

## Section I

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

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NO.:                   RULE TITLE:  
6A-1.039                   Supplemental Educational Services  
                                  in Title I Schools

**PURPOSE AND EFFECT:** The purpose of the rule development is to consider amendments to the requirements for approval to become a provider of supplemental educational services (SES). Proposed changes include limiting the student to teacher ratio, limiting the length of individual tutoring sessions and providing for a minimum number of hours of tutoring that must be provided. The proposal also includes non-substantive changes that move requirements to be approved from the application form to the main rule text. In addition, the proposal updates Form SES 100 for the 2013-2014 school year. Additional areas to be considered include definitions to be used for SES, requirements for the provision of SES, and the period of ineligibility to provide services.

**SUBJECT AREA TO BE ADDRESSED:** Supplemental Educational Services in Title I Schools.

**RULEMAKING AUTHORITY:** 1008.331 FS.

**LAW IMPLEMENTED:** 1008.331 FS.

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

**DATE AND TIME:** January 11, 2013, 9:00 a.m. – 11:00 a.m.

**PLACE:** Via webinar. To start or join the online meeting go to <https://suncom.webex.com/suncom/j.php?ED=166812782&UID=492507227&RT=MmMxMQ%3D%3D>. To access the teleconference, provide your phone number when you join the meeting to receive a call back. Alternatively, you can call toll free 1(888)670-3525 (US) or 1(720)389-1212 access code 125 735 6978. For additional assistance accessing the webinar go to <http://www.fldoe.org/flbpso/>.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Melvin Herring, Program Director, Bureau of Federal Educational Programs, 352 West Gaines Street, Room 348, Tallahassee, FL 32399; (850)245-0684. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

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

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Board of Veterinary Medicine

RULE NO.:                   RULE TITLE:  
61G18-10.008            Probable Cause Panel

**PURPOSE AND EFFECT:** The proposed rule amendment is intended to clarify the number of members on the Probable Cause Panel.

**SUBJECT AREA TO BE ADDRESSED:** Composition of the Board's Probable Cause Panel.

**RULEMAKING AUTHORITY:** 120.53(1), 455.225, 474.206 FS.

**LAW IMPLEMENTED:** 455.225 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783

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

#### DEPARTMENT OF FINANCIAL SERVICES

##### Division of Worker's Compensation

RULE NO.:                   RULE TITLE:  
69L-6.012                   Notice of Election to be Exempt

**PURPOSE AND EFFECT:** The proposed rule implements applicable sections of HB 941 that was passed by the 2012 Legislature. HB 941 amended Section 440.05, F.S., revising the requirements for submitting a notice of election of exemption. The proposed rule provides for electronic submission of exemption applications (Form DFS-F2-DWC-250, Notice of Election to be Exempt) through the DWC Notice of Election to be Exempt system, along with streamlined reporting requirements; other related forms are also updated to reflect the revised reporting requirements. Electronic submission provides applicants with an online system to complete and pay for their exemptions, eliminating the cost of postage and mailing and reducing the time for applicants to receive their exemption certificates. The proposed rule also deletes certain overly repetitive statutory references

and fully identifies forms consistent with their assigned numbering convention. The proposed rule is renumbered accordingly.

SUBJECT AREA TO BE ADDRESSED: Notice of Election to be Exempt: Electronic Submittal.

RULEMAKING AUTHORITY: 440.05(9), 440.591 FS.

LAW IMPLEMENTED: 440.02(15), 440.05 FS.

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

DATE AND TIME: Tuesday, January 22, 2013, 10:30 a.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

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: Robin Delaney @ (850)413-1775 or Robin.Delaney@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1775 or Robin.Delaney@myfloridacfo.com

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

## Section II Proposed Rules

### DEPARTMENT OF LAW ENFORCEMENT

#### Criminal Justice Standards and Training Commission

RULE NOS.:	RULE TITLES:
11B-14.001	Definitions
11B-14.002	General Program Provisions
11B-14.003	Authorized Salary Incentive Payments
11B-14.005	Annual Salary Incentive Compensation Report

PURPOSE AND EFFECT: Defines Automated Training Management System (ATMS) Global Profile Report; Requires use of the new ATMS Global Profile Reporting system to access officer/instructor records information; Clarifies the guidelines for retroactive salary incentive payments for career development courses and educational training;

Updates rule language to comply with Florida Statutes;

Updates advanced training program course inactive dates.

SUMMARY: Defines ATMS Global Profile Report; implements the ATMS Global Profile Report for reporting officer and instructor training; clarifies the guidelines for salary incentive payments; complies with statute; and updates inactive course dates.

#### 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 exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None. 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: 943.03(4), 943.12(1), 943.22(2)(h), (i) FS.

LAW IMPLEMENTED: 943.22 FS.

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

DATE AND TIME: January 22, 2013, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-14.001 Definitions.

For the purpose of this rule chapter, the definitions of “employing agency,” “law enforcement officer,” “correctional officer,” “correctional probation officer,” and “Commission,” pursuant to Section 943.10, F.S., and the definitions of “community college degree or equivalent,” “bachelor’s degree,” and “accredited college or university or community college,” pursuant to Section 943.22, F.S., shall be deemed controlling. The definition of “law enforcement officer” also includes those elected officers who, pursuant to Section 943.253, F.S., choose to participate in the Salary Incentive Program. In addition, for the purpose of this rule chapter, the term “officer” is limited to include “law enforcement officer,” “correctional officer,” or “correctional probation officer,” pursuant to Section 943.10(14), F.S. Further, in order to provide effectively for the administration of the Salary Incentive Program, certain additional definitions are necessary, therefore, the following words or phrases shall have these meanings:

(1) through (9) No change.

(10) “ATMS Global Profile Report” means a continuous record of criminal justice officer employment, salary incentive, mandatory training, certifications, instructor topics, examination records, equivalency of training exemption, and officer training generated from the Automated Training Management System.

Rulemaking Specific Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History–New 8-19-72, Repromulgated 1-5-75, Amended 1-13-81, 5-16-83, 9-1-83, 1-7-85, Formerly 11B-14.01, Amended 7-13-87, 9-3-87, 12-13-92, 1-2-97, 7-7-99, 11-5-02, 11-30-04,\_\_\_\_\_.

11B-14.002 General Program Provisions.

(1) through (4) No change.

(5) Training Salary Incentive Payments.

(a) Full-time officers are eligible to receive training salary incentive payment based on their date of certification, provided the officer notifies the agency of his or her eligibility to receive salary incentive payments. The date of eligibility for salary incentive payments shall be:

1. Determined by the date of “successful completion,” defined in subsection 11B-14.001(9), F.A.C., of a Commission-approved training course indicated on the ATMS Global Profile Report Training Report form CJSTC 67, issued by a Commission-certified training school, or the date of certification, whichever date is later; or

2. through 3. No change.

(b) through (d) No change.

(6) No change.

(7) Retroactive salary incentive payments are not authorized, pursuant to Section 943.22(2)(f), F.S.

(a) Retroactive salary incentive payments are not paid to an officer for any training courses completed prior to certification.

(b) Retroactive educational salary incentive payments are not paid to an officer prior to the officer providing notification of eligibility to the employing agency.

(8) through (15) No change.

Rulemaking Specific Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History–New 10-16-78, Amended 9-11-79, 1-13-81, 5-16-83, 1-7-85, Formerly 11B-14.02, Amended 7-13-87, 9-3-87, 5-23-88, 5-14-92, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08,\_\_\_\_\_.

11B-14.003 Authorized Salary Incentive Payments.

Full-time law enforcement, correctional, and correctional probation officers satisfying the certification requirements of Section 943.13, F.S., who are not excluded from eligibility pursuant to Section 943.22(4), F.S., shall be eligible to participate in the Salary Incentive Program.

(1) No change.

(2) Pursuant to Section 943.22(2)(b) and (c), F.S., the maximum amount of educational salary incentive payments an officer may receive shall be limited to \$80 each month for a bachelor or higher degree. Full-time officers who possess an associate degree or equivalent, or a higher degree from an accredited post-secondary institution, are eligible for educational salary incentive payments. However, state officers whose job class specifications require a four-year degree are not eligible to receive educational salary incentive payment pursuant to Section 943.22(2)(e), F.S. Pursuant to Section 943.22, F.S., the employing agency is responsible for verifying that the accrediting association is recognized.

(3) through (5) No change.

Rulemaking Specific Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History–New 9-11-79, Amended 1-13-81, 5-16-83, 9-1-83, 4-26-84, 1-7-85, Formerly 11B-14.03, Amended 7-13-87, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-21-07,\_\_\_\_\_.

11B-14.005 Annual Salary Incentive Compensation Report.

(1) through (2) No change.

(3)(a) The active Commission-approved Advanced Training Program Courses approved for salary incentive payments are listed in paragraph 11B-35.006(1)(b), F.A.C.

(b) The following inactive Advanced Training Program Courses were eligible for salary incentive payments for the dates as indicated:

1. through 18. No change.

	Course Title	Course Code	Course Hours	Inactive
19.	Traffic Homicide Investigation	039	40	7/1/98 88

20. through 57. No change.

Rulemaking Specific Authority 943.03(4), 943.12(1), 943.22(2)(i) FS. Law Implemented 943.22 FS. History—New 11-5-02. Amended 11-30-04, 6-9-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Donna Hunt  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF LAW ENFORCEMENT**  
**Criminal Justice Standards and Training Commission**

RULE NOS.:	RULE TITLES:
11B-18.003	Operational Definitions
11B-18.004	Regional Training Areas
11B-18.005	Establishment of Regional Training Councils
11B-18.0053	Officer Training Monies Budget and Expenditure Categories
11B-18.0071	Development of Officer Training Monies Budgets and Required Reports
11B-18.008	Areas of Responsibility

PURPOSE AND EFFECT: Permits training center directors to appoint or approval fiscal agents to maintain, who are record keepers for Trust fund Officer Training Monies, to meet the operational needs of the regions;  
 Clarifies that an accredited college (not a community college) is permitted to approve trust funded student fees for Advanced and Specialized Training Program Courses;  
 Updates the list of Commission-certified training schools by Region that receive and distribute trust fund monies for officer training;  
 Updates agencies in State Regional Law Enforcement Officer Training Council XV;  
 Updates administrative expenses that can be charged to the trust fund;  
 Approves part-time instructional coordinators employed at a Commission-certified training school to attend courses funded with Trust Fund Officer Training Monies;

Clarifies the reimbursement policy for trust funded training, room, and board for an officer, support personnel, employing agency, or private entity, for travel incurred to and from training for attending Specialized Training Program Courses;  
 Revises the Operating Capital Outlay Property Disposal Request form CJSTC-311 and the corresponding rule to permit a training school to dispose usable property to another Commission-certified training school and then to a Florida criminal justice agency;

Provides instructions for submitting Trust Fund Programmatic Budget amendments to Commission staff; requires Regional Training Councils to maintain trust fund financial documents for review by Commission staff upon request;

Clarifies that regional training councils are permitted to appoint or approve regional fiscal agents who are record keepers for Trust Fund Officer Training Monies;

Permits training schools to access Trust Fund Officer Training Monies documents maintained by fiscal agents to ensure compliance with the Commission’s rules.

SUMMARY: Permits appointment of fiscal agents by training center directors; permits only an accredited college to approve trust funded student fees; revises Commission-certified training school names; updates agency names in the State Regional Law Enforcement Officer Training Council XV; updates the list of trust fund administrative expenses; approves part-time instructional coordinators to attend trust funded courses; clarifies the reimbursement policy for trust funded training, room, and board; implements a new policy for disposal of Commission-certified training school property; updates the Operating Capital Outlay Property Disposal Request form CJSTC-311; adds instructions for submitting Trust Fund Programmatic Budget amendments; requires maintenance of regional training council documents and review by Commission staff upon request; permits Regional Training Councils to appointment regional fiscal agents; and permits training schools to access fiscal agent documentation.

**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 exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None

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: 943.03(4), 943.12(1), (2), 943.25(2), (3), (4) FS.

LAW IMPLEMENTED: 943.12(5), 943.25, 943.25(2), (3), (4) FS.

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DATE AND TIME: January 22, 2013, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-18.003 Operational Definitions.

For the purpose of this rule chapter, the definitions of “Auxiliary Law Enforcement Officer,” “Auxiliary Correctional Officer,” “Auxiliary Correctional Probation Officer,” “Commission,” “Correctional Officer,” “Correctional Probation Officer,” “Criminal Justice Training School,” “Commission staff,” “Program,” “Employing Agency,” “Law Enforcement Officer,” “Officer,” “Part-time Law Enforcement Officer,” “Part-time Correctional Officer,” “Part-time Correctional Probation Officer,” “Private Criminal Justice Training School,” “Public Criminal Justice Training School,” “Support Personnel,” and “Training Center Director,” pursuant to Section 943.10, F.S., shall apply. The operational definitions are as follows:

(1) through (15) No change.

(16) “Fiscal Agent” means the person(s) appointed or approved by a training center director(s) or Regional Training Council, who is responsible for providing fiscal assistance and expertise to the Regional Training Council(s) and school(s).

The fiscal agent is responsible for the records, accountings, and other materials or information regarding expenditures from Officer Training Monies.

(17) through (24) No change.

(25) “Student fees funded with Officer Training Monies” means payment for tuition, lab fees, and other related fees, for Commission-approved Advanced and Specialized Training Program Courses that have been approved by an accredited a community college or school district, as defined in Section 943.22, F.S.

Rulemaking Specific Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(5), 943.25(3)(4) FS. (Supp. 1998). History—New 1-13-81, Amended 7-28-82, 1-26-83, 1-7-85, 1-28-86, Formerly 11B-18.03, Amended 7-13-87, 5-23-88, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, \_\_\_\_\_.

11B-18.004 Regional Training Areas.

For the purposes of Officer Training Monies activities, there are established the following sixteen regional training areas:

(1) No change.

(2) Region II.

(a) No change.

(b) Commission-certified training schools within Region II: Chipola College Center for Public Service Criminal Justice Training Center, Gulf Coast State Community College Criminal Justice Training Academy, and Washington-Holmes Technical Center Criminal Justice Program.

(3) Region III.

(a) No change.

(b) Commission-certified training school within Region III: Florida Public Safety Institute, Tallahassee Community College/Pat Thomas Law Enforcement Academy.

(4) Region IV.

(a) No change.

(b) Commission-certified training schools within Region IV: Florida Gateway College Public Service Training Center, Lake City Community College Criminal Justice Center, North Florida Community College Public Safety Criminal Justice Academy, and Santa Fe College Institute of Public Safety.

(5) Region V.

(a) No change.

(b) Commission-certified training schools within Region V: Florida Community College Northeast Florida Criminal Justice Training and Education Center, and St. Johns State River Community College Criminal Justice Training Program.

(6) Region VI.

(a) No change.

(b) Commission-certified training schools within Region VI: College of Central Florida Community College Criminal Justice Institute and Citrus County Public Safety Center Withalcoochee Technical Institute Criminal Justice Academy.

(7) Region VII.

(a) No change.

(b) Commission-certified training schools within Region VII: Brevard Community College Institute of Public Safety, Criminal Justice Institute at Valencia Community College, Daytona State College School of Emergency Services Institute at Daytona State College, Criminal Justice Academy of Osceola, Lake Technical Center Institute of Public Safety, and Seminole State College Criminal Justice Institute.

