~240.4045~~ and 240.606, Florida Statutes, and Rules 6A-20.001, 6A-20.003, ~~6A-20.004, 6A-20.005~~ and 6A-20.0371, 6A-20.006, FAC., and:

(2) through (5) No change.

~~(6) Academic credit. Credit hours earned for experiences gained through FWEP employment shall be used to meet the requirements of Rule 6A-20.004, FAC., only if such course credits are accepted by the institution toward the receipt of a degree.~~

~~(6)(7)~~ On-campus student employment. Institutions may use up to twenty-five (25) percent of their total FWEP allocations for student employment within the institution. The institution shall be reimbursed for seventy (70) percent of student wages. Funds from other student financial aid sources shall not be used to provide the institution's thirty (30) percent portion of students' wages.

~~(7)(8)~~ Other reimbursable costs. Institutions may use up to ten (10) percent of their total FWEP allocations to meet the costs of program administration at the institution. Such costs may include, but are not limited to salaries, office supplies, printing and program advertising.

~~(8)(9)~~ Allocations. The Department shall allocate funds annually to be used by institutions during the July 1 through June 30 state fiscal year. To be eligible for funds, institutions must complete and submit by the deadlines established by the Department FWEP-1, Florida Work Experience Program Institutional Request for Funds Due by June 30; FWEP-2, Florida Work Experience Program Fiscal Year Financial Report; and FWEP-3, Florida Work Experience Program Year-End Student Data Report; which are hereby incorporated by reference and made a part of this rule to become effective April 1993. Copies of forms FWEP-1, FWEP-2, and FWEP-3 may be obtained from the Office of Student Financial Assistance, Florida Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399. Allocations will be made by the Department as follows:

~~(a)~~ The Department will allocate FWEP funds to participating institutions in a manner to ensure that a minimum of twenty-five (25) percent of FWEP funds will be used to provide student work experience opportunities in Florida public schools.

~~(a)(b)~~ Each institution will receive a base allocation equal to the lesser of its reported expenditures for the prior fiscal year or the amount of its request. When funds are insufficient to make such allocations, each institution will receive a proportional allocation of available funds based on the ratio of each institution's prior year expenditures to the total prior year expenditures of all institutions.

~~(b)(c)~~ The Department may designate any unused portion of an institution's prior year allocation for use toward the institution's current year allocation, or may use such a balance to increase the institution's current year allocation.

~~(c)(d)~~ From current year funds that remain available or that become available during the fiscal year, the Department will make allocations to newly participating institutions, and may increase allocations to institutions that participated during the previous year based on the institutions' original requests, written supplemental requests or as determined by the Department based on other institutional needs.

~~(d)(e)~~ The Department shall disburse the institutional allocation in equal portions in September and December. The Department may make preliminary allocations and disbursements in July to institutions that participated in the FWEP during the previous fiscal year.

~~(e)(f)~~ Any unused portion of an institution's previous year allocation shall be refunded to the Department within sixty (60) days of the end of the fiscal year except as described under paragraph (9)(c) of this rule.

~~(9)(10)~~ Use of FWEP funds. Funds provided under this program shall not be used to replace institutional funds which would otherwise be used to support such student employment.

~~(11)~~ This rule shall become effective July 1, 1993.

Specific Authority 229.053(1), ~~240.404~~, 240.606(7) FS. Law Implemented 240.404, 240.4042, 240.606 FS. History--New 7-1-93, Amended _____

6A-20.039 Florida Teacher Scholarship and Forgivable Loan Program.

(1) General eligibility requirements. To receive a "Chappie" James Most Promising Teacher Scholarship (Scholarship) or a Florida Critical Teacher Shortage Forgivable Loan (Loan), students shall meet the provisions of Sections 240.404, ~~240.4045~~ and 240.4063, Florida Statutes, Rules 6A-20.001, ~~6A-20.004~~, ~~6A-20.005~~, and 6A-20.0371, ~~6A-20.006~~, FAC., and:

(a) Be enrolled for a minimum of twelve (12) credit hours for undergraduate study or a minimum of nine (9) credit hours for graduate study for each academic term in which aid is received.

~~(b)~~ Have met the College Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC. Graduate students are exempt from this requirement.

~~(c)~~ Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.

~~(b)(d)~~ Not owe a repayment of a federal grant or any state grant or scholarship program unless satisfactory repayment arrangements have been made.

~~(c)(e)~~ Not be in default on a loan made under any federal Title IV program or any state loan program unless satisfactory repayment arrangements have been made.

~~(d)(f)~~ Not have received a Paul Douglas Teacher Scholarship.

~~(e)(g)~~ Not have previously received a Critical Teacher Shortage Scholarship Loan, a "Chappie" James Most Promising Teacher Scholarship Loan or a Masters Fellowship Loan for Teachers.

(2) Scholarship – initial eligibility. To be eligible for an initial scholarship, a student must:

(a) Submit Form FFAA-1, Florida Financial Aid Application for Students as incorporated by reference in Rule 6A-20.020, FAC., and Form CHS-1, High School Certification Form, as incorporated by reference in Rule 6A-20.023, FAC., by April 1 ~~FTSL-1, "Chappie" James Most Promising Teacher Scholarship Application, to the high school principal by March 4~~ during the senior year of high school. ~~Form FTSL-1 "Chappie" James Most Promising Teacher Scholarship Application, is hereby incorporated by reference and made a part of this rule to become effective February, 1993.~~ A copy of Forms FFAA-1 and CHS-1 ~~FTSL-1~~ may be obtained from the

Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(b) Attend an eligible public or private Florida high school. An eligible private Florida high school is one in compliance with Section 229.808, Florida Statutes.

(c) Have a minimum cumulative unweighted high school grade point average (GPA) of 3.0 on a 4.0 scale.

(d) Be ranked in the top quartile of the student's senior class by the high school.

(e) Have test scores on either the American College Testing Program (ACT) or Scholastic Aptitude Test (SAT).

(f) Have been an active member of a future teacher organization, if such an organization exists at the student's high school.

(g) Provide written acknowledgment of the intent to enter the public school teaching profession in Florida.

(h) Be nominated by the high school principal.

(i) Not have previously received a bachelor's degree.

(j) Enroll in a degree program at either a state university or community college, or an eligible independent institution pursuant to Section 240.605(3), Florida Statutes, as a freshman or sophomore.

(3) Scholarship – renewal eligibility.

(a) Eligibility for renewal of a scholarship will be evaluated at the end of the second semester or third quarter of the academic year.

(b) The Department will create a renewal application for each student who received an initial scholarship for one or more terms and who meets the requirements for renewal.

(c) For renewal of the scholarship, the student must:

1. Have earned a minimum institutional cumulative GPA of 2.5 on a 4.0 scale for all college work.

2. Have earned a minimum of twelve (12) credit hours per term or the equivalent for the number of terms for which the scholarship was received.

3. Be classified as a freshman or sophomore student.

(4) Loan – initial eligibility. To be eligible for an initial undergraduate or graduate loan, a student must:

(a) Submit Form FFAA-1, Florida Financial Aid Application for Students as incorporated by reference in Rule 6A-20.020, FAC., and Form CPSI-1, Postsecondary Certification, as incorporated by reference in Rule 6A-20.012, FAC., FTSL-2, Florida Critical Teacher Shortage Forgivable Loan Application, by April 1 prior to the academic year for which the aid is requested. Form FTSL-2, Critical Teacher Shortage (CTS) Forgivable Loan Application, is hereby incorporated by reference and made a part of this rule to become effective February, 1993. A copy of Forms FFAA-1 and CPSI-1 FTSL-2 may be obtained from the Office of

Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(b) Be enrolled in a state-approved teacher preparation program which leads to certification in a critical teacher shortage (CTS) subject area.

(c) Provide a written declaration of an intent to teach in publicly-funded elementary or secondary schools in Florida for the number of years the loan is received.

(d) For an undergraduate loan, a student must:

1. Be an upper division student.

2. Have a passing score on the College Level Academic Skills Test scored at the fortieth (40th) percentile or better on the SAT or the ACT.

3. Have earned a minimum cumulative GPA of 2.5 on a 4.0 scale for all undergraduate work.

4. Not have previously received a bachelor's degree.

(e) For a graduate loan, a student must:

1. Have a bachelor's degree from a postsecondary institution accredited in accordance with Rule 6A-4.003, FAC.

2. Have either earned a minimum cumulative GPA of 3.0 on a 4.0 scale for all undergraduate work or scored at least one thousand (1000) on the Graduate Record Examination (GRE).

3. Not have a bachelor's degree in education in a CTS subject area.

4. Not hold a teaching certificate in a CTS subject area.

5. Not have received an undergraduate loan through this program.

(5) Loan – renewal eligibility.

