

Section II
Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Course Requirements – Grades 6-12 Basic and Adult Secondary Programs
RULE NO.: 6A-1.09412

PURPOSE AND EFFECT: The purpose of this amendment is to incorporate the course descriptions of new courses into the "Course Code Directory and Instructional Personnel Assignments" for 2006-2007, as required in SBE subsection 6A-1.09441(5), F.A.C. Courses in art, social sciences, and foreign languages are added to the Course Code Directory to allow districts to receive funding. Certification areas for courses in reading have been amended to align with teacher certification requirements. Revisions to the narrative section were made to align course requirements with state law and federal regulations.

SUMMARY: These new courses and course descriptions direct school and district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the "Course Code Directory and Instructional Personnel Assignments" and ensure consistency and alignment with the Sunshine State Standards.

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: 1001.03(1), 1011.62(1)(r) FS.
LAW IMPLEMENTED: 1001.42(7), 1003.42, 1011.62(1)(r) FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005
PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jo Butler, Educational Policy Consultant, K12 Student Achievement, 325 West Gaines Street, Room 514, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09412 Course Requirements – Grades 6-12 Basic and Adult Secondary Programs.
A course description directs district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the "Course Code Directory and Instructional Personnel Assignments" adopted by Rule

6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publications "2002-2003 Florida Course Descriptions for Grades 6-12/Adult, Basic Education," and "2005 Florida Course Descriptions for Grades 6-12/Adult, Basic Education," and 2006-2007 Florida Course Descriptions for Grades 6-12/Adult, Basic Education which are hereby incorporated by reference and made a part of this rule. District school boards of education are authorized, through local rules, to approve a variance of up to ten (10) percent of the course requirements of each course description. Copies of approved course descriptions may be obtained from the Division of Public Schools and Community Education, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Specific Authority 1001.03(1), 1011.62(1)(r) FS. Law Implemented 1001.42(7), 1003.42, 1011.62(1)(r) FS. History--New 2-21-85, Formerly 6A-1.9412, Amended 1-29-86, 1-1-87, 9-6-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 6-6-93, 10-18-94, 8-28-95, 5-14-96, 9-15-97, 10-13-98, 5-3-99, 5-3-01, 10-15-01, 12-17-02, 7-26-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jo Butler, Educational Policy Consultant, K12 Student Achievement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor, K-12 Public Schools, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: August 26, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Requirements for Programs and Courses Which are Funded through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation
RULE NO.: 6A-1.09441

PURPOSE AND EFFECT: The purpose of this amendment is to obtain approval of the "Course Code Directory and Instructional Personnel Assignments" for 2006-2007. This rule provides specific conditions for which students may earn credit toward high school graduation and for which the courses are funded through the Florida Education Finance Program (FEFP). Courses in art, social sciences, and foreign language are added to the Course Code Directory to allow districts to receive funding. Certification areas for courses in reading have been amended to align with teacher certification requirements. Revisions to the narrative section were made to align course requirements with state law and federal regulations.

SUMMARY: Revisions to the “Course Code Directory and Instructional Personnel Assignments” were made to include new courses, align courses, teacher certification, and narrative section to recent changes in teacher certification, state laws, and federal regulations.

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: 1011.62 FS.

LAW IMPLEMENTED: 1011.62 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jo Butler, Educational Policy Consultant, K12 Student Achievement, 325 West Gaines Street, Room 514, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) The program in which the student is in membership shall be one of the programs listed in Section 1011.62(1)(c), Florida Statutes.

(2) The course or program in which the student is in membership shall be an educational activity which constitutes a part of the instructional program approved by the district school board.

(3) The student shall be under the supervision of an instructional staff member as defined in Rule 6A-1.0501, F.A.C.

(4) The course or program shall be listed in the “Course Code Directory and Instructional Personnel Assignments” for the year in which the student is in membership.

(5) The “Course Code Directory and Instructional Personnel Assignments 2006-2007 ~~2005-2006~~” is hereby incorporated by reference and made a part of this rule. The Commissioner may publish the document in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The directory may be obtained from the

Division of Public Schools and Community Education, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Specific Authority 1001.02(1), 1011.62(1)(r) FS. Law Implemented 1011.62(1) FS. History—New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-15-01, 7-30-02, 4-21-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jo Butler, Educational Policy Consultant, K12 Student Achievement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor, K-12 Public Schools, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: August 26, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES:	RULE NOS.:
Required Annual Calendar for Schools and Colleges	6A-10.019
Procedures for Determining the Level at Which Courses Shall be Classified	6A-10.0242
Postsecondary Credit Definitions	6A-10.033
Deletion of Courses from Catalogs and Common Course Designation and Numbering System	6A-10.0331
Postsecondary Feedback of Student Information to High Schools	6A-10.038
Substitution for Requirements for Eligible Disabled Students at State Universities, Community Colleges, and Postsecondary Vocational Institutions	6A-10.041
Nonpublic College Participation in the Common Course Numbering and Designation System	6A-10.043

PURPOSE AND EFFECT: The rules are proposed to be amended to accurately reflect current implementing legislation and education governance. The effect will be rules which are aligned with current legislation and education governance.

SUMMARY: The rules are proposed to be amended to align with current legislation and education governance.

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: 1001.02(1)(2)(n), 1007.24(8) FS.

LAW IMPLEMENTED: 1001.02, 1001.42(4), 1007.24 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-10.019 Required Annual Calendar for Schools and Colleges.

Each district school board, each community college district board of trustees, and each university board of trustees ~~the Board of Regents~~ shall prior to the beginning of each fiscal year adopt an annual calendar which shall be observed by all schools or post high school educational institutions operated by said board.

(1) Each board shall adopt a calendar ~~that which~~ supports the following objectives:

(a) Minimal loss of time between student exit from one public institution and entry into another. Students who complete a phase of their education in one public institution and who need to transfer to another public institution to continue their education should be able to do so without prolonged delay.

(b) Opportunity for students to move through the educational system at their respective paces. Calendars should not be based on the assumption that all students will initiate and complete learning activities at the same pace.

(c) Opportunity for school personnel to utilize in-service and continuing education.

(d) Opportunity for effective and efficient utilization of resources. School plants and school personnel should not have prolonged periods during which they are idle.

(e) Opportunity for family activities.

(f) Flexibility in implementation of calendar decisions.

(2) The calendar adopted by each community college board of trustees and each university board of trustees ~~the Board of Regents~~ shall include at least the following statewide requirements:

(a) Unless an exception is granted by the Division of Colleges and Universities or the Division of Community Colleges and Workforce Education, as appropriate, ~~Three~~ (3) common entry periods shall be established so that the first day of classes will fall within each of the three (3) periods listed below:

~~1. The period from the next to last Monday in August through August 31.~~

~~2. The period from January 3 through January 10.~~

~~3. The period from May 6 through May 13.~~

(b) ~~Effective August, 1985, the common entry periods shall be:~~

1. The first three (3) weekdays after August 22.

2. The first three (3) weekdays after January 4.

3. The first three (3) weekdays after May 5.

(b)(e) In addition to the three (3) common entry periods prescribed in this section, each calendar shall include the following:

1. Pre-established dates for issuing certificates, diplomas, or degrees which will permit students to utilize the entry period which minimizes the loss of time to students in completing the transfer between programs or institutions.

2. A summer program for teachers and other school personnel scheduled to begin no earlier than June 15 and close no later than August 15; provided, however, that this requirement shall apply only to each postsecondary educational institution offering programs for in-service teachers.

3. As many additional periods throughout the fiscal year in which a student can begin a program as can be feasibly provided.

(3) An official copy of the annual calendar adopted by each school board, community college board of trustees, and the Board of Governors ~~board of regents~~ for each school or institution operated by said boards shall be filed with the Department in the manner prescribed by the Commissioner.

Specific Authority 1001.02(1)(2)(n) ~~229.053(1), 240.325~~ FS. Law Implemented 1001.02, 1001.42(4), 1006.50 ~~229.053(2)(e), 230.23(4)(f), 240.203(2), 240.227(17), 240.319(3)(e), 240.325~~ FS. History—New 6-17-74, Repromulgated 12-5-74, Amended 3-27-80, 7-7-83, 2-19-84, Formerly 6A-10.19, Amended _____.

6A-10.0242 Procedures for Determining the Level at Which Courses Shall be Classified.

(1)(a)1. through 8. No change.

(b) While not exhaustive, the criteria establish intent, which further guides decision making. The institution's recommendation ~~decision~~ regarding upper and lower division classification shall be indicated in the submission of the course for entry in the statewide uniform ~~and designation~~ course numbering and designation system. Should any another institution object to the level designated, it may appeal to the Articulation

Coordinating Committee after first attempting resolution ~~directly~~ with the statewide course numbering system ~~subject institution~~.

Specific Authority 1001.02(1), 1007.24(8), 229.053(1), 229.551, 240.115(2) FS. Law Implemented 1001.02, 1007.24, 229.053(2)(e), 240.115(2), 240.203(2), 240.301, 240.325(3),(4) FS. History--New 7-13-83, Formerly 6A-10.242, Amended 1-4-94, _____.

6A-10.033 Postsecondary Credit Definitions.

The definitions herein apply to instruction in postsecondary career area vocational-technical centers, community colleges, and universities.

(1)(a) No change.

(b) ~~Career Vocational~~ credit. Career Vocational credit is the type of credit assigned to courses or course equivalent learning that is part of an organized and specified program leading to a career vocational certificate. It applies to postsecondary adult career vocational courses. One (1) career vocational credit is based on the learning expected from the equivalent of thirty (30) hours of instruction.

(c)1. No change.

2. ~~Career Vocational~~ preparatory credit. Career Vocational preparatory credit is the type of preparatory credit assigned to courses that provide students who wish to enroll in career vocational credit courses with additional academic preparation. One (1) career vocational preparatory credit is based on the learning expected from the equivalent of fifteen (15) fifty-minute periods of classroom instruction, with credit for such things as laboratory instruction and individualized study determined by the institution based on the proportion of direct instruction to the laboratory exercise or individualized program.

