

Section I
**Notice of Development of Proposed Rules
 and Negotiated Rulemaking**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

**Division of Florida Condominiums, Timeshares and
 Mobile Homes**

RULE NOS.: **RULE TITLES:**
 61B-60.002 General Provisions; Forms and Fees
 61B-60.003 Application for and Renewal of Broker or
 Salesperson License

PURPOSE AND EFFECT: The proposed rulemaking amends Rule 61B-60.002 and 61B-60.003(2)(a). The purpose of this amendment is allow for only the electronic submission of fingerprints from applicants. Electronic submissions are more efficient and cost effective to the applicant as well as the Division.

SUBJECT AREA TO BE ADDRESSED: The proposed rulemaking amends Rule 61B-60.002 and 61B-60.003(2)(a). The purpose of this amendment is allow for only the electronic submission of fingerprints from applicants. Electronic submissions are more efficient and cost effective to the applicant as well as the Division.

RULEMAKING AUTHORITY: 326.004, F.S.

LAW IMPLEMENTED: 215.405, 326.003, 326.004, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Brett Pason, Government Analyst, Division of Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1415.

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

Section II
Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
 6A-5.030 District Instructional Personnel and School
 Administrator Evaluation Systems

PURPOSE AND EFFECT: To update the requirements for district school instructional personnel evaluation systems to align with Rule 6A-5.065, F.A.C., Florida Educator Accomplished Practices (FEAP), and with legislative changes resulting from House Bill (HB) 1537 (Ch. 2023-39, Laws of Florida). Revisions to the FEAP were adopted by the State Board of Education in July 2023. The rule also incorporates changes from the 2022 legislative session (Senate Bill 2524, Ch. 2022-154, 861, Laws of Florida) acknowledging evaluation procedures are not subject to mandatory collective bargaining.

SUMMARY: The rule will be updated to align with Rule 6A-5.065, F.A.C., Florida Educator Accomplished Practices. The FEAP were updated by the State Board of Education in July 2023. School district instructional personnel evaluation systems are required to be aligned with these standards per section 1012.34, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth or business competitiveness, or increase regulatory costs or any other factor set forth in s. 120.541(2), F.S., and will not require legislative ratification. This is based upon the nature of the proposed rule, which updates language to reflect the revised standards for effective educators and to reiterate expectations outlined in statute.

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), (2)(n), 1012.34(8), 1012.98(9), F.S.

LAW IMPLEMENTED: 1012.34, 1012.98, F.S.

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

DATE AND TIME: October 18, 2023, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Grand Sierra Ballroom D, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashley Harvey, Director, Educator Retention and Professional Learning, Bureau of Educator Recruitment, Development and Retention, (850)245-9933 or Ashley.Harvey1@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.030 District Instructional Personnel and School Administrator Evaluation Systems.

(1) No change.

(2) Definitions. The following definitions, listed alphabetically, shall be used in this rule and incorporated documents:

(a) through (b) No change.

(c) “Descriptors” means the role-based requirements of school administrators to demonstrate mastery of each of the Florida Educational Leadership Standards or the requirements of instructional personnel to demonstrate mastery of each of the Florida Educator Accomplished Practices.

(d) “Florida Educator Accomplished Practices” or “FEAP” means the six (6) practices, including the descriptors within, described in subsection 6A-5.065(2), F.A.C., which is hereby incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05726>). A copy of Rule 6A-5.065, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(e) “Florida Educational Leadership Standards” or “FELS” means the eight (8) practices, including all descriptors, described in Rule 6A-5.080, F.A.C., which is hereby incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05727>). A copy of Rule 6A-5.080, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(f) through (o) No change.

(p) “Value-added model” or “VAM” means a statistical model used for the purpose of determining an individual teacher’s or school administrator’s contribution to student learning, as established in Rule 6A-5.0411, F.A.C., which is hereby incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05728>). A copy of Rule 6A-5.0411, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(3) Evaluation Systems Requirements. To receive approval of its evaluation systems, the school district must provide the following:

(a) through (b) No change.

(c) Evaluation Criteria.

1. through 4. No change.

5. Summative Evaluation Rating. ~~For instructional personnel and school administrators:~~

a. For instructional personnel:

(I) Description of the step-by-step calculation for determining the summative rating; and,

(II) ~~b.~~ Sample summative rating calculations to illustrate how a second grade teacher and a ninth grade English language arts teacher can earn a highly effective and an unsatisfactory summative performance rating respectively.

b. For school administrators:

(I) Description of the step-by-step calculation for determining the summative rating; and,

(II) Sample summative rating calculations to illustrate how an elementary principal and a high school assistant principal can earn a highly effective and an unsatisfactory summative performance rating respectively.

(d) Additional requirements.

1. For instructional personnel and school administrators:

a. Confirmation that the evaluation system framework is based on sound educational principles ~~principals~~ and contemporary research in effective educational practices.

b. No change.

c. Acknowledgment that the evaluation procedures established by the district school superintendent set the standards of service to be offered to the public within the meaning of Section 447.209, F.S., and are not subject to mandatory collective bargaining.

d. ~~e.~~ Confirmation that the school district evaluation procedures comply with the following:

(I) through (VII) No change.

e. ~~d.~~ Confirmation that the school district has procedures for the use of evaluation results to inform the planning of professional learning development, and the development of school and district improvement plans.

f. ~~e.~~ Confirmation that the school district ensures personnel who have been evaluated as less than effective are required to participate in specific professional learning development programs.

g. ~~f.~~ Confirmation that the school district has procedures for the notification of unsatisfactory performance that comply with the requirements outlined in Section 1012.34(4), F.S.

h. ~~g.~~ Confirmation that the district school superintendent annually notifies the Department of Education of any personnel who receive two (2) consecutive unsatisfactory evaluation ratings, or are given written notice by the school district of

intent to terminate or not renew their employment, as outlined in Section 1012.34(5), F.S. This reporting shall be completed in accordance with the FDOE Information Database Requirements: Volume II – Automated Staff Information System, as established in Rule 6A-1.0014, F.A.C., which is hereby incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09263>). A copy of Rule 6A-1.0014, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

i. ~~h.~~ Confirmation that the school district has a process for annually monitoring its evaluation system that enables it to determine the following:

(I) through (IV) No change.

(V) Use of evaluation data to identify individual professional learning development; and,

(VI) No change.

2. For instructional personnel:

a. No change.

b. Confirmation that the observation instrument(s) to be used for non-classroom instructional personnel include indicators based on ~~each of~~ the FEAP, and may include specific job expectations related to student support.

c. through f. No change.

g. Acknowledgment that the instructional practice evaluation procedures and criteria under Section 1012.34, F.S., do not preclude a school administrator from visiting and observing classroom teachers throughout the school year for the purposes of providing mentorship, training, instructional feedback, or professional learning.

h. ~~g.~~ Confirmation that the district’s system identifies teaching fields for which special evaluation procedures or criteria are necessary, if applicable.

3. No change.

(e) No change.

(4) through (7) No change.