(a) Eligibility for renewal of a loan will be evaluated at the end of the second semester or third quarter of the academic year.

(b) The Department will create a renewal application for each student who received a loan for one or more terms and who meets the requirements for renewal.

(c) The removal of a student's subject area from the list of CTS subject areas will not affect eligibility.

(d) For renewal of an undergraduate loan, the student must:

1. Have earned a minimum cumulative GPA of 2.5 on a 4.0 scale for all undergraduate work.

2. Have earned a minimum of twelve (12) credit hours per term or the equivalent for the number of terms for which the loan was received.

(e) For renewal of a graduate loan the student must:

1. Have earned a minimum cumulative GPA of 3.0 on a 4.0 scale for all graduate work.

2. Have earned a minimum of nine (9) credit hours per term or the equivalent for the number of terms for which the loan was received.

(6) Appeals. A student may appeal decisions of ineligibility made due to failure to meet academic progress requirements, ~~selective service registration requirements~~ or errors made by the Office of Student Financial Assistance under the terms of Rules ~~6A-20.004, 6A-20.006 and 6A-20.0371, FAC., respectively.~~

(7) Amount of award.

(a) The annual amount of a scholarship shall be one thousand five hundred (1,500) dollars.

(b) The annual amount of an undergraduate loan shall be the cost of education, less other student aid, for a maximum of four thousand (4,000) dollars.

(c) The annual amount of a graduate loan shall be the cost of education, less other student aid, for a maximum of eight thousand (8,000) dollars.

(8) Period of Award. Awards will be made annually for each academic year.

(9) Maximum terms of eligibility.

(a) A scholarship shall be available for a maximum of four (4) semesters or six (6) quarters.

(b) An undergraduate loan shall be available for a maximum of four (4) semesters or six (6) quarters, unless a student is enrolled in a teacher program requiring five (5) years of instruction for initial certification. An undergraduate loan for a student in a five (5) year teacher program shall be available for a maximum of six (6) semesters or nine (9) quarters.

(c) A graduate loan shall be available for a maximum of four (4) semesters or six (6) quarters.

(10) Scholarship nomination procedures. Each eligible secondary school shall review applications submitted by secondary school seniors. Each public secondary school principal shall submit the nomination of ~~nominate~~ three (3) eligible applicants and each nonpublic secondary school principal shall submit the nomination of ~~nominate~~ one (1) eligible applicant to be considered for an award. ~~A public school which submits fewer than three (3) nominations must certify that the school did not have three (3) eligible applicants. Nominees' Each nominees' Form CHS-1, High School Certification, completed applications must be submitted to the Department by April 1, with Form FTSL-3, Secondary School Nominations Transmittal Form, which is hereby incorporated by reference and made a part of this rule to become effective February, 1993. A copy of Form FTSL-3 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399.~~

(11) Scholarship award procedures.

(a) From public secondary school nominees, one (1) scholarship will be awarded to an eligible nominee from each public high school. From nonpublic secondary school

nominees, an additional number of scholarships will be awarded in accordance with Section 240.4063(2), Florida Statutes.

(b) Nominees from each public secondary school shall first be ranked according to CTS area, then by GPA and then by nationally recognized standard test scores. One nominee from each public secondary school will be selected by the Department to receive a scholarship.

(c) All nonpublic secondary school nominees shall be ranked first according to CTS area, then by GPA and then by nationally recognized standard test scores. A committee comprised of representatives from nonpublic secondary schools and the Department will select a proportional number of nonpublic secondary school nominees to receive scholarships.

(d) At least fifteen (15) percent of the initial scholarships shall be awarded to minority students. If fifteen (15) percent or less of the total secondary school nominees are minority students, awards will be made to all eligible minority nominees.

(e) The Department may make additional initial awards to eligible nominees if funds are available.

(f) If funds are insufficient to make awards to all eligible renewals and all initial recipients selected, then all awards will be prorated for the second semester or second and third quarter.

(g) The Department shall notify students and institutions of the students' award eligibility.

(12) Loan award procedures.

(a) The Department shall give priority to eligible renewals.

(b) Initial loan applicants will be considered for awards from funds remaining after all renewals have received the maximum eligible award. If funds are insufficient to award all initial loan applicants, initial loan recipients will be selected first by GPA and second by whether the applicant was a recipient of a scholarship under this program.

(c) The Department shall notify students and institutions of the students' award eligibility. The award notice to an initial loan applicant will provide for the acceptance of the award in the form of a properly executed Form FTSL-4, Critical Teacher Shortage Forgivable Loan Promissory Note (Fixed Rate), which is hereby incorporated by reference and made a part of this rule to become effective April, 1996. A copy of Form FTSL-4 may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399. The Department may deny an award if Form FTSL-4 is not returned within forty-five (45) days of the date of the award notice.

(13) Payment of awards.

(a) For scholarships, the Department shall provide for the delivery of funds to students by transmitting the funds each academic term to the institutions for distribution. Funds shall be disbursed to each student upon certification by the institution of the student's enrollment and continued eligibility.

(b) For loans, the Department shall provide for the delivery of funds to students by transmitting the funds each academic term, ~~in the form of individual warrants payable to each of the enrolled students,~~ to the institutions for distribution.

(14) Institutional responsibilities.

(a) Participating institutions shall verify the continued eligibility of awarded students, provide for the disbursement of funds to students, comply with the Department's reporting requirements, and refund to the Department any undisbursed funds.

(b) Institutions shall annually certify to the Department the cost of education and other student aid received.

(c) Within ~~thirty (30) fifteen (15)~~ days of the end of the regular registration period each academic term, inclusive of drop/add, the Department shall be notified of the eligibility status of awarded students.

(d) Institutions shall certify disbursements of funds to students, and submit any refunds and cancellations to the Department within sixty (60) days of the end of the institution's regular registration period, inclusive of drop/add.

(15) Promissory notes. Upon receipt of the institutions' certification of disbursements to students each academic term, the Department shall enter the disbursed amount on each student's promissory note. A statement, with the amount of loan financed to date, will be mailed by the Department, or its designee, to the borrower at the end of each academic year.

(16) Student reporting requirements. Form ~~DCOR-1 SR~~, Student Status Report, is hereby incorporated by reference and made a part of this rule to become effective October 2002 ~~February, 1993~~. A copy of Form ~~DCOR-1 SR~~ may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(a) Scholarship loan recipients shall complete the appropriate section of Form ~~DCOR-1 SR~~ and return it to the Department upon termination of enrollment, change of name or permanent address or institution, or termination of full-time enrollment.

(b) Loan recipients shall complete the appropriate section of Form ~~DCOR-1 SR~~ and return it to the Department upon completion of the approved teacher education program, termination of enrollment in an approved teacher education program, change of name or permanent address or institution, termination of full-time enrollment, or if requesting a reduction in the loan amount.

(17) Borrower repayment requirements. The Florida Critical Teacher Shortage Forgivable Loan shall be repaid either through eligible teaching service or repayment in cash.

(18) Cash repayment. A loan recipient who fails to complete an approved teacher education program or who fails to render the required teaching service in grades pre-K through twelve (12) in a Florida publicly-funded school shall be responsible for repaying the total loan, plus interest and all applicable collection charges. The Department shall charge a borrower an amount equal to reasonable costs incurred in collecting a loan, whether or not provided for in the borrower's promissory note and subject to any limitation on the amount of those costs in that note. These costs may include, at a minimum, all attorney's fees, collection agency charges, and court costs.

(19) Procedures for applying cash repayments. The Department, or its designee, shall apply a cash repayment to any outstanding collection costs, and to any outstanding interest prior to applying any payment to principal.

(20) Interest rate and accrual. Interest, at an annual rate of eight (8) percent, shall begin to accrue on the first day of the thirteenth month after the date of completion of an approved teacher education program, or after the date of termination of full-time study toward the degree for which the loan was awarded. Interest will not accrue during periods of approved deferment or eligible teaching service.

(21) Repayment beginning date and minimum payment due. Repayment of principal and interest shall begin on the first day of the thirteenth month after the date of completion of an approved teacher education program or after the date of termination of full-time study. The Department shall use the expected date of completion reported to the Department by the borrower to establish the repayment schedule unless notified otherwise in writing. The Department, or its designee, upon receipt of notification that a student has completed an approved teacher education program or has terminated full-time study, shall provide the student with a repayment schedule based upon the actual date of completion or termination reported, and shall include the total of all loan advances. The minimum monthly payment shall be fifty (50) dollars or the unpaid balance of the aggregate amount of the loan plus accrued interest, whichever is less. However, in no instance shall the minimum monthly payment be less than the accruing monthly interest.