- (8) No change.
- (9) Region IX.
- (a) No change.

(b) Commission-certified training schools within Region IX: Hillsborough Community College ~~Yabor City Campus~~ Criminal Justice Institute, Manatee Technical Institute Law Enforcement Academy, Manatee County Sheriff's Office Training Center, Pasco-Hernando Community College Public Service Technology Center, and St. Petersburg College Southeastern Public Safety Institute.

- (10) through (11) No change.
- (12) Region XII.
- (a) No change.

(b) Commission-certified training school within Region XII: Palm Beach State College Criminal Justice Institute ~~Community College Criminal Justice Training Center~~.

- (13) No change.
- (14) Region XIV.
- (a) No change.

(b) Commission-certified training schools within Region XIV: Florida Keys Community College Institute of Criminal Justice, Miami Police Training Center, Miami-Dade Public Safety and Training ~~Metropolitan Police~~ Institute, and Miami-Dade College School of Justice.

- (15) Region XV.
- (a) No change.

(b) Commission-certified training schools within Region XV: Florida Department of Law Enforcement Bureau of Professional Development, Florida Highway Patrol Training Academy, Florida Department of Environmental Protection Office of Training and Professional Standards ~~Public Education and Training Center~~, and Florida Fish and Wildlife Conservation Commission.

- (16) Region XVI.
- (a) No change.

(b) Commission-certified training school within Region XVI: Florida Department of Corrections/~~Florida Corrections~~ Academy.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.25(4)(5) FS. (Supp. 1998). History—New 1-13-81, Amended 7-28-82, 1-7-85, Formerly 11B-18.04, Amended 7-13-87, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 9-28-09, 6-3-10, \_\_\_\_\_.

- 11B-18.005 Establishment of Regional Training Councils.
- (1) through (2) No change.

(3) The State Regional Law Enforcement Officer Training Council XV shall be comprised of one representative from each of the following Florida state law enforcement agencies:

- (a) through (b) No change.
- (c) Office of the Marshal of the Supreme Court of Florida
- ~~(e) Department of Environmental Protection.~~
- (d) through (f) No change.
- ~~(g) Department of Transportation.~~
- (h) through (j) No change.
- ~~(k) Department of Juvenile Justice.~~
- ~~(l) Department of Banking and Finance.~~
- (4) through (7) No change.

Rulemaking Specific Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.25(4)(5) FS. History—New 1-13-81, Amended 7-28-82, 1-7-85, (7), (8) Transferred to 11B-18.051, Formerly 11B-18.05, Amended 7-13-87, 5-23-88, 10-17-90, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-21-07, \_\_\_\_\_.

11B-18.0053 Officer Training Monies Budget and Expenditure Categories.

- (1) No change.
- (2) Category I, Administrative Expenses. Administrative Expenses shall be reasonable and an accounting of all expenditures shall be maintained.
- (a) No change.
- (b) Administrative expenses are divided into two categories:

- 1. No change.
- 2. Miscellaneous Expenses. Miscellaneous Expenses are administrative expenditures, expended from Officer Training Monies by Commission-certified training schools that are incurred in direct support of officer training. Examples include office supplies, notices in the Florida Administrative Weekly publications, and postage.

(c) No change.

(3) Category II, Training Expenses. Each region shall not budget less than 80% of the total regional allocation of Officer Training Monies for the purpose of delivering regional Commission-approved Advanced and Specialized Training Program Courses.

(a) Criminal justice officers and support personnel, pursuant to Section 943.10, F.S., are authorized to expend Officer Training Monies to attend Advanced and Specialized Training Program Courses delivered through a Commission-certified training school, provided the support personnel does not displace a certified officer. The Criminal Justice Standards and Training Commission has further authorized the following personnel to attend courses funded with Officer Training Monies:

- 1. through 2. No change.

3. Full-time staff and part-time instructional coordinators employed by a Commission-certified training school on a space available basis provided the staff does not displace a Florida officer.

4. Department of Banking and Finance, Office of Financial Investigations, on a space available basis, provided a Florida officer is not displaced.

(b) through (d) No change.

(e) If Commission-approved Advanced and Specialized Training Program Courses are funded with Officer Training Monies, the training and room or board costs may not be assessed against the officer, support personnel, or their employing agency, pursuant to Section 943.25(5), F.S., however, the employing agency is responsible for travel incurred to and from training. If an officer, defined in Section 943.10(2), F.S., is employed with a private entity contracted with the state or county, or if ~~if~~ an officer is not employed or appointed by an employing agency of Florida, the officer may attend a course funded with Officer Training Monies, provided the officer pays for all training costs associated with course attendance, pursuant to Sections 943.25(5)(~~6~~) (b), 944.105(7), or 944.714(2), F.S. Reimbursement of these costs, excluding out-of-state tuition, shall be deposited in the Commission-certified training school's Officer Training Monies account.

(4) Category III, Operating Capital Outlay Expenses. Each region shall not budget more than 15% of the total regional allocation to purchase items that are non-consumable and non-expendable. Category III Operating Capital Outlay Expenses fall into the following categories:

(a) through (d) No change.

(e) Operating Capital Outlay Property shall not be disposed of or transferred without prior notification to and approval by Commission staff. An Operating Capital Outlay Property Disposal Request, form CJSTC-311, created May 6, 2004, revised December 16, 2010, hereby incorporated by reference, shall be completed and submitted to Commission staff when disposing or transferring Operating Capital Outlay Property. Form CJSTC-311 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

1. Usable Operating Capital Outlay Property. Usable property shall be offered to other Commission-certified training schools in Florida prior to selling or disposing of the property. The usable property shall be offered to criminal justice agencies in Florida if a training school does not claim the property. To transfer Operating Capital Outlay Property from one training school to another, the transferring training school shall forward to Commission staff a completed form CJSTC-311, which shall be signed by the training center director.

2. through 3. No change.

(f) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.25(2), (3)(4), (4)(5) FS. Law Implemented 943.25 FS. History—New 11-5-02. Amended 11-30-04, 6-3-10,\_\_\_\_\_.

11B-18.0071 Development of Officer Training Monies Budgets and Required Reports.

(1) No change.

(2) Budget Amendment and Programmatic Change. The Officer Training Monies Programmatic Change and Budget Amendment, form CJSTC-302, revised February 7, 2002, hereby incorporated by reference, shall be used by a Commission-certified training school through its Regional Training Council to reflect changes to its annual operating budget. Form CJSTC-302 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(a) through (b) No change.

(c) Programmatic Change: A programmatic change shall be submitted to Commission staff on form CJSTC-302 when a training school and region requests a change within a budget category within its Commission-approved budget and does not alter the distribution formula set forth in Rule 11B-18.0053, F.A.C.

~~(d)(e)~~ Emergency Budget Amendment. An Emergency Budget Amendment is an adjustment to the approved regional operating budget that does not meet the Commission's distribution formula. An Emergency Budget Amendment that alters the Commission's distribution formula shall be submitted to Commission staff by a Commission-certified training school through its Regional Training Council, and shall include an explanation as to why the budget amendment is needed. Emergency Budget Amendments shall be submitted at the Criminal Justice Standards and Training Commission's next quarterly Commission meeting. If approval of the budget amendment is required prior to the next scheduled Commission meeting, the Commission Chairman shall approve the Emergency Budget Amendment and report the approved amendment to the full Commission at the next quarterly Commission meeting.

(3) through (5) No change.

Rulemaking ~~Specific~~ Authority 943.03(4), 943.12(1), (2), 943.25(3)(4), (4)(5) FS. Law Implemented 943.25 FS. History—New 1-13-81, Amended 7-1-81, 7-28-82, 1-7-85, 1-28-86, Formerly 11B-18.071, Amended 7-13-87, 5-23-88, 10-17-90, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04,\_\_\_\_\_.

11B-18.008 Areas of Responsibility.

With regard to the Criminal Justice Standards and Training Trust Fund Officer Training Monies, the following entities shall have responsibilities outlined in subsections (1)-(3) of this rule section.

(1) The responsibilities of the Regional Training Councils are to:

(a) Determine the distribution of Officer Training Monies for allocation to the individual Commission-certified training schools in the respective training regions.

(b) Submit to Commission staff a list of the current voting membership of each Regional Training Council, including Regional Training Council officers (noting appointed fiscal agents) and forward any membership changes to Commission staff as they occur.

~~(c)~~ Submit to Commission staff and maintain on file the minutes of each Regional Training Council meeting.

~~(d)~~ Submit to Commission staff and maintain on file all required documents, budgets, ~~and~~ reports, audit reports, and other documentation required by the Council and make available for review by Commission staff.

~~(e)~~ Appoint or approve a regional fiscal agent.

(2) No change.

(3) The responsibilities of Commission-certified training schools are to:

(a) through (c) No change.

~~(d)~~ Make available to the Regional Training Council, documentation maintained by the fiscal agent 15 business days after the request for documentation.

~~(e)~~ Respond to any audit by the State, Commission staff, Regional Training Councils, or local government.

~~(f)~~ Begin training courses, for which Officer Training Monies are expended, on or before June 30 of the current fiscal year.

~~(g)~~ Receive and separately account for all property purchased with Officer Training Monies pursuant to standard state or local property inventory procedures. Submit to Commission staff an inventory of operating capital outlay items purchased with Officer Training Monies during each fiscal year.

~~(h)~~ Obtain approval from Commission staff prior to disposing of property purchased with Officer Training Monies.

Rulemaking Specific Authority 943.03(4), 943.12(1), (2), 943.25(4)(5) FS. Law Implemented 943.25 FS. History—New 1-13-81, Amended 7-1-81, 7-28-82, 1-7-85, 1-28-86, Formerly 11B-18.08, Amended 7-13-87, 5-23-88, 10-17-90, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Donna Hunt

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NOS.:	RULE TITLES:
11B-20.001	Definitions and Minimum Requirements for General Certification of Instructors
11B-20.0014	Minimum Requirements for High-Liability and Specialized Topics Instructor Certification
11B-20.0016	Inspection of Instructor Certification Applications
11B-20.0017	Maintenance and Duration of Instructor Certifications

PURPOSE AND EFFECT: Updates the Instructor Certification form CJSTC-71 to revise the requirements for reporting instructor affiliation to a training school.

Updates the Instructor Competency Checklist form CJSTC-81 to remove the requirement to demonstrate competency in both the classroom and/or a lecture setting for high-liability certifications, speed measurement, criminal justice diving, and canine topics.

Adds a topic title to the rule paragraph and revises the Oath on the Separation Supplemental form CJSTC-61A to comply with Section 117.05(13)(a), F.S.

Adds the requirements for requesting a “new instructor affiliation” with a training school, requires a copy of ATMS Profile Report to be placed in the instructor’s file, and transfers rule language in (3)(a)5.b. to the new subparagraph (3)(a)5.a.

Requires the instructor Certification Application form CJSTC-71 to be maintained in the instructor's file for each affiliated instructor and a copy to be submitted or transmitted to Commission staff.

Removes vague language from the Instructor Exemption form CJSTC-82.

Updates the Specialized Topics Instructor Certification title. (11B-20.0014(3) and 11B-20.0017(5)).

Removes the law topics instructor certification because it is no longer required to instruct legal topics for the new Florida CMS Correctional Basic Recruit Training Programs.

Updates retirement status of a course.

Adds a rule reference to locate the proficiency requirements for the Breath Test Instructor Course.

Lists the courses that require an internship to obtain a Breath Test Instructor Certification.

Updates rule references.

Makes grammatical revisions for rule clarification.

Adds the proficiency requirements for the Breath Test Instructor Renewal Course.

SUMMARY: Updates the Instructor Certification form CJSTC-71. Updates the Instructor Competency Checklist form CJSTC-81. Adds a topic title to rules and updates the Separation Supplemental form CJSTC-61A. Adds new



Instructor Affiliation requirements and ATMS Profile Report. Adds requirements for maintenance and filing of affiliated instructor files. Updates the Instructor Exemption form CJSTC-82. Updates the Specialized Topics Instructor Certification title. Removes the law topics instructor certification upon implementation of the new Florida CMS Correctional Basic Recruit Training Program. Updates the course retirement status. Adds a Breath Test Instructor Course rule reference for proficiency requirements. Adds the Breath Test Instructor Certification internship requirements. Updates rule reference. Makes grammatical revisions for rule clarification. Adds the Breath Test Instructor Renewal Course proficiency requirements.

**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 exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None.

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:** 120.60(1), 943.03(4), 943.12(1), 943.14(3) FS.

**LAW IMPLEMENTED:** 120.60(1), 943.12(3), (9), 943.12(3), (9), 943.13 (6), 943.14(3) FS.

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

**DATE AND TIME:** January 22, 2013, 1:00 p.m.

**PLACE:** Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of

Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

**THE FULL TEXT OF THE PROPOSED RULE IS:**

11B-20.001 Definitions and Minimum Requirements for General Certification of Instructors.

(1) No change.

(2) Instructor applicants applying for instructor certification shall:

(a) Complete the Instructor Certification Application, form CJSTC-71, revised December 16, 2010 ~~October 30, 2008~~, hereby incorporated by reference. Form CJSTC-71 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615;

(b) through (c) No change.

(3) General Instructor Certification.

(a) Instructor applicants shall comply with the following requirements to obtain General Instructor Certification:

1. through 2 No change.

3. After successful completion of the mandatory instructor training, instructor applicants shall complete an internship.

a. The instructor applicant shall be supervised by and have his or her instructional abilities evaluated by a training center director or agency administrator, who is currently an instructor, or a designee who is currently an instructor. The training center director, agency administrator, or designee shall complete the Instructor Competency Checklist, form CJSTC-81, revised ~~October 30, 2008~~ December 16, 2010, hereby incorporated by reference. Form CJSTC-81 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

b. through c. No change.

4. No change.

5. Instructor Separation or Change of Affiliation.

a. No change.

b. Instructor Separation. When a training center director, agency administrator, or designee separates an instructor, the training center director, agency administrator, or designee shall notify the instructor of the separation and submit form CJSTC-61 to Commission staff or electronically transmit through the Commission's ATMS. A copy of form CJSTC-61

shall be maintained in the Instructor's file. An instructor's certification shall become inactive upon separation and remain inactive until the instructor is affiliated with a training school or agency. If the separation involves a violation of Section 943.13(4), F.S., or moral character violation, the training center director, agency administrator, or designee shall also complete the Affidavit of Separation Supplement, form CJSTC-61A, revised December 16, 2010 (effective 5/2012), hereby incorporated by reference, and form CJSTC-61, and submit to Commission staff or immediately transmit through the Commission's ATMS. Form and CJSTC-61A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

c. Request for new Affiliation. The instructor requesting the change shall submit to the employing agency or training school the Instructor Certification Application form CJSTC-71, the training center director, agency administrator, or designee shall enter the employment into the Commission's ATMS, and the instructor's ATMS Global Profile Report shall be maintained in the instructor's file.