(8) Forms. The following forms are hereby incorporated by reference:

Instructional Evaluation System Template, Form IEST-2023 (~~November~~ ~~August~~ 2023) and (<http://www.flrules.org/Gateway/reference.asp?No=Ref-45734>) and Administrative Evaluation System Template, Form AEST-2023 (May 2023) (<https://www.flrules.org/gateway/reference.asp?No=Ref-15295>). Copies may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

Rulemaking Authority 1012.34(8) 1012.98(98) FS. Law Implemented 1012.34, 1012.98 FS. History—New 6-19-01, Formerly 6B-4.010, Amended 9-9-15, 4-30-18, 5-23-23, 8-22-23,

NAME OF PERSON ORIGINATING PROPOSED RULE: Ashley Harvey, Director, Educator Retention and Professional Learning, Bureau of Educator Recruitment, Development and Retention.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 22, 2023

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-5.081 Approval of School Leadership Programs

PURPOSE AND EFFECT: To update the rule language and incorporated documents to reflect the shift from the Florida Principal Leadership Standards (FPLS) to the Florida Educational Leadership Standards (FELS), as well as make technical clarifications.

SUMMARY: The rule will be updated to reflect the change in Florida’s leadership standards established in Rule 6A-5.081, F.A.C. The FELS were adopted by the State Board of Education in October 2022. The proposed rule amendment also clarifies the entities eligible to provide each type of school leadership program pursuant to section 1012.562, F.S., and reflects a consistent naming convention for the programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth or business competitiveness, or increase regulatory costs or any other factor set forth in s. 120.541(2), F.S., and will not require legislative ratification. This is based upon the nature of the proposed rule, which updates language to reflect the revised standards for effective school administrators and to better reflect requirements outlined in statute.

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), (2)(n), 1012.562, 1012.986, F.S.

LAW IMPLEMENTED: 1012.56, 1012.562, 1012.986, F.S.

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

DATE AND TIME: October 18, 2023, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Grand Sierra Ballroom D, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashley Harvey, Director, Educator Retention and Professional Learning, Bureau of Educator Recruitment, Development and Retention, 850-245-9933 or Ashley.Harvey1@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.081 Approval of School Leadership Programs.

This rule sets forth the requirements and implementation of the approval process for each type of school leadership program offered by a Florida postsecondary institution, ~~or~~ public school district, charter school, or charter management organization.

(1) Definitions. For the purposes of this rule, the following definitions apply.

(a) “Academic year” means the period of time during which program candidates attend or complete a state-approved school leader preparation program. This includes summer term, fall term and spring term, ~~usually mid-May to mid-May of each calendar year.~~

(b) “Competencies and Skills Required for Certification in Educational Leadership in Florida” mean those practices described in Rule 6A-4.00821, F.A.C., which is incorporated herein by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07637>). A copy of Rule 6A-4.00821, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(c) “Competency-based” means that participants in school leader preparation programs must demonstrate the skill sets and knowledge bases outlined in the Florida Educational Principal Leadership Standards.

(d) “Continued approval” means that subsequent to an initial approval, a school leadership program has been granted the authority to operate for a five-year period. The basis for continued approval is outlined in the documents entitled Florida Department of Education Continued Program Approval Standards for Level I Educational Leadership (~~EL~~) Programs, Form EL CAS-2023 ~~2016~~; and Florida Department of Education Continued Program Approval Standards for Level II School Principal (~~SP~~) Programs, Form SP CAS-2023 ~~2016~~.

(e) “eIPEP” or “electronic Institutional Program Evaluation Plan” means a Department-maintained web-based tool that serves as a data repository, data collection and reporting tool for both program performance data as well as a repository of continued approval goals and strategies for state-approved school leadership programs ~~from Florida postsecondary institutions and school districts.~~

(f) “Field experiences” mean activities conducted in a variety of prekindergarten through grade 12 settings that are designed to give the program candidate ~~aspiring instructional leader~~ the ability to practice and demonstrate competence in the ~~core~~ expectations of effective school administrators outlined in the Florida Educational Principal Leadership Standards.

(g) “Florida Educational Principal Leadership Standards” mean those practices described in subsection 6A-5.080(2), F.A.C., which is incorporated herein by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07638>). A copy of Rule 6A-5.080, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(h) “Initial approval” means that a new school leadership program has been granted the authority to operate for a five-year period. The basis for initial approval is outlined in the documents entitled Florida Department of Education Initial Program Approval Standards for Level I Educational Leadership (~~EL~~) Programs, Form EL IAS-2023 ~~2016~~; and Florida Department of Education Initial Program Approval Standards for Level II School Principal Leader (~~SP~~) Programs, Form SP IAS-2023 ~~2016~~.

(i) “Institutional Program Evaluation Plan” or “IPEP” means the annual plan developed by each approved Level I ~~educational leadership~~ or Level II ~~school principal~~ program to describe its review and analysis of program candidate and program completer data and how the results will impact continuous program improvements as part of its continued approval process.

(j) “Instructional expertise” means documented successful demonstration of the ~~core~~ standards for effective educators outlined in the Florida Educator Accomplished Practices (FEAPs) and a documented track record of achieving student gains. Acceptable documentation of instructional expertise must include a rating of “effective” or higher on the “Performance of Students” and “Instructional Practice” sections of the candidate’s two most recent performance evaluations per Section 1012.34, F.S. For candidates who are not employed by a Florida public school district, a provider may accept alternative equivalent documentation demonstrating two years of effective instruction with a record of student learning gains.

(k) No change.

(l) “Level I educational leadership program” (Level I program) means a program eligible to be offered by a post-secondary institution, school district, charter school, or charter management organization that leads to certification in educational leadership for the purpose of preparing individuals to serve as school administrators.

(m) “Level II school principal program” (Level II program) means a program eligible to be offered by a school district, charter school, or charter management organization that builds upon Level I program training and leads to certification as a school principal.

(n) ~~(h)~~ “Partner” means to develop and maintain a collaborative professional relationship with agreed upon goals and outcomes. Partnerships must include evidence that the institution, school district(s), charter school(s), or charter management organization(s) work together to:

1. through 3. No change.

(o) ~~(m)~~ “Placement rate” means the number of program completers reported annually by each program to the Department who are identified by the Department’s Staff Information System, as prescribed in Section 1008.385(2), F.S., as employed in a full-time or part-time school administrator position in a Florida public school district, including charter schools, within three years of program completion. If a program provides documentation of a program completer’s death or disability, the number of program completers included in the calculation will be adjusted.

(p) ~~(n)~~ “Program admission standards” mean the minimum requirements an applicant must meet to be considered for entry into an educational leadership preparation program. The program admission standards for all programs must define (1) candidate grade point average (GPA) requirements, (2) candidate professional qualifications, to include minimum “instructional expertise” and “leadership potential” standards, and (3) candidate selection processes used to determine admission status.

(q) ~~(o)~~ “Program candidate” means an individual who has been admitted into and is currently enrolled in, but has not yet completed an Level I educational leadership or Level II school principal program approved under this rule.

(r) ~~(p)~~ “Provider” means an entity that is authorized to offer school leadership programs; these entities are a postsecondary institution, school district, charter school and a charter management organization. The term includes applicants and entities approved to offer school leadership programs a Level I or Level II program, as defined in this rule.

(s) ~~(q)~~ “Program completer” means an individual who has satisfied all Level I educational leadership or Level II school principal program requirements approved under this rule.

(t) ~~(r)~~ “School leadership positions” mean the administrative personnel positions that are defined in Section 1012.01(3)(c), F.S.

(2) Requirements and processes for initial request and approval of Level I and Level II educational leadership programs and school principal programs.

(a) Requirements for approval of Level I educational leadership programs:

1. through 4. No change.

5. Providers shall describe how competency-based training is aligned to the Florida Educational Principal Leadership Standards.

6. No change.

7. Providers shall only endorse as program completers candidates who demonstrate all of the Florida Educational Principal Leadership Standards at the initial certification level and earn passing scores on all portions of the Florida Educational Leadership Examination required in Section 1012.56, F.S.