(22) Maximum repayment period. A loan, plus interest, shall be paid back within ten (10) years of the date of completion of an approved teacher education program or after the date of termination of full-time study. The ten (10) years shall include any approved periods of deferment pursuant to subsection (31) of this rule.

(23) Collection options. In the collection of principal and loan interest due, the Department shall have the authority to use any reasonable method to assist the borrower in repaying the loan. Such procedures include but are not limited to:

(a) Approving forbearance, and offering graduated repayment and income sensitive repayment schedules.

(b) Matching the names of defaulted borrowers with the names of employees of the state, political subdivisions, or local governments.

(c) Withholding of government wages, pursuant to Section 112.175, Florida Statutes, in the event borrowers fail to enter repayment or fail to make scheduled payments.

(d) Assignment of defaulted loans to the Department's designated collection agencies.

(e) Reporting of defaulted loans to all national credit bureaus and the National Student Loan Data System (NSLDS).

(f) Withholding of State of Florida lottery winnings pursuant to Section 24.115(4), Florida Statutes.

(24) Teaching service in lieu of cash repayment. In lieu of cash repayment, a recipient who is teaching full-time in a Florida public school shall, within forty-five (45) days of when the eligible teaching service begins, submit to the Department or its designee, Form DNES, Request for Deferment or Notice of Employment Service, which is hereby incorporated by reference and made a part of this rule to become effective July, 1993. A copy of Form DNES may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(25) Definition of eligible teaching service. For teaching service to be counted toward cancellation of a loan, the recipient must be employed full-time in grades pre-K through twelve (12) in a Florida public school.

(26) Definition of a year of teaching. The school year shall comprise the period during which the schools are regularly in session for the minimum number of one hundred eighty (180) days of instruction or the equivalent as defined in Section 228.041(16), Florida Statutes. The loan recipient may be eligible to have allowable interest and principal cancelled upon completion of the following days of eligible teaching service during the regular school year: 45-89 days count for one-fourth a year of eligible teaching service; 90-134 days count for one-half a year of eligible teaching service; 135-179 days count for three-fourths a year of eligible teaching service; 180 days count for one full year of eligible teaching service.

(27) Verification of teaching service. A teacher shall apply for teaching credit for a loan by submitting annually to the Department, within forty-five (45) days of completion of eligible teaching service, Form CES, Certificate of Employment Service, which is hereby incorporated by reference and made a part of this rule to become effective July, 1993. A copy of Form CES may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(28) Teacher cancellation provisions. The Department or its designee, upon receipt of Form CES, shall cancel a maximum of four thousand (4,000) dollars of loan principal,

and accrued interest, for each year of eligible teaching service in accordance with the provisions of subsection (26) of this rule.

(29) Returning promissory notes to borrowers. When a total loan indebtedness is satisfied either by rendering teaching service or by cash payment, the Department shall cancel and return the promissory note, Form FTSL-4, to the loan recipient.

(30) Promissory note cancellation due to death or permanent disability. Forgivable Loan Promissory Notes shall be cancelled by the Commissioner upon receipt of the certificate of death of the loan recipient or proof of permanent disability which renders the loan recipient unable to work or unable to teach.

(31) Deferment from repayment and interest accrual. Deferments from repayment and interest accrual may be granted to loan recipients for ~~half-time full-time~~ attendance at a postsecondary institution, ~~for temporary disability which renders the recipient unable to work,~~ for unemployment when the recipient is conscientiously seeking but unable to secure full-time employment as a teacher in a Florida ~~publicly-funded~~ school, and for economic hardships, which will cover a borrower who earns less than minimum wage or exceeds a federally defined debt-to-income ratio, or for other hardships determined by the Department to render the recipient unable to make repayment. A loan recipient may also be eligible for a graduate fellowship deferment, which covers study under an eligible graduate fellowship program, and a rehabilitation training program deferment, which covers a qualified individual's participation in a rehabilitation training program. Deferments may be granted upon request for a total of up to twenty-four (24) months. Any deferment period may not exceed a maximum of one (1) year. The Department may request documentation of the conditions supporting the request for deferment. To request a deferment, recipients shall file Form DNES. A recipient must notify the Department as soon as conditions for which the deferment was granted no longer exist. Periods of deferment do not extend the maximum repayment period of ten (10) years.

Specific Authority 229.053(1), 240.4041, 240.4063(1), 240.465 FS. Law Implemented 231.62, 240.404, 240.4042, 240.4063 FS. History--New 7-1-93, Amended 4-19-96, _____.

6A-20.040 Occupational Therapist or Physical Therapist Tuition Reimbursement Program.

(1) Therapist. As used in this rule, therapist means an occupational therapist (OT), physical therapist (PT), occupational therapy assistant (OTA) or physical therapist assistant (PTA).

(2) Eligibility requirements. To receive aid, therapists shall meet the provisions of Sections ~~240.4045,~~ 240.6071 and 240.6075, Florida Statutes, and Rules 6A-20.001 and ~~6A-20.0371 6A-20.006,~~ FAC., and:

(a) ~~Submit by September 15, Form FFAA-3, Florida Financial Aid Application for Occupational/Physical Therapists, which is hereby incorporated by reference in this rule to become effective October 2002, Form CPSI-1, Postsecondary Certification, and Form CEMP-1, Employment Certification, as incorporated by reference in Rule 6A-20.012, FAC, each term by the date established by the Department, Form OPTR-1, Occupational Therapist or Physical Therapist Tuition Reimbursement Program Application, which is hereby incorporated by reference and made a part of this rule to become effective February, 1993. A copy of Forms FFAA-3, CPSI-1, and CEMP-1, OPTR-1 may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.~~

(b) Have, at minimum, a valid temporary Florida permit as a therapist from the Department of ~~Health Professional Regulation.~~

(c) Be employed as a therapist full-time in a Florida publicly-funded school as defined in Section 228.041, Florida Statutes, and have been employed as such for a minimum of three (3) years.

(d) Have completed a course intended to improve professional skills or knowledge at a state university or community college, or any Florida college or university which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.

(e) Not receive reimbursement from other sources sufficient to pay the full cost of for tuition and registration fees for a course(s) for which reimbursement is being sought from other sources.

~~(f) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(f)(g)~~ Earn a minimum grade of 3.0 on a 4.0 scale, or its equivalent, in course for which tuition reimbursement is sought.

~~(g)(h)~~ Not owe a repayment of a federal grant or any state grant or scholarship program unless satisfactory repayment arrangements have been made.

~~(h)(i)~~ Not be in default on a National Defense Loan, Perkins National Direct Loan, Guaranteed Student Loan, Federally Insured Student Loan, Parent Loans for Undergraduate Students, Auxiliary Loans to Assist Students, or any state loan programs, loan made under any federal Title IV loan program or any state loan program unless satisfactory repayment arrangements have been made.

~~(i)(j)~~ Not have received a Critical Occupational Therapist or Physical Therapist Shortage Scholarship Loan or participated in the Critical Occupational Therapist or Physical Therapist Shortage Loan Forgiveness Program.

(3) Application distribution. By ~~October 15~~ August 15 of each year, the Department shall distribute ~~applications, and a description of the program and~~ the application process ~~utilizing~~

the State Student Financial Aid Database to Florida publicly-funded school district superintendents. The publicly-funded schools shall be responsible for providing eligible employees with information regarding the program and the necessary forms.

(4) Award procedures. The Department shall make awards ~~after the application deadline each academic term on a first come, first served basis. Awards may be prorated based on the number of eligible applicants.~~ An applicant may receive aid for a maximum of nine (9) credit hours during a period beginning with the ~~fall summer~~ summer term second semester or third quarter, for a maximum of seventy-eight (78) dollars per credit, for up to a total of thirty-six (36) credits. The Department shall notify applicants of their award eligibility and shall provide for the delivery of funds to eligible applicants on a funds available basis.

(5) Appeals. An applicant may appeal ~~decisions of ineligibility due to failure to meet academic progress requirements, Selective Service registration requirements or errors made by the Office of Student Financial Assistance under the terms of Sections 240.404 and 240.4042, Florida Statutes, and Rules 6A-20.004, 6A-20.006, and 6A-20.0371, FAC., respectively.~~

Specific Authority 240.6072(3) FS. Law Implemented 240.4042, 240.6071, 240.6072, 240.6075 FS. History—New 2-18-93, Amended.

6A-20.041 Occupational Therapist or Physical Therapist Student Loan Forgiveness Program.

(1) Therapist. As used in this rule, therapist means an occupational therapist (OT), physical therapist (PT), occupational therapy assistant (OTA) or physical therapist assistant (PTA).

