

_____, which fairly presents, in all material respects, the workers' compensation liability in accordance with generally accepted accounting principles.

CPA

Date

Rulemaking Specific Authority 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. Law Implemented 468.525(3)(e), 468.529 FS. History—New 1-17-99, Amended _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-27.0031
RULE TITLE: Marine Endangered and Threatened Species

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to address the concerns raised by the Joint Administrative Procedures Committee upon review of Rules 68A-27.001, 68A-27.0011, 68A-27.0012, and 68A-27.007, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Marine Endangered and Threatened Species.

RULEMAKING AUTHORITY: 379.1025 FS.

LAW IMPLEMENTED: 379.2291 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

RULE NOS.:	RULE TITLES:
69C-4.001	Purpose
69C-4.002	Scope
69C-4.003	Definitions
69C-4.0035	Procedures for Requesting Approval to Accept Credit Cards, Charge Cards, and Debit Cards
69C-4.004	Standard Contracts with Credit Card Service Providers
69C-4.0045	Convenience Fees
69C-4.009	Annual Reporting to the Chief Financial Officer

PURPOSE AND EFFECT: The proposed rule amendments update the rules to include the acceptance of electronic funds transfers by state agencies and the judicial branch and to incorporate the three standard service provider contracts by reference.

SUBJECT AREA TO BE ADDRESSED: Acceptance of electronic funds transfers by state agencies and the judicial branch.

RULEMAKING AUTHORITY: 215.322(3) FS.

LAW IMPLEMENTED: 215.322 FS.

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

DATE AND TIME: May 6, 2011, 1:00 p.m.

PLACE: 1801 Hermitage Blvd., Room 440-C, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Miriam Gray at (850)413-2783 or Miriam.Gray@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Miriam Gray, Financial Administrator, Bureau of Funds Management, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-2783. The text of the proposed rules is also available on the Department's website: <http://www.MyFloridaCFO.com/LegalServices/ruleHearing>.

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

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-3.001	Purpose
5M-3.002	Definitions
5M-3.003	Approved Best Management Practices
5M-3.004	Notice of Intent to Implement
5M-3.005	Presumption of Compliance
5M-3.006	Land Application of Animal Wastes
5M-3.007	Record Keeping

5M-3.008 Land Use Changes
 5M-3.009 Preservation of Authority

PURPOSE AND EFFECT: The purpose of this proposed rule is to adopt agricultural Best Management Practices for agricultural operations in the Northern Everglades and to provide a mechanism for producers to enroll in the program by submitting Notices of Intent to Implement.

SUMMARY: The proposed rule provides requirements for agricultural operations located in the Northern Everglades as defined in Section 373.4595, Florida Statutes, to conduct Best Management Practices or monitor their water quality.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 373.4595(3)(c)1.a., (4)(a), (4)(b), 403.067(7)(c)2., 570.07(10), (23) FS.

LAW IMPLEMENTED: 373.4595(3)(c)1.a., (4)(a), (4)(b), 403.067(7)(c)2. 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: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700 or Fax (850)617-1701

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 5M-3.001 follows. See Florida Administrative Code for present text.)

5M-3.001 Purpose.

The purpose of this rule is to effect pollutant reduction through the implementation of agricultural Best Management Practices (BMPs) that may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state, including requirements for agricultural operations that land-apply animal manure.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History–New 10-23-03, Amended 6-28-06,_____.

(Substantial rewording of Rule 5M-3.002 follows. See Florida Administrative Code for present text.)

5M-3.002 Definitions.

(1) “Animal manure” is animal excrement or animal waste and any mixed materials, including bedding, compost, yard waste, or other raw materials.

(2) “Northern Everglades” means the Lake Okeechobee Watershed, the Caloosahatchee River Watershed, and the St. Lucie River Watershed, as defined in Section 373.4595(2), F.S.

(3) “Notice of Intent (NOI)” means a form provided by the Florida Department of Agriculture and Consumer Services (FDACS) to be submitted by the producer to enroll in BMPs.

(4) “Nutrient management plan” is the documentation of an agricultural operation’s planned actions, developed in accordance with Section IV, Code 590 of United States Department of Agriculture-Natural Resources Conservation Service (NRCS) Field Office Technical Guide, FL, 2007, hereby incorporated by reference. Nutrient Management Plans specify the amount, placement, form, and timing of the application of nutrients, including manure, animal by-products, biosolids, and soil amendments. The plan must be approved by NRCS or a technical service provider. Code 590, Nutrient Management, may be viewed at DOS web portal placeholder or obtained from NRCS, P. O. Box 141510, 2614 N.W. 43rd St., Gainesville, FL 32614-1510.

(5) “Technical Service Provider” is an individual or entity certified by the NRCS to provide technical services for conservation planning.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History–New 10-23-03, Amended 6-28-06,_____.

(Substantial rewording of Rule 5M-3.003 follows. See Florida Administrative Code for present text.)

5M-3.003 Required ~~Approved~~ Best Management Practices.

(1) Agricultural operations located within the Northern Everglades shall:

(a) Implement BMPs in the manual(s) adopted by FDACS under Title 5M, F.A.C., relevant to their operations, in accordance with the applicable rule(s); or

(b) As eligible under Rule 5M-12.003, F.A.C., develop and implement a conservation plan in accordance with the provisions of Rule Chapter 5M-12, F.A.C.; or

(c) Conduct water quality monitoring prescribed by the Florida Department of Environmental Protection (FDEP) or the relevant water management district in accordance with Section 403.067(7)(b)2.g., F.S., to demonstrate compliance with state water quality standards.

(2) Agricultural operations within the Northern Everglades that land-apply animal manure shall also comply with the provisions of Rule 5M-3.004, F.A.C.

(3) Plans and NOIs submitted to FDACS under Rule Chapter 5M-3, F.A.C., prior to the effective date of this rule revision are grandfathered and deemed to meet the requirements of this section. However, previously submitted conservation plans must be reviewed and updated pursuant to subsection 5M-12.004(3), F.A.C., except for those operations that have conservation plans but choose instead to implement BMPs pursuant to paragraph (1)(a).

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History--New 10-23-03, Amended 6-28-06,_____.

(Substantial rewording of Rule 5M-3.004 follows. See Florida Administrative Code for present text.)

5M-3.004 Land Application of Animal Wastes Notice of Intent to Implement.

(1) Animal feeding operations or concentrated animal feeding operations subject to the permitting requirements in Rule Chapter 62-670, F.A.C., are not affected by this section.

(2) Except as provided in subsection (1), agricultural operations that land-apply animal manure within the Northern Everglades shall:

(a) Apply manure uniformly at a phosphorous-based rate, as determined by soil and/or plant tissue test results;

(b) Not apply manure when the soil is saturated or inundated with water;

(c) Not apply manure within 30 feet of any wetland, lake, stream, or estuary; and

(d) Not apply manure within 100 feet of an existing drinking water well.

(3) In addition to meeting the requirements in subsection (2), agricultural operations that land-apply animal manure at a rate that exceeds one ton per acre per year shall:

(a) Develop and implement a nutrient management plan as defined in Rule 5M-3.002, F.A.C. The nutrient management plan may be included as part of a conservation plan developed or grandfathered pursuant to Rule 5M-3.003, F.A.C. The nutrient management plan shall be reviewed and updated at least every five years; and

(b) Not apply manure within 50 feet of any wetland, lake, stream, or estuary.

(4) All agricultural operations affected by this section must document the dates of animal-manure applications and the annual application amounts, calculated on a pounds-per-acre basis for nitrogen and phosphorus, and maintain such records for a minimum of five years and make them available for inspection upon request.

(5) Nutrient management plans for the land application of animal wastes submitted to FDACS under Rule Chapter 5M-3, F.A.C., prior to this rule revision are grandfathered and deemed to meet the requirements of this section. However, such plans shall be reviewed and updated pursuant to paragraph 5M-3.004(3)(a), F.A.C.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History--New 10-23-03, Amended 6-28-06,_____.

(Substantial rewording of Rule 5M-3.005 follows. See Florida Administrative Code for present text.)

5M-3.005 BMP Record Keeping ~~Presumption of Compliance.~~

Producers must comply with the record-keeping requirements contained in the specific rules under which they submit their NOIs. All record-keeping documentation must be maintained for a minimum of five years and be made available for inspection upon request.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History--New 10-23-03, Amended 6-28-06,_____.