8. Except for postsecondary institutions, a provider shall offer its approved Level I professional development program in educational leadership only to its employees who hold a master’s degree from an accredited or approved institution as described in Rule 6A-4.003, F.A.C. Programs may provide for admission of candidates without this degree, provided that the provider includes a process of formally notifying such candidates that they are not eligible to complete the program without official documentation of the master’s degree.

(b) Processes for submission of an Level I educational leadership program for initial approval:

1. The president or chief executive officer of a Florida post-secondary institution, a charter school or charter management organization or a public school district superintendent who seeks approval to offer a Level I an educational leadership program or school principal program, shall submit a written request which is further described in the documents, Florida Department of Education Request to Submit Form-Educational Leadership, Form RTS-EL 2023 2016, and Florida Department of Education Request to Submit Form School Principal, Form RTS-SP-2016 within thirty (30) business days prior to January 15, April 15, July 15, and October 15. The Department will inform the institution or district superintendent in writing of the receipt of a fully completed request within five (5) business days.

2. Upon written verification by the Department of a fully completed request, the provider shall submit to the Department an electronic application folio, which is further described in the documents, Florida Department of Education Initial Program Approval Standards for Level I Educational Leadership Programs, Form EL IAS-2023 2016, and Florida Department of Education Initial Program Approval Standards for School

~~Principal, Form SP IAS-2016~~ by January 15, April 15, July 15, and October 15.

3. The Department shall conduct a review of the electronic application folio submitted in support of the request for initial approval within ninety (90) days of receipt of the application portfolio. The Department shall notify the provider in writing of the following:

- a. Receipt of the electronic application folio.
- b. through c. No change.

(c) Requirements for approval of Level II school principal programs:

1. With the exception of former military officers that qualify for admittance under Section 1012.55(1)(e)l., F.S., a provider shall only admit candidates who hold a valid Florida Educator's Certificate in the area of educational leadership, education administration, or administration and supervision pursuant to requirements of Rule 6A-4.0083, F.A.C., and who are employed in a public school within the district in a school leadership position through which the candidate can fully demonstrate the competencies associated with the Florida Educational Principal Leadership Standards.

2. No change.

3. The provider shall describe how it provides individualized instruction using a customized learning plan for each candidate, and the competency-based training that is aligned to its school administrator evaluation criteria under Section 1012.34, F.S., and the William Cecil Golden Professional Learning Development Program for School Leaders under Section 1012.986, F.S.

4. The provider shall ensure individuals who are designated as program completers have satisfactorily performed instructional leadership responsibilities as measured by the school district's school administrator evaluation system under Section 1012.34, F.S., for persons employed by the school district or by the charter school or charter management organization.

(d) Processes for submission of a Level II program for initial approval:

1. The president or chief executive officer of a charter school or charter management organization or a public school district superintendent who seeks approval to offer a Level II program, shall submit a written request which is further described in the document, Florida Department of Education Request to Submit Form-Level II School Principal Program, Form RTS-SP 2023, within thirty (30) business days prior to January 15, April 15, July 15, and October 15. The Department will inform the president or chief executive officer or district superintendent in writing of the receipt of a fully completed request within five (5) business days.

2. Upon written verification by the Department of a fully completed request, the provider shall submit to the Department

an electronic application, which is further described in the document, Florida Department of Education Initial Program Approval Standards for Level II School Principal Programs, Form SP IAS-2023, by January 15, April 15, July 15, and October 15.

3. The Department shall conduct a review of the electronic application submitted in support of the request for initial approval within ninety (90) days of receipt of the application. The Department shall notify the provider in writing of the following:

a. Receipt of the electronic application.

b. Missing or deficient elements and provide a period of ten (10) business days for the program to submit supplemental information or documentation to address the deficit(s).

c. Approval or denial of approval for each program included in the request. A denial of approval shall identify the reason(s) for the denial and the deficiencies. A program that receives a denial of approval may reapply for initial approval.

(3) Requirements and processes for continued approval of Level I and Level II educational leadership programs and school principal programs.

(a) Reporting processes for continued approval are as follows:

1. No change.

2. By November 15 of each year, each provider shall submit via the Department's eIPEP platform located at <https://www.florida-eipep.org/>, a program evaluation plan in accordance with Florida Department of Education Continued Program Approval Standards, Form EL CAS-2023~~45~~ for Level I educational leadership programs; or Form SP CAS-2023~~2016~~ for Level II school principal programs.

3. During the final year of the program approval period, the Department shall conduct a continued approval site visit that will include a review of each approved program. The purpose of the site visit shall be to review evidence of the program's implementation of the continued approval standards described in the document, Florida Department of Education Continued Program Approval Standards, Form EL CAS-2023~~2016~~ or Form SP CAS-2023~~2016~~. The site visit shall also include a review of the annual program evaluation plans described in subparagraph (3)(a)2. of this rule. At the end of the site visit, a summative rating score shall be calculated based on criteria outlined in the forms: Form EL CAS-2023~~2016~~ for Level I educational leadership programs or Form SP CAS-2023~~2016~~ for Level II school principal programs.

4. No change.

(b) At the end of the continued approval period, the Department shall examine the summary findings with summative rating score from the site visit review. The Commissioner shall grant continued approval or denial of approval for each state-approved Level I or Level II educational

~~leadership or school principal~~ program based on the continued approval summative rating scale and shall notify the ~~provider institution or school district~~ in writing of the decision. The continued approval summative rating scale is as follows:

- 1. through 3. No change.
- (4) No change.

(5) The following forms are hereby incorporated by reference and made a part of this rule. Copies may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(a) Florida Department of Education Initial Program Approval Standards for Level I Educational Leadership (EL) Programs, Form EL IAS-2023 2016 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07639>), effective ~~November 2023~~ December 2016.

(b) Florida Department of Education Initial Program Approval Standards for Level II School Principal Programs (SP), Form SP IAS-2023 2016 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07640>), effective ~~November 2023~~ December 2016.

(c) Florida Department of Education Continued Program Approval Standards for Level I Educational Leadership (EL) Programs, Form EL CAS-2023 2016 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07641>), ~~November 2023~~ December 2016.

(d) Florida Department of Education Continued Program Approval Standards for Level II School Principal Programs (SP), Form SP CAS-2023 2016 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07642>), effective ~~November 2023~~ December 2016.

(e) Florida Department of Education Request to Submit Form-Level I Educational Leadership Program, Form RTS-EL 2023 2016 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07643>), effective ~~November 2023~~ December 2016.

(f) Florida Department of Education Request to Submit Form-Level II School Principal Program, Form RTS-SP 2023 2016 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07644>), effective ~~November 2023~~ December 2016.

Rulemaking Authority 1001.02, 1012.562, 1012.986 FS. Law Implemented 1012.56, 1012.562, 1012.986 FS. History—New 6-20-07, Amended 12-20-16, 11-28-18,

NAME OF PERSON ORIGINATING PROPOSED RULE: Ashley Harvey, Director, Educator Retention and Professional Learning, Bureau of Educator Recruitment, Development and Retention, 850-245-9933 or Ashley.Harvey1@fldoe.org.
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 22, 2023

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0791
 RULE TITLE: Special Magistrate for Unresolved Student Welfare Complaints at Charter Schools

PURPOSE AND EFFECT: To bring the Parental Request for Appointment of a Special Magistrate form under this rule into alignment with legislative changes made in HB 1069 from the 2023 legislative session.