(2) Noncredit. Noncredit is a term indicating that credit, as defined herein, is not awarded. It applies, in the case of universities, to the instructional classifications of noncredit continuing education; in the case of community colleges, to the instructional classifications of noncredit continuing education supplemental, adult basic and secondary, citizenship, and recreational; and in the case of postsecondary career area vocational-technical centers, to the instructional classifications of noncredit continuing education supplemental, adult basic and secondary, community education, and community instructional services. The unit of measure is hours of instruction.

Specific Authority 1001.02(1), 229.053(1), 240.115(2), 240.117(1) FS. Law Implemented 1001.02, 1004.65, 1004.93, 1007.22, 1007.23, 1007.24, 1007.25, 1008.30, 1008.345, 228.041(1), 229.053(2)(e), 229.551(1), 239.301, 240.115, 240.117, 240.203(2), 240.301, 240.325(3),(4) FS. History--New 7-13-83, Amended 5-14-85, Formerly 6A-10.33, Amended _____.

6A-10.0331 Deletion of Courses from Catalogs and Common Course Designation and Numbering System.

(1) ~~Effective with the 1987-88 academic year~~, Each university ~~in the State University System~~ and each community college ~~in the State Community College System~~ shall adopt, as part of the procedure for the preparation of its institutional

catalog, a rule to ensure that courses which have not been taught for five (5) years, or less if desired, are deleted from the catalog. Each institution shall also notify the Office of the Statewide Common Course Designation and Numbering System to delete these courses.

(2) Courses not taught in the preceding five (5) years or less in keeping with institutional requirements, ~~that which~~ an institution wishes to continue shall be reviewed in the same manner that the institution reviews courses which are proposed for addition to the catalog and statewide course numbering system ~~Common Course Designation and Numbering System~~. A course may be continued in the catalog if the institution plans to offer it during the next five (5) years.

(3) The president of each university ~~shall annually certify to the Board of Regents~~ and the president of each community college shall annually certify to the board of trustees for that university or college that the institution has complied with the law.

Specific Authority 1007.24(8), 229.053(1), 233.015 FS. Law Implemented 1001.02, 1007.24, 229.053(1), (2)(e), 233.015 FS. History--New 12-31-86, Amended 4-7-87, 8-30-88, _____.

6A-10.038 Postsecondary Feedback of Student Information to High Schools.

(1) From data provided by the state universities, community colleges, and state-supported career vocational-technical centers, the Divisions of Colleges and Universities, Community Colleges and Workforce Education, and Public Schools shall maintain information on the performance of Florida's public high school graduates on the entry-level placement tests, pursuant to Rules 6A-10.0315 and 6A-10.040, F.A.C.

(2) By October 31 each year, the Divisions of Colleges and Universities, Community Colleges and Workforce Education, shall provide the Commissioner of Education the following information on students enrolled during the most recent academic year, beginning with the summer session and ending with the spring semester, who were prior year graduates of Florida public high schools:

- (a) Legal name,
- (b) Social security number,
- (c) Florida student identifier when available,
- (d) Gender,
- (e) Racial/ethnic group,
- (f) Name and number of school and school district from which student graduated,
- (g) Year of graduation from high school,
- (h) Report year (academic year student was enrolled in postsecondary education and the first academic year after graduation from high school),
- (i) Name of postsecondary institution in which student was enrolled, and

(j) An indicator for each of the three (3) subtest areas indicating whether a student’s score on the subtest was above or below the cut-off score for that area pursuant to Rule 6A-10.0315, F.A.C.

(k) The name of the entry-level placement test used to place each student and subtest scores on the entry-level placement test in the areas of reading, writing/language, or mathematics shall be maintained by the Division of Community Colleges and the Division of Universities and made available to the Commissioner of Education upon request.

(3) ~~Beginning in 1997, with enrollment data for academic year 1995-96, and annually thereafter, Each~~ postsecondary ~~career vocational-technical~~ center shall provide, by October 31 each year, the same information as described in paragraphs (2)(a) through (2)(i) of this rule pursuant to Section ~~1004.91 239.213~~, Florida Statutes, for students who were prior year graduates of Florida public high schools. Reporting on postsecondary ~~career vocational-technical~~ students shall be consistent with Rule 6A-10.040, F.A.C., and shall indicate whether a student, upon completion of a required basic skills examination within the first six (6) weeks after admission into the program, was deemed to have achieved mastery of the required minimum level of basic skills for the program pursuant to Rule 6A-6.0571, F.A.C.

(4) Upon request to the postsecondary institutions in which its students enrolled, a Florida public high school or school district shall be provided transcripts of its graduates including a record of all postsecondary courses in which its graduates enrolled during the first year after high school graduation. Transcripts, performance of an individual student on an entry-level placement test, and other personally identifiable student information may be used only for educational purposes pursuant to Section ~~1002.22 228.093~~, Florida Statutes, and shall be released without the written consent of the student only to the superintendent of the school district or principal of the school from which the student graduated.

(5) From information data bases maintained by the Division of Colleges and Universities, the Division of Community Colleges and Workforce Education, and the Division of Public Schools, the Commissioner shall provide to the State Board of Education, the Board of Governors, and Legislature by November 30, and to the school districts and high schools by January 31, summary reports on the performance of Florida’s public high school graduates who enroll in public postsecondary institutions within one (1) year after graduation. The Commissioner shall provide summary report for the state as a whole, for each school district, and for each public high school. Student level reports shall be provided to the high schools from which students graduate. The summary reports shall indicate the number of prior year graduates who enrolled in state-supported career

~~vocational-technical~~ centers, community colleges, and state universities in Florida during the previous summer, fall, and spring terms and the number of those students whose scores on the entry-level placement tests indicate readiness for postsecondary education or the need for remediation through basic skills instruction or college-preparatory instruction pursuant to Sections ~~1004.92 and 1008.30, 239.213 and 240.117~~, Florida Statutes.

(6) Pursuant to Section ~~1008.37 240.118~~, Florida Statutes, each school district and high school shall include strategies in its school improvement plan to improve student readiness for the public postsecondary level based on annual analysis of the feedback report data.

Specific Authority ~~1008.37(1) 229.053(1), 240.118~~ FS. Law Implemented ~~1008.37 240.118~~ FS. History–New 9-24-84, Formerly 6A-10.38, Amended 11-7-89, 1-2-95, _____.

6A-10.041 Substitution for Requirements for Eligible Disabled Students at State Universities, Community Colleges, and Postsecondary Vocational Institutions.

(1) Each university and community college board of trustees ~~The Board of Regents, each community college district board of trustees~~, and each district school board which operates a postsecondary ~~career vocational-education~~ center shall develop and implement policies and procedures for providing reasonable substitution for eligible students as required by Sections ~~1007.264, 240.152 and 240.153~~, Florida Statutes. In determining whether to grant a substitution, documentation to substantiate that the disability can be reasonably expected to prevent the individual from meeting requirements for admission to the institution, admission to a program of study, entry to upper division, or graduation shall be provided. For purposes of this rule, the following definitions shall apply.

- (a) through (c) No change.
- (2) through (4) No change.

(5) Each public university, community college and postsecondary ~~career vocational-education~~ center operated by a school district shall maintain records on the number of students granted substitutions by type of disability, the substitutions provided, the substitutions identified as available for each documented disability and the number of requests for substitutions which were denied.

Specific Authority ~~1007.264, 1007.265 229.053(1), 240.152, 240.153~~ FS. Law Implemented ~~1007.264, 1007.265 240.152, 240.153~~ FS. History–New 4-13-87, Amended _____.

6A-10.043 Nonpublic College Participation in the Common Course Numbering and Designation System. Nonpublic colleges may participate in the statewide common course numbering and designation system pursuant to Section ~~1007.24 246.013~~, Florida Statutes.

(1) Eligibility Requirements. In order to participate an institution must:

- (a) Be eligible pursuant to Section ~~1007.27(6) 246.013(1)~~, Florida Statutes,

(b) Agree to abide by the system’s requirements and responsibilities, and

(c) Unless exempt from paying by Section 1007.34(6) ~~246.013~~, Florida Statutes, pay the required fees.

(2) Fee Schedule. The fees charged to participating institutions shall be:

(a) Application fee. A nonrefundable application fee of one thousand (1000) dollars must accompany each nonpublic institution’s initial application for participation in the statewide common ~~common~~ course numbering and designation system.

(b) Entry Fee. The unit cost per course of entering, modifying, or terminating courses in the course numbering and designation system, including administrative, personnel, expense, and capital costs of the system.

(c) Maintenance Fee. The unit cost of maintaining courses in the system, including computing, programming, and printing costs.

(d) Fiscal Year. The period for which fees are calculated shall be from July 1 through June 30.

(e) Payment. An invoice detailing entry and maintenance fees shall be sent to each participating nonpublic institution annually, within sixty (60) days after the close of the fiscal year. The fees incurred by each college shall be payable to the Department within sixty (60) days of the invoice. An institution which fails to pay shall be withdrawn from the system.

(f) Special Review/Site Visit Fee. If a special review or site visit is requested by an institution not exempt from fees, or, in the judgement of the Department, a special review or site visit is required to assure compliance, a fee of three hundred (300) dollars will be assessed for a review. If a site visit is required, a fee of three hundred (300) dollars per day will be assessed for each Department representative conducting the site visit.

(g) Reinstatement Application Fee. Within twelve (12) months following termination of participation in the system, an institution may apply for reinstatement without having to go through the application process. All outstanding fees plus a reinstatement application fee of three hundred (300) dollars must be paid to be eligible for reinstatement. In the event that reinstatement is denied, the reinstatement application fee shall be refunded.

(h) All fees and other funds collected by the statewide common ~~common~~ course numbering and designation system shall be deposited into the Institutional Assessment Trust Fund created by Section 1010.83 ~~246.31~~, Florida Statutes, and shall be available for the authorized expenses of the system.