(2) Eligibility requirements. To receive aid, an applicant shall meet the provisions of Sections 240.6071 and 240.6073, Florida Statutes, and Rule 6A-20.001 and 6A-20.0371, FAC., and:

(a) If an initial applicant, submit Form FFAA-3, Florida Financial Aid Application for Occupational/Physical Therapists, as incorporated by reference in Rule 6A-20.040, FAC., OPLF-1, Occupational Therapist or Physical Therapist Loan Forgiveness Program Application, by July 15 after the end of the academic year in which the applicant worked for the first time as a full-time licensed occupational therapist or therapy assistant or as a licensed physical therapist or therapist assistant for at least ninety (90) days during the first year of full-time employment as a therapist in a Florida publicly-funded school as defined in Section 228.041, Florida Statutes. If a renewal applicant, submit Form OPLF-1 by July 15 of each subsequent year of full-time employment as a therapist in a Florida public school. Form OPLF-1 is hereby incorporated by reference and made a part of this rule to become effective February, 1993. A copy of Form FFAA-3

~~this form~~ may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

~~(b)~~ Submit an academic transcript from each postsecondary educational institution which the applicant attended in order to complete their education by July 15.

~~(c)(b)~~ Submit by July 15, Form CEMP-1, Employment Certification, which is hereby incorporated by reference in this rule to become effective October 2002, OPLF-2, Occupational Therapist or Physical Therapist Loan Forgiveness Program Employment Verification, by July 15. Form OPLF-2 is hereby incorporated by reference and made a part of this rule to become effective February, 1993. A copy of Form CEMP-1 ~~this form~~ may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

~~(d)(e)~~ If an initial applicant, submit ~~Form OPLF-3, Occupational Therapist or Physical Therapist Loan Forgiveness Program Loan Record Form~~, by July 15 of the first year of full-time employment as a therapist in a Florida public school, Form CLON-1, Loan Certification, as incorporated by reference in Rule 6A-20.013, FAC. Form OPLF-3 is hereby incorporated by reference and made a part of this rule to become effective February, 1993. A copy of Form CLON-1 ~~this form~~ may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

~~(e)(d)~~ Have, at minimum, a valid temporary Florida permit as a therapist from the Department of Health Professional Regulation.

~~(f)(e)~~ Declare an intent to be employed for a minimum of three (3) years as a licensed therapist in a Florida publicly-funded school.

~~(g)(f)~~ Have been employed as a therapist in a Florida publicly-funded school for a full school year. A school year shall be a minimum of one hundred eighty (180) days during the period in which schools are regularly in session, or the equivalent as defined in Section 228.041(16), Florida Statutes. If an otherwise eligible applicant completes eligible employment service for at least ninety (90) days during a school year but does not complete one (1) full year of employment, the Department may provide up to one-half of a full award.

~~(h)(g)~~ Not owe a repayment of a federal grant or any state grant or scholarship program unless satisfactory repayment arrangements have been made.

~~(i)(h)~~ Not be in default on a loan made under any federal Title IV loan program or any state loan program unless satisfactory repayment arrangements have been made.

~~(j)(i)~~ Not have received a Critical Occupational Therapist or Physical Therapist Shortage Scholarship Loan or participated in the Critical Occupational Therapist or Physical Therapist Shortage Tuition Reimbursement Program.

(3) Appeals. An applicant may appeal decisions of ineligibility due to errors made by the Office of Student Financial Assistance under the terms of Rule 6A-20.0371, FAC.

(4) Amount of award. The annual amount of student loan repayment shall be a maximum of twenty-five hundred (2,500) dollars for undergraduate loans and a maximum of \$5,000 for graduate loans for up to a combined total of five thousand (5,000) dollars annually. The amount of the award is based on the principal balance outstanding on the applicant's loan as of June 30 prior to the beginning date of full-time employment as a therapist in a Florida public ly-funded school.

(5) Maximum terms of eligibility. Eligible OTs and PTs may receive student loan forgiveness for a maximum of four (4) academic years or a total of ten thousand (10,000) dollars, whichever comes first. Eligible OTAs and PTAs may receive student loan forgiveness for a maximum of two (2) academic years or a total of five thousand (\$5,000) dollars, whichever comes first.

(6) Award procedures. The Department shall determine eligibility and make awards on a first come, first served basis. Awards may be prorated based on the number of eligible applicants. Renewal applicants will be given priority upon timely receipt of all required forms and documentation. The Department shall notify applicants of their award eligibility.

(7) Payment of award. The Department shall provide for the delivery of funds to a therapist by issuing a warrant made payable to the therapist and the lending institution. If the therapist has more than one lender, the largest loan will be paid first. The Department will forward the warrant to the therapist for submission to the lending institution. However, a therapist who submits documentation from all lenders that all principal balances which were due as of June 30 prior to the beginning date of full-time employment in a Florida publicly-funded school, pursuant to subsection (3) of this rule, have been paid by the therapist, may have the warrant made payable directly to the therapist.

Specific Authority 240.6072(3) FS. Law Implemented 240.4042, 240.6071, 240.6072, 240.6073 FS. History—New 2-18-93, Amended.

6A-20.042 Occupational Therapist or Physical Therapist Scholarship Loan Program.

(1) Therapist. As used in this rule, therapist means an occupational therapist (OT), physical therapist (PT), occupational therapy assistant (OTA) or physical therapist assistant (PTA).

(2) General eligibility requirements. To receive a Critical Occupational Therapist or Physical Therapist Shortage Scholarship Loan, students shall meet the provisions of

Sections 240.404, ~~240.4045~~, 240.6071 and 240.6074, Florida Statutes, Rules 6A-20.001, ~~6A-20.004~~, ~~6A-20.005~~ and ~~6A-20.0371~~, ~~6A-20.006~~, FAC., and:

(a) If an initial applicant, submit by April 15 prior to the academic year for which aid is requested Form FFAA-1, Florida Financial Aid Application for Students as incorporated by reference in Rule 6A-20.020, FAC. OPSL-1, Occupational Therapist or Physical Therapist Scholarship Loan Program Application, by April 15 prior to the academic year for which aid is requested. Form OPSL-1 is hereby incorporated by reference and made a part of this rule to become effective February, 1995. A copy of Form FFAA-1 this form may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(b) Be enrolled in a therapist assistant program, or in the upper division or graduate level of a therapist program at a Florida postsecondary institution pursuant to Section 240.6074(2), Florida Statutes.

(c) Declare an intent to be employed for a minimum of three (3) years as a licensed therapist in a Florida publicly-funded school.

(d) Be enrolled for a minimum of twelve (12) credits for undergraduate study or nine (9) credits for graduate study for each academic term in which aid is received.

~~(e) Have met the College Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC. Graduate students are exempt from this requirement.~~

~~(f) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.~~

~~(g)~~ (g) Not owe a repayment of a state or federal student grant or scholarship unless satisfactory repayment arrangements have been made.

~~(h)~~ (h) Not be in default on a state or federal student loan unless satisfactory repayment arrangements have been made.

~~(i)~~ (i) Not have participated in either the Critical Occupational Therapist or Physical Therapist Shortage Student Loan Forgiveness Program or the Critical Occupational Therapist or Physical Therapist Shortage Tuition Reimbursement Program.

(3) Renewal Requirements. Eligibility for renewal of an award will be evaluated at the end of the second semester or third quarter.

(a) For renewal of an undergraduate scholarship loan, a student must have earned:

1. A minimum institutional cumulative grade point average of 2.0 on a 4.0 scale for all undergraduate work.

2. Twelve (12) credits per term, or the equivalent, for the number of terms the award was received.

(b) For renewal of a graduate scholarship loan, a student must have earned:

1. A minimum cumulative grade point average of 3.0 on a 4.0 scale for all graduate work.

2. Nine (9) credit hours per term, or the equivalent, for the number of terms the award was received.

(4) Appeals. A student may appeal decisions of ineligibility due to failure to meet academic progress requirements, ~~Selective Service registration requirements~~ or errors made by the Office of Student Financial Assistance under the terms of Rules ~~6A-20.004~~, ~~6A-20.006~~ and ~~6A-20.0371~~, FAC., ~~respectively~~.

(5) Amount of award. The annual amount of the scholarship loan shall be for the cost of education, less other student aid, for a maximum of four thousand (4,000) dollars.

(6) Period of award. Awards will be made annually for the respective academic year.

(7) Maximum terms of eligibility. A student shall be eligible to receive a scholarship loan for a maximum of four (4) semesters or six (6) quarters.

(8) Award procedures.

(a) The Department shall give priority to eligible renewals. If funds are insufficient to provide full awards to all eligible renewals, then available funds will be prorated among eligible renewals.

(b) Initial applicants will be considered for awards from funds remaining after all renewals have received the maximum eligible award. If funds are insufficient to award all initial applicants, initial recipients will be ranked and selected on the basis of unweighted GPA.