SUMMARY: The rule amendment brings the Parental Request for Appointment of a Special Magistrate form under the rule into alignment with legislative changes made in HB 1069 from the 2023 legislative session.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the nature of the change, the adverse impact or regulatory cost, if any, does not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S., and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1001.42(8)(c)7.b., F.S.

LAW IMPLEMENTED: 1001.42(8)(c)7.b., 1002.33(9)(p)2., F.S.

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

DATE AND TIME: October 18, 2023, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Grand Sierra Ballroom D, Orlando, FL 32821

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Emerson, Executive Director,

Office of Independent Education & Parental Choice,
adam.emerson@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0791 Special Magistrate for Unresolved Student Welfare Complaints at Charter Schools.

(1) through (9) No change.

(10) The following form is incorporated by reference and may be obtained at <https://www.fldoe.org/schools/k-12-public-schools/>: Parental Request for Appointment of a Special Magistrate for Charter School Students, Form No. CSSM-1 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14915>) (effective ~~November 2022~~ **November 2023**).

Rulemaking Authority 1001.02(1), (2)(n), 1001.42(8)(c)7.b. FS. Law Implemented 1001.42(8)(c)7.b., 1002.33(9)(p)2. FS. History—New 11-22-22.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Adam Emerson, Executive Director, Office of Independent Education & Parental Choice.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 29, 2023

DEPARTMENT OF EDUCATION

Division of Early Learning

RULE NO.: 6M-8.620
RULE TITLE: Voluntary Prekindergarten (VPK) Coordinated Screening and Progress Monitoring Program

PURPOSE AND EFFECT: To revise test administration timeframes to address alternate timeframes for nontraditional school-year calendars and summer programs. The amendment also adds clarifying language related to qualified test administrators and early learning and school district responsibilities.

SUMMARY: Section 1002.68(1), F.S., requires each private prekindergarten provider and public school participating in the Voluntary Prekindergarten Education Program must participate in the coordinated screening and progress monitoring program in accordance with s. 1008.25, F.S. The coordinated screening and progress monitoring program results shall be used by the department to identify student learning gains, index development learning outcomes upon program completion relative to the performance standards established under s. 1002.67, F.S., and representative norms, and inform a private

prekindergarten provider’s and public school’s performance metric.

Rule 6M-8.620, F.A.C., implements the coordinated screening and progress monitoring program requirements in VPK programs as statutorily mandated. The rule establishes the private provider and public school responsibilities for assessment administration, obtaining the assessment materials, assessor qualifications and compliance. Coalition and school district verification responsibilities are also defined in the rule. SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The agency's economic analysis of the adverse impact or potential regulatory costs of the proposed rule does not exceed any of the criteria established in s. 120.541(2)(a), F.S., and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(2)(n), 1002.79, F.S.

LAW IMPLEMENTED: 1002.68(1), 1008.25(9), F.S.

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

DATE AND TIME: October 18, 2023, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Grand Sierra Ballroom D, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amber Gibbens, System Project Coordinator, Division of Early Learning, Amber.Gibbens@del.fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-8.620 Voluntary Prekindergarten (VPK) Coordinated Screening and Progress Monitoring Program.

(1) Definitions. As used in this rule:

(a) “Coordinated Screening and Progress Monitoring Program” is the statewide, standardized program implemented in all VPK programs as required by Section 1002.68, F.S. The progress monitoring ~~assessment~~ results shall be used to identify student learning gains, index development learning outcomes

upon program completion relative to the performance standards in early literacy and mathematics established under ~~in~~ Section 1002.67(1)(a), F.S., and representative norms, and inform a private prekindergarten provider's and public school's performance metric.

(b) "Progress Monitoring One" (PM1) is the first test administration ~~thirty (30) instructional days of the VPK class schedule, beginning with the first VPK instructional day. For programs that have eighty-three (83) or more instructional days, PM1 must be administered in the first thirty (30) instructional days of the VPK class schedule beginning with the first VPK instructional day. For programs (including summer VPK) that have eighty-two (82) or fewer instructional days, PM1 is the first ten (10) instructional days of the VPK class schedule beginning with the first VPK instructional day.~~

(c) "Progress Monitoring Two" (PM2) is the second test administration. PM2 must be administered in the period of time in a VPK class schedule where at least 40% ~~of the instructional hours have been completed~~ and no more than 60% of a program's ~~the~~ instructional hours have been completed.

(d) "Progress Monitoring Three" (PM3) is the third and final test administration ~~last thirty (30) instructional days of the VPK class schedule, ending with the last VPK instructional day. For programs that have eighty-three (83) or more instructional days, PM3 must be administered in the last thirty (30) instructional days of the VPK class schedule ending on the last VPK instructional day. For programs (including summer VPK) that have eighty-two (82) or fewer instructional days, PM3 is the last ten (10) instructional days of the VPK class schedule ending on the last VPK instructional day.~~

(e) "Test Administrator" is the qualified person who administers the progress monitoring assessment to children enrolled in a ~~the~~ VPK program.

(f) "VPK Class Schedule" is the approved VPK class calendar identified in the ~~on~~ Class Registration Application – Calendars (Form OEL-VPK 11B) in accordance with Rule 6M-8.300, F.A.C.

(2) ~~The VPK Coordinated Screening and Progress Monitoring Administration Program.~~

(a) Each private and public school VPK program must administer coordinated screening and progress monitoring at least three (3) times during PM1, PM2, and PM3, in accordance with s. 1008.25(9)(b)1., F.S. Every program must provide a student's performance results from the coordinated screening and progress monitoring to the student's parents within seven (7) calendar days after the administration. Every private and public school VPK program must participate in the coordinated screening and progress monitoring program, which is to be administered in school-year programs and summer programs a minimum of three (3) times within a program in accordance with Section 1008.2125, F.S. Each private prekindergarten

~~provider and public school must provide a student's performance results from the coordinated screening and progress monitoring to the student's parents within seven (7) days after the administration of such coordinated screening and progress monitoring.~~

(b) Progress monitoring must be administered by qualified test administrators as defined in subsection (3) of this rule.

(c) Progress monitoring must be administered in English on an electronic device that is seven (7) inches or larger with audio capabilities, to individual students or small groups of two (2) to five (5) students. Student headphones must be used in small groups.

(d) Testing accommodations must be made in accordance with a student's current individual educational plan (IEP) or 504 accommodation issued by the local school district.