(3) Any nonpublic college or school which has not been accepted as a participant in the statewide common ~~common~~ course numbering and designation system under the conditions of this rule or has been withdrawn from participation in the system shall not use the system’s course classification and identification system to record courses on student transcripts or

otherwise document courses offered by the college or school using the system. Any college or school deemed to be in violation of this section shall be subject to denial, probation, or revocation of license or certificate of exemption pursuant to Section 246.111, ~~Florida Statutes~~, or other disciplinary action pursuant to Section 1005.38 ~~246.228~~, Florida Statutes.

Specific Authority 1007.24(6) ~~229.053(1)~~, ~~246.013~~, ~~246.31~~ FS. Law Implemented 1007.24 ~~246.013~~ FS. History—New 9-6-88, Amended 3-13-95,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Heather Sherry, Director, Office of Articulation, Department of Education Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Articulation Between and Among State Universities, Community Colleges, and School Districts

RULE NO.:

6A-10.024

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 6A-10.024, F.A.C., Articulation Between State Universities, Community Colleges and School Districts, is to ensure consistency between existing statutes and the changes in education governance. The effect is a rule which is consistent with existing statutes.

SUMMARY: Proposed revisions are proposed to clarify current policy, update or delete obsolete language, and revise language to reflect changes in education governance relating to the school code rewrite and constitutional changes.

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: 1001.02(2)(n), 1007.23(1), 1007.27(9) FS.

LAW IMPLEMENTED: 1007.01(2), 1007.23(1), 1007.27(9) FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.024 Articulation Between and Among State Universities, Community Colleges, and School Districts.

It is the intent of the Board of Governors and the State Board of Education to facilitate articulation and seamless integration of the education system by agreeing to the provisions of this rule. The authority to adopt and amend this rule aligns with the Constitutional power given the Board of Governors for the state university system and the statutory authority given the State Board of Education for the district school boards, the community college system, and the Department of Education.

(1) Each state university board of trustees ~~president~~, community college board of trustees, and district school board shall plan and adopt policies and procedures to provide articulated programs so that students can proceed toward their educational objectives as rapidly as their circumstances permit. State universities ~~Universities~~, community colleges, and school districts shall exchange ideas in the development and improvement of general education, and in the development and implementation of student acceleration mechanisms. They shall establish joint programs and agreements to facilitate articulation, acceleration, and efficient use of faculty, equipment, and facilities.

(2) Articulation Coordinating Committee. The Commissioner shall establish an Articulation Coordinating Committee which shall report to the Commissioner and consist of eighteen (18) fifteen (15) members. The committee shall have four (4) standing members from the Department of Education to represent the state university system, the community college system, public workforce education, and the public pre-K-12 schools. Fourteen (14) are appointed by the Commissioner for two-year terms: three (3) members representing the state university system; three (3) members representing the state community college system; one (1) member representing career vocational ~~educational~~ education; three (3) members representing public schools; two (2) members representing nonpublic postsecondary institutions; one (1) member representing students; one (1) member from the Commissioner's staff who shall serve as chairman; and one (1) additional member. The Commissioner will appoint a chair from the membership. Ten members of the committee shall constitute a quorum. No business may be transacted at any meeting unless a quorum is present. The Committee shall:

(a) Function as the statewide pre-kindergarten through university, or K-16, advisory committee ~~council~~ and accept continuous responsibility for community college-university-school district relationships, ~~including~~

~~recommending to the Commissioner plans for school district articulation relationships with community colleges and universities, including coordination of cooperative plans required by Section 229.814(5), Florida Statutes.~~

~~(b) Establish articulation accountability measures. Further, the Committee shall annually collect, analyze, and make recommendations to the Commissioner of Education on the accountability measures. Such report, at a minimum, shall address the provisions set forth in Section 240.1162, Florida Statutes. The articulation accountability report shall be included in the Commissioner's annual report on the status of education to the State Board of Education and the Legislature.~~

~~(b)(e) Develop suggested guidelines for interinstitutional agreements between and among public schools, community colleges, and universities to facilitate interaction, articulation, acceleration, and the efficient use of faculty, equipment, and facilities.~~

~~(c)(d) Establish groups of university-community college-school district representatives to facilitate articulation in subject areas.~~

~~(d)(e) Conduct a continuing review of the provisions of this rule and make recommendations to the State Board of Education and the Board of Governors for revisions Rule 6A-10.024, F.A.C.~~

~~(e)(f) Review instances of student transfer and admissions difficulties among universities, community colleges, and public schools. Decisions shall be advisory to the institutions concerned.~~

~~(f)(g) Examine statewide data regarding articulation, recommend resolutions of issues, and propose recommend policies and procedures to improve articulation systemwide.~~

~~(g)(h) Recommend the priority to be given research conducted cooperatively by the Divisions of Community Colleges and Workforce Education, Colleges and Universities, and Public Schools with individual institutions. Such research shall be encouraged and conducted in areas such as admissions, grading practices, curriculum design, and follow-up of transfer students. Research findings shall be used to evaluate current policies, programs, and procedures.~~

~~(h)(i) Review and make recommendations to institutions for experimental programs which vary from official transfer policy.~~

~~(j) Develop procedures to improve articulation systemwide.~~

~~(i)(k) Collect and disseminate information on successful cooperative programs between and among educational institutions under Rule 6A-10.024(1), F.A.C.~~

~~(j) Establish and maintain a standard format to record the performance and credits of postsecondary students. Each such transcript shall include all courses in which a student enrolls each term, the status in each course at the end of each term, all grades and credits awarded, College-Level Academic Skills Test scores, and a statement explaining the grading policy of~~

the institution. The Articulation Coordinating Committee shall collaborate with the Division of Public Schools in the development of a standard format on which district school systems shall record the performance and credits of students.

(k) Document, maintain and publish a current listing of limited access, capstone, and career ladder degree programs.

(l) Document, maintain, and publish the statewide associate in science to bachelor of arts/bachelor of science articulation agreements between the community colleges and the state universities. The agreements must be consistent with the policies of the Board of Governors and the State Board of Education and shall be reviewed by the Division of Colleges and Universities and the Division of Community Colleges and Workforce Education.

(m) Maintain and review annually the accelerated articulation mechanism examinations, minimum scores guaranteed for transfer, maximum credits guaranteed to transfer, and recommended course equivalencies

(n)(4) Perform such other duties as may be assigned in law or by the State Board of Education, the Board of Governors, or the Commissioner.

(3) General education.

(a) Each state university and community college public postsecondary institution shall establish a general education core curriculum, which shall require at least thirty-six (36) semester hours of communication, mathematics, social sciences, humanities, and natural sciences college credit in the liberal arts and sciences for students working toward a baccalaureate degree.

(b) After a state university or community college has published its general education core curriculum, the integrity of that curriculum shall be recognized by the other public universities and community colleges. Once a student has been certified by such an institution on the official transcript as having completed satisfactorily its prescribed general education core curriculum, regardless of whether the associate degree is conferred, no other state university or community college public postsecondary institution to which he or she may transfer shall require any further such general education courses.

(c) If a student does not complete a general education core curriculum prior to transfer, the general education requirement becomes the responsibility of the new institution.

(4) Associate in Arts (A.A.) Degree. The associate in arts degree is the basic transfer degree of the community colleges. It is the primary basis for admission of transfer students from community colleges to upper division study in a state university. Every associate in arts graduate of a Florida community college shall be granted admission to an upper division program consistent with Section 1007.23, Florida Statutes. Admission to the student's preferred public postsecondary institution or program is not guaranteed offered by a state university institution except to: a limited access

program; a teacher certification program; or a major program requiring an audition or portfolio. After admission has been granted to associate in arts graduates as specified above and to state university students who have successfully completed sixty (60) credit hours of course work and met the requirements of Section 240.107, Florida Statutes, admission shall then be granted to state university system and Florida community college students who have successfully completed sixty (60) credit hours of work.

(5) The associate in arts degree shall be awarded upon:

(a) Completion of at least sixty (60) semester hours of college credit courses in an established program of study, exclusive of courses not accepted in the state university system, and including a general education core curriculum of at least thirty-six (36) semester hours of college credit in communication, mathematics, social sciences, humanities, and natural sciences with the remaining twenty-four (24) semester hours consisting of appropriate common program prerequisite courses and electives, the liberal arts and sciences;

(b) Achievement of a grade point average of at least 2.0 in all courses attempted, and in all courses taken at the institution awarding the degree, provided that only the final grade received in courses repeated by the student shall be used in computing the average. The grade of "D" shall transfer and count toward the associate and baccalaureate degrees in the same way as "D" grades obtained by native students in the receiving state university or receiving community college universities. Whether courses with "D" grades in the major satisfy requirements in the major field may be decided by the receiving university or receiving community college department or college; The 60 hours that comprise a completed Associate in Arts degree shall be accepted in total upon transfer to an upper division program at another public postsecondary institution.

(c) Completion of the requirements for English and mathematics courses adopted by the State Board of Education in Rule 6A-10.030, F.A.C., and the Board of Governors; and

(d) Achievement of the minimum standards for college-level communication and computation skills adopted by the State Board of Education in Rule 6A-10.0312, F.A.C., and the Board of Governors.

(5)(6) Associate in Science (A.S.) Degree. The associate in science degree is the career education degree of the community colleges. It is a two-year degree intended to prepare students for the workforce. The following provisions allow for articulation from an associate in science to a baccalaureate degree:

(a) The associate in science degree shall be awarded upon:

1. Completion of the minimum number of semester hours of college credit courses in an established program of study as required in subsection paragraph 6A-14.030(2)(a), F.A.C., including;

2. Completion of ~~at least a minimum of fifteen to eighteen~~ (15-18) semester hours in the general education core curriculum in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences liberal arts and sciences comprised of courses which meet the Southern Association of College and Schools Commission on Colleges criteria. English and math courses must meet the requirements adopted by the State Board of Education in ~~of~~ Rule 6A-10.030, F.A.C., and the Board of Governors. No physical education credit will be included in the general education block of credit.