5M-3.006 Access to Properties ~~Land Application of Animal Wastes.~~

Producers who implement BMPs under this rule shall allow FDACS, or FDACS in conjunction with FDEP, the applicable water management district and/or NRCS representatives, access to their property to confirm implementation, operation, and maintenance of BMPs. Advance notice of inspections shall be provided to the landowner.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History--New 10-23-03, Amended 6-28-06,_____.

5M-3.007 Record Keeping.

Rulemaking Specific Authority 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. Law Implemented 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. History--New 10-23-03, Amended 6-28-06, ~~Repealed~~_____.

5M-3.008 Land Use Changes.

Rulemaking Specific Authority 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. Law Implemented 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. History–New 10-23-03, Repromulgated 6-28-06, Repealed.

5M-3.009 Preservation of Authority.

Rulemaking Specific Authority 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. Law Implemented 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. History–New 10-23-03, Repromulgated 6-28-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard J. Budell, Director, Office of Agricultural Water Policy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Adam H. Putnam, Commissioner, Department of Agriculture and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 8, 2011

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to adopt the new/revised Course Descriptions and the updates/edits for the “2011-2012” school-year. Courses for the Arts, Social Studies, English Language Arts, World Languages, Mathematics, Science, Health Education, Physical Education, and Research and Critical Thinking are updated to align to the Next Generation Sunshine State Standards approved by the State Board of Education for these content areas.

SUMMARY: Florida Course Descriptions for the Arts, Social Studies, English Language Arts, World Languages, Mathematics, Science, Health Education, and Physical Education are updated to include the Next Generation Sunshine State Standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1001.03(1), 1011.62(1)(u) FS. LAW IMPLEMENTED: 1001.42(9), 1003.42, 1011.62(1)(u) FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Deputy Chancellor for Curriculum, Instruction, and Student Services, Department of Education, 325 West Gaines Street, Suite 1502, Tallahassee, Florida 32399-0400, (850)245-0509

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 K-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 publication “~~2011-2012~~ ~~2010-2011~~ Florida Course Descriptions for Grades K-12/Adult, Basic Education”, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00222>) which is 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 K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 or online at <http://www.floridastandards.org>.

Rulemaking Authority 1001.03(1), 1011.62(1)(u) FS. Law Implemented 1001.42(7), 1003.42, 1011.62(1)(u) 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, 11-21-05, 7-27-06, 1-18-07, 3-24-08, 10-21-09, 5-3-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, Division of Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 28, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09441
 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

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the “Course Code Directory and Instructional Personnel Assignments” by which school districts receive FEFP (Florida Education Finance Program) funding. The effect will be an updated directory of courses for students to take to earn credit toward high school graduation.

SUMMARY: This rule amendment will add new courses approved by the Commissioner of Education, remove outdated/deleted courses, and incorporate legislative policy changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1001.02(1), 1009.53(3), 1011.62(1)(u) FS.

LAW IMPLEMENTED: 1009.531, 1009.535, 1009.536, 1011.62(1) FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Matthew Bouck, Interim Director, Office of K-20 Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400

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), F.S.

(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 Section 1012.01(2), F.S.

(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 2011-2012 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00218>) ~~2010-2011~~,” 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 Office of Articulation, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses and course descriptions for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Rulemaking Authority 1001.02(1), 1009.53(3), 1011.62(1)(u) FS. Law Implemented 1009.531, 1009.534, 1009.535, 1009.536, 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, 11-21-05, 7-27-06, 1-18-07, 5-19-08, 1-5-09, 6-22-09, 5-3-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Matthew Bouck, Interim Director, Office of K-20 Articulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09981
 RULE TITLE: Implementation of Florida’s System of School Improvement and Accountability

PURPOSE AND EFFECT: The purpose of the rule amendment is to modify the sections of rule pertaining to the calculation of school grades and to eliminate obsolete requirements related to school improvement that have been supplanted by Differentiated Accountability.

SUMMARY: This rule establishes procedures for implementing Florida's system of school improvement and accountability – specifically, Florida's school grading system as required by Section 1008.34, Florida Statutes. The amendments modify the proficiency criterion for the FCAT writing portion of school grades from 3.5 to 4.0 or higher. In addition, the amendments incorporate the 2009-10 Guide to Calculations for Florida's Public High School Graduation Rate in place of the 2008-09 version of the document. The amendments delete portions of the rule addressing differentiated accountability.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1001.02, 1008.22, 1008.34, 1008.345 FS.

LAW IMPLEMENTED: 1008.34, 1008.345, 1008.36 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edward Croft, Director, Evaluation and Reporting, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09981 Implementation of Florida's System of School Improvement and Accountability.

(1) through 3.a. No change.

b. Schools demonstrate a five (5) percentage point improvement in the percent of such students making learning gains over the prior year, if the percent of such students making learning gains is below forty (40) percent in the current year.

~~If the minimum requirement for adequate progress in reading among the lowest twenty-five (25) percent of students in the school is not met, the School Advisory Council shall amend its School Improvement Plan to include a component for improving learning gains of the lowest performing students. If a school otherwise designated as Performance Grade "B" or "C" does not make adequate progress, as defined above, in at~~

least one (1) of two (2) consecutive years, the final Performance Grade designation shall be reduced by one (1) letter grade. No school shall be designated as Performance Grade "A" unless the adequate progress criterion in reading is met each year.

4. through 7. No change.

~~8. Intensive assistance and intervention, including on-site assistance, preference for awarding grants, and priority for other discretionary funds as specified in subsections (9), (10), and (11) of this rule, shall be provided to schools designated School Performance Grade F and School Performance Grade D. Renegotiation of bargained contracts as specified in subsection (9) of this rule may be provided to schools designated School Performance Grade F.~~

(b) through (4) No change.

(5) Criteria for Designating School Performance Grades. School performance grades shall be based on a combination of the following three components, as specified in Section 1008.34(3), F.S.:

(a) Student achievement scores, aggregated for each school, which indicate the percent of eligible students who score at or above FCAT Achievement Level 3 in reading and math and the percent of students who score "4.0" ~~"3.5"~~ or higher on the FCAT writing assessment;

(b) through (c) No change.

(6) Procedures for Calculating School Performance Grades. The overall Performance Grade of A, B, C, D or F for school years 2001-2002 and thereafter, as designated in Section 1008.34(2), F.S., shall be based on the sum of the following six (6) school grade point elements:

(a) One (1) point for each percent of students who score at or above FCAT Achievement Level 3 in reading;

(b) One (1) point for each percent of students who score at or above FCAT Achievement Level 3 in mathematics;

(c) One (1) point for each percent of students who score "4.0" ~~"3.5"~~ or higher on the FCAT writing assessment. ~~Beginning in 2009-10, in order to accommodate changes in scoring procedures this percentage shall be determined for schools by averaging the percentage of students scoring "3.0" or higher and the percentage of students scoring "4.0" or higher;~~

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

b. Schools demonstrate a five (5) percentage point improvement in the percent of such students making learning gains over the prior year, if the percent of such students making learning gains is below forty (40) percent in the current year.

~~If the minimum requirement for adequate progress in mathematics among the lowest twenty-five (25) percent of students in the school is not met, the School Advisory Council shall amend its School Improvement Plan to include a component for improving learning gains of the lowest performing students. If a school otherwise designated as Performance Grade "B" or "C" does not meet the minimum~~

requirement for adequate progress by having at least fifty (50) percent of its lowest performing students making learning gains in reading and in math in at least one (1) of two (2) consecutive years, or demonstrate improvement as defined in sub-subparagraphs (8)(b)1.a. and b. of this rule, the final Performance Grade designation shall be reduced by one (1) letter grade. No school shall be designated as Performance Grade "A" unless the adequate progress criterion in mathematics is met each year.

2. through (d) No change.