~~(b) Assessment administration materials.~~

~~1. The assessment shall be administered on a touchscreen device that is seven (7) inches or larger with audio capabilities. Student headphones shall be used when administration occurs in group sizes of two (2) to five (5) students.~~

~~2. A broadband internet connection (DSL, satellite or cable) is required for administration of the assessment.~~

~~(3) Qualified Test Administrators.~~

~~(a) Prior to administering progress monitoring, A To be qualified as a test administrator, an individual must:~~

~~(a) 1. Be employed by a public or private VPK provider or school district; and~~

~~(b) 2. Beginning with the 2024-2025 program year, annually complete training designed to ensure the proper administration of the progress monitoring. Submit documentation of completed progress monitoring training and signed copies of the Test Administration and Security Agreement and Test Administrator Prohibited Activities Agreement to the VPK provider for uploading via the Provider Portal. Complete, and document completion of, professional development training that is designed to ensure the proper administration of the assessment.~~

~~(b) Early Learning Coalitions shall verify each that test administrator meets the requirements outlined in paragraph (3)(a) of this rule.~~

~~(4) Administration.~~

~~(a) Private and public school VPK programs shall administer the assessment during PM1, PM2, and PM3 as defined in subsection (1) of this rule. The assessment must be administered by qualified test administrators as defined in subsection (3) of this rule.~~

~~(b) The assessment shall be administered individually or in a small group with no more than five (5) students.~~

~~(c) The assessment shall be administered in English.~~

~~(d) Testing accommodations shall be made in accordance with a student's current Individual Educational Plan (IEP) or 504 plan issued by the local school district.~~

~~(4) (5) Early Learning Coalition and School District Responsibilities Verification and Compliance.~~

~~(a) Each coalition and school district must shall assign a staff member to register and serve as the coalition or school district progress monitoring administrator for the assessment on behalf of the coalition or district.~~

~~(b) The coalition or school district administrator must shall access the available vendor's system reports during progress monitoring assessment windows to verify which VPK programs have administered the progress monitoring assessment for PM1, PM2, and PM3.~~

~~(c) Each Early Learning Coalition must shall document attempts to notify private and public school VPK programs that have not administered the progress monitoring assessment for PM1, PM2, and PM3 of the private and public school provider's responsibility to do so.~~

~~(d) Each coalition must collect documentation to verify that each test administrator meets the requirements outlined in paragraph (3)(a) of this rule.~~

Rulemaking Authority 1001.02(2)(n), 1002.79 FS. Law Implemented 1002.68(1), 1008.25(9) FS. History—New 3-31-15, Amended 7-28-16, 9-20-22.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Amber Gibbens, System Project Coordinator, Division of Early Learning.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2023

DEPARTMENT OF EDUCATION

Division of Early Learning

RULE NO.: 6M-8.621
RULE TITLE: Program Assessment Requirements for the Voluntary Prekindergarten (VPK) Education Program

PURPOSE AND EFFECT: To add language to clarify program assessment requirements and administration.

SUMMARY: Section 1002.68(2), F.S., requires every private provider and public school in the VPK program to participate in a program assessment of each VPK classroom. The statute requires the program assessment to measure the quality of teacher-child interactions, including emotional support, classroom organization, and instructional support for children ages 3 to 5 years. Rule 6M-8.621, F.A.C., implements the VPK

program assessment requirements as statutorily mandated. The rule establishes private and public school VPK program assessment responsibilities, provides program assessment frequency guidelines, establishes the minimum threshold score and the program assessment composite score calculation and outlines administration notification procedures.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The agency's economic analysis of the adverse impact or potential regulatory costs of the proposed rule does not exceed any of the criteria established in s. 120.541(2)(a), F.S., and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(2)(n), 1002.79, F.S.
LAW IMPLEMENTED: 1002.68(2), 1002.73(3), F.S.

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

DATE AND TIME: October 18, 2023, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Grand Sierra Ballroom D, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amber Gibbens, System Project Coordinator, Division of Early Learning, Amber.Gibbens@del.fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-8.621 Program Assessment Requirements for the Voluntary Prekindergarten (VPK) Education Program.

(1) Definitions. The following definitions are applicable to all rules under Chapter 6M-8, F.A.C.

(a) No change.

(b) "Composite Program Assessment Score" means an average of all Division of Early Learning (~~DEL~~)-adopted program assessment dimension scores from VPK classrooms, omitting the negative climate score if included in the tool.

(c) "Contract Minimum Threshold" means the minimum composite program assessment score, as defined in subsection

(4) of this rule, ~~that~~ a provider must achieve on the program assessment to be eligible to contract for the VPK ~~P~~program pursuant to Section 1002.68(5)(a), F.S.

(d) “Early Learning Coalition” or “coalition” means the entity charged with administering the VPK Education Program at the local level pursuant to Sections 1002.53, 1002.68(2), and 1002.73, F.S. “Early Learning Coalition” or “coalition” includes applicable Florida Department of Education (FDOE) contractors.

(e) through (f) No change.

(g) “Program Assessment” ~~means refers to~~ the measurement of the quality of teacher-child interactions, including emotional support, classroom organization, and instructional support for children ages three (3) to five (5) years required by in accordance with Section 1002.68(2), F.S.

(h) “School-year program” means a school-year prekindergarten program consisting of five-hundred and forty (540) instructional hours delivered by a private provider under Section 1002.55, F.S., or by a public school under Section 1002.63, F.S.

(i) “Summer program” means a summer prekindergarten program consisting of three-hundred (300) instructional hours delivered by a private provider or public school under Section 1002.61, F.S.

~~(2) Program Assessment Requirements. Beginning with the 2022-2023 VPK program year, all private and public school VPK providers must annually participate in a program assessment of each VPK classroom for both the school-year and summer VPK programs. All program assessments must occur during VPK instructional hours and with the ELC approved lead VPK instructor, present. All program assessments must occur with at least one (1) enrolled VPK student present.~~

~~(2)(3) Program Assessment Administration. Early Learning Coalitions are shall be responsible for the administration of the program assessments. Each VPK provider must annually participate in a program assessment of each VPK classroom for both the school-year and summer VPK programs. All program assessments must occur during VPK instructional hours with the coalition-approved lead VPK instructor, aide, substitute, or VPK director present for the duration of the observation. All program assessments must occur with at least one (1) enrolled VPK student present.~~

(a) All program assessments must will be conducted by coalition observers or FDOE-approved FDOE vendor observers.

1. For school-year programs, program assessments must shall be conducted no earlier than fifteen (15) instructional days after the program start date.

2. For summer programs, program assessments must shall be conducted no earlier than five (5) instructional days after the program start date.

3. No change.

(b) All observers must shall have a current certification required by the vendor to conduct a classroom observation with validity and reliability. ~~Only coalition staff, FDOE vendors, or coalition designees may conduct classroom observations. To the extent possible, o~~Observers must shall have the ability to speak, understand, and write in the language of the classrooms they are observing.

(c) Observers must shall enter and save all dimension scores and notes into the FDOE-approved vendor system within five (5) three (3) business days of conducting a the classroom observation.

(d) The coalition must FDOE shall notify ~~private and public school~~ VPK providers via the Provider Portal of their score for each observed VPK classroom within fourteen (14) calendar days of the observation being completed. An observation is considered complete; when the observer has entered the classroom observation data into the FDOE-approved defined system. Upon a provider’s written request, and within fourteen (14) calendar days, the coalition must provide individual classroom notes to the provider.

(e) VPK classrooms organized as a multi-class group, as defined in Rule 6M-8.400, F.A.C., must shall have one (1) classroom observation completed, and the resulting classroom observation score will shall be used duplicated for each classroom in the cComposite pProgram aAssessment sScore calculation.