3. General education courses not taught in accordance with the Southern Association of Colleges and Schools Commission on Colleges criteria for programs designed for college transfer shall not be included in the associate in science degree.

(b) Appropriate courses within associate in science degree programs will articulate to baccalaureate degree programs.

~~1.3.~~ Achievement of the minimum standards adopted by the State Board of Education in Rule 6A-10.0312, F.A.C., and the Board of Governors, will be required by the time the student earns 36 semester hours at the senior institution in upper division work.

~~2.4.~~ Completion of common prerequisites will be required for the baccalaureate degree or as otherwise outlined in program-specific statewide agreements.

~~3.5.~~ Courses taken as part of the associate in science degree to meet the general education requirements will transfer and apply toward the 36 credit hours required for the baccalaureate degree. No additional general education credit hours can be required except to complete the total 36 general education hours ~~or for remediation~~.

(c)(b) The Interdisciplinary Capstone Degree Articulation Agreement. A capstone agreement that is entered into by a specific public or private postsecondary institution provides for the acceptance of a specific associate in science degree from any Florida community college and applies it as a block of credit toward a specified baccalaureate degree. The quality and content of the associate in science degree is respected as the technical component of the baccalaureate degree and the remainder of the program is designed to complete general education requirements and provide management skills to assist in job progression. Every associate in science degree graduate of a Florida community college program that articulates with a an interdisciplinary capstone degree program in a specific Florida public or private postsecondary institution university shall be guaranteed admission to that program except for limited access programs and those requiring specific grades on particular courses for admission. All associate in science degree graduates who articulate under the interdisciplinary capstone agreement shall be treated equally, regardless of the community colleges from which they receive their degrees. The general education component of the

associate in science degree shall be accepted in total as a portion of the general education requirement upon transfer to the capstone program in a specific Florida public or private postsecondary institution.

~~1. The general education component of the A.S. degree will maintain its integrity upon transfer to the interdisciplinary capstone program.~~

~~2. The Articulation Coordinating Committee shall maintain a current listing of interdisciplinary capstone programs which will be published on an annual basis.~~

~~(d)(e) The Career Ladder Degree Articulation Agreement. The Career Ladder agreement integrates specific associate in science degree programs with identified baccalaureate degree programs statewide. Each associate in science degree program must meet specific requirements as prescribed in the agreement and public postsecondary institutions are required to honor the transfer of credit toward the specified baccalaureate degree. Graduates Beginning fall term 2000, all graduates of a Florida community college associate in science degree program with an agreement that is documented and maintained by the Articulation Coordinating Committee listed in the Statewide Articulation Manual shall be granted admission to a public postsecondary institution any of the universities in the State University System in the program designated to articulate with their degree, except for limited access programs and those requiring specific grades on particular courses for admission. Admission to the student's preferred public postsecondary institution is not guaranteed. Each State University System institution shall develop admissions criteria to ensure that associate in science degree students are evaluated on an equal basis with associate in arts degree graduates and native university students for admission into Career Ladder programs designated as limited access and those requiring specific grades on particular courses for admission.~~

1. The associate in science degree shall be awarded based on all of the requirements contained in paragraph (5)(a) ~~(6)(a)~~ of this rule and in accordance with the articulation agreement provisions maintained by the Articulation Coordinating Committee contained in the Statewide Articulation Manual.

~~2. General education courses not taught in accordance with the Southern Association of Colleges and Schools Commission on Colleges criteria for programs designed for college transfer shall not be included in the associate in science degree.~~

~~2.3.~~ The statewide associate in science to bachelor of arts/bachelor of science baccalaureate degree program articulation agreements between public postsecondary institutions the State Board of Community Colleges and the State University System shall be documented and maintained by the Articulation Coordinating Committee in a Statewide Articulation Manual. The Division of Community Colleges and Workforce Education and the Division of Colleges and Universities, State Board of Education and the Board of

Governors, in consultation with their member institutions, shall review periodically, as necessary, but no more than once a year, the provisions of the state articulation agreements and the prescribed curricula to ensure the continued effectiveness of the articulation between the A.S. and B.A./B.S. programs. Any recommendations for revisions to the state articulation agreements will be forwarded to the Articulation Coordinating Committee for review and approval. The revisions may be approved after the Board of Governors and the State Board of Education make independent determinations that the recommended revisions are consistent with board policies.

~~(6)(7)~~ The Applied Technology Diploma (ATD). The ATD consists of a course of study that is part of an associate in science (A.S.) or an associate in applied science degree (A.A.S.), is less than sixty (60) credit hours, is approximately fifty (50) percent of the technical component (non-general education), and leads to employment in a specific occupation. An applied technology diploma program may consist of either ~~technical vocational~~ credit or college credit.

(a) Students must have a high school diploma, a high school equivalency diploma, or a certificate of completion pursuant to Section 1003.433(2)(b), Florida Statutes, or the equivalent to be admitted to an applied technology diploma program. Within six (6) weeks of entry, students in applied technology diploma programs of 450 or more hours must be tested pursuant to Rule 6A-10.040, F.A.C., and, if below minimum standards for completion from the program as defined in the program standards document adopted in Rule 6A-6.0571, F.A.C., must receive remedial instruction. The minimum standards must be at least the equivalent of a score of ten (10) on all sections of any basic skills test approved in Rule 6A-10.040, F.A.C. Students must successfully complete all remedial instruction before completing the Applied Technology Diploma.

(b) Community colleges may offer either college or ~~career vocational~~ credit toward the applied technology diploma. Career Vocational-technical centers may offer only career vocational credits.

(c) All faculty providing instruction must have at least a baccalaureate degree or an associate degree with demonstrated competencies in the specific instructional program area ~~or meet the criteria for "exceptional cases"~~ as defined by the Southern Association of Schools and Colleges and Schools.

(d) The information related to the guaranteed transfer of credit between an applied technology diploma program and associate in science or an associate in applied science degree must be documented and maintained by the Articulation Coordinating Committee in the Statewide Articulation Manual and the Vocational Education Program Courses Standards, which is incorporated by reference in Rule 6A-6.0571, F.A.C. The documentation Statewide Articulation Manual and the Vocational Education Program Courses Standards shall include the following:

1. The total number of clock or credit hours within the program.

2. The associate in science or associate in applied science degree into which the applied technology diploma is guaranteed to transfer.

3. The number of college credit hours guaranteed to transfer.

4. An effective date.

(e) The transfer of the applied technology diploma to an associate in science or associate in applied science degree is guaranteed for a period of three (3) years following the date of the award of the applied technology diploma.

(f) Applied technology diploma students entering an associate degree program shall meet the admissions standards stipulated in Section 1007.263 240.321, Florida Statutes. Additional admissions requirements for limited access programs may be established by the community college boards of trustees.

~~(7)(8)~~ Articulated Acceleration Mechanisms Credit by examination. This subsection addresses the common mechanisms available for secondary and postsecondary students attending public educational institutions.

(a) Credit by examination; general provisions.

1. For examination programs listed in paragraphs subsections (b)(9) through (h)(13) of this rule, examination specifications and content information shall be submitted to the Statewide Course Numbering System for course equivalency recommendations.

~~2.(b)~~ A list of examinations, minimum scores for guaranteed transfer credit, maximum credits guaranteed to transfer, and recommended course equivalents shall be maintained by the Articulation Coordinating Committee and reviewed annually.

~~3.(e)~~ Transfer of credit by examination is guaranteed for up to forty-five (45) credits, provided that credit was awarded in accordance with the Articulation Coordinating Committee's recommended minimum scores and course equivalents.

~~4.(d)~~ Transfer of examination credit over forty-five (45) credits is at the discretion of the receiving institution.

~~5.(e)~~ Credit by examination may not duplicate credit previously earned through postsecondary courses or ordinary credit, dual enrollment credit or other credits earned through examination.

~~6.(f)~~ No grades or grade points shall be assigned for credit by examination.

~~7.(g)~~ Institutions may award credit for examinations that are not listed in this rule or that do not have recommended course equivalents, minimum scores, and maximum credits. Acceptance of transfer credit so awarded is at the discretion of the receiving institution.

~~(b)(9)~~ The College Board College Level Examination Program (CLEP) of the College Board.

1.(a) The transfer of credit awarded on the basis of scores achieved on examinations in the College Level Examination Program is protected by this rule only for examinations taken in an administration authorized by CLEP.

2.(b) For examinations taken after July 2001, transfer of credit is mandatory for all CLEP examinations, ~~except for foreign languages, on which students achieved a scale score of fifty (50). For all CLEP examinations, credit must be awarded at a minimum in accordance with the credit-by-examination equivalencies determined by the Articulation Coordinating Committee.~~

3.(e) For examinations taken prior to July 1, 2001, transfer of credit under the terms of this rule is mandatory provided that ~~the award of credit is consistent with the institution awarding the credit did so on the basis on~~ CLEP recommendations or scaled scores determined to represent student achievement at or above the fiftieth (50) percentile on the combined men-women sophomore norms in use prior to 1978, with no letter grade or grade points assigned.

~~(d) For foreign language CLEP examinations, transfer of credit for examinations taken after July 1, 2001, is mandatory provided that credit was awarded on the basis of the Articulation Coordinating Committee's recommended minimum scores and maximum credit guaranteed to transfer.~~

(c)(10) College Board Advanced Placement Program (AP). For all AP examinations, credit must be awarded at a minimum in accordance with the credit-by-examination equivalencies determined by the Articulation Coordinating Committee. Transfer of Advanced Placement credit under terms of this rule is also mandatory, provided that the award of credit is consistent with ~~institution awarding the credit did so on the basis of~~ the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer.

(d)(11) International Baccalaureate (IB) Diploma Program. For all IB examinations, credit must be awarded at a minimum in accordance with the credit-by-examination equivalencies determined by the Articulation Coordinating Committee. Transfer of International Baccalaureate credit under terms of this rule is also mandatory, provided that the award of credit is consistent with the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer. ~~The award of credit based on scores achieved on IB Diploma program examinations and the transfer of such credit are mandatory under the provisions herein.~~

(a) Students who have not been awarded the IB Diploma shall be awarded six (6) semester credits in the subject areas of each IB higher level examination on which they scored five (5) points or above.