(e) School performance grades for high schools (schools that include grades 9 through 12 among grades taught) shall be evaluated on a revised scale beginning with school grading for the 2009-10 school year. Beginning in 2009-10, fifty (50) percent of the performance grade for high schools shall be based on the following components in addition to the components previously described in paragraphs (6)(a) through (f) and (8)(a) through (b) of this rule:

1. Four-year high school graduation rate. For the 2009-10 and 2010-11 School Years, the graduation rate will be calculated using criteria for the modified No Child Left Behind (NCLB) graduation rate. The procedures used to calculate this rate can be found in the 2009-10 Guide to Calculations for Florida's Public High School Graduation Rate, November 2010, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00249>) which is hereby incorporated by reference in this rule and may be obtained at <http://www.fldoe.org/eias/eiaspubs/word/gradgde0910.doc> 2008-09 Guide to Calculations for the NCLB School Public Accountability Reports, April 2009, <http://www.fldoe.org/eias/eiaspubs/word/nclbguide.doc>. For this component, two (2) grade points shall be awarded for each percent of students counted as on-time graduates in the graduation rate. The total possible points awarded for this component is 200 points.

2. through (10) No change.

(11) ~~Assistance and Intervention for Schools Designated School Performance Grade F or School Performance Grade D. Assistance and intervention plans shall be provided for each school designated School Performance Grade F and School Performance Grade D.~~

(a) ~~Assistance for Schools Designated School Performance Grade F or School Performance Grade D. Each school designated School Performance Grade F or School Performance Grade D shall develop its school improvement plan in collaboration with the school advisory council, school board and the Department. The school improvement plan shall take into account the unique demographic characteristics of the school. The school board shall have final approval of the plan. Each school designated School Performance Grade F or School Performance Grade D shall receive specific assistance and interventions, including additional resources if needed, from the district school board as provided in Section 1001.42(16)(e), F.S. The district's two-year plan of increasing individualized~~

~~assistance and intervention for each school designated School Performance Grade F or School Performance Grade D shall be approved by the school board. Forms SIP-1, School Improvement Plan, and DIAIP-1, District Improvement, Assistance and Intervention Plan, and School Improvement Reporting Deadlines, are located on the Department's Bureau of School Improvement website at <http://www.flbsi.org/>, and are hereby incorporated by reference in this rule to become effective with the date of this rule. Assistance shall be provided to each designated school in the district at increasingly intensive levels as long as the school continues to be so designated. For the purpose of documenting compliance with Section 1001.42(16)(e), F.S., school boards shall provide to the Department annually a copy of the approved assistance and intervention plan for each school designated School Performance Grade F in the district.~~

(b) ~~The Commissioner is authorized to give preference to schools designated School Performance Grade F and School Performance Grade D in awarding federal and state grants designed to improve student achievement. The Department shall give priority to School Performance Grade F and School Performance Grade D schools in providing school improvement assistance and resources. The Department shall identify demographically similar, but higher performing, schools in the state for possible assistance.~~

(c) ~~The local school board is authorized to declare an emergency in order to negotiate special provisions of its contract with appropriate bargaining units to implement programs and strategies needed to improve student performance as specified in Section 1001.42(19), F.S.~~

(12) ~~State Board of Education Action for Schools Designated Performance Grade F. A process for invoking State Board of Education action shall be implemented if, during any two (2) years out of a four (4) year period, a school is designated School Performance Grade F. The Commissioner shall coordinate the process and ensure that members of the State Board of Education are informed of recommendations for action regarding schools failing to make adequate progress. This process shall include the following steps:~~

~~STEP 1: Within thirty (30) days after the school has been notified by the Department that it has been designated School Performance Grade F for the second year in a four year period, the district school board chair, the superintendent, the school advisory council chair, and the school principal shall submit a written report to the Commissioner. The report shall outline the steps taken to remedy the inadequate performance and identify causes for continued failure to make adequate progress. The Commissioner shall provide the report to the State Board of Education and may include recommendations.~~

~~STEP 2: The State Board of Education shall review the school's performance data, including data reported as required in subsection (3) of this rule and Rule 6A-1.09982, F.A.C. The State Board of Education shall, if necessary, collect additional~~

information on which to make a decision and may require the school district superintendent to provide additional written or verbal information.

~~STEP 3: Based on an analysis of all reports and data including a thorough consideration of the unique characteristics of the school, and after the district and school are given an opportunity to respond to any new information, the State Board of Education shall formally determine the degree of progress made by the school. Pursuant to this determination and recommendations of the Commissioner, the State Board of Education shall take action as authorized in Section 1008.33(2), F.S.~~

~~STEP 4: If the school board fails to comply with the actions recommended by the State Board of Education, within the time specified in said action, the school district's lottery funds shall be withheld unless the school board can justify its noncompliance to the State Board's satisfaction. If the State Board accepts a district's justification for noncompliance, the State Board may amend its recommended actions, or extend the time allowed for compliance.~~

~~(13) State Board of Education Review of Schools Designated Performance Grade D. A process for invoking State Board of Education review may be initiated by the Commissioner if, during any two (2) years out of a four (4) year period, a school is designated School Performance Grade D. The Commissioner is authorized to require the school and district to report to the State Board of Education for an instructional review and action as authorized in Section 1001.42(16)(d), F.S.~~

~~(14) Responsibilities of Schools Performing at School Performance Grade C and Above. Schools determined to be performing at School Performance Grade C and above shall continue identifying needs, developing school improvement plans, and defining goals for improved performance without required State Board of Education intervention and assistance. These schools shall continue to assess and report progress on the goals as required by Sections 1008.34(1) and 1001.42(16)(e), F.S., and Rule 6A 1.09982, F.A.C.~~

~~(15) Measures of Student Performance. The Department shall develop statewide assessments designed to measure student performance based on the following four standards to achieve the goal set forth in Section 1001.03(1), F.S., with special emphasis on reading, writing, and mathematics as defined in Rule 6A 1.09401, F.A.C., in the "Sunshine State Standards" as incorporated by reference.~~

~~(a) Florida students locate, comprehend, interpret, evaluate, maintain, and apply information, concepts, and ideas found in literature, the arts, symbols, recordings, video and other graphic displays, and computer files in order to perform tasks and/or for enjoyment.~~

~~(b) Florida students communicate in English and other languages using information, concepts, prose, symbols, audio and video recordings, speeches, graphic displays, and computer-based programs.~~

~~(c) Florida students use numeric operations and concepts to describe, analyze, disaggregate, communicate, and synthesize numeric data, and to identify and solve problems.~~

~~(d) Florida students use creative thinking skills to generate new ideas, make the best decisions, recognize and solve problems through reasoning, interpret symbolic data, and develop efficient techniques for lifelong learning.~~

~~Rulemaking Authority 1001.02, 1008.22, 1008.33, 1008.345 FS. Law Implemented 1000.03, 1001.42, 1003.63, 1008.33, 1008.34, 1008.345, 1008.36 FS. History—New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, 5-15-06, 6-19-08, 11-26-08, 11-12-09.~~

~~NAME OF PERSON ORIGINATING PROPOSED RULE: Kris Ellington, Deputy Commissioner, Accountability, Research, and Measurement~~

~~NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education~~

~~DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2011~~

~~DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011~~

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-2.0040	Sanitation Standards in K-12 Private Schools

PURPOSE AND EFFECT: The purpose and effect of this rule is to adopt sanitation standards for K-12 private schools pursuant to Section 381.006(16), Florida Statutes.

SUMMARY: The proposed rule prescribes the minimum standards of sanitation and safety for K-12 private schools. The standards include requirements for the school site, playground equipment, building construction and maintenance, lighting, ventilation, sanitary facilities, water supply, sewage disposal, solid waste, pest control, first aid kit, diaper changing station, animal health and safety, and dormitories. The proposed rule provides that if a requirement conflicts with the Florida Building Code or the Florida Fire Prevention Code, then that code shall prevail.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that the rule will not have an adverse impact on small business. Except for the portions of the rule under subsections (12)-(14), the proposed rule has simply been transferred from the Department of Health, Rule 64E-13.004, F.A.C. The portions of the rule under subsections (12)-(14) will have a minimal impact.

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

RULEMAKING AUTHORITY: 381.006(16) FS.

LAW IMPLEMENTED: 381.006(6), (16) FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Kooi, Executive Director, Office of Independent Education and Parental Choice, 325 West Gaines Street, Room 522, Tallahassee, Florida 32399, (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

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

This rule prescribes minimum requirements and standards of sanitation and safety for K-12 private schools, as defined in Section 1002.01, Florida Statutes, located within the state regardless of the nature of the school, its ownership or organization. If a requirement in this rule conflicts with a specific requirement in the Florida Building Code adopted under Chapter 9N-1, F.A.C., or the Florida Fire Prevention Code under Chapter 69A-60, F.A.C., then that code shall prevail.