~~(3) (4) Contract Minimum Threshold. The minimum cComposite pProgram aAssessment sScore a VPK program must achieve is 4.00. A provider’s sSchool-year and summer VPK programs are considered separately. Providers For private and public school VPK provider’s programs that score below the cContract mMinimum tThreshold, the private or public school provider may not participate in the VPK Education Program beginning in the consecutive program year and thereafter until the private or public school provider meets the cContract mMinimum tThreshold.~~

~~(a) Private and public school VPK providers that score programs below the cContract mMinimum tThreshold based on their cComposite pProgram aAssessment sScore may request from the eEarly Learning cCoalition a second program assessment within the same program type and year at the provider’s expense. Providers must provide payment to the eEarly Learning cCoalition for the second program assessment prior to the program assessment being conducted.~~

(b) A second program assessment for a VPK classroom or classrooms must be requested from the coalition in writing within thirty (30) days of receipt of the composite program assessment score. For second program assessments, each requested classroom will be observed, and its score will replace the previous score to calculate a new composite program

~~assessment score. A single classroom will be observed, and its score will replace the previous score to calculate a new Composite Program Assessment Score if the VPK instructor previously observed is still actively teaching in the classroom being observed. If the previously observed instructor is not active in the classroom and the newly assigned instructor is hired after the previous program assessment was completed, the single classroom will be observed, and its score will replace the previous score to calculate a new Composite Program Assessment Score.~~

~~(e) A second program assessment must be requested from the coalition in writing within thirty (30) days of receipt of the Composite Program Assessment Score.~~

~~(4) (5) Special Considerations Frequency.~~

(a) In the event of a change of ownership, sale, sale of assets, conveyance of ownership, or other transfer of ownership interest that requires a VPK private or public school provider to execute a new VPK Provider Contract per Rule subsection 6M-8.301(9), F.A.C., the provider may submit a request to the coalition to retain the existing Composite Program Assessment Score if at least 50% of VPK classrooms and their assigned instructors that who were previously assessed remain the same. If the provider elects not to retain the existing score, the provider is required to obtain a program assessment pursuant to subsection (2) of this rule. If 30% or fewer of the VPK program hours remain at the time of the ownership change, a program assessment is not required until the consecutive program year.

(b) Observations conducted in VPK classrooms during participation in the School Readiness Program Assessment under in accordance with Rule 6M-4.740, F.A.C., that meet the requirements of this rule as defined in Section 1002.68(2), F.S., may be used for meeting the contract minimum threshold requirements, provided the observation was conducted within the VPK program hours.

~~(5) (6) Composite Program Assessment Score Calculation.~~

~~(a) The composite program assessment score will be calculated using the combined average of the dimension scores, excluding negative climate scores, from each VPK classroom's observation and will be rounded to two (2) decimal places. All the active VPK classrooms registered in the Provider Portal for each private and public school provider must be observed to calculate the Composite Program Assessment Score.~~

~~(b) All active VPK classrooms registered in the Provider Portal for each VPK provider must be observed to calculate the composite program assessment score. The Composite Program Assessment Score shall be calculated using the combined average of the dimension scores, excluding negative climate scores, from each VPK classroom's observation and will be rounded to two (2) decimal places.~~

~~(6) (7) Program Assessment Scheduling Administration Notifications.~~

~~(a) In scheduling a program assessment, Early Learning Coalitions or their designees must select a two (2)-week window when a VPK provider's regular activities are occurring, and allow the provider to choose up to three (3) days the provider is not available for observation. shall provide notification via email to private and public school providers of upcoming program assessments at least two (2) weeks prior to the scheduled program assessment date.~~

(b) If the provider experiences a temporary closure, as defined in Rule 6M-8.204, F.A.C., on the day it is scheduled to be observed assessed, the provider must shall request to reschedule the program assessment within two (2) weeks of the original program assessment.

(c) If the coalition-approved lead VPK instructor, aide, substitute, and VPK director have a VPK instructor has an extenuating circumstance which causes all to be absent an absence from a classroom on the day it is scheduled to be observed, the observer must shall reschedule the program assessment within two (2) weeks of the original program assessment date. A provider should notify the observer as soon as the provider is aware of any extenuating circumstance which would cause rescheduling of the program assessment an instructor to be absent from a VPK classroom that the instructor is scheduled to be in for an observation.

Rulemaking Authority 1002.79, 1001.02(2)(n) ~~1002.82(2)(a)~~ FS. Law Implemented 1002.68(2), 1002.73(3) FS. History—New 9-20-22, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Amber Gibbens, System Project Coordinator, Division of Early Learning.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 14, 2023

Section III
Notice of Changes, Corrections and
Withdrawals

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-24.030 RULE TITLE: Conditions of Conditional Medical Release
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 49 No. 114, June 13, 2023 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

NONE

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On August 28, 2023, the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Manny’s Catering located in Hialeah. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 49/168 on August 29, 2023. The Order for this Petition was signed and approved on September 19, 2023. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to

be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On September 6, 2023 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, Subsection 61C-4.010(1), Florida Administrative Code, and Subsection 61C-4.010(6), Florida Administrative Code from G Sister Catering LLC located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 49/174 on September 7, 2023. The Order for this Petition was signed and approved on September 19, 2023. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of

Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on September 20, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for A Routine Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Habanerox LLC located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on September 20, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from We Open Inc. located in Hialeah. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on September 20, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for A Routine Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Diana's Catering #3 located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m., A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-32.002 Proof of Graduation

The Board of Massage Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant regarding the Petition for Variance or Waiver, filed on August 1, 2023, by Jamie Kapish. The Notice of Petition for Waiver or Variance was published in Vol. 49, No. 152, of the August 7, 2023 Florida Administrative Register. Petitioner sought a waiver of Rule 64B7-32.002, Florida Administrative Code entitled "Proof of Graduation," which requires an applicant be acknowledged as a graduate from a board approved massage therapy school pursuant to 64B7-25.001(1)(c), F.A.C. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 16, 2023. The Board's Order, filed on September 15, 2023, granted the petition. Given the petitioner's good faith effort to locate a transcript from the now closed school when he trained the Board will consider the Diploma provided as proof of graduation from a Board approved school. The Board also

reviewed Petitioner's criminal history and clear Petitioner for certification to take the Massage and Bodywork Licensing Examination (MBLEx) without further board review.

A copy of the Order or additional information may be obtained by contacting: Allen Hall, Acting Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail – allen.hall@flhealth.gov.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on September 19, 2023, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-48-0072(26)(b), Florida Administrative Code (5/18/2021) from Sandcastles Foundation, Inc., for an extension of the loan closing deadline for an additional 90 days. A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at CorporationClerk@floridahousing.org or Florida Housing Finance Corporation, Attn: Corporation Clerk, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 2, 2023, 1:00 p.m., until conclusion

PLACE: +1(312)757-3121 Access Code: 598-728-653; and <https://meet.goto.com/598728653>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Council Business

A copy of the agenda may be obtained by contacting: Lynn Guyton at Lynn.Guyton@myfloridalegal.com or by accessing the board's website at:

<http://myfloridalegal.com/pages.nsf/Main/8AEA5858B1253D0D85257D34005AFA72>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Office of the Attorney General, Ashley Moody, at (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Lynn Guyton at Lynn.Guyton@myfloridalegal.com or by telephone at (813)287-7950.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District Two announces a public meeting to which all persons are invited.

DATES AND TIMES: Virtual: September 25, 2023, Open House: 5:30 p.m. - 6:00 p.m., Presentation: 6:00 p.m., In-Person - September 26, 2023, Open House: 4:30 p.m. -6:30 p.m., Presentation: 6:30 p.m.

PLACE: Virtual: Phone (Listen Only): 1(213)929-4221; Audio Access Code: 630-958-258 or register at

www.nflroads.com/blanding or www.nflroads.com/vph

In-person: Orange Park Public Library, Meeting Room A, 2054 Plainfield Ave, Orange Park, FL 32073

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Two invites you to the Hybrid Public Meeting for the SR-21 (Blanding Boulevard) Access Management Project (Financial Management No. 446808-1) in Clay and Duval Counties, Florida. This meeting will inform the public of the proposed improvements and serves as an official forum providing an opportunity for the public to express their opinions and concerns regarding the project.