(b) Students who have been awarded the IB Diploma shall be awarded up to thirty (30) semester credits in the subject areas in which they scored four (4) or above on IB Diploma program examinations. The credits shall be awarded as follows:

1. Six (6) semester credits for each IB examination on which they scored five (5) or above.

2. Three (3) semester credits for each IB examination on which they scored four (4).

~~(e) For students~~ The award of credit for students who completed IB Diploma program examinations before April 1993 shall be determined by the public postsecondary institution.

1. Three (3) semester credits shall be awarded in the subject areas of each IB higher level examination on which they scored four (4).

2. Six (6) semester credits shall be awarded in the subject areas of each IB higher level examination on which they scored five (5) or above.

3. One (1) semester credit shall be awarded in the subject areas of each IB subsidiary level examination on which they scored four (4).

4. Three (3) semester credits shall be awarded in the subject areas of each IB subsidiary level examination on which they scored five (5) or above.

(e) Advanced International Certificate of Education Program (AICE). Transfer of Advanced International Certificate of Education credit under terms of this rule is mandatory, provided that the award of credit is consistent with the Articulation Coordinating Committee's recommended minimum scores and the statutory maximum amount of 30 credits.

(f)(12) Excelsior College Examinations, formerly known as the Regents College Examinations or the Proficiency Examination Program (PEP). Transfer of credit under terms of this rule is mandatory provided that the award of credit is consistent with ~~institution awarding the credit did so on the basis of~~ the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer with no letter grades or grade points assigned.

(g)(13) Defense Activity of Non-Traditional Education Support (DANTES) Subject Standardized Tests (DSSTs). Transfer of credit under terms of this rule is mandatory provided that the award of credit is consistent with ~~institution awarding the credit did so on the basis of~~ the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer with no letter grades or grade points assigned.

~~(14) Advanced International Certificate of Education Program (AICE). Transfer of Advanced International Certificate of Education credit under terms of this rule is mandatory, provided that the institution awarding the credit did so on the basis of the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer.~~

~~(h)(15) United States Armed Forces Institute (USAFI). The award of credits for students who successfully completed USAFI courses or exams before 1974 shall be determined by the public postsecondary institution.~~

~~(a) Credit earned through correspondence courses sponsored by USAFI may, but need not, be included under standard policies of the institutions. The standard policies of the institution prohibiting credit for overlapping courses shall apply.~~

~~(b) Credit may be awarded for tests of General Education Development (GED) only when verified by CLEP scores.~~

~~(c) Credit awarded on the basis of subject tests (USST) in collegiate subjects may be included provided that the scores are at the fiftieth (50th) percentile or above.~~

~~(d) The institution awarding credit on the work sponsored by USAFI may, but need not, specify the course for which credit is being awarded. The standard policies of the institution prohibiting credit for overlapping courses shall apply.~~

~~(e) No grade or quality points are to be assigned for credit awarded on the basis of work sponsored by USAFI.~~

~~(f) No credit is to be awarded on work sponsored by USAFI which is duplicative of credit awarded by CLEP, College Board AP, or courses taken in the institution or received in transfer.~~

~~(16) Alternatives to the College-Level Academic Skills Test. For purposes of Section 240.107(9)(a), Florida Statutes, the recentered Scholastic Achievement Test (SAT-I) or its equivalent on the original SAT, and the Enhanced American College Testing Program (ACT), or its equivalent on the original ACT, may be used to exempt the College-Level Academic Skills Test, as specified in Rule 6A-10.0311, F.A.C.~~

~~(8)(17) Pre-professional course responsibility. Lower division programs in state universities and community colleges may offer introductory courses to enable students to explore the principal professional specializations available at the baccalaureate level. Such courses shall be adequate in content to count toward the baccalaureate for students continuing in such specialization. However, deciding major course requirements for a baccalaureate, including courses in the major taken in the lower division, shall be the responsibility of the institution state university awarding the baccalaureate degree.~~

~~(9)(18) Limited access programs. Community college and state university transfer students shall have the same opportunity to enroll in baccalaureate university limited access programs as native university students. Baccalaureate University limited access program selection and enrollment criteria shall be established and published in catalogs, counseling manuals, and other appropriate publications. A list of limited access programs shall be filed annually with the Articulation Coordinating Committee.~~

~~(10)(19) A state university may accept non-associate in arts degree credit in transfer based on its evaluation of the applicability of the courses to the student's program at the university.~~

~~(11)(20) State universities and community colleges shall publish with precision and clarity in their official catalogs the admission, course, and prerequisite requirements of the institution, each unit of the institution, each program, and each specialization. Any applicable duration of requirements shall be specified. The university or college catalog in effect at the time of a student's initial collegiate enrollment shall govern upper division prerequisites, provided the student maintains continuous enrollment as defined in that catalog unless otherwise specified.~~

~~(21) Standard transcript. The Articulation Coordinating Committee shall maintain a standard format for universities and community colleges to record the performance and credits of students. Each such transcript shall include all courses in which a student enrolls each term, the status in each course at the end of each term, all grades and credits awarded, College-Level Academic Skills Test scores, and a statement explaining the grading policy of the institution. The Articulation Coordinating Committee shall collaborate with the Division of Public Schools in the development of a standard format on which district school systems shall record the performance and credits of students.~~

~~(12)(22) By December 1, 1991, †The Department and all public universities, community colleges, and school districts shall maintain have implemented the electronic exchange of student transcripts and associated educational records, including acquisition of and access to test scores of students in the standard format established by the ACC, using the Florida Information Resource Network and following the procedures in the Florida Automated System for Transferring Educational Records section in "DOE Information Data Base Requirements: Volume I Automated Student Information System," which is incorporated by reference in Rule 6A-1.0014, F.A.C.~~

~~(23) When a student transfers among postsecondary institutions that are fully accredited by a regional or national accrediting agency recognized by the United States Department of Education and that participate in the common course designation and numbering system, the receiving institution shall award credit for courses satisfactorily completed at the previous participating institutions when the courses are judged by the appropriate common course designation and numbering system faculty task forces to be academically equivalent to courses offered at the receiving institution including equivalency of faculty credentials regardless of the public or nonpublic control of the previous institution. The award of credit may be limited to courses that are entered in the course numbering system. Credit so awarded shall satisfy institutional requirements on the same basis as credits awarded to native students.~~

~~(13)(24) All postsecondary courses offered for college credit, technical vocational credit, or college preparatory credit, or career-preparatory credit as they are defined in Rule 6A-10.033, F.A.C., shall be entered in the statewide common course designation and numbering system. Each course shall be assigned a single prefix and a single identifying number in the course numbering system.~~

(14) When a student transfers among postsecondary institutions that are fully accredited by a regional or national accrediting agency recognized by the United States Department of Education and that participate in the statewide course numbering system, the receiving institution shall award credit for courses satisfactorily completed at the previous participating institutions when the courses are judged by the appropriate common course designation and numbering system faculty task forces to be academically equivalent to courses offered at the receiving institution including equivalency of faculty credentials regardless of the public or nonpublic control of the previous institution. The award of credit may be limited to courses that are entered in the statewide course numbering system. Credit so awarded shall satisfy institutional requirements on the same basis as credits awarded to native students.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Foreign Language Competence and Equivalence

RULE NO.: 6A-10.02412

PURPOSE AND EFFECT: The purpose of the proposed amendment is to update appropriate CLEP examination scores that are used to demonstrate foreign language competence for the purposes of state university admission.

SUMMARY: CLEP scores used for the purposes of demonstrating foreign language competence are updated to reflect recent changes by the College Board.

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: 1001.02(1), 1007.262 FS.

LAW IMPLEMENTED: 1001.02, 1007.261, 1007.262 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.02412 Foreign Language Competence and Equivalence.

The provisions herein shall be used by community colleges and universities to determine equivalency in the university admission requirement in Section 1007.262 ~~240.233(1)~~, Florida Statutes, for two (2) credits in one (1) foreign language at the secondary level or the equivalent at the postsecondary level.

(1)(a) through (b) No change.

(2) Eight (8) to ten (10) semester credits in one (1) foreign language at the postsecondary level shall be considered to produce the competence specified in subsection (1) herein. Therefore, students who have earned at least eight (8) semester credits in one (1) foreign language at the postsecondary level shall have met the foreign language requirement for university admission. Credit awarded on the basis of scores on the foreign language subject matter examinations in the College Level Examination Program (CLEP) pursuant to paragraph 6A-10.024(6)(b), F.A.C., shall count toward the eight (8) to ten

(10) semester credits. The examination, minimum scores for awarding credit, and ~~minimum maximum~~ credit to be awarded are:

<u>Minimum</u>	<u>Minimum</u>	
<u>French</u>		
<u>Level 1</u>	<u>50</u>	<u>3</u>
<u>Level 2</u>	<u>62</u>	<u>6</u>
<u>German</u>		
<u>Level 1</u>	<u>50</u>	<u>3</u>
<u>Level 2</u>	<u>63</u>	<u>6</u>
<u>Spanish</u>		
<u>Level 1</u>	<u>50</u>	<u>3</u>
<u>Level 2</u>	<u>66</u>	<u>6</u>
<u>Minimum</u>	<u>Maximum</u>	
<u>Examination</u>	<u>Score</u>	<u>Credit</u>
<u>French</u>		
	<u>50</u>	<u>12</u>
	<u>46</u>	<u>9</u>
	<u>42</u>	<u>6</u>
<u>German</u>		
	<u>55</u>	<u>12</u>
	<u>52</u>	<u>9</u>
	<u>43</u>	<u>6</u>
<u>Spanish</u>		
	<u>55</u>	<u>12</u>
	<u>48</u>	<u>9</u>
	<u>45</u>	<u>6</u>

(3) No change.