~~b. When a training center director, agency administrator, or designee separates an instructor for administrative purposes, the training center director, agency administrator, or designee shall notify the instructor of the separation and submit form CJSTC-61 to Commission staff or electronically transmit through the Commission's ATMS and a copy of form CJSTC-61 shall be maintained in the Instructor's file. If the separation involves a violation of Section 943.13(4), F.S., or moral character violation, the training center director, agency administrator, or designee shall also complete the Affidavit of Separation Supplement, form CJSTC-61A, revised November 8, 2007, hereby incorporated by reference and form CJSTC-61 and submit to Commission staff. Form CJSTC-61A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410 8615.~~

(b) Equivalent Instructor Training.

1. through 3. No change.

(c) Exemption from Instructor Techniques Courses.

1. through 2. No change.

3. Instructor applicants shall complete the Instructor Certification Application form CJSTC-71 and attach all required documentation prior to submitting the application for approval. The training center director, agency administrator, or designee is required to submit form CJSTC-71 to Commission staff or electronically transmit through the Commission's ATMS. Form CJSTC-71 and supporting documentation on each affiliated instructor shall be maintained in the instructor's file.

(4) Exemption from General Instructor Certification. An individual, who has a professional or technical certification or three years of experience in the specified subject matter to be instructed, shall be exempt from General Instructor Certification. The training center director or designee shall document the individual's qualifications by completing the Instructor Exemption, form CJSTC-82, revised December 16, 2010 ~~November 8, 2007~~, hereby incorporated by reference, which shall be maintained in the course file at the training school. Form CJSTC-82 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(5) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3) FS. History—New 7-21-82, Formerly 11B-20.01, Amended 10-26-88, 5-14-92, 12-8-92, 1-10-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, \_\_\_\_\_.

11B-20.0014 Minimum Requirements for High-Liability and Specialized Topics Instructor Certification.

(1) through (2) No change.

(3) Specialized Topics Instructor Certifications. Instructor applicants who apply for a Specialized Topics Instructor Certification shall have completed the applicable specialized instructor course within four years of the date the instructor applicant applies for certification. Instructor applicants who apply for a Specialized Topics Instructor Certification more than four years from the date training was completed shall meet the requirements for completing an internship and demonstration of proficiency skills if applicable to the specialized topic. Instructor applicants shall meet the requirements for each Specialized Topics Instructor ~~Topics~~ Certification requested.

(a) Law Topics Instructor Certification. A law topics instructor certification is no longer required to instruct any Commission-approved training course effective July 1, 2012. Instructor applicants who request certification to instruct legal topics as outlined in subparagraphs (3)(a)6-8 of this rule section shall comply with the following requirements to obtain Law Topics Instructor Certification:

~~1. Possess a General Instructor Certification or be eligible for General Instructor Certification and apply for General Instructor Certification at the same time the instructor requests a Law Topics Instructor Certification; and~~

~~2. Possess three years of criminal justice experience and a minimum of fifteen semester hours of college law courses, to include both a constitutional law course and a criminal law course with a grade of "C" or above from an accredited college or university; or~~

~~3. Possess a juris doctorate from an accredited college or university defined in Section 943.22, F.S.~~

~~4. Successfully complete a Law Topics internship supervised by a certified instructor and document on the Instructor Competency Checklist form CJSTC-81.~~

~~5. Be evaluated by his or her students. Student evaluations shall be reviewed with the instructor applicant by a training center director, agency administrator, or an instructor designated by the training center director or agency administrator, and documented on form CJSTC-81.~~

~~6. Correctional Officer Basic Recruit Training Programs. An instructor is required to possess a Law Topics Instructor certification to teach in the topics of Arrest Laws, Burden of Proof, Civil and Criminal Liability, Classification of Offenses, Constitutional Law Overview, Court Rules and Trial Procedures, Court Structure, Elements of a Crime, Evidence Concepts, Evidence Rules, Intent, Legal Defense, Parties to a Crime, Probable Cause, Search and Seizure Concepts, and Use of Force, in the following basic recruit training programs:~~

~~a. Traditional Correctional Basic Recruit Training Program number 502.~~

~~b. Traditional Correctional Probation Cross-Over to Traditional Correctional Basic Recruit Training Program number 556 (Retired 3/31/08).~~

~~c. CMS Application-Based Law Enforcement Cross-Over to Traditional Correctional Basic Recruit Training Program number 1155 (Retired 3/31/08).~~

~~d. Law Enforcement Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program number 1181 (Effective 4/1/08).~~

~~e. Correctional Probation Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program number 1182 (Effective 4/1/08).~~

~~f. Correctional Auxiliary Officer Basic Recruit Training Program number 501 (Effective 1/1/97).~~

~~7. Correctional Probation Officer Basic Recruit Training Programs. An instructor is required to possess a Law Topics Instructor Certification to teach the topics of Constitutional Law, Probable Cause, Parties to a Crime, Civil and Criminal Liability, Classification of Offenses, Court Rules and Trial Procedures, Courtroom Demeanor and Testimony, and Use of Force in the following basic recruit training programs:~~

~~a. Florida Correctional Probation Basic Recruit Training Program number 1176 (Effective 4/1/08).~~

~~b. Traditional Correctional Cross-Over to Traditional Correctional Probation Basic Recruit Training Program number 667 (Retired 3/31/08).~~

~~c. CMS Application-Based Law Enforcement Cross-Over to Traditional Correctional Probation Basic Recruit Training Program number 1156 (Retired 3/31/08).~~

~~d. Correctional Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program number 1183 (Effective 4/1/08).~~

~~e. Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program number 1184 (Effective 4/1/08).~~

~~8. Law Enforcement Officer Basic Recruit Training Programs. Individuals who possess a Law Topics Instructor Certification are authorized to instruct in the law topics of Introduction to Law, Legal Concepts, and Substantive Criminal Law in the following basic recruit training programs:~~

~~a. Florida CMS Law Enforcement Basic Recruit Training Program number 1177 (Effective 4/1/08).~~

~~b. Traditional Correctional Cross-Over to CMS Application-Based Law Enforcement Program number 1143 (Retired 3/31/08).~~

~~c. Traditional Correctional Probation Cross-Over to CMS Application-Based Law Enforcement number 1157 (Retired 3/31/08).~~

~~d. Correctional Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program number 1178 (Effective 4/1/08).~~

~~e. Correctional Probation Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program number 1179 (Effective 4/1/08).~~

~~f. Law Enforcement Auxiliary Officer Basic Recruit Training Program number 211 (Retired 3/31/08).~~

~~g. CMS Law Enforcement Auxiliary Officer Basic Recruit Training Program number 1180 (Effective 4/1/08).~~

~~(b) Speed Measurement Instructor Certification. Instructor applicants who request certification to instruct speed measurement training courses shall:~~

~~1. through 2. No change.~~

~~3. Successfully complete at a training school, the Speed Measurement Instructor Course for Law Enforcement Officers, course number 1159 or the Radar Speed Measurement Instructor Course for Law Enforcement Officers, course number 1108, retired December 31, 2006, and the Laser Speed Measurement Device (LSMD) Instructor Transition Course for Radar Instructors, course number 1109, to be retired December 31, 2008; and~~

~~4. through 6. No change.~~

~~(c) Canine Team Instructor Certification. Instructor applicants who request to obtain certification to instruct Commission-approved canine team training courses shall:~~

~~1. through 7. No change.~~

~~(d) Breath Test Instructor Certification. Instructor applicants who request certification to instruct the Breath Test Operator Course, Breath Test Operator Renewal Course, Agency Inspector Course, and the Agency Inspector Renewal Course, pursuant to Rule 11B-35.007, F.A.C., shall:~~

~~1. No change.~~

~~2. Successfully complete the Breath Test Instructor Course and proficiency requirements outlined in Rule 11B-35.0024(4)(d), F.A.C., through a training school and complete the required Alcohol Testing Program proficiencies.~~

~~3. through 4. No change.~~

6. No change.5. Successfully complete a Breath Test internship supervised by a certified Breath Test ~~Instructor instructor~~ and document on the Instructor Competency Checklist form CJSTC-81. An instructor applicant shall instruct in one topic from any of the following courses: Breath Test Operator Course, Breath Test Operator Renewal Course, Agency Inspector Course, or Agency Inspector Renewal Course.

7. Alcohol Testing Program staff shall possess a General Instructor Certification pursuant to subparagraph (3)(d)1, ~~sub-subparagraph (3)(d)1.a~~ of this rule section, and shall be exempt from the requirements of subparagraphs (3)(d)2-6, ~~sub-subparagraph (3)(d)1.b-f~~ of this rule section.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.13 (6), 943.14(3) FS. History--New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09,\_\_\_\_\_.

11B-20.0016 Inspection of Instructor Certification Applications.

- (1) No change.
- (2) If the instructor applicant's file at the training school or agency is missing documentation or contains ~~missing or~~ deficient documentation, the instructor applicant and the training school or agency shall be notified of such documentation on the Instructor Certification Deficiency Notification, form CJSTC-271, revised November 8, 2007, hereby incorporated by reference. Form CJSTC-271 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(3) through (4) No change.

~~Rulemaking Specific~~ Authority 120.60(1), 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 120.60(1), 943.12(3), (9), 943.14(3) FS. History--New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 6-9-08,\_\_\_\_\_.

11B-20.0017 Maintenance and Duration of Instructor Certifications.

Documentation for instructors shall be maintained in the instructor's file at the respective training school or agency. Additionally, the training school or agency shall submit or transmit to Commission staff, through the Commission's ATMS, an Instructor Compliance Application, form CJSTC-84, revised November 8, 2007, hereby incorporated by reference, to verify compliance with the mandatory retraining requirements. Form CJSTC-84 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(1) through (4) No change.

(5) Specialized Topics Instructor Certification. Instructors who possess a Specialized Topics Instructor Certification shall comply with the following requirements, once during their four-year cycle, to maintain certification:

- (a) No change.
- (b) Successfully complete continuing education or training approved by the training center director, agency administrator, or designee. Breath Test Instructors shall successfully complete the Breath Test Instructor Renewal Course and proficiency requirements outlined in paragraph 11B-35.0024(4)(e), F.A.C.
- (6) through (8) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3) FS. History--New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Donna Hunt

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
11B-21.002	Criminal Justice Training Schools' Request for Certification, Expansion of Certification, and Re-certification
11B-21.005	Criminal Justice Training School Requirements for Certification and Re-certification

PURPOSE AND EFFECT: Revises the training school recertification date to correspond with rule language in paragraph 11B-21.002(5)(a), F.A.C.

Repeals duplicate rule language for obtaining CJSTC forms.

Updates the following forms to revise the required first aid kit supplies and remove the redundant instructor to student ratio requirements established in Rule 11B-35.0021, F.A.C.: The Driving Range Facility and Equipment Requirements form CJSTC-202, the Defensive Tactics Facility and Equipment Requirements form CJSTC-203, the Firing Range Facility and Equipment Requirements form CJSTC-201, and the CMS First Aid Instructional Requirements form CJSTC-208.

Clarifies the criminal history background requirements for entrance into a basic recruit training program set forth in Subsection 11B-27.00211(4), F.A.C. and Section 943.14(7), F.S.

SUMMARY: Revises the training school recertification date. Repeals duplicate rule language. Updates the Driving Range Facility and Equipment Requirements form CJSTC-202, the

Defensive Tactics Facility and Equipment Requirements form CJSTC-203, the Firing Range Facility and Equipment Requirements form CJSTC-201 and the CMS First Aid Instructional Requirements form CJSTC-208. Clarifies the criminal history background requirements.

**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 exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None.

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:** 943.03(4), 943.12(1), (2) FS.  
**LAW IMPLEMENTED:** 943.12(3), (7), 943.14, 943.17(1)(g) FS.

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

**DATE AND TIME:** January 22, 2013, 1:00 p.m.

**PLACE:** Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

**THE FULL TEXT OF THE PROPOSED RULE IS:**

11B-21.002 Criminal Justice Training Schools' Request for Certification, Expansion of Certification, and Re-certification.

(1) through (2) No change.

(3) Request for Training School Initial Certification.

(a) through (c) No change.

(d) Commission approval of a training school for delivery of Commission training shall continue in effect until the next recertification date pursuant to paragraph 11B-21.002(5)(a), F.A.C. ~~for five years beginning with the date of Commission approval.~~

(4) through (5) No change.

~~(6) All form(s) referenced in this rule chapter may be obtained on the following web site: <http://www.fdle.state.fl.us> or by contacting the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489, Attention: Bureau of Standards, Forms Liaison.~~

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(3), (7), 943.14 FS. History—New 7-21-82, Amended 1-28-86, Formerly 11B-21.02, Amended 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 9-28-09.

11B-21.005 Criminal Justice Training School Requirements for Certification and Re-certification.

Training Schools certified by the Commission shall comply with the following requirements:

(1) through (3) No change.

(4) Driving Range Facility, Equipment, and Instructor to Student Ratio Requirements.

(a) When conducting Commission-approved vehicle operations training, comply with the driving range facility, equipment, and instructor to student ratio requirements set forth in subsection 11B-35.0021(6), F.A.C., and in the Driving Range Facility and Equipment Requirements, form CJSTC-202, revised December 16, 2010 ~~November 8, 2007~~, hereby incorporated by reference. Form CJSTC-202 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(b) No change.

(5) Defensive Tactics Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved defensive tactics training, comply with the defensive tactics equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(6), F.A.C., and in the Defensive Tactics Facility and Equipment Requirements, form CJSTC-203, revised December 16, 2010 ~~October 30, 2008~~, hereby incorporated by reference. Form CJSTC-203 can be obtained at the following

FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(6) Firing Range Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved firearms training, comply with the firing range equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(6), F.A.C., and in the Firing Range Facility and Equipment Requirements, form CJSTC-201, revised December 16, 2010 ~~November 8, 2007~~, hereby incorporated by reference. Form CJSTC-201 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Firearms training shall be supervised directly by a Commission-certified firearms instructor and the instructor shall have access to at least one firearms range designed for criminal justice firearms instruction.

(7) First Aid Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved first aid training, comply with the first aid equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(6), F.A.C., and in the CMS First Aid Instructional Requirements, form CJSTC-208, revised December 16, 2010 ~~November 8, 2007~~, hereby incorporated by reference. Form CJSTC-208 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(8) through (10) No change.

(11) Comply with criminal history background requirements as set forth in subsection 11B-27.0021(4), F.A.C., and Section 943.14(7), F.S.

~~(12)~~ (11) Comply with requirements for notification of changes in requirements for certification. Training schools with changes in staff and facilities during the school's active certification period shall:

(a) through (b) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(3), (7), 943.14, 943.17(1)(g) FS. History—New 7-21-82, Formerly 11B-21.05, Amended 1-28-86, 8-30-89, 12-24-89, 6-3-91, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donna Hunt

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NOS.:	RULE TITLES:
11B-27.0011	Moral Character
11B-27.002	Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers
11B-27.0021	High School Graduation or Equivalent
11B-27.00212	Maintenance of Officer Certification
11B-27.00213	Temporary Employment Authorization
11B-27.0022	Background Investigations
11B-27.013	Canine Team Certification
11B-27.014	Implementation of the Federal Law Enforcement Officers Safety Act of 2004

PURPOSE AND EFFECT: Repeals Section 817.567, F.S., regarding "making false claims of academic degree or title," from the list of misdemeanor or criminal offenses pursuant to new legislation effective 7/1/2011.

Revises the oath on the Affidavit of Applicant form CJSTC-68 and the Authority for Release of Information form CJSTC-58, to comply with Section 117.05(13)(a), F.S.