This access management project is being conducted to relieve congestion and enhance safety at the Blanding Boulevard (SR-21) and Wells Road intersection. The project will redesign the Blanding Boulevard (SR-21)/Wells Road intersection to improve the traffic flow and enhance safety for all users. As part of this redesign, the existing median opening in front of Taco Bell/Orange Park Mall entrance will be closed.

For your convenience, there are several options to participate in the public meeting including an in-person option, a virtual/online option, and a "Listen Only" option. All participants, regardless of the platform they choose, will receive the same information on the proposed project and all comments received in-person, virtually or electronically, will be given equal weight.

For more information regarding the project please visit the project website at www.nflroads.com/blanding.

Persons wishing to submit written comments may do so at the public meeting or mail/email them to the address provided no later than October 6, 2023 to be document as part of the public meeting record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Thomas Redding, PE, Project Manager, Florida Department of Transportation, 1109 S. Marion Avenue, Lake City, FL 32025, Phone: (386)961-7520, Email: thomas.redding@dot.state.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Thomas Redding, PE, Project Manager, Florida Department of Transportation, 1109 S. Marion Avenue, Lake City, FL 32025, Phone: (386)961-7520, Email: thomas.redding@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Thomas Redding, PE, Project Manager, Florida Department of Transportation, 1109 S. Marion Avenue, Lake City, FL 32025, Phone: (386)961-7520, Email: thomas.redding@dot.state.fl.us.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 29, 2023, 10:00 a.m. – 11:30 a.m., Eastern Time

PLACE: The FX for Health Care Administration (AHCA), 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407, in Conference Rooms A, B, and C or virtual, listen-only, option via Microsoft Teams Webinar through:

<https://ahca.myflorida.com/medicaid/florida-health-care-connections-fx/fx-governance>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FX ESC will meet to discuss the FX Program.

A copy of the agenda may be obtained by contacting: the AHCA FX Website at <https://ahca.myflorida.com/medicaid/florida-health-care-connections-fx/fx-governance>.

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: the FX Program Team at fxprojects@ahca.myflorida.com. If you are hearing or speech

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

For more information, you may contact: the FX Program Team at fxprojects@ahca.myflorida.com regarding the FX ESC or to submit public comment.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

The Florida Department of Environmental Protection, Division of Recreation and Parks, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 4, 2023, 3:00 p.m. – 7:00 p.m., (ET)

PLACE: UF/IFAS Extension Baker County-Agricultural Center, 1025 West Macclenny Avenue, Macclenny, Florida 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: Open-house format opportunity for interested persons to view park update plans for Olustee Battlefield Historic State Park. Attending staff will be available to discuss plan concepts and answer questions in a conversational setting. No formal presentation will be given.

A copy of the agenda may be obtained by contacting: James Gaddis, Senior Planner, Department of Environmental Protection, Division of Recreation and Parks, Office of Park Planning, 3800 Commonwealth Blvd., MS#525, Tallahassee, Florida 32399, PH# (850)245-3051 or by email at James.Gaddis@FloridaDEP.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: James Gaddis, as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Department of Health, Board of Psychology announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2024, 8:00 a.m., E.T.

PLACE: Aloft Jacksonville Tapestry Park, 4812 Deer Lake Drive West, Jacksonville, FL, 32246

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: The Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: <http://floridaspsychology.gov/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Department of Health at (850)245- 4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

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

DATE AND TIME: February 9, 2024, 8:00 a.m., E.T.

PLACE: Guy Harvey Resort, 860 A1A Beach Blvd, St. Augustine Beach, Florida 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

A copy of the agenda may be obtained by contacting: The Board of Physical Therapy, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: <http://floridasphysicaltherapy.gov/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Department of Health, Board of Psychology announces a public meeting to which all persons are invited.

DATES AND TIMES: January 10, 2024, 8:00 a.m., E.T.; March 20, 2024, 8:00 a.m., E.T.; May 15, 2024, 8:00 a.m., E.T.; July 10, 2024, 8:00 a.m., E.T.; September 18, 2024, 8:00 a.m., E.T.; November 13, 2024, 8:00 a.m., E.T.

PLACE: Conference Calls: 1(888)585-9008, Conference Room Number 564-341-766 followed by the # sign

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting for public disciplinary cases.

A copy of the agenda may be obtained by contacting: The Board of Psychology, 4052 Bald Cypress Way, BIN C-05, Tallahassee, FL 32399-3255, by visiting our website at: <http://floridaspsychology.gov/> or by calling the board office at (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Department Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Miami-Dade Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 13, 2023, 10:00 a.m.-12:00 Noon

PLACE: Microsoft Teams:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_OThIYTc3ZWYtNDA3Mi00MjUyLWJkMjEtYTUwOTE4ODMyZmFj%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22Oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Miami-Dade Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Lourdes Dysna-Leconte at (786)257-5173 or David Draper at (407)317-7335.

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: Lourdes Dysna-Leconte at (786)257-5173 or David Draper at (407)317-7335. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lourdes Dysna-Leconte at (786)257-5173 or David Draper at (407)317-7335.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

The Florida Health Insurance Advisory Board (Board) announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2023, 9:00 a.m.

PLACE: The meeting will be by teleconference. Members of the public who wish to listen in to the conference call are invited to listen in by calling 1(866)299-7949, Participant Code: 1433866#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will conduct the regular and general business of the organization.

A copy of the agenda may be obtained by contacting: Jack McDermott at FHIAB2022@gmail.com or downloaded from the OIR website.

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: FHIAB2022@gmail.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jack McDermott at FHIAB2022@gmail.com

SENIOR CONNECTION CENTER, INC.

The Senior Connection Center announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 3, 2023, 10:00 a.m.

PLACE: Senior Connection Center, 8928 Brittany Way, Tampa, FL 33619

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled meeting of Senior Connection Center's Board of Directors. Items related to business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Paula Nelson via email at paula.nelson@sccmail.org or by phone at (813)676-5583.

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 2 days before the workshop/meeting by contacting: Paula Nelson at paula.nelson@sccmail.org or by phone at (813)676-5583. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Paula Nelson via email at paula.nelson@sccmail.org or by phone at (813)676-5583.

QCAUSA

The Florida Department of Transportation, District Seven announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 3, 2023, 5:00 p.m.

PLACE: In-Person: South Bay Church Parking Area, 13498 US-301 S, Riverview, FL 33578

Virtual/Online: A link will be posted on the project website on October 3, 2023.

<https://www.fdotampabay.com/project/991/445936-1-52-01>

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT is proposing improvements to the US 301 intersection at Cowley Road in Riverview, Hillsborough County, Florida. The proposed improvements include adding a permanent directional median opening replacing the current temporary configuration. The median will improve safety entering Cowley Road from US 301.

In-person Drive-thru: Attend the drive-thru in person anytime from 5:00 p.m. - 6:30 p.m. at South Bay Church parking area located at 13498 US 301 S., Riverview, FL 33578. Drive-thru attendees will be directed into a clearly identified parking lot, receive project information, and view the project presentation on a mobile tablet device. Attendees will have the opportunity to submit comments and speak with the project team.

Online: Meeting materials can be found on the project website by visiting <https://www.fdotampabay.com/project/991/445936-1-52-01>

Written or emailed comments may also be submitted following the meeting to Project Manager, Eyra Cash, P.E. by email at Eyra.Cash@dot.state.fl.us or mail to Eyra Cash, P.E., Florida Department of Transportation, 11201 North McKinley Drive, Tampa, FL 33612 or by phone at (813)975-6164. Comments received or postmarked by October 13, 2023, will be included in the official meeting record.