(c) The Department shall notify students and institutions of the students' award eligibility. The notice of eligibility to an initial applicant will provide for the acceptance of the award in the form of a properly executed promissory note, Form OPSP-2, Occupational Therapist or Physical Therapist Scholarship Loan Program Promissory Note (Fixed Rate), which is hereby incorporated by reference and made a part of this rule to become effective April, 1996. A copy of this form may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(9) Payment of Awards. The Department shall provide for the delivery of funds to students by transmitting the funds each academic term, ~~in the form of an individual warrant payable to each of the enrolled students~~, to the institutions for distribution.

(10) Institutional responsibilities.

(a) Participating institutions shall verify the continued eligibility of awarded students, provide for the disbursement of funds to students, comply with the Department's reporting requirements, and refund to the Department any undisbursed funds.

(b) Institutions shall annually certify to the Department the cost of education and other student aid received.

(c) Within ~~thirty (30) fifteen (15)~~ days of the end of the regular registration period each academic term, the Department shall be notified of the eligibility status of awarded students.

(d) Institutions shall certify disbursements of funds to students, and submit any refunds and cancellations to the Department within sixty (60) days of the end of the institution's regular registration period.

(11) Promissory notes. Upon receipt of the institutions' certification of disbursements to students each academic term, the Department shall enter the disbursed amount on each student's promissory note. A statement, with the amount of loan financed to date, will be mailed by the Department, or its designee, to the borrower at the end of each academic year.

(12) Borrower repayment requirements. The Occupational Therapist and Physical Therapist Scholarship Loan Program shall be repaid either through eligible employment service or repayment in cash.

(13) Cash repayment. A scholarship loan recipient who fails to complete an approved therapist program or who fails to render the required employment service in a Florida public school shall be responsible for repaying the total scholarship loan plus interest and all applicable collection charges. Whether or not provided for in the borrower's promissory note and subject to any limitation on the amount of those costs in that note, the Department shall charge a borrower an amount equal to reasonable costs incurred in collecting a loan. These costs may include, at a minimum, all attorney's fees, collection agency charges, and court costs.

(14) Procedures for applying cash repayments. The Department, or its designee, shall apply a cash repayment to any outstanding collection costs, and to any outstanding interest prior to applying any payment to principal.

(15) Interest rate and accrual. Interest at the annual rate of eight (8) percent shall begin to accrue on the first day of the thirteenth month after the date of completion of an approved therapist program, or after the date of termination of full-time study. Interest shall not accrue during periods of deferment or eligible employment service.

(16) Repayment beginning date and minimum payment due. Repayment of principal and interest shall begin on the first day of the thirteenth month after the date of completion of an approved therapist program or after the date of termination of full-time study, unless otherwise approved by the Department. The Department shall use the expected date of completion reported to the Department by the borrower to establish the repayment schedule unless notified otherwise in writing. The Department, or its designee, upon receipt of notification that a student has completed an approved therapist program or has terminated full-time study, shall provide the student with a repayment schedule based upon the actual date of completion or termination reported, and shall include the total of all loan advances. The minimum monthly payment shall be fifty (50) dollars or the unpaid balance of the aggregate

amount of the loan plus accrued interest, whichever is less. However, in no instance shall the minimum monthly payment be less than the accruing monthly interest.

(17) Maximum repayment period. A scholarship loan, plus interest, shall be paid back within ten (10) years of the date of completion of an approved therapist program or after the date of termination of full-time study. The ten (10) years shall include any approved periods of deferment pursuant to subsection (25) of this rule.

(18) Collection options. In the collection of payment of loan interest and principal due, the Department shall have the authority to use any reasonable method to assist the borrower in repaying the loan. Such procedures include but are not limited to:

(a) Approving forbearances, and offering graduated repayment and income sensitive repayment schedules.

(b) Matching the names of defaulted borrowers with the names of employees of the state, political subdivisions, or local governments.

(c) Withholding of government wages, pursuant to Section 112.175, Florida Statutes, in the event borrowers fail to enter repayment or fail to make scheduled payments.

(d) Assignment of defaulted loans to the Department's designated collection agencies.

(e) Withholding of State of Florida lottery winnings pursuant to Section 24.115(4), Florida Statutes.

(19) Employment service in lieu of cash repayment. In lieu of cash repayments, a recipient who is under full-time contract and employed in a Florida public school shall, within forty-five (45) days of when the eligible employment service begins, submit to the Department, or its designee, Form DNES, Request for Deferment or Notice of Employment Service, which is hereby incorporated by reference and made a part of this rule to become effective July, 1993. A copy of Form DNES may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(20) Definition of a year of employment. A school year shall be a minimum of one hundred eighty (180) days during the period in which schools are regularly in session, or the equivalent as defined in Section 228.041(16), Florida Statutes. A therapist may be eligible to have allowable interest and principal cancelled upon completion of the following days of eligible employment service during the regular school year: 45-89 days counts for one-fourth a year of eligible employment service; 90-134 days counts for one-half a year of eligible employment service; 135-179 days counts for three-fourths a year of eligible employment service; 180 days counts for one full year of eligible employment service.

(21) Verification of employment service. A therapist shall apply for employment credit for a loan by submitting annually to the Department, within forty-five (45) days of completion of eligible employment service, Form CEMP-1, Employment

Certification, as incorporated by reference in Rule 6A-20.012, FAC. CES, Certification of Employment Service, which is hereby incorporated by reference and made a part of this rule to become effective July, 1993. A copy of Form CEMP-1 CES may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

(22) Employment cancellation provisions. The Department or its designee, upon receipt of Form CES, shall cancel a maximum of two thousand (2,000) dollars of loan principal and accrued interest for each year of eligible employment service that is verified in accordance with the provisions of Subsection (21) of this rule.

(23) Returning promissory notes to borrowers. When a total loan indebtedness is satisfied either by rendering employment service or by cash payment, the Department shall cancel and return the promissory note, Form OPSL-2, to the scholarship loan recipient.

(24) Promissory note cancellation due to death or permanent disability. Scholarship loan promissory notes shall be cancelled by the Commissioner upon receipt of the certificate of death of the scholarship loan recipient or proof of permanent disability which renders the scholarship loan recipient unable to work.

(25) Deferments from repayment and interest accrual. Deferments from repayment and interest accrual may be granted to scholarship loan recipients for full-time attendance at a postsecondary institution, ~~for temporary disability which renders the recipient unable to work,~~ for unemployment when the recipient is conscientiously seeking but unable to secure full-time employment as a therapist in a Florida publicly-funded school, and for economic hardships, which will cover a borrower who earns less than minimum wage or exceeds a federally defined debt-to-income ration, or for other hardship which the Department determines renders the recipient unable to make repayment. A loan recipient may also be eligible for a graduate fellowship deferment, which covers study under an eligible graduate fellowship program, and a rehabilitation training program deferment, which covers a qualified individual's participation in a rehabilitation training program. Deferments may be granted upon request for a total of up to twenty-four (24) months. Any deferment period may not exceed a maximum of one (1) year. To request a deferment, a recipient shall file Form DNES. The Department may request documentation of the conditions supporting the request for deferment. A recipient must notify the Department as soon as conditions for which the deferment was granted no longer exist. Periods of deferment do not extend the maximum repayment period of ten (10) years.

(26) Form DCOR-1 SR, Florida Teacher Programs Student Status Report as incorporated by reference in Rule 6A-20.039, FAC., may be used by scholarship loan recipients to report completion of the approved program of studies, termination of enrollment in an approved program of studies, name and permanent address changes, change of institution, termination of full-time undergraduate enrollment, or to request a reduction in the award amount. A copy of Form DCOR-1 SR, may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

Specific Authority 229.053(1), 240.4041, 240.6072(3), 240.6074(4)(b) FS. Law Implemented 240.404, 240.4042, 240.6071, 240.6072, 240.6074 FS. History—New 2-18-93, Amended 2-15-95, 4-19-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Wayne V. Pierson, Chief Financial Officer, Florida Board of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charlie Crist, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 30, 2001

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Access Grant for Community College Graduates
RULE NO.: 6A-20.043
PURPOSE AND EFFECT: This rule is recommended for repeal as the implementing authority, Section 240.6055, Florida Statutes, has been repealed. The effect is consistency of rule and statute.

SUMMARY: This rule is to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the 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 the notice.

SPECIFIC AUTHORITY: 229.053(1), 240.4041 FS.

LAW IMPLEMENTED: 240.1201, 240.404, 240.4042, 240.6055 FS.

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

TIME AND DATE: 9:00 a.m., September 10, 2002

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jeanine Blomberg, Director, Division of Support Services, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)488-6023

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-20.043 Access Grant for Community College Graduates.