Clarifies that a current background investigation shall be conducted not more than one year prior to the date of employment or appointment of an officer or civilian officer trainee.

Makes housekeeping revisions to the Registration of Employment Affidavit of Compliance form CJSTC-60 and revises the oath to comply with Section 117.05(13)(a), F.S.

Revises the Officer Certification Application form CJSTC-59 to clarify that the employing agency is required to certify a new-hire, who is eligible for certification, regardless if the new hire has been separated from employment, updates statutory references, and revises the oath on form CJSTC-59 to comply with Section 117.05(13)(a), F.S.

Revises the Employment Background Investigative Report form CJSTC-77 to update instructions.

Requires the employing agency to certify a new hire within 30 days of the applicant's compliance with certification requirements and record the certification into the Commission's automated system regardless if the applicant has been separated from employment or appointment, and clarifies that the officer shall be certified within four years of date the officer began basic recruit training.

Requires employing agencies to update an officer's training and employment data in the Commission's automated system prior to the separation of an officer's employment or appointment.

Requires employing agencies to provide proof that an accredited college or university has accepted a high school diploma prior to entrance into a degree-seeking program.

Prohibits a previous employing agency from updating an officer's training or employment record when the officer is employed by another agency.

Removes the word "certified" to acknowledge the mandatory firearms qualification required under subsection 11B-27.00212(14), F.A.C., because the mandatory firearms qualification may have occurred prior to a law enforcement officer becoming certified in proximity to their employment with a criminal justice agency.

Revises the Law Enforcement Officer Firearms Qualification Standard form CJSTC-86A and CMS Firearms Performance Evaluation form CJSTC-4 CMS to require use of a commercially produced B-21E or equivalent Pride Enterprises (PRIDE) target for demonstration of firearms proficiency skills.

Updates the effective dates and retirement dates of basic recruit training programs.

Requires that a current background investigation shall be conducted not more than one year prior to the date of employment or appointment, as an officer or civilian officer trainee, pursuant with paragraph 11B-27.002(1)(g), F.A.C., and requires a completed Employment Background Investigative Report form CJSTC-77. Form CJSTC-77 requires the mandatory checks of previous employment, FCIC Record, NCIC Record, Local Law Enforcement, Military History, Controlled Substances, and investigative findings.

Updates rule reference in paragraph 11B-27.013(8)(f), F.A.C.

Removes the duplicate reference for obtaining the Firearms Proficiency Verification Card, form CJSTC-600, because the information is included in paragraph 11B-27.014(4)(a), F.A.C.

Requires the use of a commercially produced B-21E or equivalent Pride Enterprises (PRIDE) target for demonstration of firearms proficiency skills.

Repeals vague rule language.

Clarifies that if a retiree loses their Commission-approved Firearms Proficiency Verification Card form

CJSTC-600 the retiree shall repeat the course of fire prior to issuance of a new card.

**SUMMARY:** Revises the following Criminal Justice Standards and Training Commission forms: Affidavit of Applicant form CJSTC-68, Authority for Release of Information form CJSTC-58, Employment Affidavit of Compliance form CJSTC-60, Officer Certification Application form CJSTC-59, Employment Background Investigative Report form CJSTC-77, Officer Firearms Qualification Standard form CJSTC-86A, and CMS Firearms Performance Evaluation form CJSTC-4 CMS. Repeals Section 817.567, F.S., regarding "making false claims of academic degree or title." Clarifies current Background Investigation procedures for employment or appointment. Requires the employing agency to certify a new hire within 30 days of the applicant's compliance with certification requirements. Requires agencies to update officer training and employment data prior to officer's separation of

employment or appointment. Requires an agency to obtain proof that a high school diploma has been accepted by an accredited college or university. Revises the policy requirements for updating officer records. Clarifies the mandatory firearms qualification policy. Updates basic recruit training program effective dates and retirement dates. Adds requirements for background investigations. Updates a rule reference. Removes duplicate rule language for obtaining Firearms Proficiency Verification Card form CJSTC-600. Requires specific firearms targets for firearms qualification. Repeals vague rule language. Clarifies the Commission's policy for reissuing a lost Firearms Proficiency Verification Card form CJSTC-600.

**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 exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None.

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:** 943.03(4), 943.12(1), 943.133(3) FS.

**LAW IMPLEMENTED:** 943.12, 943.12(17), 943.12(3), 943.13, 943.13(3),(7),(11), 943.131, 943.132, 943.133, 943.135, 943.139, 943.1395, 943.1395(3),(7), 943.17(1)(a) FS.

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

**DATE AND TIME:** January 22, 2013, 1:00 p.m.

**PLACE:** Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at 850-410-8615, or

donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Hunt at 850-410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-27.0011 Moral Character.

(1) through (3) No change.

(4) For the purposes of the Criminal Justice Standards and Training Commission's implementation of any of the penalties specified in Section 943.1395(6) or (7), F.S., a certified officer's failure to maintain good moral character required by Section 943.13(7), F.S., is defined as:

(a) No change.

(b) Except as otherwise provided in Section 943.13(4), F.S., a plea of guilty or a verdict of guilty after a criminal trial for any of the following misdemeanor or criminal offenses, notwithstanding any suspension of sentence or withholding of adjudication, or the perpetration by an officer of an act that would constitute any of the following misdemeanor or criminal offenses whether criminally prosecuted or not:

1. Sections 316.193, 327.35, 365.16(1)(c),(d), 414.39, 741.31, 784.011, 784.03, 784.047, 784.048, 784.05, 784.046(15), 790.01, 790.10, 790.15, 790.27, 794.027, 796.07, 800.02, 800.03, 806.101, 806.13, 810.08, 810.14, 810.145, 812.014, 812.015, 812.14, 817.235, 817.49, 817.563, 817.565, ~~817.567~~, 817.61, 817.64, 827.04, 828.12, 831.30, 831.31(1)(b), 832.05, 837.012, 837.05, 837.055, 837.06, 839.13, 839.20, 843.02, 843.03, 843.06, 843.085, 847.011, 856.021, 870.01, 893.13, 893.147, 901.36 914.22, 934.03, 944.35, 944.37, and 944.39, F.S.

2. through 3. No change.

(c) through (d) No change.

(5) through (7) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(7), 943.1395(7) FS. History—New 1-7-85, Formerly 11B-27.011, Amended 7-13-87, 10-25-88, 12-13-92, 9-5-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 4-11-04, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 4-16-09, 6-3-10, 5-21-12, \_\_\_\_\_.

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers.

(1) Certification or Reactivation of Certification. Prior to submitting an application for certification or reactivation of certification for a law enforcement, correctional, or

correctional probation officer, the employing agency shall collect and verify documents establishing that an applicant has complied with the requirements of Section 943.13, F.S. Verified documents shall be maintained in the officer's training file at the employing agency. The following documents are required for verification of an applicant's compliance with this rule section:

(a) through (e) No change.

(f) An Affidavit of Applicant, form CJSTC-68, revised December 16, 2010 ~~November 8, 2007~~, hereby incorporated by reference, executed by the applicant attesting that the applicant complies with the employment or appointment qualifications pursuant to Sections 943.13(1)-(10), F.S. Form CJSTC-68 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(g) Evidence that a thorough background investigation was conducted not more than one year prior to the date of employment or appointment as an officer or civilian officer trainee, pursuant to Rule 11B-27.0022, F.A.C. A thorough background investigation shall be conducted in conjunction with an officer's employment or appointment, regardless of existing evidence that a thorough background investigation of the officer was conducted for a previous employment or appointment.

(h) No change.

(2) The employing agency administrator is required, within 30 days of hire, to submit to Commission staff or electronically transmit through the Commission's Automated Training Management System (ATMS), and maintain on file a Registration of Employment Affidavit of Compliance, form CJSTC-60, revised December 16, 2010 ~~November 8, 2007~~, hereby incorporated by reference, attesting to compliance by the employing agency with the following requirements. Form CJSTC-60 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(a) For law enforcement, correctional, and correctional probation officer applicants who have not been previously certified and who have complied with the certification requirements pursuant to Section 943.13(1)-(10), F.S., the employing agency shall certify to the Commission that the applicant is eligible for certification by submitting to Commission staff or electronically transmitting through the Commission's Automated Training Management System (ATMS), a completed Officer Certification Application, form CJSTC-59, revised December 16, 2010 ~~November 8, 2007~~, hereby incorporated by reference, within 30 days of the applicant's compliance with the certification requirements, notwithstanding whether the applicant is separated from employment. Upon receipt of an Officer Certification



Application Deficiency Notification, form CJSTC-259, revised November 8, 2007, hereby incorporated by reference, the employing agency shall maintain on file, a copy of form CJSTC-59 and any other employment documentation. Forms CJSTC-59 and CJSTC-259 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The employing agency shall submit a copy of form CJSTC-259 and the missing or deficient documentation to Commission staff within 90 days of the date the form was signed and issued to the agency. Failure by the employing agency to submit missing or deficient documentation within the required 90 days may result in denial of an applicant's request for certification. An officer applicant shall not work as a sworn officer prior to meeting the requirements of Sections 943.13, F.S., except as authorized pursuant to Section and 943.131, F.S.

(b) No change.

(3) Employment requirements pursuant to Sections 943.13, F.S., shall be documented on an Agency New Hire Report, form CJSTC-207, revised November 8, 2007, hereby incorporated by reference. Form CJSTC-207 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) The files of newly hired officers are subject to an on-site inspection by Commission staff to ensure compliance with the requirements of Chapter 943, F.S., and Rule Chapter 11B-27, F.A.C. All documents collected in conjunction with the background investigation shall be available for review. The following documents shall be reviewed for completeness:

1. No change.

2. An Employment Background Investigative Report, form CJSTC-77, revised ~~December 16, 2010~~ ~~August 6, 2009~~, hereby incorporated by reference. Form CJSTC-77 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

3. through 15. No change.

(b) No change.

(4)(a) Within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination, and gain employment, and certification as an officer. An individual who is not employed as an officer in the discipline for which training was completed, within four years of the date of beginning such training, shall, as a condition for obtaining employment or appointment, comply with the following requirements:

(b) An individual who has not complied with the requirements in paragraph (4)(a) of this rule section for the discipline in which the training was completed, within four years of the date of beginning such training, shall as a condition for obtaining employment comply with the following:

1.(a) Successfully complete a Commission-approved Basic Recruit Training Program pursuant to Rule 11B-35.002, F.A.C., or qualify for an exemption from a Commission-approved Basic Recruit Training Program, pursuant to Section 943.131(2), F.S., to include demonstration of proficiency in the High-Liability Basic Recruit Training Courses pursuant to Rule 11B-35.0024, F.A.C.; and

2.(b) Achieve a passing score on the State Officer Certification Examination.

(5) Officer Separation from Employment or Appointment. An Affidavit of Separation form CJSTC-61, shall be completed by the employing agency and immediately transmitted via the Commission's ATMS or submitted to Commission staff. If the officer has met the requirements for certification, mandatory training, or firearms qualification at the time of separation the agency shall update the Commission's ATMS prior to separation.

(6) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.133, 943.139, 943.1395 FS. History—New 10-6-82, Amended 4-26-84, 1-7-85, Formerly 11B-27.02, Amended 9-3-87, 3-29-89, 5-14-92, 12-13-92, 9-5-93, 1-19-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12, \_\_\_\_\_.

11B-27.0021 High School Graduation or Equivalent.

(1) No change.

(2) Compliance with this rule section shall be documented by the employing agency and made available to Commission staff for review. Criteria for proof of compliance and authenticity of the diploma includes:

(a) through (d) No change.

(e) Proof that the diploma has been accepted by an accredited college or university, as defined in Section 943.22(1), F.S., for entrance into a degree seeking program.

(f)(e) For individuals who have completed an education program in a foreign jurisdiction, documentation that the diploma or official school transcript, indicating the date of graduation or completion, is equivalent to the requirements for a U.S. High School Diploma or equivalency diploma. Documents shall be transcribed by a certified translator and notarized as true and correct.

(3) No change.

Rulemaking Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(3) FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.021, Amended 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, \_\_\_\_\_.

11B-27.00212 Maintenance of Officer Certification.

(1) through (3) No change.

(4) Continuing education or training pursuant to Section 943.135, F.S. Upon an officer's completion of the required continuing education or training the employing agency shall submit or electronically transmit to Commission staff through the Commission's ATMS, and maintain in file a completed Mandatory Retraining Report, form CJSTC-74, revised August 7, 2008, hereby incorporated by reference. Form CJSTC-74 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Criminal justice agencies shall not update an officer's mandatory training unless an officer is employed by the agency or has met the requirement for employment pursuant to subsection 11B-27.002(1), F.A.C.

(5) through (13) No change.

(14) Law Enforcement Officer Firearms Qualification Standard. Beginning July 1, 2006, a law enforcement officer shall be required to qualify on the Commission's approved course of fire with the proficiency skills documented on the Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, revised December 16, 2010 ~~January 29, 2009~~, hereby incorporated by reference, and maintained in the officer's employment file. Form CJSTC-86A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) A ~~certified~~ law enforcement officer who fails to demonstrate proficiency skills on the required firearms qualification standard shall not perform the duties of a sworn officer.

(b) No change.

(c) In the event a ~~certified~~ law enforcement officer fails to meet this standard by June 30 of each reporting year, the officer's certificate shall become inactive until the employing agency provides documentation to Commission staff establishing that the firearms qualification standard has been satisfied. Active officers who were separated from employment or appointment for not satisfying the firearms qualification standard, and do not meet the standard within six months of separation from employment or appointment, shall comply with the certification or reactivation of certification requirement(s) of subsection 11B-27.002(1), F.A.C., prior to reemployment.

(d) No change.

(e) In the event a ~~certified~~ law enforcement officer is injured in the line of duty or has a chronic illness and fails to meet this standard by June 30 of a reporting year, the agency administrator or designee shall complete the Injury or Illness Exemption for the Firearms Law Enforcement Officer Qualification Standard form CJSTC-86B, created January 29,

2009, hereby incorporated by reference and revised December 16, 2010, (effective 5/2012). Form CJSTC-86B can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The agency shall submit form CJSTC-86B and the supporting medical documentation to Commission staff prior to the June 30 deadline to ensure the officer's certificate does not become inactive on the reporting deadline for that two-year reporting cycle. An additional form CJSTC-86B shall be submitted for each subsequent reporting cycle.

(15) Elder Abuse Training. As a part of basic recruit training or the officer's continuing education or training, a law enforcement officer shall be required to complete training on identifying and investigating elder abuse and neglect.

(a) through (b) No change.

(c) Law enforcement officers who have successfully completed one of the following programs will have satisfied this training requirement:

1. CMS Application-Based Law Enforcement Basic Recruit Training Program (BRTP) number 224 (Retired 3/31/08).

2. Florida CMS Law Enforcement BRTP number 1177 (Effective 4/1/08).

3. Traditional Correctional Cross-Over to CMS Application-Based Law Enforcement BRTP number 1143 (Retired 3/31/08).

4. Correctional Officer Cross-Over Training to Florida CMS Law Enforcement BRTP number 1178 (Retired 6/30/12). Correctional Officer Cross-Over Training to Florida CMS Law Enforcement BRTP number 1191 (Effective 7/1/12).