El Departamento de Transporte de la Florida (FDOT), Distrito Siete, lo invita a asistir y participar en una reunión pública virtual que cubre los próximos modificaciones en US 301 y Cowley Road, Riverview, Condado de Hillsborough, Florida. Esta reunión pública se llevará a cabo el 3 de Octubre de 2023 a las 5:00 p.m. Si usted tiene preguntas o comentarios o si simplemente desea más información sobre este proyecto, favor de ponerse en contacto con nuestro representante Eyra Cash al teléfono (813)975-6164 o correo electrónico Eyra.Cash@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: n/a
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 Seven days before the workshop/meeting by

contacting: Roger Roscoe, FDOT Title VI Coordinator, at (813)975-6411 or 1(800)226-7220 (ex. 6411), or Roger.Roscoe@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Eyra Cash, PE, FDOT Project Manager at (813)975-6164, or via email at Eyra.Cash@dot.state.fl.us, or by mail at 11201 North McKinley Drive, Tampa, Florida 33612.

QCAUSA

The Florida Department of Transportation, District Seven announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 28, 2023, 5:30 p.m.

PLACE: Valerie Theatre, 207 Courthouse Square, Inverness, FL 34450 or Virtual:

<https://www.fdotampabay.com/project/1007/452950-1>.

Comments can be submitted online by emailing Elizabeth Winters at Elizabeth.Winters@dot.state.fl.us.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Inverness Transportation Talks meeting will begin with a brief presentation to review the four project corridors:

SR 44 from Tighe to Hendrix Avenue

SR 44 from Hendrix Avenue to South Elmwood Drive

SR 44 from South Elmwood Drive to South Fauna Point

SR 200 from East Summit Lane to East Spruce Drive

Following the in-person presentation, you are invited to participate in breakout sessions around the room for specific corridor engagement.

The purpose of the meeting is to identify potential short-term and long-term improvements within the project limits through these transportation talks.

Input is needed on the following:

- Safety
- Roadway maintenance
- Pedestrian features
- Bicycle features
- Aesthetics

FDOT representatives are available to discuss the proposed improvements, answer questions, and receive comments. The deadline to submit official comments related to these projects is October 15, 2023.

The presentation and corridor specific materials will be posted on the project website FDOTTampaBay.com. Comments can be submitted online by emailing Elizabeth Winters at Elizabeth.Winters@dot.state.fl.us. Online:

<https://www.fdotampabay.com/project/1007/452950-1>

A copy of the agenda may be obtained by contacting: Elizabeth Winters, EI, FDOT Project Manager at (813)975-6499, or via email at Elizabeth.Winters@dot.state.fl.us, or by mail at 11201 North McKinley Drive, Tampa, Florida 33612.

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 Seven days before the workshop/meeting by contacting: Roger Roscoe, FDOT Title VI Coordinator, at (813)975-6411, or via email at Roger.Roscoe@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Elizabeth Winters, EI, Project Manager at (813)975-6499, or via email at Elizabeth.Winters@dot.state.fl.us, or by mail at 11201 North McKinley Drive, Tampa, Florida 33612.

Section VII

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

NONE

Section VIII

**Notice of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX

**Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

Section X

**Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

EMERGENCY GENERATOR CONNER (TALLAHASSEE) PROJECT# 1057

THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES SEEKS TO OBTAIN SEALED BIDS FROM LICENSED CONTRACTORS FOR THE EMERGENCY GENERATOR CONNER (TALLAHASSEE) PROJECT #1057.

THE SOLICITATION DOCUMENT IS AVAILABLE AT THE MYFLORIDAMARKETPLACE, VENDOR INFORMATION PORTAL:

<https://vendor.myfloridamarketplace.com/search/bids>.

SOLICITATION NUMBER ITB DOA 23 24 49. INTERESTED PARTICIPANTS MAY ALSO CONTACT THE PURCHASING DEPARTMENT AT BIDS@FDACS.gov.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, September 14, 2023 and 3:00 p.m., Wednesday, September 20, 2023.

Rule No.	File Date	Effective Date
53ER23-46	9/14/2023	9/18/2023
53ER23-47	9/14/2023	9/18/2023
53ER23-48	9/14/2023	9/18/2023
53ER23-49	9/14/2023	9/18/2023
53ER23-50	9/14/2023	9/18/2023
59G-4.125	9/19/2023	10/9/2023
61C-1.004	9/15/2023	10/5/2023
65C-43.001	9/19/2023	10/9/2023
68D-24.0037	9/20/2023	10/10/2023
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date

40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

FLORIDA COMMISSION ON OFFENDER REVIEW NOTICE OF PUBLICATION OF 2023-2024 REGULATORY PLAN

NOTICE IS HEREBY GIVEN that on September 19, 2023, the Florida Commission on Offender Review published its 2023 - 2024 Regulatory Plan in accordance with s. 120.74(2), Fla. Stat. The Commission’s 2023 - 2024 Annual Regulatory Plan is available on the Commission’s website at <https://www.fcor.state.fl.us/docs/reports/2023-2024.RegulatoryPlan.09182023.pdf>.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development
Commerce Final Order No. COM-23-32
FINAL ORDER

APPROVING ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 23-08

The Department of Commerce (“Commerce”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida (“Village”), by Ordinance No. 23-08 (the “Ordinance”).

FINDINGS OF FACT

- 1.The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The Village is a local government within the Florida Keys Area.
- 2.The Ordinance was adopted by the Village on July 20, 2023 and rendered to Commerce on August 1, 2023.
- 3.The Ordinance amends the Village’s Code by repealing Chapter 30, Article VI, Division 11 – Alcoholic Beverage Use Permit in its entirety.

CONCLUSIONS OF LAW

4. Commerce is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See Section 380.05(6), Florida Statutes.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the Village’s Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and is specifically consistent with Goal 1-1, Objective 1-1.1, Objective 1-3.1, Goal 8-1, Objective 8-1.4, and Policy 8-1.4.1.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. See Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Village are set forth in Section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development for the Village as a whole, and specifically furthers the following Principles:

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
2. Sewage collection, treatment, and disposal facilities;
3. Solid waste treatment, collection, and disposal facilities;
4. Key West Naval Air Station and other military facilities;
5. Transportation facilities;
6. Federal parks, wildlife refuges, and marine sanctuaries;
7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
8. City electric service and the Florida Key Electric Co-op; and
9. Other utilities, as appropriate.

(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 23-08 is consistent with the Village’s Comprehensive Plan and the Principles for Guiding Development for the Village and is hereby APPROVED.

This Final Order becomes final 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ James D. Stansbury , James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Florida Department of Commerce

Notice of administrative rights

Any person whose substantial interests are affected by this final order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to Rules 28-106.104(2), 28-106.201(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida statutes, or Sections 120.569 and 120.57(2), Florida statutes.

Any petition must be filed with the agency clerk of the FLORIDA department of COMMERCE within 21 calendar days of the final order being published in the florida administrative register. A petition is filed when it is received by:

Agency Clerk, FLORIDA Department of COMMERCE, Office of the general Counsel, 107 East Madison St., MSC 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230.

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the florida administrative register.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 20th day of September, 2023.

/s/ Karis De Gannes, Agency Clerk, Florida Department of Commerce , 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

Joseph “Buddy” Pinder, Mayor, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036, Marne McGrath, Village Clerk , Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Jennifer DeBoisbriand, Planning Director, Planning and Development Services, 86800 Overseas Highway, Islamorada, FL 33036.

Section XIII
Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