Specific Authority 229.053(1), 240.4041, 240.6055(2) FS. Law Implemented 240.1201, 240.404, 240.4042, 240.6055 FS. History—New 3-15-94, Amended 10-18-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wayne V. Pierson, Chief Financial Officer, Florida Board of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charlie Crist, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2002

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: Base Funding for County Emergency Management Agencies, Emergency Management Competitive Grant Program and Municipal Competitive Grant Program Rule
 RULE CHAPTER NO.: 9G-19

RULE TITLES: Definitions 9G-19.002
 Competitive Awards Eligibility 9G-19.007
 Procedures for Awarding Competitive Grants 9G-19.008
 Selection Criteria for Competitive Grants 9G-19-009

PURPOSE, EFFECT AND SUMMARY: Redefinition of certain rules and requirements to allow clarification within the Competitive Grant process. Implementation of the proper revisions and changes that are needed to identify and clarify rule language in areas of concern from past Competitive Grant cycles. These changes will simplify existing language that will make the grant process easier for all parties involved.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the 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: 252.35, 252.373 FS.

LAW IMPLEMENTED: 252.35, 252.373, 252.38 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: 8:30 a.m. – 10:30 a.m., August 26, 2002

PLACE: Room 120L (Director’s Conference Room), Sadowski Building, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact the Administrative Secretary; Division of Emergency Management, Bureau of Compliance Planning; 2555 Shumard Oak Boulevard, Tallahassee, FL 32399 or call (850)413-9821, Suncom 293-9821, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Debbie Wonsch, Planning Manager, Finance and Logistic Section, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399-2100, (850)413-9894 or Suncom 293-9894

THE FULL TEXT OF THE PROPOSED RULES IS:

9G-19.002 Definitions.

(1) through (14) No change.

(15) “Administrative Expenses” for purposes of the competitive grant programs only, means the direct costs of staff managing the project and other direct costs for managing the project, as well as the applicant's indirect rate, if any, applied to those direct costs of management. No more than 5% of the total Emergency Management Preparedness and Assistance program funds awarded for the project may be used for administrative costs as identified herein. The sum total of direct and indirect costs identified herein shall not exceed 5% of the total project costs.

(16) through (22) No change.

(23) “Application,” for purposes of the competitive grant programs only, means the original 15 page summary that will be submitted at or before the published application deadline, and will consist of the transmittal letter, signed title page, table of contents, criteria narrative, and proposed budget only.

(24) “Proposal,” for purposes of the competitive grant programs only, means the full complete presentation inclusive of all attachments or appendix items as referenced or identified in the original application. Applicants who receive notice that they will be receiving an award must submit a complete proposal with all identified documents within presentation that will be completed by all awarded applicants in a specific time frame, to be sent to the Division of Emergency Management with complete documentation.

(25) "Project item(s)" for purposes of the competitive grant programs only, means the item(s) that are identified within the proposed application, which upon submission to the Division of Emergency Management will demonstrate that the project is complete. A complete listing of all applicable items must be submitted with the proposal as identified in subsection 9G-19.002(24), F.A.C.

(26) "Timeline," for purposes of the competitive grant programs only, means a document outlining the schedule and tasks that the applicant will perform in order to complete the project as identified within the proposed application within the twelve month contract period.

(27) "Critical Facilities" for purposes of the competitive grant programs only, means public hurricane evacuation shelters, emergency operations centers, structures for fire stations, rescue operations, or law enforcement facilities, hospitals, public works facilities, and any similar disaster response facility.

(28) "ARC 4496", for purposes of the competitive grant programs only, is a publication by the American Red Cross titled Standards for Hurricane Evacuation Shelter Selection (ARC 4496, Rev. January 2002).

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, 11-10-97, 10-11-98, 10-11-00,_____.

9G-19.007 Competitive Awards Eligibility.

(1) through (3) No change.

(4) Under the Municipal Competitive Grant Program, each Municipal Emergency Management Program may apply for one competitive grant not to exceed \$50,000. Joint applications by two or more municipalities shall be permitted, however the total award for any municipality application shall be limited to \$50,000.00. Under the Emergency Management Competitive Grant Program, eligible applicants may submit multiple applications, however, no single application shall seek or receive an award in excess of \$300,000. All eligible applicants, with the exception of counties and state agencies ~~Each Florida state or regional planning agency, each private non-profit organization, and each municipality.~~ shall be limited to no more than three (3) application submissions in an application cycle.

(5) through (7) No change.

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, 10-14-98, 10-11-00,_____.

9G-19.008 Procedures for Awarding Competitive Grants.

(1) through (2) No change.

(3) The Department hereby adopts by reference the Emergency Management, Preparedness, and Assistance Trust Fund Competitive Grant Program Application Packet, Form No. 007, June 2002 ~~006, May 2000~~ version, which provides

forms, instructions, and other information necessary for submission of an application for Competitive Grant funds submitted pursuant to section Rule 9G-19.008, F.A.C.

(4) No change.

(5) All applications shall conform to the following requirements, and shall be reviewed for technical conformity in accordance with the following procedures:

(a) All applications shall adhere to the format specified in the Application Packet, Form No. 007, June 2002 ~~006, May 2000~~ Version.

(b) through (e) No change.

(6) No change.

(7) Applications submitted shall be executed by the chief elected official or the chairman of the governing board unless this authority has been delegated to the chief executive officer or other government official, who shall then endorse the application. Evidence of the delegation of authority shall be supplied with the application. If the governmental entity does not have a governing board or chief elected official, then the application shall be executed by the chief administrative officer and evidence of his or her authority to bind the governmental entity shall be supplied with the application. If the Applicant is not a governmental entity, then the application shall be executed by the governing board, or, if there is no governing board, then the application shall be executed by the chief executive officer. If the application is transmitted electronically on-line, it shall be transmitted not later than three (3) days before the published application deadline. ~~A then a~~ hard copy of the title page containing the original authorized signature must be submitted by mail, and must be received by the Division by the published application deadline date.

(8) No change.

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, 11-10-97, 10-14-98, 10-11-00,_____.

9G-19.009 Selection Criteria for Competitive Grants.

(1) No change.

(2) Applications shall be scored by the review committee independently and the scores shall be totaled and averaged. Thereafter, the committee shall evaluate the scores and ~~adjusting them to~~ arrive at preliminary scores and rankings. Preliminary scores and rankings shall be prepared within each category based upon the total number of points earned with the overall highest number of points determining priority for funding. The review committee shall, within 75 ~~60~~ days of the application deadline date, transmit preliminary scores and rankings to all Applicants, along with any administrative proceeding rights. Final scores and rankings shall be transmitted to all Applicants in writing. Funds shall be offered to the Applicant with the overall highest score, then to the Applicant with the next overall highest score, and so on, until all funds have been offered and accepted, or all eligible

applications have been funded, or insufficient funds remain to fund an eligible project. The Department may offer to fund all or part of the project or all or part of the amount requested in an application. Applicants shall be given 21 days to accept or reject a proposed award. Written notice of acceptance shall be delivered to the Division offices designated in the notice of award along with a complete proposal, revised budget, timeline and a list of project items. In the event that an Applicant fails to accept or reject a proposed award offered for the Emergency Management Competitive Grant Program within the specified time, then the funds offered shall revert to the Trust Fund. In the event that an Applicant fails to accept or reject a proposed award offered for the Municipal Competitive Grant Program within the specified time, then the funds shall be reallocated in accordance with the provisions of subsections Sections 9G-19.006(1)-(3), F.A.C.

(3) through (5) No change.

(6) Applications shall be awarded points and ranked using the following criteria:

(a) through (f) No change.

(g) Extent to which the proposed project addresses an emergency management priority, as identified in the Notice of Fund Availability. [Maximum score 100 points] These points are only available for applications submitted under paragraph 9G-19.009(5)(d), F.A.C.

(7) through (8) No change.

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History--New 1-12-94, Amended 6-21-95, 11-13-96, 10-11-98, 10-11-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Debbie Wonsch, Planning Manager, Finance and Logistics Section, Division of Emergency Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Suzanne Adams, Community Program Administrator, Finance and Logistics Section, Division of Emergency Management

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 25, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 5, 2002

DEPARTMENT OF CORRECTIONS

RULE TITLE: Basic Training Program Operation

RULE NO.: 33-601.236

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the process for recommendation of modification of sentence for inmates who have satisfactorily completed the basic training program for youthful offenders.

SUMMARY: The proposed rule clarifies the process for recommendation of modification of sentence for inmates who have satisfactorily completed the basic training program for youthful offenders.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the 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: 20.315, 944.09, 958.045 FS.

LAW IMPLEMENTED: 20.315, 944.09, 958.045 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.236 Basic Training Program Operation.