5. Traditional Correctional Probation Cross-Over to CMS Application-Based Law Enforcement BRTP number 1157 (Retired 3/31/08).

6. Correctional Probation Officer Cross-Over Training to Florida CMS Law Enforcement BRTP number 1179 (Effective 7/1/12).

7. CMS Law Enforcement Auxiliary Officer BRTP number 1180 (Effective 4/1/08).

8. Crimes Against the Elderly advanced training course number 100 (Effective 4/1/06).

9. Elder Abuse Training for Law Enforcement course by the Department of Elder Affairs (Effective 10/30/08).

10. No change.

(d) through (e) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.13(11), 943.135, 943.1395(3), 943.1701, 943.1715, 943.1716, 943.253 FS. History—New 11-5-02. Amended 12-3-03, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 4-16-09, 9-28-09, 6-3-10, 5-21-12, \_\_\_\_\_.

Editorial Note: See 11B-27.0023, F.A.C.

## 11B-27.00213 Temporary Employment Authorization.

A Certificate of Compliance shall not be issued to officers employed on a Temporary Employment Authorization (TEA) prior to meeting the requirements of Sections 943.13(1)-(10), F.S.

(1) No change.

(2) An officer employed on a TEA, shall be excused from the firearms training requirement upon placement of a statement in the officer's file at the employing agency. The statement shall be signed by the agency administrator confirming that the TEA-appointed officer shall not be permitted to carry a firearm until the following classroom training requirements have been fulfilled:

(a) No change.

(b) Firearms Range Training. The trainee's proficiency demonstration shall be documented on a CMS Firearms Performance Evaluation, form CJSTC-4 CMS, revised December 16, 2010 August 6, 2009, hereby incorporated by reference, and maintained in the trainee's file at the employing agency. Form CJSTC-4 CMS can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. The instructor shall qualify the trainee with a handgun (revolver or semi-automatic pistol) and long gun (shotgun or semiautomatic rifle/carbine) using the Commission's Basic Recruit Training Firearms Course of Fire, pursuant to form CJSTC-4 CMS, and the form shall be maintained in the trainee's file at the employing agency. Trainees shall fire a long gun as prescribed in the Commission-approved Basic Recruit Training Program.

(3) through (5) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.131, 943.133, 943.139, 943.1395, 943.17(1)(a) FS. History—New, 11-5-02. Amended 11-30-04, 3-27-06, 6-9-08, 9-28-09, 6-3-10, \_\_\_\_\_.

## 11B-27.0022 Background Investigations.

(1) Pursuant to Section 943.133, F.S., and Rule 11B-27.0011, F.A.C., the employing agency shall conduct a thorough background investigation of each applicant. Evidence that a complete background investigation was conducted, pursuant to the requirements on the Employment Background Investigative Report form CJSTC-77, not more than one year prior to the date of employment or appointment as an officer or civilian officer trainee, pursuant to Rule 11B-27.0022, F.A.C. A complete background investigation shall be conducted in conjunction with an officer's employment or appointment, regardless of existing evidence that a thorough background investigation of the officer was conducted for a previous employment or appointment. The agency shall maintain in the applicant's file at the employing agency a summary of the background investigation findings, signed and dated by the investigator and the agency administrator or designee. The summary shall verify the following information:

(a) through (d) No change.

(2) The employing agency shall, at a minimum, use the following background investigation procedures:

(a) Obtain previous employment data from prior employers. Criminal justice agencies conducting background investigations have the option of using the Authority for Release of Information, form CJSTC-58, revised December 16, 2010 August 6, 2009, pursuant to Sections 943.134(2) and (4), F.S., hereby incorporated by reference. Form CJSTC-58 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) through (d) No change.

(3) The employing agency shall submit or electronically transmit to Commission staff through the Commission's ATMS, a Registration of Employment Affidavit of Compliance form CJSTC-60. The agency shall also submit to Commission staff a completed Employment Background Investigative Report form CJSTC-77, for each officer employed or appointed. The original form CJSTC-77 that has been signed and dated by the investigator and the agency administrator or designee shall be retained in the applicant's file.

Rulemaking Authority 943.03(4) 943.12(1), 943.133(3) FS. Law Implemented 943.133, 943.139 FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.022, Amended 7-13-87, 10-17-90, 5-13-92, 5-14-92, 12-13-92, 9-5-93, 8-7-94, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, \_\_\_\_\_.

## 11B-27.013 Canine Team Certification.

(1) through (7) No change.

(8) Canine Team Evaluators. Prior to being approved by the Commission as a canine team evaluator, the evaluator shall provide documentation verifying that the evaluator applicant has complied with the following requirements:

(a) through (e) No change.

(f) Maintenance of evaluator status. Commission-approved evaluators shall be required to submit a request for continuance as an evaluator, to the address in paragraph (8)(d) of this rule section within four years of the date of approval, with documentation that verifies the evaluator has completed a minimum of four canine team examinations within the four-year period. The verifying documentation shall be copies of form CJSTC-70 attesting that the examination of proficiency was administered by the evaluator. If the Commission-approved evaluator's "approval status" expires, the evaluator shall comply with the requirements in this rule section. An evaluator's "approval status" that is approved prior to November 5, 2002, shall expire on November 5, 2006, unless the requirements of paragraphs (8)(a)-(d) of this rule section are met. An evaluator's "approval status" shall expire four years following the date approved by the Commission.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17) FS. History—New 3-29-89, Amended 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10,\_\_\_\_\_.

11B-27.014 Implementation of the Federal Law Enforcement Officers Safety Act of 2004.

(1) No change.

(2) Requirements for administering the course of fire are as follows:

(a) No change.

(b) The range master shall issue a Commission-approved Firearms Proficiency Verification Card, form CJSTC-600, created on July 9, 2007, hereby incorporated by reference, to each retiree who successfully completes the course of fire as required on form CJSTC-86A. ~~Form CJSTC-600 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.~~

(c) The range master shall maintain the following documentation that is related to the completion of the course of fire for each retiree who successfully completes the course, and the retained documentation shall be subject to audit during regular business hours upon a two-day written notice by Commission staff:

1. through 2. No change.

3. The Course of Fire Proficiency Score. A passing score is a minimum score of 80%, which is 32 of 40 rounds in the scoring area using a commercially produced B-21E target or equivalent Pride Enterprises (P.R.I.D.E.) target. The scoring shall be any hit that is inside or touches the exterior scoring line of the four and five zone of the B-21E target. ~~The B-21E target is commercially available through retailers.~~

4. through 7. No change.

(3) Firing Range Requirements.

(a) The course of fire ~~shall is authorized to~~ be conducted on any public or private range that meets the shooting distance requirements on form CJSTC-86A.

(b) through (c) No change.

(4) Issuance and Maintenance of form CJSTC-600.

(a) A request for form CJSTC-600 shall be made in writing to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Officer Records Section.

1. through 2. No change.

3. If a retiree loses form CJSTC-600, a replacement card shall not be reissued. The retiree shall be required to complete the course of fire, again, and be issued prior to issuing a new CJSTC-600 form.

(b) through (c) No change.

(5) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.132 FS. History—New 3-3-08, Amended 6-3-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Donna Hunt

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NO.:

RULE TITLE:

11B-30.0062

State Officer Certification

Examination Assignment and

Retake Eligibility Requirements

PURPOSE AND EFFECT: Clarifies the assignment and retake eligibility requirements.

Deletes redundant rule language because the retired Traditional Law Enforcement basic recruit training program and cross-over training programs are listed in subsection 11B-35.002(1), F.A.C.

Deletes redundant rule language because the active Traditional Correctional Basic Recruit Training Program and retired cross-over training programs are listed in subsection 11B-35.002(1), F.A.C.

Deletes redundant rule language because the retired Traditional Correctional Probation Basic Recruit Training Program and cross-over training programs are listed in subsection 11B-35.002(1), F.A.C.

Deletes redundant rule language because the retired CMS Application-Based Law Enforcement Basic Recruit Training program and cross-over training programs are listed in subsection 11B-35.002(1), F.A.C.

Deletes redundant rule language because the new Florida CMS Correctional Basic Recruit Training Program is listed in subsection 11B-35.002(1), F.A.C.

Deletes redundant rule language because the retired Florida CMS Basic Recruit Training program and cross-over training programs are listed in subsection 11B-35.002(1), F.A.C.

Deletes redundant rule language because the Florida Correctional Probation Basic Recruit Training Program and cross-over training programs are listed in subsection 11B-35.002(1), F.A.C.

Deletes redundant rule language regarding examinations required for inactive Florida officers that are listed in Rule 11B-35.002, subsection 11B-27.00212(12)(a), and Rule 11B-35.009, F.A.C.

Updates the paragraph number in subsection 11B-30.0062(3), F.A.C.

SUMMARY: Clarifies the examination assignment and retake eligibility requirements and deletes retired and non-retired basic recruit training programs redundant to subsection 11B-35.002(1), F.A.C.

**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 exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None.

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: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12(17), 943.13(10), 943.1397 FS.

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

DATE AND TIME: January 22, 2013, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-30.0062 State Officer Certification Examination Assignment and Retake Eligibility Requirements.

(1) Individuals who have successfully completed a Commission-approved Basic Recruit Training Program or are exempt from a Basic Recruit Training Program, pursuant to subsection 11B-30.006(2), F.A.C., shall be allowed to apply for and take the applicable Paper and Pencil or Computer-Based State Officer Certification Examination (SOCE) corresponding to the ~~type of training, and specific to the~~ specific law enforcement, correctional, or correctional probation discipline and curriculum for which training was completed or exempted. Individuals completing a Basic Recruit Training Program shall pass the SOCE within four years of the beginning date of training pursuant to subsection 11B-27.002(4), F.A.C. Individuals exempt from a Basic Recruit Training Program shall pass the SOCE within one year of receiving the exemption pursuant to Section 943.131, F.S.

~~(a) Individuals completing the following Traditional Law Enforcement Basic Recruit Training Programs (B RTP) pursuant to subsection 11B-35.002(1), F.A.C., shall take the Traditional Law Enforcement SOCE:~~

<del>Traditional Law Enforcement Basic Recruit Training Programs</del>	Program Number	Status: Retired (R) Effective (E)
<del>1. Traditional Law Enforcement B RTP</del>	002	R-6/30/04
<del>2. Traditional Correctional Cross Over to Traditional Law Enforcement B RTP</del>	222	R-3/31/05
<del>3. Traditional Correctional Probation Cross Over to Traditional Law Enforcement B RTP</del>	223	R-3/31/06

~~(b) Individuals completing the following Traditional Correctional Basic Recruit Training Programs, pursuant to subsection 11B-35.002(1), F.A.C., shall take the Traditional Correctional SOCE:~~

<del>Traditional Correctional Basic Recruit Training Programs</del>	<del>Program Number</del>	<del>Status: Retired (R) Effective (E)</del>
<del>1. Traditional Correctional BRTP</del>	<del>502</del>	<del>E-4/1/08</del>
<del>2. Traditional Law Enforcement Cross-Over to Traditional Correctional BRTP</del>	<del>555</del>	<del>R-3/31/06</del>
<del>3. Traditional Correctional Probation Cross-Over to Traditional Correctional BRTP</del>	<del>556</del>	<del>R-3/31/08</del>
<del>4. CMS Application Based Law Enforcement Cross-Over to Traditional Correctional BRTP</del>	<del>1155</del>	<del>R-3/31/08</del>

(e) Individuals completing the following Traditional Correctional Probation Basic Recruit Training Programs, pursuant to subsection 11B-35.002(1), F.A.C., shall take the Traditional Correctional Probation SOCE:

<del>Traditional Correctional Probation Basic Recruit Training Programs</del>	<del>Program Number</del>	<del>Status: Retired (R) Effective (E)</del>
<del>1. Traditional Correctional Probation BRTP</del>	<del>602</del>	<del>R-3/31/07</del>
<del>2. Traditional Law Enforcement Cross-Over to Traditional Correctional Probation BRTP</del>	<del>660</del>	<del>R-3/31/06</del>
<del>3. Traditional Correctional Cross-Over to Traditional Correctional Probation BRTP</del>	<del>667</del>	<del>R-3/31/08</del>
<del>4. CMS Application Based Law Enforcement Cross-Over to Traditional Correctional Probation BRTP</del>	<del>1156</del>	<del>R-3/31/08</del>

(d) Individuals completing the following CMS Application-Based Law Enforcement Basic Recruit Training Programs, pursuant to subsection 11B-35.002(1), F.A.C., shall take the CMS Law Enforcement SOCE:

<del>CMS Application Based Law Enforcement Basic Recruit Training Programs</del>	<del>Program Number</del>	<del>Status: Retired (R) Effective (E)</del>
<del>1. CMS Application Based Law Enforcement BRTP</del>	<del>224</del>	<del>R-3/31/08</del>
<del>2. Traditional Correctional Cross-Over to CMS Application-Based Law Enforcement BRTP</del>	<del>1143</del>	<del>R-3/31/08</del>
<del>3. Traditional Correctional Probation Cross-Over to CMS Application-Based Law Enforcement BRTP</del>	<del>1157</del>	<del>R-3/31/08</del>

(e) Individuals completing the following Florida CMS Correctional Basic Recruit Training Program(s), pursuant to subsection 11B-35.002(1), F.A.C., shall take the Florida CMS Correctional SOCE:

<del>Florida CMS Correctional Basic Recruit Training Programs</del>	<del>Program Number</del>	<del>Status: Retired (R) Effective (E)</del>
<del>1. Florida CMS Correctional BRTP</del>	<del>TBD</del>	<del>E-7/1/12</del>

(f) Individuals completing the following Florida CMS Law Enforcement Basic Recruit Training Programs, pursuant to subsection 11B-35.002(1), F.A.C., shall take the Florida CMS Law Enforcement SOCE:

<del>Florida CMS Law Enforcement Basic Recruit Training Programs</del>	<del>Program Number</del>	<del>Status: Retired (R) Effective (E)</del>
<del>1. Florida CMS Law Enforcement BRTP</del>	<del>1177</del>	<del>E-4/1/08</del>
<del>2. Correctional Officer Cross-Over Training to Florida CMS Law Enforcement BRTP</del>	<del>1178</del>	<del>E-4/1/08</del>
<del>3. Correctional Probation Officer Cross-Over Training to Florida CMS Law Enforcement BRTP</del>	<del>1179</del>	<del>E-4/1/08</del>

(g) Individuals completing the following Florida Correctional Probation Basic Recruit Training Programs, pursuant to subsection 11B-35.002(1), F.A.C., shall complete the Florida Correctional Probation SOCE:

Florida Correctional Probation Basic Recruit Training Programs	Program Number	Status: Retired (R) Effective (E)
1. Florida Correctional Probation BRTP	1176	E-9/1/07
2. Correctional Officer Cross-Over Training to Florida Correctional Probation BRTP	1183	E-4/1/08
3. Law Enforcement Officer Cross-Over Training to Florida Correctional Probation BRTP	1184	E-4/1/08

(2) Inactive Florida officers, defined in Section 943.1395(3), F.S., and out-of-state, military, and federal officers, who comply with paragraph 11B-27.00212(12)(a) and

Rule 11B-35.009, F.A.C., within one year of notification of approval of the Equivalency of Training form CJSTC-76 shall take the following SOCE:

Discipline	Required SOCE Test for Individuals Notified Prior To July 1, 2008	Required SOCE Test for Individuals Notified on or after July 1, 2008
Law Enforcement	CMS Application-Based Law Enforcement BRTP	Florida CMS Law Enforcement
Correctional Probation	Traditional Correctional Probation BRTP	Florida Correctional Probation
Correctional	Traditional Correctional BRTP	Traditional Correctional

(2)(3) Should an individual fail to achieve an overall passing score on the SOCE, the individual shall be permitted two opportunities to reapply and retake the examination.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17), 943.13(10), 943.1397 FS. History—New, 7-29-01, Amended 11-5-02, 11-30-04, 6-9-08, 5-21-12, \_\_\_\_\_.

**DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission**

RULE NOS.:	RULE TITLES:
11B-35.001	General Training Programs; Requirements and Specifications
11B-35.0010	eLearning Instruction
11B-35.0011	Requirements for Applicant Admission into a Law Enforcement, Correctional, and Correctional Probation Basic Recruit Training Program
11B-35.002	Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation
11B-35.0021	Courses for Basic Recruit Training and Instructor Training Requiring Proficiency Demonstration
11B-35.0023	Student Transfers within Basic Recruit Training Programs
11B-35.0024	Student Performance in Commission-approved High-Liability Basic Recruit

11B-35.003

11B-35.006  
11B-35.007  
11B-35.009

Training Courses and Instructor Training Courses Requiring Proficiency Demonstration  
Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training  
Advanced Training Program  
Specialized Training Program  
Exemption from Basic Recruit Training

PURPOSE AND EFFECT: Paragraph 11B-35.001(1)(c): Makes grammatical revisions to clarify the sentence regarding post basic and in-service training.  
Paragraph 11B-35.001(9)(b): Adds a topic title to the rule paragraph for the definition of “successful completion of a course,” and updates the rule reference.  
Subparagraphs 11B-35.001(10)(b)2., 4.: Removes obsolete rule language. Retires the CMS Auxiliary Basic Recruit Training Program and CMS Auxiliary Basic Recruit Training Program effective July 1, 2012.  
Subparagraphs 11B-35.001(10)(d)1.-3.: Retires the law enforcement, correctional, and correctional probation cross-over courses numbers 1181, 1182, and 1178.  
Paragraph 11B-35.001(11)(a): Clarifies that the training center director or designee shall determine the beginning and ending dates of each basic recruit training program, within, 30 days following the class starting date, and shall notify Commission staff.

Paragraphs 11B-35.001(11)(b)-(c): Adds the new 420-hour Florida CMS Correctional Basic Recruit Training Program 1190 approved by the Commission on May 10, 2012, and deletes the last sentence of (b) to create (c) to report completed specialized training program courses.

Subparagraph 11B-35.001(11)(c)2.: Retires the specialized training Laser Speed Measurement Device Transition Operators Course for the Radar Operator course 1113.

Paragraph 11B-35.001(11)(d).: Clarifies that training schools shall maintain Commission-approved course documents in the student's course file for review by the Commission's auditors.

Subparagraph 11B-35.001(11)(d)1.: Clarifies that training schools shall maintain "daily" course schedules for Commission-approved courses.

Subparagraph 11B-35.001(11)(d)5.: Adds a rule reference for locating the requirements for security maintenance of the State Officer Certification Paragraph Examination.

Subparagraph 11B-35.001(11)(d)8.: Requires a copy of the ATMS Global Profile Report or Instructor Exemption form CJSTC-82 in the instructor's course file to be exempt from General Instructor Certification.

Subparagraph 11B-35.001(11)(d)9.: Adds the procedures for "excused absences" and adds the rule reference for the definition of an excused absence.

Subparagraph 11B-35.001(11)(d)10.: Adds the requirements for documentation of student makeup work and the rule reference to locate the "student makeup" work policy.

Subparagraph 11B-35.001(11)(d)11.: Adds the requirements for documentation of student transfers and adds the rule reference to locate the "student transfer" policy.

Subparagraph 11B-35.001(11)(d)14.: Makes grammatical revisions for clarification.

Paragraph 11B-35.001(12)(c): Adds the specific training programs allowed for competency-based instruction.

Subparagraph 11B-35.001(12)(c)3.: Adds reference to Rule 11B-35.0010, F.A.C., for eLearning instruction for specialized training program courses, specialized instructor courses, and specialized goals and objectives.

Subparagraphs 11B-35.001(12)(d)1.-4: Transfers eLearning to new Rule 11B-35.0010, F.A.C., from Rules 11B-35.001(12), F.A.C., and 11B-35.007(8), F.A.C.

Paragraph 11B-35.001(15)(b): Adds the new 420-hour Florida CMS Correctional Basic Recruit Training Program 1190 approved by the Commission on May 10, 2012.

Subsection 11B-35.001(16): Removes training "contact hours" and replaces with training "hours" to implement eLearning.

Rule 11B-35.0010: Creates new Rule 11B-35.0010, F.A.C., titled eLearning Instruction, to combine eLearning rule language from subsections 11B-35.001(12), F.A.C., and 11B-35.007(8), F.A.C., for Commission-approved Specialized Training Program Courses and Specialized Instructor Courses, and courses created from Specialized Goals and Objectives.

Paragraph 11B-35.0010(4)(b): Updates the eLearning Course Minimum Standards form CJSTC-18 to include specialized program courses, specialized instructor courses, and courses created from Specialized Goals and Objectives.

Subsection 11B-35.0011(2): Requires physical fitness testing and chemical agent exposure for the new 420-hour Florida CMS Correctional Basic Recruit Training Program 1190 approved by the Commission on May 10, 2012.

Subparagraphs 11B-35.002(1)(a)4.-12.: Updates the basic recruit training program titles, revision dates, program effective dates, hours, and retirement dates for the law enforcement discipline. Adds the new Correctional Officer Cross-Over to Florida CMS Law Enforcement Basic Recruit Training Program 1191 approved by the Commission on May 10, 2012 (The program hours increased due to the addition of the Cross-Over Handgun Transition Course (24 hours), Cross-Over Program Updates (8 hours), and Cross-Over Officer Wellness (hours vary).

Subparagraphs 11B-35.002(1)(b)2.-4.: Updates the cross-over basic recruit training program names for the correctional discipline.

Subparagraphs 11B-35.002(1)(b)6., 8.: Adds the new 156-hour Law Enforcement Officer Cross-Over Training to Florida CMS Correctional Basic Recruit Training Program 1192 approved by the Commission on May 10, 2012 and adds the program hours for course 1193.

Subparagraphs 11B-35.002(1)(b)9.-10.: Provides the new requirements to become a Correctional Auxiliary Officer and adds the new 420-hour Florida CMS Correctional Basic Recruit Training Program 1190 approved by the Commission on May 10, 2012.

Subparagraph 11B-35.002(1)(c)2.: Reduces the hours for the Florida Correctional Probation Basic Recruit Training Program 1176 approved by the Commission in May 10, 2012, with an effective date of July 1, 2012.

Subparagraphs 11B-35.002(1)(c)3.-5.: Updates the cross-over basic recruit training program titles for the correctional probation discipline.

Subparagraphs 11B-35.002(1)(c)6.: Increases course hours for the Correctional Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program 1183 approved by the Commission on May 10, 2012, with an effective date of July 1, 2012.

Subparagraphs 11B-35.002(1)(c)7.: Increases course hours for the Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program 1184 approved by the Commission on May 10, 2012, with an effective date of July 1, 2012.

Subparagraphs 11B-35.002(1)(c)8.: Updates rule reference.

Paragraph 11B-35.002(2)(a): Clarifies when the 4-year timeframe expires for obtaining employment to become a certified officer and includes training and test requirements.

Subparagraphs 11B-35.002(2)(b)1.-2.: Lists the requirements for individuals to obtain certification as an officer.



Paragraph 11B-35.002(5)(b): Retires the Traditional Correctional Basic Recruit Training Program 502.

Subparagraphs 11B-35.002(5)(e)1.-17.: Removes the CJK course numbers from the Florida CMS Law Enforcement Basic Recruit Training Program 1177 to prevent rule changes when the Department of Education updates course numbers.

Subparagraphs 11B-35.002(5)(f)1.-10.: Removes the CJK course numbers from the Florida Correctional Probation Basic Recruit Training Program 1178 to prevent rule changes when the Department of Education updates course numbers, and removes the CMS Correctional Probation Firearms course from this program, approved by the Commission on October 27, 2011, with an effective date of July 1, 2012.

Subparagraphs 11B-35.002(5)(g)1.-12.: Adds the new Florida CMS Correctional Basic Recruit Training Program 1190 approved by the Commission on May 10, 2012, with an effective date of July 1, 2012.

Subparagraphs 11B-35.002(6)(d)3.: Retires the Correctional Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program 1178 effective June 30, 2012.

Subparagraphs 11B-35.002(6)(d)4.: Adds the new Correctional Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program 1191 approved by the Commission on May 10, 2012, with an effective date of July 1, 2012.

Sub-subparagraphs 11B-35.002(6)(d)5.a.-o.: Removes the CJK course numbers from the Correctional Probation Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program 1179 to prevent rule changes when the Department of Education updates the course numbers, adds new courses and course hours, approved by the Commission on May 10, 2012, with an effective date of July 1, 2012.

Sub-subparagraphs 11B-35.002(6)(e)3.a.-d.: Retires the Law Enforcement Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program 1181 approved by the Commission on May 10, 2012, with an effective date of June 30, 2012.

Sub-subparagraphs 11B-35.002(6)(e)4.a.-i.: Adds the new 156-hour Law Enforcement Officer Cross-Over Training to Florida CMS Correctional Basic Recruit Training Program 1192 approved by the Commission on May 10, 2012, with an effective date of July 1, 2012.

Sub-subparagraphs 11B-35.002(6)(e)5.a.-f.: Retires the Correctional Probation Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program 1182 approved by the Commission on May 10, 2012, with an effective date of June 30, 2012.

Sub-subparagraphs 11B-35.002(6)(e)6.a.-j.: Adds the new 250-hour Correctional Probation Officer Cross-Over Training to Florida CMS Correctional Basic Recruit Training Program 1193 approved by the Commission on May 10, 2012, with an effective date of July 1, 2012.

Sub-subparagraphs 11B-35.002(6)(f)3.a.-f.: Removes the CJK course numbers from Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program 1184 to prevent rule changes when the Department of Education updates the course numbers, and adds new courses and course hours approved by the Commission on May 10, 2012, with an effective date of July 1, 2012.

Sub-subparagraphs 11B-35.002(6)(f)4.a.-h.: Removes the CJK course numbers from Correctional Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program 1183 to prevent rule changes when the Department of Education updates the course numbers, adds two new courses and course hours, and updates the program hours, approved by the Commission on May 10, 2012, with an effective date of July 1, 2012.

Rule 11B-35.0021: Renames the title of Rule 11B-35.0021, F.A.C., to include course requirements and demonstration of proficiency skills for advanced training program courses.

Paragraphs 11B-35.0021(1)(a)-(d), (2): Removes the CJK course numbers from the high-liability basic recruit training program courses to prevent rule changes when the Department of Education updates course numbers.

Paragraph 11B-35.0021(1)(e): Adds the Cross-Over Handgun Transition Course that requires demonstration of proficiency skills approved by the Commission on May 10, 2012.

Paragraphs 11B-35.0021(4)(a)-(c): Adds the speed measurement and alcohol testing program instructor courses that require demonstration of proficiency skills.

Paragraphs 11B-35.0021(5)(a)-(b): Adds the Speed Measurement Course 1158 and the Underwater Police Science and Technology course 077 to the Advanced Training Program Courses that require demonstration of proficiency skills.

Subsection 11B-35.0021(6): Adds the topics of speed measurement and breath test that requires specialized instructor training certification.

Subsection 11B-35.0021(7): Lists the Commission-approved program courses that require student to instructor ratios and demonstration of proficiency skills.

Paragraph 11B-35.0021(7)(a): Adds the Cross-Over Handgun Transition Course requirements for instructor to student ratio for demonstration of proficiency skills.

Paragraph 11B-35.0021(7)(d): Clarifies that instructor certification documents shall be maintained in the course file.

Paragraph 11B-35.0021(7)(e): Adds the student to instructor ratio requirements for the Speed Measurement Course.

Paragraph 11B-35.0021(7)(f): Adds the student to instructor ratio requirements for the Breath Test Instructor Course.

Paragraph 11B-35.0021(7)(g): Adds the student to instructor ratio requirements for the Breath Test Instructor Renewal Course.

Subsection 11B-35.0023(2): Permits a student to transfer course hours to another training school, requires verification of student grades using the Commission's ATMS Global Profile Report, and relocates rule language to create new paragraphs (a)-(c).

Paragraphs 11B-35.0023(2)(a)-(d): Provides the requirements for transferring basic recruit training program courses and removes obsolete rule language.

Rule 11B-35.0024: Revises the title of Rule 11B-35.0024, F.A.C., to include Specialized and Advanced Training Program Courses.

Subsection 11B-35.0024(1): Adds Specialized and Advanced Training Program Courses to the list of programs that require demonstration of proficiency skills.

Subsection 11B-35.0024(3): Adds the Cross-Over Handgun Transition Course to the list of courses that require demonstration of proficiency skills.

Subparagraphs 11B-35.0024(3)(a)2.: Updates the Defensive Tactics Performance form CJSTC-6 CMS to require Flexible Leg Restraints, requires that once demonstration of proficiency skills begins no additional training assistance or practice is allowed, removes the Lead Instructor's Printed name and signature, and adds training center director/or designee to allow either person to sign the form.

Subparagraphs 11B-35.0024(3)(a)3.: Adds the 420-hour Florida CMS Correctional Basic Recruit Training Program 1190 effective July 1, 2012, and retires the Traditional Correctional Basic Recruit Training Program 502 effective June 30, 2012.

Subparagraphs 11B-35.0024(3)(c)2.: Updates the CMS Firearms Performance Evaluation form CJSTC-4 CMS to require a commercially produced B-21E or equivalent Pride Enterprises (PRIDE) target for demonstration of firearms proficiency skills.

Subparagraphs 11B-35.0024(3)(d)2.: Revises the required firearms target to require a commercially produced B-21E or equivalent Pride Enterprises (PRIDE) target for demonstration of firearms proficiency skills.

Subparagraphs 11B-35.0024(3)(e)2.: Updates the First Aid Performance Evaluation form CJSTC-5 CMS to remove the Lead Instructor's Printed name and signature line and add a signature line for the training center director/or designee to allow either person to sign the form.

Subparagraphs 11B-35.0024(3)(g)2.: Updates the CMS Vehicle Operations Evaluation form CJSTC-7 CMS to remove the "Emergency Backing (Demo Only)" for Run 1 through Run 5, and a "Yes" or "No" box to indicate if the student has completed the Emergency Backing Exercise.

Subsection 11B-35.0024(4): Requires demonstration of proficiency skills for the Speed Measurement and DUI Traffic Stops courses.

Paragraph 11B-35.0024(4)(a): Removes the CJK course number from the DUI Traffic Stops Basic Recruit Training Program course to prevent rule changes when the Department of Education updates course numbers.