(1) School Site. The school site including areas used for playgrounds and that immediately adjacent to school buildings shall be provided with adequate facilities for surface drainage. A site should remain free from health threats from hazardous materials.

(2) Playgrounds and Athletic Equipment. Playgrounds shall be constructed and maintained to permit maximum utilization of sites with elimination of sanitary and health hazards including mudholes, fragments of glass, stone and similar obstructions.

(a) Fixed playground equipment shall be anchored with substantial foundations so maximum safety is obtained.

(b) Athletic and recreational equipment and facilities must be kept clean and in a safe condition. Fences and equipment shall be maintained so that no jagged or sharp projections exist.

(c) Cushioning materials such as mats, wood chips, or sand shall be used under climbing equipment, slides, and swings.

(3) Building Construction and Maintenance.

(a) School construction and remodeling shall conform to construction requirements of the Florida Building Code and the requirements of the local building authority. School buildings shall be maintained so that they are vermin-proofed.

(b) Buildings shall be kept clean and in good repair, free from hazardous conditions such as loose or broken floor tiles and boards; loose moldings; loose hanging fixtures, pipes, and electric wires; and broken plaster.

(c) Furnishings and equipment shall be kept clean and in good repair, free of missing parts and hazards such as sharp edges.

(4) Lighting Standards.

(a) Illumination in all instructional spaces shall be capable of providing a minimum of forty (40) foot-candles at normal task level.

(b) All required illumination shall be designed so that the failure of any single unit, such as the burning out of an electric bulb will not leave any occupied area or means of egress in darkness.

(5) Heating, Ventilation and Air Conditioning Standards.

(a) Permanent type school buildings and additions to school buildings shall be provided with heating facilities. Heating facilities shall be designed to heat to a temperature of not less than seventy (70) degrees fahrenheit, in instructional rooms, locker rooms and cafeterias; and sixty-five (65) degrees fahrenheit in toilets and activities rooms, such as gymnasiums and shops.

(b) No school plant or portion thereof shall be equipped with any type of equipment in which fumes of combustion or fuel may be discharged or can escape into the interior of buildings.

(c) Heat producing appliances and systems shall be installed in accordance with requirements of the local building and fire authority.

(d) Ventilation and air conditioning. All occupied rooms and other rooms where odors or contaminants are generated shall be vented to the outside. Ventilation rates shall comply with those specified in the local building code.

1. Natural ventilation.

a. When natural air flow is used in instructional spaces, it shall be designed and maintained to assure cross ventilation.

b. Gravity and wind operated ventilators shall not be used as an exhaust medium in instructional areas but may be in general storage rooms.

2. Mechanical ventilation.

a. All occupied spaces which do not meet the requirements for natural ventilation shall be mechanically ventilated by means of electrically operated exhausts. The ventilation system shall be maintained to insure air movement throughout the room at the level of the seated student. Fans and blowers shall be maintained to provide the required air movement without excessive or disturbing noise. Exhaust from dishwashing areas shall not be through the kitchen.

b. Mechanical ventilation systems shall be maintained in areas of high air contamination such as paint shops, auto repair shops and chemistry laboratories, art rooms where kilns are used, wood working and metal shops, and chemical storerooms.

(6) Sanitary Facilities. Every school plant shall be provided with toilet and hand washing facilities for all occupants. These facilities shall be located for convenient student access and faculty supervision and kept clean and in good repair.

(a) Toilet Facilities.

1. All group toilet rooms shall be provided with at least one (1) floor drain and (1) hose bib. The floor shall be sloped to the drain. Stall urinals do not serve for the required floor drains.

2. In group toilet rooms a partition shall be placed between each water closet. Each compartment shall have a privacy partition. Entrances to group toilet rooms shall be provided with a partition or other privacy shielding device to block the occupants from view. The toilet partitions and floors shall be finished with impervious materials.

3. Deodorizers shall not be used in toilet rooms. Air deodorizers are not to be confused with disinfectants.

(b) Handwashing facilities.

1. Handwashing facilities shall be located within or adjoining each toilet room.

2. Soap dispensers shall be provided at all wash basins and liquid or powdered soap shall be used.

3. Individual towels, preferably paper shall be used. Use of common or public towels is prohibited. Hot-air hand drying devices may be used.

(c) Showers.

1. When provided, shower rooms and stalls shall have floors and walls finished with dense non-absorbent and non-corrosive materials having a smooth impervious surface.

2. Water shall be heated and the temperature at the shower head shall not exceed one hundred ten (110) degrees fahrenheit nor be less than ninety-five (95) degrees fahrenheit.

3. Showers must be kept clean and free of mildew.

4. Foot baths shall not be provided.

(7) Water Supply.

(a) The water supply shall be operated and maintained in compliance with Chapters 62-550 and 62-555 or Chapter 64E-8, F.A.C.

(b) Drinking fountains of an approved, sanitary slant jet type shall be provided in the ratio specified in the local building code. In no case shall fountains be located in any toilet room.

(8) Sewage Disposal. Sewage shall be disposed of in accordance with Chapter 62-600 or 64E-6, F.A.C., whichever is applicable. Sewage treatment and disposal systems at schools shall be maintained in compliance with the applicable chapter.

(9) Solid Waste. Garbage, trash, and rubbish shall be collected, stored, and disposed of at a frequency and in a manner that prevents a sanitary nuisance. Wet garbage shall be collected and stored in impermeable, leak proof, fly tight containers pending disposal. Outdoor waste containers must be easily cleanable and serviceable. Waste containers and the storage area shall be cleaned at frequent intervals to prevent odors and breeding places for vermin. Waste water from the cleaning of garbage containers shall be disposed of as sewage. Removal and disposal of garbage shall comply with Chapter 62-701, F.A.C.

(10) Pest Control. Effective measures shall be used to prevent harborage, propagation, or infestations of rodents, flies, cockroaches, and other vermin on school premises. Brush, trash or other unnecessary material shall not be allowed to accumulate on school premises. Water must not be allowed to accumulate in any open containers, such as buckets and tires.

(11) First Aid Kit. Schools shall own and maintain a first aid kit available to pupils under supervision of an adult at all times while school is in session.

(12) Diaper Changing Station.

(a) A diaper changing station shall be located in or adjacent to any classroom where children wearing diapers are enrolled.

(b) A hand lavatory shall be provided within the changing station area. Access shall be provided to the lavatory without opening doors or touching handles.

(c) Diaper changing stations, when provided, must be equipped with an impermeable changing mat that is cleaned and sanitized after each use. The use of tape to cover rips or tears in the impervious mat covering is prohibited.

(d) Diaper changing tables must be maintained in a safe and secure condition at all times.

(e) A sanitizer that is approved by the Environmental Protection Agency (E.P.A.) shall be available at the changing station. The sanitizer shall be prepared according to the manufacturer's instructions and used as directed on the label.

(f) A garbage can equipped with a tight fitting lid and lined with an impermeable garbage bag must be located at the diaper changing station. The garbage can must be cleaned and sanitized at least daily.

(13) Animal Health and Safety. Animals living in or visiting an educational facility shall comply with the requirements of this subsection.

(a) Animals requiring rabies vaccination under Section 828.30, Florida Statutes, must be vaccinated for rabies and their vaccinations must be current at the time of inspection.

Proof of rabies vaccination or veterinary certification of vaccination exemption shall be kept on the school premises at all times and made available to the local county health department upon request.

(b) All animals must be kept free from disease and in good health or under treatment by a licensed veterinarian.

(c) Aggressive, venomous, or potentially dangerous animals must be restricted from access by the students at all times and kept in such a manner so as not to be able to become free roaming and cause or inflict harm to the students, visitors, or employees. These animals may not be housed in the students sleeping quarters or dormitory sleeping areas.

(d) Animal housing, cage, aquarium, barn or other housing arrangements shall be kept clean and in good repair. Food and clean water shall be adequately supplied and accessible to the animal.

(14) Dormitories and Residential School Facilities.

(a) Dormitories and residential school facilities shall be maintained in good condition, clean, free from pest infestations and noisome odors, and shall be free of health and safety hazards.

(b) Dormitories and residential school facilities, located on the premises of a school, shall not be part of the routine inspection of the school facility. Dormitories shall be inspected on a complaint basis.