(1) through (4) No change.

(5) Request for Sentence Modification.

(a) Inmates who have satisfactorily completed ~~60 days of~~ the basic training program will be recommended ~~reviewed for consideration for request of~~ sentence modification.

(b) The inmate management plan team ~~basic training program classification officer~~ will recommend a modification of sentence to the court that will include release to community supervision or placement in a community residential facility as a condition of community supervision.

(c) The inmate management plan team ~~basic training program classification officer~~ shall determine which inmates are suitable for community release based upon the inmate's employment, residence, family circumstances, and probation or post-release supervision obligations while under community supervision, and submit the packet to the Bureau of Classification and Central Records, Reception and Youthful Offender Services.

(d)(e) The Bureau of Classification and Central Records Reception and Youthful Offender Services Office shall either approve the inmate management plan team's basic training program classification officer's recommendation, disapprove the recommendation, or refer the matter back to the inmate management plan team basic training program classification officer for additional information.

(e)(d) If approved by the Bureau of Classification and Central Records, the sentence modification package will be sent to the sentencing authority ~~presented to the court~~ for approval or disapproval.

(f)(e) Upon receipt of the court's written action, The Bureau of Classification and Central Records shall review the sentence modification order and clear the inmate for release to community supervision.

~~(6) The IMPT shall develop an alternative post release program or plan within 30 days prior to release for those inmates who will not be placed in a community residential facility. The post release plan shall include the following pursuant to Rule 33-601.504, F.A.C.:~~

- ~~(a) Employment;~~
- ~~(b) Residence;~~
- ~~(c) Family situation; and~~
- ~~(d) Probation or post release supervision.~~
- (6)(7) No change.

Specific Authority 20.315, 944.09, 958.045 FS. Law Implemented 20.315, 944.09, 958.045 FS. History--New 2-26-89, Amended 1-25-96, Formerly 33-27.006, Amended 3-13-01, Formerly 33-506.206, Amended 1-17-02.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jerry Vaughan

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 5, 2002

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE TITLES:	RULE NOS.:
Definitions	40E-8.021
Minimum Flows and Levels Surface Waters for Upper East Coast Planning Area	40E-8.341
Prevention and Recovery Strategies	40E-8.421

PURPOSE AND EFFECT: The purpose and effect of the rule development is to establish minimum flows and levels for the St. Lucie River & Estuary, in accordance with Chapter 373, Florida Statutes.

SUMMARY: The proposed rule establishes minimum flows and levels ("MFLs") for the St. Lucie River & Estuary identifying when further withdrawals would cause significant harm to the water resources and ecology of the area. The MFLs are established using best available information. The Technical Documentation to Support Development of Minimum Flows and Levels for the St. Lucie River and Estuary is available on the District's website at www.sfwmd.gov/org/wsd/mfl/index.html.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None was prepared.

Any person who wishes to provide information regarding the 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: 373.042, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.036, 373.0361, 373.042, 373.0421 FS.

A PUBLIC HEARING WILL BE HELD AT THE TIME, DATE AND PLACE LISTED BELOW.

TIME AND DATE: 8:30 a.m., September 12, 2002

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings, and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: For technical issues contact: Winnie Said (internet: wsaid@sfwmd.gov), South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045. For procedural issues contact: Julie Jennison (internet: jjenniso@sfwmd.gov), South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294, or (561)682-6294.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-8.021 Definitions.

Part III: MFL Criteria for Lower West Coast Regional Planning Area and MFL Criteria for Upper East Coast Regional Planning Area

40E-8.421 Minimum Flows and Levels: Surface Waters

Part IV: Implementation

40E-8.421 Prevention and Recovery Strategies

40E-8.021 Definitions.

The terms set forth herein shall have the meanings ascribed to them, unless the context clearly indicates otherwise, and such meanings shall apply throughout the rules contained in this Chapter. The terms defined in Rule 40E-8.021, F.A.C., shall apply throughout the District's consumptive use permit rules. In the event of a conflict or difference between the definitions contained in Rule 40E-8.021, F.A.C., and the definitions set forth in other District rules, the definitions in this Rule 40E-8.021, F.A.C., shall control for purposes of this chapter.

(1) through (22) No change.

(23) St. Lucie River North Fork – means the surface waters that extend from the Gordy Road Bridge structure (state plane coordinates, x851212.831, y1116105.7470), combined with tributary contributions below Gordy Road and collectively flow south to the confluence with the C-24 canal (state plane coordinates, x873.712.20, y1064.390.41).

(24) St. Lucie River South Fork – means the surface waters that extend from the culverts located at state plane coordinates x902,512.67, y1,001,799.91, north to the confluence of the river and the St. Lucie Canal (C-44).

(25) St. Lucie Estuary – means the surface water body south of the confluence of the St. Lucie River North Fork and C-24, north of the confluence of the St. Lucie River South Fork and C-44, and west of the western boundary of the Intracoastal Waterway, exclusive of canals.

(26)(23) Serious Harm – means the long-term loss of water resource functions, as addressed in Chapters 40E-21 and 40E-22, F.A.C., resulting from a change in surface or ground water hydrology.

(27)(24) Significant Harm – means the temporary loss of water resource functions, which result from a change in surface or ground water hydrology, that takes more than two years to recover, but which is considered less severe than serious harm. The specific water resource functions addressed by a MFL and the duration of the recovery period associated with significant harm are defined for each priority water body based on the MFL technical support document.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History–New 9-10-01, Amended

PART III: MFL CRITERIA FOR LOWER WEST COAST REGIONAL PLANNING AREA AND MFL CRITERIA FOR LOWER EAST COAST REGIONAL PLANNING AREA

40E-8.341 Minimum Flows and Levels Surface Waters for Upper East Coast Planning Area.

St. Lucie Estuary – mean monthly flows to the St. Lucie Estuary should not fall below 28cfs from the Gordy Road structure to the St. Lucie River North Fork for two consecutive months during a 365-day period, for two consecutive years.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History–New

PART IV: IMPLEMENTATION

40E-8.421 Prevention and Recovery Strategies.

(1) through (5) No change.

(6) St. Lucie River and Estuary. The following is the prevention strategy for the St. Lucie River and Estuary:

(a) Discharges from the North Fork will be managed within the operational protocols of the Ten Mile Creek Project scheduled to be completed by 2004. Flow targets will be consistent with the CERP performance requirements for Indian River Lagoon.

(b) A research and monitoring strategy for the North and South Forks of the St. Lucie River will be developed and implemented in coordination with the Upper East Coast Regional Water Supply Plan update.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History–New 9-10-01, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Matthew Morrison, Director, Water Supply Planning and Development

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Governing Board of the South Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 24, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Abandonment of Applications

RULE NO.: 61G4-12.0065

PURPOSE AND EFFECT: The Board is creating text for a rule to address the subject of Abandonment of Applications to address situations where applications have been abandoned.

SUMMARY: This rule gives a time limit of ninety (90) days of the date of the original notice of deficiencies for an application to be completed or it will be considered abandoned. An abandoned application cannot be reinstated, a new application would have to be filed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated 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: 489.111, 489.115, 489.119, 455.213 FS.

LAW IMPLEMENTED: 489.111, 489.115, 489.119, 489.1195, 455.213 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert A. Crabill, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-12.0065 Abandonment of Applications.

(1) The Board shall consider a certification or registration application to be abandoned whenever an applicant fails to complete an application within ninety (90) days of the date of the original notice of deficiencies.

(2) An abandoned application shall not be reinstated; however, the applicant may file a new application accompanied by the required fee.

Specific Authority 489.111, 489.115, 489.119, 455.213 FS. Law Implemented 489.111, 489.115, 489.119, 489.1195, 455.213 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 10, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 12, 2002

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-23R

RULE CHAPTER TITLE: Stationary Sources – General Requirements
RULE CHAPTER NO.: 62-210

RULE TITLE: Forms and Instructions
RULE NO.: 62-210.900

PURPOSE AND EFFECT: The Department is proposing to expand the scope of the application for air permit (DEP Form 62-210.900(1)) to accommodate air operation permit renewal for Title V sources and initial air operation permitting for sources assuming federally enforceable restrictions to stay below federal regulation applicability thresholds, and to clarify form use for major-source air construction permitting. In addition, the Department is proposing to update the Application for Acid Rain Part (DEP Form 62-210.900(1)(a)) in accordance with the U.S. Environmental Protection Agency’s recent updates to the corresponding federal Acid Rain Program form.

The full text of this notice is published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: Examination Review Procedures
RULE NO.: 64B10-11.004

PURPOSE AND EFFECT: Pursuant to Rule 64B-1.013, F.A.C., this rule is outdated and duplicitious.