Paragraph 11B-35.0024(4)(b): Lists the proficiency skills scores for the Speed Measurement Course 1158, updates the Speed Measurement Operator Performance Report form CJSTC-11 to correspond with rule changes, and adds a name and signature line for the training center director or designee to allow either person to sign the form.

Subparagraphs 11B-35.0024(4)(d)1.-2.: Lists the written end of course and demonstration of proficiency skills scores for completing the Breath Test Instructor course. Creates the Breath Test Instructor Performance form CJSTC-17 to record proficiency skills for the Breath Test Instructor Course.

Subparagraphs 11B-35.0024(4)(e)1.-2.: Revises to list the written end of course and demonstration of proficiency skills scores for completing the Breath Test Instructor Course.

Paragraph 11B-35.0024(4)(f): Lists the written end of course and demonstration of proficiency skills scores for the Breath Test Operator Course.

Paragraph 11B-35.0024(4)(f): Creates the Breath Testing Course Performance form CJSTC-14 to record demonstration of proficiency skills for the Breath Test Course.

Paragraph 11B-35.0024(4)(g): Adds the required score for successful completion of the written end of course examination and demonstration of proficiency skills for the Breath Test Operator Renewal Course.

Paragraph 11B-35.0024(4)(h): Adds the required score for successful completion of the written end of course examination and demonstration of proficiency skills for the Agency Inspector Course.

Paragraph 11B-35.0024(4)(i): Adds the required score for successful completion of the written end of course examination and demonstration of proficiency skills for the Agency Inspector Renewal Course.

Subsection 11B-35.003(2), (2)(b), (3): (2) Adds the requirements for becoming a Law Enforcement Auxiliary Officer or Correctional Auxiliary Officer; (2)(b) deletes redundant rule language; and (3) excludes the requirement for training schools to submit form CJSTC-67 for completion of the retired Correctional Auxiliary Office Prerequisite Course effective June 30, 2012.

Subsection 11B-35.003(4): Excludes active employment as an auxiliary officer as a certification requirement to become a law enforcement, correctional, or correctional probation officer.

Subsection 11B-35.003(5): Requires an active certificate or license to be placed in the course file for exemption from completing the CMS First Aid for Criminal Justice Officers course, and removes the CJK course numbers from basic recruit training programs to prevent rule changes when the Department of Education updates course numbers.

Subparagraphs 11B-35.003(6)(a)1.-5., (b)-(d): Removes CJK course numbers from the CMS Law Enforcement Auxiliary Officer Basic Recruit Training Program to prevent rule changes when the Department of Education updates course numbers.

Subsection 11B-35.003(7): Retires the Correctional Auxiliary Officer Basic Recruit Training Program 501 approved by the Commission on October 27, 2011, with an effective date of June 30, 2012.

Subsection 11B-35.003(8): Provides the requirements to become a Correctional Auxiliary Officer by completing the new Florida CMS Correctional Officer Basic Recruit Training Program 1190.

Subsection 11B-35.003(9): Corrects the name of the “Florida Correctional Probation Basic Recruit Training Program,” and updates the rule reference.

Paragraph 11B-35.006(1)(b): Updates the names of Advanced Training Program Courses to correspond with the Commission’s Automated Training Management System, adds new advanced training program courses, and provides that officers who are currently receiving salary incentive payment for completion of the Field Training Officer Course number 051, are not eligible to receive additional salary incentive credit for course numbers 809, 1100, or 1188.

Paragraphs 11B-35.006(4)(a)-(b): Relocates rule language for Advanced training program Speed Measurement Course requirements in the Advanced Training Program Rule 11B-35.006, F.A.C., to Rules 11B-35.0021(7)(e), F.A.C. and 11B-35.0024(4)(b), F.A.C., to list the instructor to student ratio and instruction of proficiency skills.

Subsection 11B-35.006(5): Requires an employing agency to provide written authorization to a training school prior to reporting salary incentive credit for completion of an Advanced Training Program Course, and updates the rule reference.

Paragraph 11B-35.007(3)(p): Updates the effective date of the specialized training Speed Measurement Instructor Course.

Subsection 11B-35.007(4) and (4)(a), (g), (r), (v), (w), (y), (z) (bb), (cc), (dd): Updates rule reference in and updates Specialized Training Program course names and course hours, and retires courses.

Subsection 11B-35.007(5): Deletes obsolete rule language concerning the specialized training alcohol testing program courses that are exempt from eLearning.

Subsection 11B-35.007(8): Transfers eLearning from Rule 11B-35.007(8), F.A.C., to new Rule 11B-35.0010, F.A.C.

Paragraph 11B-35.009(3)(b): Adds the new Florida CMS Correctional Basic Recruit Training Program number 1190 and retires the Traditional Correctional Basic Recruit Training Program number 502.

SUMMARY: Makes grammatical revisions; updates rule references; adds a topic title to the rule paragraph; removes obsolete rule language; retires and adds basic recruit and basic

recruit cross-over training programs; clarifies that the training center director or designee shall determine the beginning and ending dates of each basic recruit training program within 30 days following the class starting date; adds the new Florida CMS Correctional (BRTP) Basic Recruit Training Program; provides course completion transmittal requirements for specialized training program courses; retires specialized training program courses; clarifies requirements for student course files and course schedules; adds a rule reference for locating the State Officer Certification Examination security requirements; adds the requirements for exemption of General Instructor Certification; adds the requirements for student excused absences, makeup work, and transfer of courses; adds training programs for competency-based instruction; transfers eLearning from subsections 11B-35.001(12) and 11B-35.007(8), F.A.C., to new Rule 11B-35.0010, F.A.C.; removes training “contact hours” and replaces with training “hours” to implement eLearning; requires physical fitness testing and chemical agent exposure in the new Florida CMS Correctional BRTP; updates basic recruit training program titles, revision dates, effective dates, hours, and retirement dates for the law enforcement, correctional, and correctional disciplines; adds new cross-over basic recruit training programs; provides new requirements to become a Correctional Auxiliary Officer; clarifies when the 4-year timeframe expires to obtain employment for officer certification and lists the requirements for certification; retires the Traditional Correctional BRTP; removes CJK course numbers from Commission-approved basic recruit training program courses to eliminate the frequent changes to rules when the Department of Education revises course numbers; renames the title of Rule 11B-35.0021, F.A.C.; adds specialized, advanced, and basic recruit training courses that require demonstration of proficiency skills, and adds the student to instructor ratios; adds speed measurement and breath test to the instructor certification topics; clarifies that instructor certification documents shall be maintained in the course file; reformats rule language; revises the title of Rule 11B-35.0024, F.A.C.; requires a commercially produced B-21E or equivalent Pride Enterprises (PRIDE) target for firearms testing; adds the written end of course and demonstration of proficiency skills scores for advanced and specialized training program courses; adds the requirements for becoming a Law Enforcement or Correctional Probation Auxiliary Officer; removes redundant rule language; deletes obsolete rule language; eliminates active employment as an auxiliary officer as a certification requirement to become a criminal justice officer; requires an active certificate or license for exemption from CMS First Aid for Criminal Justice Officers certification; retires the outdated Correctional Auxiliary Officer BRTP; provides the requirements to become a Correctional Auxiliary Officer; updates and adds new Advanced Training Program Courses; adds the course requirements for officers who receive salary incentive payment for completion of the Field Training Officer Course number 051; relocates the Speed Measurement Course

requirements from Rule 11B-35.006, F.A.C., to Rules 11B-35.0021 and 11B-35.0024, F.A.C.; requires an employing agency to provide written authorization to a training school for officers to complete courses for salary incentive credit; updates Specialized Training Program course names and hours, and retires courses; creates new Rule 11B-35.0010, F.A.C., titled "eLearning Instruction; Updates the following Commission forms: Defensive Tactics Performance form CJSTC-6 CMS; CMS Firearms Performance Evaluation form CJSTC-4 CMS; First Aid Performance Evaluation form CJSTC-5 CMS; CMS Vehicle Operations Evaluation form CJSTC-7 CMS; Speed Measurement Operator Performance Report form CJSTC-11; and eLearning Course Minimum Standards form CJSTC-18. Creates the following Commission forms: Breath Test Instructor Performance form CJSTC-17 and Breath Testing Course Performance form CJSTC-14.

**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 exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None.

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:** 943.03(4), 943.12(1)(2), 943.14(3), 943.17 FS.

**LAW IMPLEMENTED:** 943.12, 943.12(5), 943.131(2), 943.17, 943.17(1), 943.17(1)(a), 943.175, 943.25 FS.

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

**DATE AND TIME:** January 22, 2013, 1:00 p.m.

**PLACE:** Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at (850) 410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Donna Hunt at (850) 410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

**THE FULL TEXT OF THE PROPOSED RULE IS:**

11B-35.001 General Training Programs; Requirements and Specifications.

(1) Throughout this rule chapter "training programs," "courses," "instructors," and "training schools" refer to Commission-approved training programs, courses, instructors, and training schools. Commission-approved Basic Recruit, Advanced, and Specialized Training Programs are intended to provide job-related training to law enforcement, correctional, and correctional probation officers. The training programs are:

(a) through (b) No change.

(c) Specialized Training Programs that provide for officer post-basic or in-service training that enhance an officer's knowledge, skills, and abilities in a specific area.

(2) through (8) No change.

(9) Student academic performance in courses.

(a) No change.

(b) The terms "successfully completed" and "successfully complete" are denoted with a "Pass" on the completed Training Report form CJSTC-67 and are defined as follows: A student enrolled in a Commission-approved Basic Recruit Training Program shall achieve a score of no less than 80% on each of the written end-of-course examinations, exclusive of demonstration of proficiency skills in the Basic Recruit Training Courses. A student enrolled in a Commission-approved Advanced or Specified Specialized Training Program Course pursuant to subparagraph (9)(d)1.-13. of this rule section shall achieve a score of no less than 80% on the written end-of-course examination. A student enrolled in a Specialized Instructor Training Course shall achieve a score of no less than 85% on the written end-of-course examination, exclusive of demonstration of any proficiency skills.

(c) through (e) No change.

(10) Implementation of the Florida CMS Correctional Basic Recruit Training Programs. The Commission is preparing a significant update to the Commission-approved

Correctional Basic Recruit Training Program. This program and courses are based on a statewide job-task analysis and provides an enhanced learning environment.

(a) No change.

(b) Finalization and field delivery of these course materials are necessary to evaluate the programs before certain course criteria can be established and final rules adopted. To accomplish these goals the Commission:

1. No change.

~~2. Authorizes implementation of the CMS Correctional Auxiliary Officer Basic Recruit Training Program effective July 1, 2012.~~

~~3.~~ Approves the continued delivery of the Traditional Correctional Basic Recruit Training Program. Notwithstanding subsection 11B-27.002(4), F.A.C., a basic recruit student enrolled in a Commission-approved Traditional Correctional Basic Recruit Training Program, with a beginning date prior to July 1, 2012, shall be allowed to continue in that program until the student successfully completes, fails, or withdraws from the program.

~~4. Approves continued delivery of the Correctional Auxiliary Officer Basic Recruit Training Program. Notwithstanding subsection 11B-27.002(4), F.A.C., a basic recruit student enrolled in a Commission-approved Correctional Auxiliary Officer Basic Recruit Training Program with a beginning date prior to July 1, 2012, shall be allowed to continue in the program until the student successfully completes, fails, or withdraws from the program.~~

(c) No change.

(d) Notwithstanding subsection 11B-27.002(4), F.A.C., a basic recruit student enrolled in one of the following Commission-approved Cross-Over Basic Recruit Training Programs with a beginning date prior to July 1, 2012, shall be allowed to continue in the program until the student successfully completes, fails, or withdraws from the program.

1. Law Enforcement Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program, number 1181 (Retired 6/30/12).

2. Correctional Probation Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program, number 1182 (Retired 6/30/12).

3. Correctional Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program, number 1178 (Retired 6/30/12).

4. No change.

(11) Reporting requirements for Commission-approved Basic Recruit, Advanced, and Specialized Training Program Courses are as follows:

(a) The training center director or designee shall determine the beginning and ending dates of each Basic Recruit Training Program, and within thirty days following the class starting date shall forward a Training Report, form CJSTC-67, revised November 8, 2007, hereby incorporated by reference, to Commission staff through the Commission's Automated

Training Management System (ATMS). Form CJSTC-67 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) Following the completion of a Commission-approved Basic Recruit Training Program, Advanced Training Program Course, or Instructor Training Course, the training center director or designee shall, within thirty days of the program or course completion date, electronically transmit a completed Training Report form CJSTC-67, or transmit an updated CJSTC-67 form through the Commission's ATMS. Submission of the Academy Physical Fitness Standards Report, form CJSTC-67A, created November 8, 2007, hereby incorporated by reference, is required for the Florida CMS Law Enforcement, Florida Correctional Probation, ~~and~~ Traditional Correctional, and Florida CMS Correctional Basic Recruit Training Programs within thirty days of the course completion. Form CJSTC-67A can be obtained at the following FDLE Internet address:

<http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615. ~~The following Specialized Training Program Courses shall be submitted to Commission staff through the Commission's ATMS, by transmitting a completed form CJSTC-67 within thirty days of the course completion:~~

(c) The following Specialized Training Program Courses shall be submitted to Commission staff through the Commission's ATMS, by transmitting a completed form CJSTC-67 within thirty days of the course completion:

1. Canine Team Training Course.

~~2. Laser Speed Measurement Device (LSMD) Transition Operators Course for Radar Operators.~~

~~3.~~ Breath Test Operator Course.

~~4.~~ Breath Test Operator Renewal Course.

~~5.~~ Agency Inspector Course.

~~6.~~ Agency Inspector Renewal Course.

(d)(~~e~~) The training center director or designee shall ensure that the records for Commission-approved Basic Recruit, Advanced, and Specialized Training Program Courses are maintained in the course file within the training school. Each course shall be subject to audit by Commission staff. Such records shall, at a minimum, include:

1. Course outline(s) and daily schedule(s).

2. through 4. No change.

5. Test scores and test materials shall be made available for review by Commission staff upon request, pursuant to Section 11B-35.0085, F.A.C.

6. through 7. No change.

8. List of course instructor(s) to include full name and a copy of the instructor's current ATMS Global Profile Report filed alphabetically in a master file, or maintained in the course file, Commission instructor certification expiration date, or completion of Instructor Exemption, form CJSTC-82, revised

~~December 16, 2010 November 8, 2007~~, hereby incorporated by reference, if applicable. Form CJSTC-82 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

9. Student daily attendance records, to include documentation of excused absences, pursuant to subsection (11) of this rule section.

10. Documentation of student makeup work, pursuant to subsection (12) of this rule section.

11. Documentation on transfer students, pursuant to Section 11B-35.0023, F.A.C.

~~12.40.~~ Completed Training Report form CJSTC-67.

~~13.41.~~ Form CJSTC-67A for Basic recruit Training Programs pursuant to subsection 11B-35.001(15), F.A.C.

~~14.42.~~ For Basic Recruit Training Programs, proof of compliance with Sections 943.14(7) and 943.17(1)(g), F.S., and subsection 11B-35.0011(2), F.A.C., which includes a completed Physical Fitness Assessment, form CJSTC-75B, created November 8, 2007, hereby incorporated by reference. Form CJSTC-75B can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

~~15.43.~~ A training school re-examination policy and documented justification for each student re-examination administered.