Rulemaking Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael Kooi, Executive Director, Office of Independent Education and Parental Choice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2010

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-4.0021	Florida Teacher Certification Examinations

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt changes to the competencies and skills for the Physical Education K-12 and Health K-12 examination, effective January 1, 2012 and update processes related to the test delivery format, as well as other obsolete terminology present within the rule. The effect of these changes will be updated competencies and skills for the Florida Teacher Certification Examinations (FTCE).

SUMMARY: The rule is proposed for amendment to adopt the new edition of the Competencies and Skills Required for Teacher Certification in Florida, Sixteenth Edition, revise the test delivery format and removal of obsolete language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1012.56(9) FS.

LAW IMPLEMENTED: 1012.56 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

(1) Scope. This rule governs the written examinations for teacher certification. Additional requirements for certification are specified in Chapter 6A-4, F.A.C.

(2) Description of the examinations and competencies to be demonstrated.

(a) The Florida Teacher Certification Examinations shall be developed by the Commissioner of Education.

(b) The written examinations shall include subtests of English language skills, reading, writing, mathematics, professional skills, and subject area specialty. These examinations may contain multiple-choice questions and questions requiring the examinee to write an answer or demonstrate a proficiency.

(c) The following competencies are to be demonstrated by means of the written examinations:

1. Before January 1, ~~2012~~ ~~2011~~, the general knowledge competencies and skills as contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, ~~Fifteenth~~ ~~Fourteenth~~ Edition." Beginning with the January 1, ~~2012~~ ~~2011~~, test administration, the general knowledge competencies and skills as contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, ~~Sixteenth~~ ~~Fifteenth~~ Edition." Copies of these publications may be obtained from the Department's web site at <http://www.fldoe.org/asp/ftce/>.

2. Before January 1, ~~2012~~ ~~2011~~, the professional education test competencies and skills contained in the publication, “Competencies and Skills Required for Teacher Certification in Florida, ~~Fifteenth~~ ~~Fourteenth~~,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00248>) which is hereby incorporated by reference and made a part of this rule. Beginning January 1, ~~2012~~ ~~2011~~, the professional education test competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Sixteenth ~~Fifteenth~~ Edition,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00247>) which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule, and

3. Before January 1, ~~2012~~ ~~2011~~, the subject area competencies and skills contained in the publication, “Competencies and Skills Required for Teacher Certification in Florida, ~~Fifteenth~~ ~~Fourteenth~~,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00248>) which is hereby incorporated by reference and made a part of this rule. Beginning January 1, ~~2012~~ ~~2011~~, the subject area competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Sixteenth ~~Fifteenth~~ Edition,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00247>) which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule.

~~(d) Before July 1, 2002, the College Level Academic Skills Test or the Praxis I: Academic Skills Assessment as described in subsection (13) of this rule shall be used to demonstrate mastery of general knowledge for an individual who holds a bachelor’s or higher degree as specified in Rules 6A-4.004, 6A-4.050, and 6A-4.066, F.A.C.~~

(3) Administration of the examinations.

(a) The examinations shall be administered by a test administration agency or agencies under contract with the Florida Department of Education.

(b) The examinations shall be administered at least four (4) times each year. ~~The Commissioner of Education shall establish the examinations’ dates each year which may include supplemental test administrations.~~ The Commissioner of Education shall designate the registration deadlines, administration sites, and examinations dates available for the supplemental administrations.

(c) The examinations shall be administered at sites ~~centers~~ designated by the Commissioner of Education.

(d) An examinee may retake a failed examination provided at least thirty (30) days have elapsed since the previous administration of the failed examination.

(4) Registration, fees, ~~late registration~~ and refunds.

(a) Registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. To register to take the examinations, an applicant shall submit a completed application to which shall be received by the test administration agency at least fifty (50) days preceding the examination date.

1. A completed application shall consist of the following:

a. A completed application Form CG-20-04, Registration Application: Certification Examinations for Florida Educators, which includes the applicant’s signature. Form CG-20-04 is hereby incorporated by reference and made a part of this rule to become effective September 1, 2009. This form may be obtained without cost from the Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 or may be submitted online via the Florida Teacher Certification Examinations/Florida Educational Leadership Examination Program Web site at <http://www.fldoe.org/asp/ftce/> ~~http://www.fldoe.org/edcert/apply.asp.~~

~~b. Beginning January 1, 2009, a fifty (50) dollar fee for each first-time registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, each first-time registration for the professional education test, and each first-time registration for the general knowledge test or any combination of subtests for the general knowledge test. A fee of one hundred (100) dollars for each retake registration for a subject area specialty examination, the professional education test, or the general knowledge test, effective January 1, 2009.~~

(b)e. Beginning September 1, 2009, registration fees shall be as follows:

Examination	Fee
General Knowledge Test, First-Time Registration	\$130.00
General Knowledge Test, Retake Registration	\$150.00
Professional Education Test, First-Time Registration	\$150.00
Professional Education Test, Retake Registration	\$170.00
Subject Area Examination, First-Time Registration	\$200.00
Subject Area Examination, Retake Registration	\$220.00

~~d. A charge of one hundred (100) dollars in addition to the fees described in sub-subparagraph 6A-4.0021(4)(a)1.b. or 6A-4.0021(4)(a)1.c., F.A.C., for certification applicants taking a supplemental examination.~~

~~2. An incomplete application shall be returned to the applicant. Applications which are completed and resubmitted to the test administration agency after the fifty (50) day deadline shall be acceptable only if the applicant complies with requirements specified in paragraph 6A-4.0021(4)(b), F.A.C.~~

~~(b) Late registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. An applicant who did not submit a completed application to the test administration agency within the fifty (50) day deadline may register for the examinations by completing the requirements listed in subparagraph 6A 4.0021(4)(a)1., F.A.C., and submitting a fifteen (15) dollar late charge for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination; each registration for the professional education test; and each registration for the general knowledge examination or any combination of the general knowledge subtests. All items shall be received by the test administration agency at least thirty (30) days preceding the examination date. Late registrations shall be accepted on a space available basis.~~

(c) Refunds. Fees ~~may~~ shall be refunded provided written requests for refunds are received by the test administration agency at least twenty-four (24) hours ~~thirty (30) days~~ preceding the examination date. Failure to appear for or to complete an examination shall result in forfeiture of fees.

(5) Admission. The test administration agency shall provide each applicant with an admission ticket specifying the examination site, date, center and the time of the examination. The admission ticket and other identification are required for entrance into the examination site center. ~~Additional~~ The other identification shall be specified on the admission ticket. An applicant who arrives after the examination has begun shall not be admitted ~~until the start of the next examination or subtest~~. An applicant, who has registered for multiple examinations or subtests for the same day and arrives late, shall only be admitted at the start of the next examination or subtest.

(6) Examinee with a disability. An applicant who is unable to complete the examinations under standard testing conditions because of a disability may request special arrangements. Such a request shall be made when the examination application is submitted. Lack of proficiency in the English language alone shall not be acceptable as a justifiable reason for requesting a reader or extra time for an examinee. Special arrangements shall be provided for applicants with disabilities.

(a) through (b) No change.

(c) Special test arrangements may include but are not limited to the following:

1. Flexible scheduling. The person may be administered an examination during several brief sessions, as ~~so~~ long as that examination is completed on the test administration date. Up to ~~Double~~ time may be allowed.

2. Flexible setting. The person may be administered an examination individually or in a small group setting by a proctor rather than in a classroom or auditorium setting.

3. Recording of answers. The person may mark answers in a test booklet, type the answers by machine, or indicate selected answers to a test proctor. The proctor may then transcribe the person's responses onto a machine-scorable

answer sheet or onto a computer. In instances where the proctor is required to mark the responses on behalf of the examinee, there will be a tape recording of the examinee's selected responses. A large-block answer sheet may be provided. The person may use a word processor or typewriter to prepare any required essay or other written response. Technical support to operate the word processor or typewriter may will be provided.

4. Revised format. The person may use a large-print booklet, a Braille test booklet, or a magnifying device.

5. Auditory aids. A ~~tape~~ recorded version of the examination may be provided, the examination may be read by a narrator, or the examination may be provided via video ~~tape~~ with a narrator using oral language or sign language.

6. through (f) No change.