Specific Authority ~~1001.02(1), 1007.262 229.053(1), 240.2333~~ FS. Law Implemented ~~1001.02, 1007.261, 1007.262 229.053(2)(e), 240.233(1), 240.2333~~ FS. History–New 2-23-88, Amended 10-17-89, 11-13-90, 10-4-93, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES: RULE NOS.:

Procedures for Determining the Level at Which Vocational Education Programs Shall be Offered 6A-10.2422

Planning and Coordination of Postsecondary Education Programs 6A-10.039

PURPOSE AND EFFECT: The purpose is to repeal obsolete rules for which there is no longer statutory authority. The effect will be the deletion of rules from the Florida Administrative Code which are now obsolete.

SUMMARY: The rules are 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), 229.551, 240.147(2), (5),(8), 240.209(5)(b), 240.312 FS.

LAW IMPLEMENTED: 229.053(1),(2), 240.147(2),(5),(8), 240.209(5)(b), 240.312 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-10.02422 Procedures for Determining the Level at Which Vocational Education Programs Shall be Offered.

Specific Authority 229.053(1) F.S. Law Implemented 239.205(1),(2) FS. History–New 3-22-94, Repealed _____.

6A-10.039 Planning and Coordination of Postsecondary Educational Programs.

Specific Authority 229.053(1), 240.147(2),(5),(8), 240.209(5)(b), 240.312 FS. Law Implemented 229.053(2)(c), 240.147(2),(5),(8), 240.209(5)(b), 240.312 FS. History–New 12-6-84, Formerly 6A-10.39, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: RULE NO.:

Other Assessment Procedures for College-Level Communication and Computation Skills 6A-10.030

PURPOSE AND EFFECT: The purpose of this amendment is to align the rule with current legislation, educational governance, and current policy. The effect will be a rule which accurately reflects governing law.

SUMMARY: This rule is amended to: add the Board of Governors as an entity that may adopt assessments; move the definition of “successful completion” of coursework from paragraph (2)(b) to subsection (1) so that it applies to both math and English courses; add the term “college” to include former community colleges who now offer baccalaureate degrees; change the number of semester hours in English from 12 to 6 semester hours of English and 6 semester hours of additional course work in which the student must demonstrate writing skills; eliminate the word count and include language to require that competencies be demonstrated through multiple assignments; new language was added to codify current practice – institutions designate the courses that fulfill the general education writing requirement and submit those designations to the Statewide Course Numbering System; adds language that guarantees that the writing requirements met at one institution will be honored at the receiving institution; delete language relating to GPA related exemptions and waivers as this provision is obsolete; and amend current language relating to exemptions and waivers to update titles of divisions within DOE and include the Board of Governors as an entity to which alternative plans must be submitted.

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: 1001.02(1), 1001.02(2)(n) FS.

LAW IMPLEMENTED: 1001.02(2)(d) FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.030 Other Assessment Procedures for College-Level Communication and Computation Skills.

(1) In addition to assessments tests that may be adopted by the State Board of Education or Board of Governors to measure student achievement in college-level communication and computation skills, ~~pursuant to Section 229.053(2)(d), Florida Statutes,~~ other assessment requirements procedures shall be ~~met measured~~ by successful completion of coursework in English and mathematics. For the purposes of this rule, a grade of C or higher shall be considered successful completion.

(2) Prior to receipt of an Associate of Arts degree from a public community college or university or prior to entry into the upper division of a public university or college, a student shall complete successfully the following:

(a) ~~Six (6) Twelve (12)~~ semester hours of English coursework and six (6) semester hours of additional coursework in which the student is required to demonstrate college-level writing skills through multiple assignments. Each institution shall designate the courses that fulfill the writing requirements of this section. These course designations shall be submitted to the Statewide Course Numbering System. An institution to which a student transfers shall accept courses so designated by the sending institution as meeting the writing requirements outlined in this section. ~~For the purposes of this rule, an English course is defined as any semester-length course within the general study area of the humanities in which the student is required to produce written work of at least six thousand (6,000) words.~~

(b) Six (6) semester hours of mathematics coursework at the level of college algebra or higher. For the purposes of this rule, applied logic, statistics and other such computation coursework which may not be placed within a mathematics department may be used to fulfill three (3) hours of the six (6) hours required by this section. ~~For the purposes of this rule, a grade of C or higher shall be considered successful completion.~~

(c) Students awarded college credit in English based on their demonstration of writing skills through dual enrollment, advanced placement, or international baccalaureate instruction pursuant to Rule 6A-10.024, F.A.C., and students awarded college credit based on their demonstration of mathematics skills at the level of college algebra or higher through one (1) or more of the acceleration mechanisms in Rule 6A-10.024, F.A.C., shall be considered to have satisfied the requirements in subsection 6A-10.030(2), F.A.C., to the extent of the college credit awarded.

~~(3) Exemptions and waivers.~~

~~(a) Any student who completes the first six (6) hours of the English coursework required by this rule with a grade point average of 4.0 may waive completion of the remaining six (6) hours until after entry into the upper division of a university and shall be considered eligible for an Associate of Arts degree, notwithstanding the provisions of paragraph 6A-10.030(2)(a), F.A.C.~~

~~(3)(b) Exemptions and Waivers.~~ Any public community college or university desiring to exempt its students from the requirements of subsection 6A-10.030(2), F.A.C., shall submit an alternative plan to the Division State Board of Community Colleges and Workforce Education or the Division of Colleges and Universities, Board of Regents, respectively. Upon approval of the plan by the respective division board, the plan shall be submitted to the State Board of Education or the Board of Governors as appropriate. Upon approval by the State Board

of Education or the Board of Governors, said plan shall be deemed effective in lieu of the requirements of subsection 6A-10.030(2), F.A.C.

Specific Authority ~~1001.02(1)(2)(n)~~ 229.053(1),(2)(d) FS. Law Implemented ~~1001.02 229.053(2)(d)~~ FS., Section 15, Chapter 87-212, Laws of Florida. History—New 1-11-82, Formerly 6A-10.30, Amended 6-8-88, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Registration of Adult Education Students

RULE NO.: 6A-10.0381

PURPOSE AND EFFECT: The purpose of the proposed amendment is to update and clarify current policy and align with current legislation and governance.

SUMMARY: This amendment deletes all references to supplemental vocational courses since they no longer exist and deletes obsolete language relating to reduction of data elements.

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: 1008.405 FS.

LAW IMPLEMENTED: 1008.405 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0381 Registration of Adult Education Students.

(1) ~~As Introduction. Beginning on July 1, 1993,~~ as part of the registration of adult education students, each school district and community college shall be required to collect and maintain on file sufficient information for two purposes. First, to locate students upon the termination of instruction and second, to determine the appropriateness of student placement in specific instructional programs. Registration information may be collected and maintained in electronic or manual format.

(2) Required information. The following information shall be collected and maintained for each student enrolled in an adult general education program; or adult postsecondary career vocational program, or supplemental vocational courses funded by the state through the Florida Education Finance Program or the Community College Program Fund:

(a) Name, permanent address, date of birth, social security number if available, and/or Florida student number identifier, and whether, except for lifelong learners, the student has a high school diploma or equivalent certificate, and

(b) The course title and course number.

(3) through (4) No change.

~~(5) School district requirement—supplemental. In addition to the data required in subsection (2) of this rule, information on the reason for enrolling shall be collected and maintained for each student enrolled in an adult vocational supplemental course. The reason for enrolling shall include:~~

~~(a) Currently holds employment and is taking a course to enhance or upgrade skills related to that employment, or~~

~~(b) Has an employment history and enrolls in a course related to that employment history with the intent to seek employment in an occupation directly related to the course and that employment history, or~~

~~(c) Has an employment history and wants to develop competence in the English language in order to secure employment related to that employment history.~~

~~(5)~~(6) Record retention requirement. Each school district and community college shall maintain on file the data required by this rule in electronic format or hard copy for a period of three (3) years or until the completion of all audits for the period during which the course is offered, whichever occurs later.

~~(6)~~(7) Other data requirements. School districts are to ensure that they comply with the information data base requirements of the Comprehensive Management Information System as specified in Rule 6A-1.0014, F.A.C., and colleges shall comply with the Community College Data Elements Dictionary, for elements required by other state and federal laws and regulations.

~~(8) Reduction of data elements. All other information and data elements formerly required by Section 229.132, Florida Statutes, Registration of Adult Students, which was replaced by Section 239.113, Florida Statutes, and no longer needed to meet the requirements of this rule, may be eliminated from the adult registration process beginning with the 1993-94 school year.~~

Specific Authority 1008.405 229.053(1), 239.113 FS. Law Implemented 1008.405 239.113 FS. History—New 12-23-92, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Rules of Procedure – Organization 14-1

RULE TITLE: RULE NO.:

General Description of the Agency 14-1.003

PURPOSE AND EFFECT: Rule 14-1.003, F.A.C., is being repealed. Section 120.53, F.S., no longer requires each state agency to adopt a rule describing its organization. Section 20.23, F.S., describes the basic organizational structure of the Department of Transportation and provides for the delegation of authority by the Department Secretary. Repeal of this rule is part of the Department’s overall goal to review existing rules and to repeal any rules that are considered to be obsolete or unnecessary.

SUMMARY: Rule 14-1.003, F.A.C., is being repealed. Section 20.23, F.S., describes the basic organizational structure of the Department and no rule is necessary.

SPECIFIC AUTHORITY: 20.23(1)(c), 334.044(2) FS.

LAW IMPLEMENTED: 20.23 FS.

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 in writing within 21 days of this notice.

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: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-1.003 General Description of the Agency.