SUMMARY: Repeal of the Board’s examination review rule as the procedure is set forth in Department of Health Rule 64B-1.013, F.A.C.

SPECIFIC AUTHORITY: 456.017(2), 468.1685 FS.

LAW IMPLEMENTED: 456.017(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-11.004 Examination Review Procedures.

Specific Authority 456.004(5), 456.017(2), 468.1685 FS. Law Implemented 456.004(5), 456.017(2) FS. History—New 12-26-79, Amended 6-14-82, Formerly 21Z-11.04, Amended 3-15-90, Formerly 21Z-11.004, 61G12-11.004, Amended 9-13-95, Formerly 59T-11.004, Amended 8-11-99, 5-15-00, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2001

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: Reexamination Fee
RULE NO.: 64B10-12.003

PURPOSE AND EFFECT: Pursuant to Rule 64B-1.016, this rule is outdated and duplicitious.

SUMMARY: This rule is no longer necessary as the Department of Health has determined to set forth the fees.

SPECIFIC AUTHORITY: 456.017(2), 468.1685 FS.

LAW IMPLEMENTED: 456.017(2), 465.1695 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-12.003 Reexamination Fee.

Specific Authority 456.004(5), 456.017(2), 468.1685 FS. Law Implemented 456.004(5), 456.017(2), 465.1695 FS. History—New 12-26-79, Amended 6-14-82, Formerly 21Z-12.03, Amended 1-22-90, Formerly 21Z-12.003, 61G12-12.003, Amended 2-13-95, Formerly 59T-12.003, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2001

DEPARTMENT OF HEALTH

School Psychology

RULE TITLE: RULE NO.:

Renewal of Inactive License 64B21-503.003

PURPOSE AND EFFECT: This rule is being repealed due to comments from staff at the Joint Administrative Procedures Committee.

SUMMARY: The repeal of this rule is necessary as there is no statutory authority.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

Any person who wishes to provide information regarding the 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: 120.53(1) FS.

LAW IMPLEMENTED: 490.008 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B21-503.003 Renewal of Inactive License.

Specific Authority 120.53(1) FS. Law Implemented 490.008 FS. History--New 3-13-85, Formerly 21U-503.03, Amended 8-12-92, Formerly 21U-503.003, 61E9-503.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kaye Howerton

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Jones

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2002

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLES: RULE NOS.:

Patient Treatment and Follow-up 64D-3.024

Execution of Certificate for Involuntary Hold 64D-3.026

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to delete sections which exceed authority or duplicate language in the Florida Statutes.

SUMMARY: The proposed rule amendments delete language in the areas of the evaluation, examination, and treatment to cure for tuberculosis patients, the counseling of tuberculosis patients and the execution of a Certificate of Involuntary Hold for patients who may pose a threat to the public health.

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

Any person who wishes to provide information regarding the 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: 381.011(4), 381.011(13), 381.003(2), 392.64(1), 392.66 FS.

LAW IMPLEMENTED: 381.011, 381.003(1)(a), 392.55(2), 392.55(3), 392.56, 392.565, 392.59, 392.61, 392.62, 392.64 FS.

IF REQUESTED WITHIN 21 DAYS 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., September 4, 2002

PLACE: Department of Health, Bureau of TB and Refugee Health, Room 240G, 2585 Merchant's Row Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jane Peck, Bureau of Tuberculosis and Refugee Health, 2585 Merchant's Row Blvd., Suite 240, Tallahassee, FL 32399-1717

THE FULL TEXT OF THE PROPOSED RULES IS:

64D-3.024 Patient Treatment and Follow-up.

~~(1) All persons who have reason to believe that they have tuberculosis, whether they are residents of Florida or not, are entitled to evaluation and examination at county health departments. All persons who have been verified by a physician licensed under Chapter 458 or 459, F.S., to have active tuberculosis disease, are entitled to treatment to cure, at a county health department facility. No person shall be denied treatment because of an inability or refusal to pay for treatment.~~

~~(2) Evaluation, examination, and treatment to cure for tuberculosis shall be in accordance with the guidelines of the department, "Treatment of Tuberculosis (TB) Disease, Technical Assistance: TB 6, March 1998" included in the County Health Department Guidebook, incorporated by reference in this rule, and in accordance with the guidelines of the American Thoracic Society (ATS) and the Centers for Disease Control and Prevention, "Treatment of Tuberculosis and Tuberculosis Infection in Adults and Children, 1994, incorporated by reference in this rule.~~

~~(1)(3) An individualized treatment plan shall be prescribed by the department, its authorized representatives, or physicians licensed under Chapters 458 or 459 for each person in their care who has suspected or confirmed active tuberculosis. The treatment plan must include all items required under s. 392.61(2)(e) and 392.64(1), F.S., and be consistent with the standard TB treatment form, "TB Medical Report and Treatment Plan", DH Form 1173, 02/98, which is incorporated by reference in this rule. The treatment plan form shall be~~

provided by the local county health department to any physician who is caring for a person with suspected or confirmed active tuberculosis.

(2)(4) Each treatment plan shall be implemented through a case management approach as defined in the guidelines, "Tuberculosis (TB) Case Management/Team Approach, Technical Assistance: TB 1, February 1998" included in the County Health Department Guidebook and incorporated by reference in this rule.

(3)(5) The county health department shall provide a complete explanation of tuberculosis, the medical risks associated with tuberculosis, the need to comply with the prescribed course of the treatment plan, and the consequences of non-compliance with the treatment plan to each patient suspected or proven to have tuberculosis, to the patient's legal guardian or to the patient's caregiver. The explanation shall be culturally, developmentally, educationally and linguistically appropriate and tailored to the understanding of the patient, the patient's legal guardian or the patient's caregiver.

~~(6) Following an explanation of the treatment plan, the patient, the patient's legal guardian or the patient's caregiver shall be asked by the county health department to sign an acknowledgment of Tuberculosis Counseling", DH Form 1179, 01/98, which is incorporated by reference in this rule and shall be provided by the county health department. The purpose of this form is to document that information on tuberculosis has been provided to the patient, that the patient understands the seriousness of the disease including its public health implications, the need to be examined and treated, the need to comply with the treatment plan and the consequences of non-compliance with the treatment plan. If the patient, the patient's legal guardian, or the patient's caregiver refuses to sign the form, this refusal shall be documented on the form.~~

Specific Authority 381.0011(13), 381.003(2), 392.64(1), 392.66 FS. Law Implemented 381.0011, 381.003(1)(a), 392.55(2), 392.55(3), 392.56(2)(b), 392.59, 392.61, 392.64(1) FS. History--New 9-18-98, Amended.

64D-3.026 Execution of the Certificate of Involuntary Hold.

(1) through (4) No change.

(5) ~~Facsimile copies of the certificates for involuntary hold shall satisfy the filing requirement for petitions under s. 392.55 or s. 392.56, F.S. The Medical Executive Director of A.G. Holley State Hospital shall send the signed "Order for Involuntary Hold" by facsimile to the treating physician who requested issuance of the order.~~

~~(6) The treating physician requesting the issuance of the an Order for Involuntary Hold shall notify the sheriff in the county where the certificate was issued. The treating physician shall also notify the county health department in the county where the certificate was issued.~~

(7) The "Certificate of the Physician Pursuant to Section 392.565, F.S., Requesting an Order for Involuntary Hold and Petition for Emergency Hearing" together with the "Order for

~~Involuntary Hold" shall constitute a petition under s. 392.55, F.S., or s. 392.56, F.S. The Medical Executive Director of A.G. Holley must be notified of the date of the hearing.~~

Specific Authority 381.0011(4),(13), 381.003(2), 392.66 FS. Law Implemented 381.0011(4), 381.003(1)(a), 392.55, 392.56, 392.565, 392.59, 392.62, 392.64(2) FS. History--New 9-17-98, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jane Peck

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Landis K. Crockett, M.D., M.P.H.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.:	RULE TITLE:
4-193.065	Forms Incorporated by Reference
NOTICE OF WITHDRAWAL	

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 41, October 13, 2000, of the Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF INSURANCE

RULE NOS.:	RULE TITLES:
4-203.042	Filing, Approval of Subscriber Contract and Related Forms
4-203.045	Rates
4-203.100	Prescribed Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 22, of the Florida Administrative Weekly on May 31, 2002. These changes are technical.

Paragraph (b) of subsection (2) of Rule 4-203.042 has been changed to cross-reference Rule 4-149.022, F.A.C., rather than to adopt the forms again in this rule.

It shall now read as follows:

(b) Form DI4-1507, "The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter, "completely filled out in accordance with Form DI4-1507A, "The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter Instruction Sheet," which have been adopted by Rule 4-149.022, F.A.C.