(g) This rule does not require the Department to provide individuals with disabilities with personal devices, such as wheelchairs; individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use for study; or services of a personal nature including assistance in eating, toiletry, or dressing.

(h) Appeals procedure. An examinee who is denied test accommodations may appeal the denial to the Commissioner of Education. Such appeal may necessitate a later test date.

(7) Scoring the general knowledge subtests. Effective January 2004, the passing scores for the general knowledge subtests listed below shall be a scaled score of at least two hundred (200) for multiple-choice sections. The passing score for the Essay subtest shall be a total raw score of at least six (6). ~~These~~ This scores shall be equivalent to the following raw scores on the July 2002 test administration:

(a) General Knowledge Reading Subtest: 25 correct items.

(b) General Knowledge English Language Skills Subtest: 29 correct items.

~~(c) General Knowledge English Essay Subtest: A total raw score of six (6).~~

~~(c)(d)~~ General Knowledge Mathematics Subtest: 26 correct items.

(d) General Knowledge English Essay Subtest: A total raw score of six (6).

(8) through (9)(a) No change.

(b) For subject area specialty examinations listed below, a score earned prior to May 1, 1990, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. Effective August 1, 1990, a passing score for these subject area examinations will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following scores on the October, 1988 test administration:

SUBJECT	SCORE
Biology 6-12	70 correct items
Computer Science K-12	72 correct items
Earth-Space Science 6-12	70 correct items

Emotionally Handicapped K-12	87 correct items
Geography 6-12	105 correct items
Guidance and Counseling PK-12	83 correct items
History 6-12	89 correct items
Journalism 6-12	89 correct items
Mentally Handicapped K-12	63 correct items
Physical Education K-8	66 correct items
Physical Education 6-12	72 correct items
Physically Impaired K-12	79 correct items
Political Science 6-12	84 correct items
Reading K-12	69 correct items
School Psychologist PK-12	61 correct items
Specific Learning Disabilities K-12	78 correct items
Speech-Language Impaired K-12	79 correct items
Varying Exceptionalities K-12	80 correct items

(c) For subject area specialty examinations listed below, a score earned prior to October 1, 1990, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. Effective October 1, 1990, a passing score for these subject area examinations will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following scores on the April, 1989 test administration:

SUBJECT	SCORE
Art K-12	63 correct items
Elementary Education 1-6	84 correct items
English 6-12	71 on a scale that weights the multiple choice section eighty (80) percent and the essay section twenty (20) percent
Hearing Impaired K-12	66 correct items
Mathematics 6-12	60 correct items
Music K-12	64 correct items
Primary Education K-3	88 correct items
Social Science 6-12	102 correct items

(d) through (o)1. No change.

2. Computer Science K-12 Examination. An examination raw score that results in an examinee passing rate of eighty-three (83) percent, which was the passing rate of teacher candidates who took the Computer Science K-12 specialty examination for the first time during the 2002-2003 examination administration year. In the event that fewer than fifty (50) examinees are tested in the July 2004 administration, the passing score shall be sixty-three (63) percent of the items.

(p) through (r) No change.

~~(10) Scoring of the College Level Academic Skills Test before July 1, 2002.~~

~~(a) The scoring of the College Level Academic Skills Test is described in subsection 6A-10.0311(3), F.A.C.~~

~~(b) The passing standards for the College Level Academic Skills Test are described in Rule 6A-10.0312, F.A.C.~~

~~(c) The College Level Academic Skills Test scores shall be reported through a score report mailed to the examinee and through a report to the Department of Education.~~

~~(d) If an individual has met the passing standards for the College Level Academic Skills Test, the individual will not be required to retake this examination to meet the requirements of paragraph 6A-4.0021(2)(d), F.A.C.~~

~~(10)(11)~~ Score reports for the reading, writing, mathematics, professional skills, and subject area examinations.

(A) A properly authenticated score report is defined as the original score report issued directly by the test administration agency without any qualification, reservation, or irregularity.

(b) The examinee shall be sent an two (2) authenticated score reports as described in paragraph 6A-4.0021~~(10)(11)~~(a), F.A.C. In addition, a copy of the score report may be issued by the test administration agency without a fee to one (1) Florida college or university and to one (1) Florida school district provided the examinee identifies the recipient or recipients of the score report at the time of registration ~~on either the CG-20-03A, Registration Application: Certification Examinations for Florida Educators or the CG-20-04, Registration Application: Certification Examinations for Florida Educators.~~

(c) Official documentation of scores earned on each examination for a temporary or for a professional certificate shall be the original authenticated score report as described in paragraph 6A-4.0021~~(10)(11)~~(a), F.A.C., or a duplicate authenticated score report as described in paragraph 6A-4.0021~~(10)(11)~~(e), F.A.C.

(d) through (e) No change.

~~(11)(12)~~ Review.

(a) Requests for ~~Manual Scoring and Verification~~. An examinee who fails one (1) or more examination(s) may file a written request with the test administration agency ~~for manual scoring of the multiple-choice sections of the examination(s) failed. A written request may also be made to verify the scores for computer-based tests and performance components of failed examinations, including essays, short-answer sections, and verbal responses, to ensure that the examinations were scored~~ scores assigned were recorded accurately. The request shall be filed within thirty (30) days of the date the score report was ~~released~~ mailed by the test administration agency. The fee for ~~manual scoring, verification, or both, of one (1) or more examinations~~ shall be twenty-five (25) dollars. The test administration agency shall notify the examinee of the results of the request within thirty (30) days of receipt of the request and fee.

(b) Score Verification Sessions. An examinee who fails one (1) or more examination(s) may review only those incorrect test items contained within each examination that was failed and bring to the Florida Department of Education's attention any scoring errors which may result in a passing score. The procedures for test review are listed below:

1. The examinee shall register for a score verification session within thirty (30) days of the date the score report was ~~released~~ mailed by the test administration agency. At least

thirty (30) days shall have elapsed from the administration of the failed examination before an examinee may attend a score verification session.

2. through 6. No change.

7. An examinee may retake a failed examination that was reviewed provided at least thirty (30) days have elapsed since the date of the review. If an examinee takes any an examination, including a computer-based examination, that was reviewed within thirty (30) days of the test date, the examination will be invalidated.

~~(13) Administration of the Praxis Series: Professional Assessments for Beginning Teachers before July 1, 2002. These examinations shall be administered as described in the Praxis Series Registration Bulletin which may be obtained from Educational Testing Service, Post Office Box 6051, Princeton, New Jersey 08541-6051.~~

~~(14) Scoring of the Praxis Series: Professional Assessments for Beginning Teachers.~~

~~(a) The scores listed below shall be considered minimum passing scores for the following tests of the Praxis I: Academic Skills Assessments. Passing scores on the examinations may be used to satisfy the requirement of mastery of general knowledge, including the ability to read, write, and compute. Passing scores are required on one (1) subtest from each of the general knowledge areas of reading, writing, and mathematics. The list below shows the general knowledge areas, followed by the names of the subtests and the minimum passing scale scores. A passing score on either subtest for the area will meet the requirement.~~

Area/Subtest	Scale Score
Reading	
Praxis I Pre-Professional Skills: Reading #5710 or 10710	172
Praxis I Computer-Based Academic Skills: Reading #0711	321
Writing	
Praxis I Pre-Professional Skills: Writing #5720 or 20720	171
Praxis I Computer-Based Academic Skills: Writing #0721	318
Mathematics	
Praxis I Pre-Professional Skills: Mathematics #5730 or 10730	175
Praxis I Computer-Based Academic Skills: Mathematics #0731	317

~~(b) The scale score listed below shall be considered the minimum passing score for the following examination of the Praxis II: NTE Programs Core Battery. A passing score on this examination may be used to satisfy the requirement of mastery of professional skills as referenced in Section 231.17(5), F.S.~~

Professional Education Professional Knowledge #0520	Scale Score 657
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~~(c) The scale scores listed below shall be considered minimum passing scores for the following examinations of the Praxis II: Subject Assessments and NTE Specialty Area examinations. Passing scores on the examinations may be used to satisfy the requirement of mastery of the subject matter in the certification area as referenced in Section 231.17(4), F.S. The list shows the certification areas for which there are approved examinations, followed by the names of the examinations and the minimum passing scale scores. If there is more than one (1) examination listed for a certification area, a passing score on either examination will meet the requirement.~~