Specific Authority 20.23(1)(c), 334.044(2) FS. Law Implemented 20.23 FS. History—New 6-26-75, Formerly 14-1.03, Amended 7-3-89, 5-2-90, 2-13-91, 3-18-92, 2-22-96, 4-2-98, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bruce R. Conroy, Chief, Administrative Law and Real Property Division

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Denver J. Stutler, Jr., P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Highway Traffic Safety Program 14-98

RULE TITLES: RULE NOS.:

Application and Award Procedures 14-98.005

Forms 14-98.008

PURPOSE AND EFFECT: Subsections 14-98.005(7),(10) and 14-98.008(6), F.A.C., are amended because of a revision to the Subgrant Application for Highway Safety Funds, Form 500-065-01. Specifically, the form is revised to add a reference to the Department’s DUNS Number on the bottom of the first page and to add specific language relating to the audit and retention of records (Criteria 14 and 15) of Part V.

SUMMARY: Subsection 14-98.008(6), F.A.C., is amended to incorporate by reference a revised version of the Subgrant Application for Highway Safety Funds, Form 500-065-01. Specifically, the form is revised to add a reference to the Department’s DUNS Number on the bottom of the first page and to add specific language relating to the audit and retention of records (Criteria 14 and 15) of Part V. Subsections 14-98.005(7) and (10), F.A.C., also are being amended to update the revision date references to the same form.

SPECIFIC AUTHORITY: 334.044(2),(25) FS.

LAW IMPLEMENTED: 334.044(25) FS.

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 in writing within 21 days of this notice.

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 RULES IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-98.005 Application and Award Procedures.

(1) through (6) No change.

(7) Two copies of the application form, Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. 09/05 ~~05/04~~, will be sent to those applicants whose concept papers are selected for funding. Applicants whose concept papers were not selected for funding will be notified by the Office.

(8) through (9) No change.

(10) The Office shall review all applications and will reject any applications not meeting the requirements of these rules and applicable Federal and State laws, within ten working days of receipt of said applications. In the event that an applicant submits a Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. 09/05 ~~05/04~~, for an activity that is not included in the Highway Safety Plan, the application shall be rejected. Failure to reject any application within ten days shall not result in the automatic award of a subgrant. All subgrants are subject to funds availability.

(11) No change.

Specific Authority 334.044(2) FS. Law Implemented 334.044(25) FS. History—New 12-30-84, Amended 6-10-85, Formerly 9B-32.05, 9B-32.005, Amended 11-19-89, Formerly 9G-15.005, Amended 12-7-93, 11-29-94, 1-17-99, 4-16-02, 8-6-02, 11-2-03, 8-24-04, _____.

14-98.008 Forms.

The following forms used in the Highway Traffic Safety Program are hereby incorporated by reference:

(1) through (5) No change.

(6) Subgrant Application for Highway Safety Funds – FDOT Form 500-065-01, Rev. 09/05 ~~05/04~~.

(7) through (8) No change.

Specific Authority 334.044(2),(25) FS. Law Implemented 334.044(25) FS. History—New 6-10-85, Formerly 9B-32.08, 9B-32.008, Amended 11-19-89, Formerly 9G-15.008, Amended 12-7-93, 6-14-94, 11-29-94, 4-16-02, 8-6-02, 11-2-03, 8-24-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Roger J. Doherty, Certified Law Enforcement Planner, DUI Program Coordinator

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Denver J. Stutler, Jr., P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 26, 2005

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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.”

LAND AND WATER ADJUDICATORY COMMISSION

Cocohatchee Community Development District

RULE CHAPTER TITLE: Cocohatchee Community Development District

RULE CHAPTER NO.: 42KK-1

RULE TITLES: Establishment

RULE NOS.: 42KK-1.001

Boundary

42KK-1.002

Supervisors

42KK-1.003

PURPOSE AND EFFECT: The purpose and effect is to repeal certain rules. The rules identified for repeal relate to the Cocohatchee Community Development District. In 2003, the Florida Land and Water Adjudicatory Commission adopted rules setting forth the establishment, boundary and supervisors of the Cocohatchee Community Development District. The development contemplated in 2003 was never undertaken. As a result, the District is not providing any community development services or facilities to the property within the boundaries and has no outstanding financial obligations or operating and maintenance responsibilities. The property within the District is under contract and the plan of development for the property has changed. Rather than a single integrated development, several separate and distinct developments are planned, each of which will be owned and developed by a different entity. A single community development district for the entire 1,298 acres is no longer consistent with the development plans of the contract purchaser.

SUMMARY: Repeals Rules 42KK-1.001, 1.002 and 1.003, F.A.C. Development contemplated in 2003 has not been undertaken. The property within the District is under contract and the plan of development for the property has changed. A single community development district for the 1,298 acres is no longer consistent with the development plans of the contract purchaser.

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 in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 190.005 FS.
LAW IMPLEMENTED: 190.004, 190.005 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., Thursday, October 6, 2005
PLACE: Room 2107, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Barbara Leighty, (850)487-1884, at least 3 business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

42KK-1.001 Establishment.

Specific Authority 190.005 FS. Law Implemented 190.005 FS. History--New 9-16-03, Repealed _____.

42KK-1.002 Boundary.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New 9-16-03, Repealed _____.

42KK-1.003 Supervisors.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New 9-16-03, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2005

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER TITLE: Administration of Federal Aging Programs
RULE CHAPTER NO.: 58A-1

RULE TITLES: The Area Agency on Aging's Area Plan
SERVICE PROVIDERS UNDER AREA PLAN
RULE NOS.: 58A-1.006
58A-1.008

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to delete the references to outdated manuals; Financial Management of Older Americans Act Programs manuals HRSM 55-1 and HRSM 75-2. The manuals are not currently used as a resource for financial management procedures.

SUMMARY: The proposed amendments delete the references to the manuals; HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs 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: 430.08 FS.

LAW IMPLEMENTED: 430.03, 430.04 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 RULES IS: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE FULL TEXT OF THE PROPOSED RULES IS:

58A-1.006 The Area Agency on Aging's Area Plan.

(1) through (3) No change.

(4) Changes to the Area Plan are to be made based on the following:

(a) through (d) No change.

(e) Whenever a change is contemplated by the Area Agency in any cost category or individual salary as budgeted in the Area Plan for Area Agency Administration:

1. No change.

2. Notification of such change shall be included in the next monthly financial report to the Department, if the change would not result in a change in the original amount greater than ten percent, ~~in accordance with the Financial Management of Older Americans Act Programs Manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Secretary, and herein incorporated by reference.~~

3. No change.

(5) Subject to the availability of Federal and State funds and budget authority, the Department will contract with the Area Agency on Aging based on the submitted Area Plan for the Federal and State amounts indicated in the approved State Plan on Aging. Instructions for submitting payment requests and expenditure reports are contained in each contract for services executed between the Area Agency on Aging and the Department. ~~Contract payment instructions will also be found in the Financial Management of Older Americans Programs Manuals HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Secretary, and herein incorporated by reference.~~

(6) through (7) No change.

Specific Authority ~~20.41(2), 410.016(2)(k); 430.08 FS., ch. 91-115, s. 10, Laws of Fla. Law Implemented 20.41, 430.03, 430.04 410.016(2)(h); (m); 430.03(6) FS., ch. 91-115, s. 10, Laws of Fla. History--New 12-23-81, Formerly 10A-11.06, 10A-11.006, Amended 3-28-95, _____.~~

58A-1.008 Service Providers Under an Area Plan.

(1) No change.

(2) Any eligible agency or organization desiring to apply for a contract under the Area Plan may request an application from the local Area Agency on Aging after a request for proposal(s) has been issued. The Area Agency on Aging shall respond within ten working days and enclose an application. The application will contain complete instructions, forms, and specific documentation requirements to be completed by an applicant. The Area Agency shall utilize competitive bidding procedures in procurement contracts in accordance with State and Federal regulations defined by the ~~Financial Management of Older Americans Act Programs Manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Secretary and herein incorporated by reference.~~

(a) through (b) No change.

(3) through (4) No change.

(5) Contracts between the Department, and the Area Agency on Aging, lead agency or core service providers shall follow departmental contracting and financial management procedures ~~in accordance with the Financial Management of Older Americans Act Programs manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary, and herein incorporated by reference.~~

(6) No change.

Specific Authority ~~20.41(2), 410.016(2)(k), 430.08 FS., ch. 91-115, s. 10, Laws of Fla. Law Implemented 430.03, 430.04 20.41, 410.016(2)(f), (h), (m), 430.03(6) FS., ch. 91-115, s. 10, Laws of Fla. History-New 12-23-81, Formerly 10A-11.08, 10A-11.008, Amended 3-28-95,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Carole Green

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE TITLE: Application Procedures

RULE NO.: 58C-1.004

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to delete the reference to outdated manuals; Financial Management of Older Americans Act Programs manuals HRSM 55-1 and HRSM 75-2. The manuals are not currently used as a resource for financial management procedures.

SUMMARY: The proposed amendment deletes the references to the manuals; HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs 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: 430.08 FS.

LAW IMPLEMENTED: 430.204, 430.205 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: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE FULL TEXT OF THE PROPOSED RULE IS:

58C-1.004 Application Procedures.

(1) through (3) No change.

(4) Contracting and Financial Management Procedures.

Contracts between the department, the Area Agency on Aging, lead agency or core service providers shall follow departmental contracting and financial management procedures ~~in accordance with the Financial Management of Older Americans Act Programs manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary, and herein incorporated by reference.~~

Specific Authority ~~410.021-029, 430.08 FS., ch. 80-181, s. 10, ch. 91-115, s. 10, Laws of Fla. Law Implemented 430.204, 430.205 410.024, 410.241, 430.03(6) FS., ch. 91-115, s. 10, Laws of Fla. History-New 3-11-81, Formerly 10A-10.04, 10A-10.004, Amended 3-28-95,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Carole Green

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF ELDER AFFAIRS

Alzheimer's Disease Initiative

RULE TITLE: Program Administration

RULE NO.: 58D-1.005

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to delete the reference to outdated manuals; Financial Management of Older Americans Act Programs manuals HRSM 55-1 and HRSM 75-2. The manuals are not currently used as a resource for financial management procedures.

SUMMARY: The proposed amendments delete the references to the manuals; HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs 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: 430.08 FS.