Certification Area/Examination	Scale Score
Elementary Education 1-6	
Education in the Elementary School #0010	
Elementary Education: Curriculum, Instruction and Assessment #0011	560
Emotionally Handicapped K-12 Teaching Students with Emotional Disturbance #0370	151
Guidance and Counseling PK-12 School Guidance and Counseling #0420	600
Mathematics 6-12 Mathematics #0060	
Mentally Handicapped K-12 Education of Students with Mental Retardation #0320	630
Middle Grades English 5-9 English Language, Literature, and Composition: Content Knowledge #0041	620
Middle Grades Mathematics 5-9 Mathematics #0060	
Physical Education K-8 Physical Education #0090	165
Prekindergarten/Primary PK-3 Early Childhood Education #0020	600
Primary Education K-3 Early Childhood Education #0020	610
School Social Worker School Social Worker #0210	600
Social Science 6-12 Social Studies #0080	600
Social Studies: Content Knowledge #0081	
Specific Learning Disabilities K-12 Teaching Students with Specific Learning Disabilities #0380	640
Varying Exceptionalities K-12 Special Education #0350	560
	158
	590
	590

~~(15) Score reports for the National Teacher Examination Praxis examinations. A properly authenticated score report is defined as the original score report issued directly by the Educational Testing Service without any qualification, reservation, or irregularity.~~

Rulemaking Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History—New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, 5-24-05, 5-23-06, 5-21-07, 5-19-08, 7-21-08, 7-9-09, 6-22-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kris Ellington, Deputy Commissioner, Accountability, Research, and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 5, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0243
RULE TITLE: Specialization Requirements for Certification in World Languages (Grades K-12) – Academic Class

PURPOSE AND EFFECT: The purpose of this rule amendment is to include certification in Turkish to the world languages for which Florida certification is offered. The effect will be a rule that is updated and offers appropriate certification in Turkish for the teachers of the Turkish courses taught in Florida schools.

SUMMARY: The rule amendment will offer certification in Turkish for the teachers of Turkish courses in Florida schools.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathy Hebda, Deputy Chancellor for Educator Quality, Department of Education, 325 West Gaines Street, Room 1502, Tallahassee, Florida 32399-0400, (850)245-0509

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0243 Specialization Requirements for Certification in ~~World Foreign~~ Languages (Grades K-12) – Academic Class.

(1) Specialization requirements for the following world languages: Arabic, Chinese, Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese, Portuguese, Russian, ~~and~~ Spanish, ~~and~~ Turkish.

(a) through (2) No change.

~~Rulemaking Specific~~ Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—New 7-1-90, Amended 7-17-00, 4-17-02, 6-20-07, 3-24-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, Division of Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0571
RULE TITLE: Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to adopt the secondary and postsecondary career education programs prescribed in Section 1011.80, Florida Statutes, and listed as follows: “Agriculture, Food & Natural Resources,” “Architecture & Construction,” “Arts, A/V Technology & Communication,” “Business, Management & Administration,” “Education & Training,” “Energy,” “Finance,” “Government & Public Administration,” “Health Science,” “Hospitality & Tourism,” “Human Services,” “Information Technology,” “Law, Public Safety & Security,” “Manufacturing,” “Marketing, Sales & Service,” “Science, Technology, Engineering & Mathematics (STEM),” “Transportation, Distribution & Logistics,” and “Additional CTE Programs/Courses,” all of which fall under the umbrella of the “Career and Technical Education Programs, Academic Year 2011/2012.” In addition, to adopt the “Adult General Education Standards and Curriculum Frameworks 2011-2012.”

SUMMARY: The Department is responsible for developing program standards and industry-driven benchmarks for career and technical education and adult general education programs. The criteria for qualification of individual courses for inclusion in secondary and postsecondary career education programs and adult general education programs prescribed in Workforce Education programs are annually adopted by the State Board

and are published by the Commissioner on the Department's website. These criteria are hereby incorporated by this rule and made a part of the rules of the State Board.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1004.92 FS.

LAW IMPLEMENTED: 1004.92 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Taylor, Senior Educational Program Director, Federal and State Initiatives, 325 West Gaines Street, Tallahassee, Florida 32399-0400; Kathleen.Taylor@fldoe.org, (850)245-9062

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0571 Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks.

Section 1004.92, F.S., requires the Department of Education to develop program standards and industry-driven benchmarks for career and technical education and adult and community education programs. The criteria for qualification of individual courses for inclusion in the classification of secondary career education programs prescribed in Section 1011.80, F.S., or Workforce Development Education programs as prescribed in Section 1011.62, F.S., are annually adopted by the State Board and shall be published by the Commissioner in the a documents titled; as follows: "Agriculture, Food & Natural Resources (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00223>), "Architecture & Construction (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00224>), "Arts, A/V Technology & Communication (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00225>), "Business, Management & Administration (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00226>), "Education & Training (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00227>), "Energy (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00228>), "Finance (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00229>), "Government & Public Administration (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00230>), "Health Science (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00231>),

"Hospitality & Tourism (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00232>), "Human Services (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00233>), "Information Technology (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00234>), "Law, Public Safety & Security (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00235>), "Manufacturing (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00236>), "Marketing, Sales & Service (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00237>), "Science, Technology, Engineering & Mathematics (STEM) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00238>), "Transportation, Distribution & Logistics (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00239>), and "Additional CTE Programs/Courses (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00240>)," all of which fall under the umbrella of the "Career and Technical Education Programs, Academic Year ~~2011/2012~~ ~~2010/2011~~ Curriculum Frameworks by Career Cluster," or in the document "Adult General Education Standards and Curriculum Frameworks ~~2011/2012~~ ~~2010/2011~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00241>). These criteria are hereby incorporated by reference in this rule ~~and made a part of the rules of the State Board of Education to become effective with the effective date of this rule.~~ Copies of these publications may be obtained from the Division of Career and Adult Education, Department of Education, 325 West Gaines Street, Tallahassee, FL 32399 or from the Department's website at <http://www.fldoe.org/workforce/dwdframe> and http://www.fldoe.org/workforce/dwdframe/ad_frame.asp.

(1) District school boards and community colleges boards of trustees variance authority. District school boards of education and community college boards of trustees are authorized, to vary up to ten (10) percent of the intended outcomes of each framework included in the documents titled as follows: "Agriculture, Food & Natural Resources," "Architecture & Construction," "Arts, A/V Technology & Communication," "Business, Management & Administration," "Education & Training," "Energy," "Finance," "Government & Public Administration," "Health Science," "Hospitality & Tourism," "Human Services," "Information Technology," "Law, Public Safety & Security," "Manufacturing," "Marketing, Sales & Service," "Science, Technology, Engineering & Mathematics (STEM)," "Transportation, Distribution & Logistics," and "Additional CTE Programs/Courses," all of which fall under the umbrella of the "Career and Technical Education Programs, Academic Year ~~2011/2012~~ ~~2010/2011~~ Curriculum Frameworks by Career Cluster" and the document "Adult General Education Standards and Curriculum Frameworks ~~2011/2012~~ ~~2010/2011~~." The variance does not apply to frameworks identifying occupations requiring state or federal licensure, certification or registration.

(2) Commissioner of Education waiver authority. The Commissioner of Education may approve a school's waiver request submitted by a district school board to allow the school

to substitute locally approved intended outcomes for State Board approved outcomes included in the documents titled as follows: “Agriculture, Food & Natural Resources,” “Architecture & Construction,” “Arts, A/V Technology & Communication,” “Business, Management & Administration,” “Education & Training,” “Energy,” “Finance,” “Government & Public Administration,” “Health Science,” “Hospitality & Tourism,” “Human Services,” “Information Technology,” “Law, Public Safety & Security,” “Manufacturing,” “Marketing, Sales & Service,” “Science, Technology, Engineering & Mathematics (STEM),” “Transportation, Distribution & Logistics,” and “Additional CTE Programs/Courses,” all of which fall under the umbrella of the “Career and Technical Education Programs, Academic Year 2011/2012 ~~2010-2011~~ Curriculum Frameworks by Career Cluster” and “Adult General Education Standards and Curriculum Frameworks 2011-2012 ~~2010-2011~~,” provided that:

- (a) The framework does not identify occupations requiring state or federal licensure, certification or registration;
- (b) Locally approved outcomes specified for the state approved program adequately address the major concepts/content contained in the curriculum framework;
- (c) The waiver request fulfills the provisions of Section 1001.10, F.S.