LAW IMPLEMENTED: 430.502, 430.503 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: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE FULL TEXT OF THE PROPOSED RULE IS:

58D-1.005 Program Administration.

(1) The Department of Elder Affairs shall plan, develop and coordinate a statewide program to carry out its responsibilities under the ADI. The Department shall:

(a) through (k) No change.

~~(l) Perform contract management responsibilities according to the Financial Management of Older Americans Act Programs Manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary and herein incorporated by reference.~~

~~(l)(m) Establish guidelines and procedures for the award and allocation of funds received pursuant to Section 410.401(3), F.S., Note, into a Department administrative trust fund.~~

(2) The Area Agency on Aging under contract with the Department shall be responsible for the planning and administration of respite and model day care services funded under the ADI and, in turn, shall contract with local service providers for the provision of these services. The Department may retain the budget authority to contract directly with service providers for the implementation of special projects when appropriate. Each Area Agency on Aging shall:

(a) No change.

(b) Comply with State of Florida procedures regarding solicitation and execution of agreements with providers of services ~~and found in the Financial Management of Older Americans Act Programs manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary, and herein incorporated by reference.~~

(c) through (p) No change.

Specific Authority ~~410.401(3); 430.08 FS. Law Implemented 430.502, 430.503 410.402(3)-(5) FS., Ch. 91-115, Laws of Florida, s. 10: History-New 3-28-95, Amended~~.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Carole Green

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Asbestos Consultants

RULE TITLE: Asbestos Training Courses and Providers

RULE NO.: 61E1-2.006

PURPOSE AND EFFECT: This technical change to Rule 61E1-2.006, F.A.C., updates several citations contained within the rule, particularly citations to the corresponding federal regulations.

SUMMARY: This rule adopts the federal standards for Asbestos Training Courses and Providers contained in 40 C.F.R., Part 763.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs was prepared.

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

SPECIFIC AUTHORITY: 455.203(5), 469.011 FS.

LAW IMPLEMENTED: 469.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric R. Hurst, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE FULL TEXT OF THE PROPOSED RULE IS:

61E1-2.006 Asbestos Training Courses and Providers.

(1) Each training course provider must be approved by the Department as a course provider and each training course must be approved by the Department. Provider and course approvals are valid until May 31st of odd numbered years and must be renewed prior to expiration. Applications for course provider and training course approval must be submitted using the form Asbestos Licensing Unit Training Provider and Continuing Education Course Approval Application, Number DBPR ALU-4054, ~~Effective Date: April 18, 2003~~ incorporated herein by reference. The form may be obtained by contacting the Department at the following address: Asbestos Licensing Unit, 1940 N. Monroe Street, Tallahassee, Florida 32399-1027-1006 or at <http://www.myflorida.com/dbpr/pro/forms/asbest/>. Any substantial change in the course content will require the provider to reapply to the Department for approval.

(2) No change.

(3) A training course provider must meet the standard set forth in 40 C.F.R. Part 763, Appendix C to Subpart E ~~Subpart E of Appendix C~~, 59 FR 5251, Feb. 3, 1994, as amended at 60 FR 31922, June 19, 1995, which is incorporated herein by reference. Copies can be obtained by writing the Department at Department of Business and Professional Regulation, Asbestos Licensing Unit, 1940 North Monroe Street, Tallahassee, Florida 32399, or at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=96052cf0c67764631cabfe8c9732c4b1;rgn=di>. The following providers and courses shall be approved.

(a) through (b) No change.

(4) The application for the provider and course approval shall include but is not limited to the following information.

(a) through (d) No change.

(e) A copy of all course materials, including student manuals, instructor notebooks, handouts, videotapes and any other materials requested by the Department.

1. Pursuant to 40 C.F.R., Part 763, Appendix C to Subpart E ~~Subpart E of Appendix C~~, the asbestos worker courses are the only courses approved to be conducted in a language other than English.

2. Any course provider who wishes to conduct a course in a language other than English must comply with the following:

a. through d. No change.

(5) through (8) No change.

(9) Fees.

(a) Fees for initial training course review shall be \$350.00 per training day. Courses with a duration of eight hours will be assessed at the 8-hour day rate (\$350.00). An additional \$350.00 will be assessed for each 8-hour day of training above the minimum days of training specified in Sections 469.001-.015, Florida Statutes, and those set forth in 40 C.F.R. Part 763, Appendix C to Subpart E ~~Subpart E of Appendix C~~,

as it existed on September 1, 1997. Courses with a duration of four hours of training will be assessed \$175.00. Courses with a duration of eight hours will be assessed at the 8-hour day rate (\$350.00).

(b) Fees for refresher training course approval shall be as follows:

1. \$175.00 – per 4-hour day;

2. \$250.00 – per 8-hour day.

(c) All application fees are non-refundable.

(10) No change.

Specific Authority 455.203(5), 469.011 FS. Law Implemented 469.014 FS. History—New 5-12-93, Formerly 21-23.006, Amended 8-17-94, 11-24-97, 3-23-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric R. Hurst, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Diane Carr, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 22, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 15, 2005

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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 Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling

RULE TITLE: Wall Certificate and Duplicate License Fees

RULE NO.: 64B4-4.017

PURPOSE AND EFFECT: The Board proposes to repeal this rule since new law deleted this requirement that mandated issuance of wall certificates for all professions as of July 1, 2005.

SUMMARY: The Board proposes to repeal this rule.

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

SPECIFIC AUTHORITY: 456.025(6), 491.004 FS.

LAW IMPLEMENTED: 456.025(6) 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: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-4.017 Wall Certificate and Duplicate License Fees.

Specific Authority 456.025(6), 491.004 FS. Law Implemented 456.025(6) FS. History—New 10-18-99, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2005

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Mediation RULE NO.: 64B8-30.016

PURPOSE AND EFFECT: The proposed rule is intended to set forth those violations which are appropriate for mediation.

SUMMARY: The proposed rule amendment sets forth the physician assistant practice violations which the Board deems appropriate for mediation.

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

SPECIFIC AUTHORITY: 456.078 FS.

LAW IMPLEMENTED: 456.078 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.016 Mediation.

(1) For purposes of Section 456.078, F.S., the Board designates a being appropriate for mediation, violations of the following provisions:

(a) Failing to comply with the requirements of Sections 381.026 and 381.0261, F.S., to provide patients with information about their patient rights and how to file a patient complaint;

(b) Negligently failing to file a report or record required by state or federal law;

(c) Failing to comply with the requirements for profiling and credentialing.

(2) The above-outlined provisions shall qualify for mediation only when the violation can be remedied by the licensee, there is no allegation of intentional misconduct, no patient injury, and allegations do not involve any "adverse incidents" as defined by Section 456.078(2), F.S.

Specific Authority 456.078 FS. Law Implemented 456.078 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3-4, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2005

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Mediation RULE NO.: 64B15-6.014

PURPOSE AND EFFECT: The proposed rule is intended to set forth those violations which are appropriate for mediation.

SUMMARY: The proposed rule amendment sets forth the physician assistant practice violations which the Board deems appropriate for mediation.

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

SPECIFIC AUTHORITY: 456.078 FS.

LAW IMPLEMENTED: 456.078 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.014 Mediation.

(1) For purposes of Section 456.078, F.S., the Board designates a being appropriate for mediation, violations of the following provisions:

(a) Failing to comply with the requirements of Sections 381.026 and 381.0261, F.S., to provide patients with information about their patient rights and how to file a patient complaint;

(b) Negligently failing to file a report or record required by state or federal law;

(c) Failing to comply with the requirements for profiling and credentialing.

(2) The above-outlined provisions shall qualify for mediation only when the violation can be remedied by the licensee, there is no allegation of intentional misconduct, no patient injury, and allegations do not involve any "adverse incidents" as defined by Section 456.078(2), F.S.

Specific Authority 456.078 FS. Law Implemented 456.078 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2005

DEPARTMENT OF HEALTH

Office of Vital Statistics

RULE TITLE: Death and Fetal Death Registration
 PURPOSE AND EFFECT: Purpose of proposed amendment is to update form used in registering fetal deaths to incorporate items from the national standard Certificate of Fetal Death as recommended by the Center for Disease Control (CDC), National Center for Health Statistics (NCHS). These records are the principal means of promoting uniformity of data collection by states. Florida has already implemented the recommended birth and death certificates.

RULE NO. 64V-1.0061

SUMMARY: Amending rule to update form used in registering fetal deaths. The revised fetal death certificate promotes more complete reporting including the usefulness of fetal autopsies, the need for standard definitions of obstetric terminology, medical risk factors, measurement of gestational age, and prenatal care. This revised data is integrated with other public

health systems such as Newborn Screening, Immunization Registry, Maternal Mortality Review, Healthy Start, Fetal Infant Mortality Review, Medical Examiner system, and other disease specific reporting systems.

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 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: 382.003(10), 382.008 FS.

LAW IMPLEMENTED: 382.003(7),(11), 382.008 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: 1:00 p.m., October 3, 2005

PLACE: Department of Health, State Office of Vital Statistics, 1217 Pearl St., Boorde Bldg., Rm. 420, Jacksonville, FL 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kevin Wright, Government Analyst, Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042

THE FULL TEXT OF THE PROPOSED RULE IS:

64V-1.0061 Death and Fetal Death Registration.

All deaths except for fetal deaths filed pursuant to Section 382.008, F.S., shall be registered on a Certificate of Death, DH Form 512, July 04. All fetal deaths occurring in this state shall be filed on a Certificate of Fetal Death, DH Form 428, Jan. 06 ~~Nov-97~~, both hereby incorporated by reference and available from the department.

Specific Authority 382.003(10), 382.008 FS. Law Implemented 382.003(7),(11), 382.008 FS. History--New 2-29-04, Amended 10-19-04,

NAME OF PERSON ORIGINATING PROPOSED RULE: Kevin Wright, Government Analyst

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth T. Jones, Deputy State Registrar

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 15, 2005