Rulemaking Authority 1004.92(2)(b)3. FS. Law Implemented 1004.92(2)(b)4. FS. History—New 10-30-78, Amended 10-23-79, 5-29-80, 7-9-81, 7-6-82, 5-29-83, 6-14-84, 7-10-85, Formerly 6A-6.571, Amended 7-9-86, 7-22-87, 8-30-88, 7-31-90, 7-31-91, 7-31-92, 7-31-93, 7-31-94, 4-30-96, 1-23-00, 7-21-08, 4-21-09, 5-3-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Loretta Costin, Chancellor, Division of Career and Adult Education

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0573 RULE TITLE: Industry Certification Process

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt the 2010-11 Workforce Florida, Inc. Comprehensive Industry Certification List for the Career and Professional Education Act and the 2010-2011 Industry Certification Funding List, Updated. The effect is to add three new additional certifications as approved by the Workforce Florida, Inc. Board.

SUMMARY: The incorporated documents as noted above are submitted for State Board approval in order for the students to receive credit for these certifications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1003.492(2) FS.

LAW IMPLEMENTED: 1003.491, 1003.492, 1003.493 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Loretta Costin, Chancellor, Division of Career and Adult Education, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0446

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0573 Industry Certification Process.

(1) Pursuant to Section 1003.492(2), F.S., Workforce Florida, Inc.’s approved list of industry certifications, which has been named the “2010-11 Workforce Florida, Inc. Comprehensive Industry Certification List for the Career and Professional Education Act, March 2010” (<http://www.flrules.com/Gateway/reference.asp?No=Ref-00221>) is adopted by the State Board of Education and incorporated by reference in this rule. The “2010-11 Workforce Florida, Inc. Comprehensive Industry Certification List for the Career and Professional Education Act” may be obtained from the Department of Education’s web site at <http://www.fldoe.org/workforce/fcpea/default.asp>.

(2) The “Comprehensive Industry Certification List” shall be published by March 1 of each calendar year.

(3) “Industry Certification Funding List.” The Department of Education shall review the approved “Comprehensive Industry Certification List” to identify certifications deemed sufficiently rigorous academically and, thus, eligible for additional full-time equivalent (FTE) membership funding, pursuant to Section 1011.62(1), F.S.

(a) This list will be known as the “2010-2011 Industry Certification Funding List, Updated” (<http://www.flrules.com/Gateway/reference.asp?No=Ref-00221>) to be published by the Department of Education and is incorporated by reference in this rule. The “2010-2011 Industry Certification Funding List, Updated” (<http://www.flrules.com/Gateway/reference.asp?No=>

Ref-00221) may be obtained from the Department of Education's web site at <http://www.fldoe.org/workforce/fcpea/default.asp>.

(b) To be considered for additional full-time equivalent membership funding and included on the "2010-2011 Industry Certification Funding List, Updated" in this paragraph, a certification shall:

1. Be on the "Comprehensive Industry Certification List;"
2. Be achievable by students in a secondary level program;
3. Require a minimum of one hundred fifty (150) hours of instruction; and
4. Have been offered for at least one year in a school district.

(c) The Commissioner of Education may waive the one-year requirement when failure to do so would inhibit preparation of students for emerging workforce opportunities.

(4) through (8) No change.

Rulemaking Authority 1003.492(2) FS. Law Implemented 1003.491, 1003.492, 1003.493 FS. History--New 10-20-08, Amended 8-18-09, 6-22-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Loretta Costin, Chancellor, Division of Career and Adult Education

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-7.077
RULE TITLE: Access to State Funded Electronic Library Resources by Accelerated Secondary Students

PURPOSE AND EFFECT: The purpose of this new rule is to stipulate the mechanism by which secondary public school students enrolled in accelerated courses (dual-enrolled, early admission, Advanced Placement, International Baccalaureate and Advanced International Certificate of Education) shall gain access to state funded electronic library resources that are licensed for Florida colleges and state universities by the College Center for Library Automation in accordance with Section 1007.27(1), Florida Statutes.

SUMMARY: Through the Florida Library Access-Pass for Accelerated Students (FLA-PASS) webpage, accelerated students will have access to state funded electronic library resources. In order to gain access, students will fill out the Student Eligibility Verification Form found at the above webpage, and designated secondary school staff (authorized

administrators) will input their information. Secondary school staff will create the policies and procedures necessary for the collection and retention of forms and the yearly updating of student information.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1001.02(1), 1007.27(1) FS.

LAW IMPLEMENTED: 1007.27(1) FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Deputy Chancellor for Curriculum, Instruction, and Student Services, Department of Education, 325 West Gaines Street, Suite 1502, Tallahassee, Florida 32399-0400, (850)245-0509

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-7.077 Access to State Funded Electronic Library Resources by Accelerated Secondary Students.

(1) Students of Florida public secondary schools enrolled pursuant to Section 1007.27(1), Florida Statutes, shall have access to state funded electronic library resources that are licensed for Florida colleges and state universities by the College Center for Library Automation and the Florida Center for Library Automation.

(2) Each public secondary school shall designate a member of its staff to serve as the authorized administrator for purposes of providing access to state funded electronic resources. In order to access these electronic resources, students shall provide the information requested on Form EL-01, Eligibility Verification Form 2011, to the authorized administrators at their school. Form EL-01 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00219>) is hereby incorporated by reference in this rule. The form may be accessed at the Florida Library Access-Pass for Accelerated Secondary Students ("FLA-PASS") webpage at <http://www.FLA-PASS.org>.

(3) The authorized administrators at each school shall collect Eligibility Verification Forms from students, input the required information into the FLA-PASS webpage, and retain the original physical forms pursuant to school district records retention policies.

(4) Schools shall collect and update student information every school year utilizing the form and FLA-PASS website. Rulemaking Authority 1001.02(1), 1007.27(1) FS. Law Implemented 1007.27(1) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, Division of Public Schools
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 28, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 2010

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-14.0542
 RULE TITLE: Tuition Waiver for Classroom Teachers

PURPOSE AND EFFECT: The purpose and effect of this new rule is to establish the applicable postsecondary courses that would meet the classroom teacher tuition waiver provision established in Section 1009.26(10), Florida Statutes, during the 2010 legislative session.

SUMMARY: This rule establishes the procedure the Department will follow to approve postsecondary courses eligible for the classroom teacher tuition waiver provision established in Section 1009.26(10), Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1009.26(10) FS.

LAW IMPLEMENTED: 1009.26 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Alexander, Director, Instruction and Student Services, 325 West Gaines Street, Room 1544, Tallahassee, Florida 32399, julie.alexander@fldoe.org, (850)245-9523

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-14.0542 Tuition Waiver for Classroom Teachers. Pursuant to Section 1009.26(10), Florida Statutes, Florida colleges may waive tuition and associated matriculation fees for classroom teachers enrolled in courses approved by the Department of Education for up to six (6) college credit hours per term. The Department will implement the following approval process for the courses applicable to this waiver.

(1) The Department will identify course prefixes listed in the Statewide Course Numbering System established according to Section 1007.24, Florida Statutes, in the areas of special education, mathematics, and science. All undergraduate courses with levels 1 through 4 and designated by the identified prefixes will be eligible for the waiver.

(2) The Department will submit the proposed list of eligible prefixes and all requested updates to the Articulation Coordinating Committee established in Rule 6A-10.024, F.A.C. The initial list and all updates must be approved by the Articulation Coordinating Committee and the Department. A course prefix shall be approved if courses containing the prefix relate to special education, mathematics, or science at the undergraduate level.

(3) Upon approval of the list by the Articulation Coordinating Committee and the Department, the Department will publish the Course Prefix Listing Approved for the Teacher Waiver, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00246>) which is hereby incorporated by reference in this rule and may be obtained at <http://www.fldoe.org/articulation/>. All undergraduate courses with levels 1 through 4 and designated by the identified prefixes will be eligible for the waiver.

(4) Any interested person may submit a request for modification of the Course Prefix Listing Approved for the Teacher Waiver by submitting a request in writing to: articulation@fldoe.org or Office of Articulation, 325 West Gaines Street, Tallahassee, Florida 32399.

Rulemaking Authority 1009.26(10) FS. Law Implemented 1009.26 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Will Holcombe, Chancellor, Florida College System
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 2010