~~16.44.~~ A list of expenditures from the Criminal Justice Standards and Training Trust Fund Officer Training Monies for Commission-approved Advanced and Specialized Training Program Courses when Officer Training Monies are used to fund the course.

(12) Student attendance requirements for Commission-approved Basic Recruit Training Programs outlined in subsection 11B-35.002(1), F.A.C., Specialized Training Programs outlined in subsection 11B-35.007(1), F.A.C., and Advanced Training Program Courses outlined in paragraph 11B-35.006(1)(b), F.A.C.

(a) through (b) No change.

(c) Competency-Based Instruction. The Commission approves competency-based instruction in the delivery of basic recruit training programs, specialized training program courses, ~~and~~ specialized instructor training courses, and courses from specialized goals and objectives, as defined in subparagraph (12)(c)1. of this rule section.

1. through 2. No change.

3. Training schools are permitted to use eLearning instruction for Commission-approved Specialized Training Program Courses, Specialized Instructor Courses, and Specialized Goals and Objectives, pursuant to Rule

~~11B-35.0010, F.A.C. Training schools are permitted to use competency-based instruction for Commission-approved Instructor Courses.~~

~~(d). eLearning Instruction-~~

~~1. Training schools are permitted to use eLearning instruction for Commission-approved Specialized Training Program Courses.~~

~~2. eLearning Instruction is defined as a broad set of applications and processes that are facilitated and supported by information and communications technology (ICT) that includes, but are not limited to web-based learning, computer-based learning, virtual classrooms, digital media, internet learning, intranet learning, satellite broadcast, interactive TV, and CD-ROM.~~

~~3. Courses developed from Specialized Goals and Objectives and Specialized Training Program Courses shall receive full credit for the number of Officer Training Units (OTU) established for delivery of a course.~~

~~4. "Officer Training Unit" is defined as "the number of seat hours determined to deliver a course through classroom instruction."~~

(13) through (14) No change.

(15) Basic Recruit Student Physical Fitness Program.

(a) No change.

(b) Prior to beginning a Florida CMS Law Enforcement, Florida CMS Traditional Correctional, or Florida Correctional Probation Basic Recruit Training Program, a student shall complete the Physical Fitness Assessment form CJSTC-75B.

(c) No change.

(16) Proof of course completion. A training school shall, within thirty days following the completion of a Commission-approved Basic Recruit, Advanced, or Specialized Training Program Course, provide to a student who has successfully completed the program, a certificate, which shall contain at a minimum, the name of the training school, the student's name, the dates of the program or course, the number of program or course ~~contact~~ hours, the title of the Basic Recruit, Advanced, or Specialized Training Program Course, and the current training center director's signature. Basic Recruit Training Completion Certificates shall contain the Curriculum Version Number for the course taught. In addition to a certificate, the training school shall provide to a student, who has successfully completed a Commission-approved Basic Recruit Training Program and will be required to pass the State Officer Certification Examination.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, \_\_\_\_\_.

11B-35.0010 eLearning Instruction.

(1) Training schools are permitted to use eLearning instruction for Commission-approved Specialized Training Program Courses, Specialized Instructor Courses, and courses created from Specialized Goals and Objectives.

(2) eLearning Instruction is defined as a broad set of applications and processes that are facilitated and supported by information and communications technology (ICT) that includes, but are not limited to web-based learning, computer-based learning, virtual classrooms, digital media, internet learning, intranet learning, satellite broadcast, interactive TV, and CD-ROM.

(3) Specialized Training Program Courses, Specialized Instructor Courses, and courses created from Specialized Goals and Objectives shall receive full credit for the number of Officer Training Units (OTU) established for delivery of a course. "Officer Training Unit" is defined as "the number of seat hours determined to deliver a course through classroom instruction."

(4) Training schools are permitted to expend Criminal Justice Standards and Training Trust Fund Officer Training Monies for conducting eLearning instruction for Commission-approved Specialized Training Program Courses, Specialized Instructor Courses, and courses created from Specialized Goals and Objectives, provided the courses are delivered using a learning management system and are instructor led, and the courses meet minimum standards pursuant to paragraph (4)(b) of this rule section. Officer Training monies shall be expended pursuant to the requirements of Rule Chapter 11B-18, F.A.C.

(a) "Learning Management System (LMS) is defined as a web-based software application for the administration, documentation, tracking, and reporting of training programs, classroom and on-line events, eLearning programs, and training content. The LMS shall facilitate:

1. Management of users, roles, courses, and instructors.
2. Manager approval.
3. Student messaging and notifications.
4. Assembly and delivery of learning resources utilizing the Shareable Content Object Reference Model (SCORM).
5. Navigation of course sequence.
6. Collaborative learning (e.g., application sharing, discussion threads).
7. On-line assessment.
8. Display of scores and transcripts.
9. Grading of coursework and roster processing.

10. Collection and preservation of student activity and performance data.

11. Web-based or blended course delivery (web-based and classroom combined) accessible via internet enabled computing and/or mobile platforms.

(b) eLearning courses shall conform to the minimum standards and criteria established and shall be documented on the eLearning Course Minimum Standards, Form CJSTC-18, created December 16, 2010, revised June 19, 2012, hereby incorporated by reference, prior to delivery of the course and shall be maintained in the course file. An electronic copy of the corresponding course shall be maintained for a minimum of five years, and upon request shall be made available for review by Commission staff. Form CJSTC-18 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Form.s.aspx>, or by contacting Commission staff at (850)410-8615.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.175, 943.25 FS. History—New \_\_\_\_\_.

11B-35.0011 Requirements for Applicant Admission into a Law Enforcement, Correctional, and Correctional Probation Basic Recruit Training Program.

(1) No change.

(2) Basic Recruit Student Physical Fitness Test and Chemical Agent Exposure. Prior to beginning a Florida CMS Law Enforcement, Florida CMS Correctional, ~~Traditional Correctional~~, or Florida Correctional Probation Basic Recruit Training Program, a student shall receive a physical examination and complete the Physical Fitness Assessment form CJSTC-75B, which shall be maintained in the student or course file at the training school.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.17 FS. History—New 7-29-01. Amended 11-5-02, 11-30-04, 3-21-07, 6-9-08, 5-21-12, \_\_\_\_\_.

11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation.

(1) There are established by the Criminal Justice Standards and Training Commission, Basic Recruit Training Programs (BRTP) that provide the minimum required knowledge and proficiency skills necessary for officer employment and certification pursuant to Sections 943.10(1)-(3), F.S. Individuals who apply for employment as a Florida law enforcement, correctional, or correctional probation officer, shall successfully complete one of the following Commission-approved Basic Recruit Training Programs:

(a)	Law Enforcement Discipline			
	Program Number	Basic Recruit Training Programs	Program Hours	Retired (R) Effective (E) Updated (U)
1.	002	Traditional Law Enforcement BRTP	672	R-6/30/04
2.	224	CMS Application-Based Law Enforcement BRTP	770	R-3/31/08
3.	1177	Florida CMS Law Enforcement BRTP	770	E-4/1/08

<del>4.</del>	222	Traditional Correctional Cross-Over <u>Training</u> to Traditional Law Enforcement BRTP	172	R-3/31/05
5.	1143	Traditional Correctional Cross-Over <u>Training</u> to CMS Application-Based Law Enforcement BRTP	444	R-3/31/08
<del>6.</del>	<del>1178</del>	<del>Correctional Officer Cross-Over Training to Florida CMS Law Enforcement BRTP</del>	<del>457</del>	<del>E-4/1/08</del> <u>R-6-30-12</u>
<del>6.7.</del>	<del>1191</del>	<del>Correctional Officer Cross-Over Training to Florida CMS Law Enforcement BRTP</del>	<del>489</del>	<del>E-7/1/12</del>
<del>8.7.</del>	223	Traditional Correctional Probation Cross-Over <u>Training</u> to Traditional Law Enforcement BRTP	412	R-3/31/06
<del>9.8.</del>	1157	Traditional Correctional Probation Cross-Over <u>Training</u> to CMS Application-Based Law Enforcement BRTP	554	R-3/31/08
<del>10.</del> <del>9.</del>	1179	Correctional Probation Officer Cross-Over Training to Florida CMS Law Enforcement BRTP	<del>579</del> <del>529</del>	E-4/1/08 <u>U-7/1/12</u>
<del>11.</del> <del>10.</del>	211	Law Enforcement Auxiliary Officer BRTP	317	R-3/31/08
<del>12.</del> <del>11.</del>	1180	CMS Law Enforcement Auxiliary Officer BRTP	319	E-4/1/08

(b)	Correctional Discipline			
	Program Number	Basic Recruit Training Programs	Program Hours	Retired (R) Effective (E) <u>Updated (U)</u>
1.	502	Traditional Correctional BRTP	552	R-6/30/12
2.	555	Traditional Law Enforcement Cross-Over <u>Training</u> to Traditional Correctional BRTP	156	R-3/31/06
3.	556	Traditional Correctional Probation Cross-Over <u>Training</u> to Traditional Correctional BRTP	256	R-3/31/08
4.	1155	CMS Application-Based Law Enforcement Cross-Over <u>Training</u> to Traditional Correctional BRTP	199	R-3/31/08
5.	1181	Law Enforcement Officer Cross-Over Training to Traditional Correctional BRTP	199	R-6/30/12
6.	1192	Law Enforcement Officer Cross-Over Training to Florida CMS Correctional BRTP	<del>156</del> <del>TBA</del>	E-7/1/12
7.	1182	Correctional Probation Officer Cross-Over Training to Traditional Correctional BRTP	256	R-6/30/12
8.	1193	Correctional Probation Officer Cross-Over Training to Florida CMS Correctional BRTP	<del>250</del> <del>TBA</del>	E-7/1/12
9.	501	Correctional Auxiliary Officer BRTP <u>To become certified as a Correctional Auxiliary Officer, pursuant to subsection 11B-35.003(8), F.A.C., a basic recruit student shall complete the Florida CMS Correctional BRTP, pursuant to paragraph (5)(g) of this rule section.</u>	254	R-6/30/12
10.	1190	Florida CMS Correctional BRTP	<del>420</del> <del>TBA</del>	E-7/1/12

(c)	Correctional Probation Discipline			
	Program Number	Basic Recruit Training Programs	Program Hours	Retired (R) Effective (E) <u>Updated (U)</u>



1.	602	Traditional Correctional Probation B RTP	412	R-8/31/07
2.	1176	Florida Correctional Probation B RTP	<del>449</del> <del>465</del>	E-4/1/08 <u>U-7/1/12</u>
3.	667	Traditional Correctional Cross-Over <u>Training</u> to Traditional Correctional Probation B RTP	172	R-3/31/08
4.	660	Traditional Law Enforcement Cross-Over <u>Training</u> to Traditional Correctional Probation B RTP	134	R-3/31/06
5.	1156	CMS Application-Based Law Enforcement Cross-Over <u>Training</u> to Traditional Correctional Probation B RTP	112	R-3/31/08
6.	1183	Correctional Officer Cross-Over Training to Florida Correctional Probation B RTP	194 <del>472</del>	E-4/1/08 <u>U-7/1/12</u>
7.	1184	Law Enforcement Officer Cross-Over Training to Florida Correctional Probation B RTP	130 <del>472</del>	E-4/1/08 <u>U-7/1/12</u>
8.	NA	Correctional Probation Auxiliary B RTP; there is no course. To become certified as a Correctional Probation Auxiliary Officer, pursuant to subsection 11B-35.003(7), F.A.C., a basic recruit student shall complete the Correctional Probation B RTP, pursuant to paragraph <del>(5)(f)</del> <del>(8)(e)</del> of this rule section.	NA	NA

(2)(a) Within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination (SOCE) pursuant to Rule 11B-30.0062, F.A.C., and gain employment and certification as an officer. ~~An individual who is not employed as an officer in the discipline for which training was completed, within four years of the date of beginning such training, shall, as a condition for obtaining employment, comply with the following:~~

(b) An individual who has not complied with the requirements in paragraph (2)(a) of this rule section for the discipline in which the training was completed, within four years of the date of beginning such training, shall as a condition for obtaining employment comply with the following:

1.(a) Successfully complete the applicable Commission-approved Basic Recruit Training Program pursuant to Rule 11B-35.002, F.A.C.; and

2.(b) Achieve a passing score on the applicable State Officer Certification Examination pursuant to Rule 11B-30.0062, F.A.C.

(3) through (4) No change.

(5) Commission-approved Basic Recruit Training Programs. Pursuant to Section 943.12, F.S., Commission-approved Basic Recruit Training Programs establish the minimum required entry-level training for law enforcement, correctional, and correctional probation officers. Individuals who are requesting employment as an officer, and have not had previous basic recruit training or have not been certified as an officer in the discipline for which certification is sought, and have met the requirements of Sections 943.13(1)-(8) and (11), 943.14(7), and 943.17(1)(g), F.S., shall successfully complete a Commission-approved Basic Recruit Training Program pursuant to this rule section. The Commission's Basic Recruit Training Programs are:

(a) No change.

(b) Traditional Correctional Basic Recruit Training Program number 502 (Retired June 30, 2012):-

	Course Name	Course Number	Course Hours
1.	Criminal Justice Legal 1	CJK -0270	46.0
2.	Criminal Justice Legal 2	CJK -0285	22.0
3.	Criminal Justice Communications	CJK -0286	42.0
4.	Interpersonal Skills 1	CJK -0100	62.0
5.	Interpersonal Skills 2	CJK -0101	50.0
6.	CMS Criminal Justice Defensive Tactics	CJK -0051	80.0
7.	CMS Criminal Justice Firearms	CJK -0040	80.0
8.	CMS First Aid for Criminal Justice Officers	CJK -0031	40.0
9.	Emergency Preparedness	CJK -0480	26.0
10.	Correctional Operations	CJK -0102	64.0
11.	Criminal Justice Officer Physical Fitness Training	CJK_0280	40.0

	Total	552.0
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(c) through (d) No change.

(e) Florida CMS Law Enforcement Basic Recruit Training

Program number 1177 (Effective April 1, 2008):

	Course Name	Course Number	Course Hours
1.	Introduction to Law Enforcement	CJK_0007	11.0
2.	Legal	CJK_0008	69.0
3.	Communications	CJK_0017	76.0
4.	Human Issues	CJK_0011	40.0
5.	Patrol 1	CJK_0061	58.0
6.	Patrol 2	CJK_0062	40.0
7.	Crime Scene Investigations	CJK_0076	24.0
8.	Criminal Investigations	CJK_0071	56.0
9.	Traffic Stops	CJK_0082	24.0
10.	DUI Traffic Stops	CJK_0083	24.0
11.	Traffic Crash Investigations	CJK_0086	32.0
12.	CMS Law Enforcement Vehicle Operations	CJK_0020	48.0
13.	CMS First Aid for Criminal Justice Officers	CJK_0031	40.0
14.	CMS Criminal Justice Firearms	CJK_0040	80.0
15.	CMS Criminal Justice Defensive Tactics	CJK_0051	80.0
16.	Dart-Firing Stun Gun	CJK_0422	8.0
17.	Criminal Justice Officer Physical Fitness Training	CJK_0096	60.0
	TOTAL	Total	770.0

(f) Florida Correctional Probation Basic Recruit Training

Program number 1176, Version 2008.04 (Effective July 1, 2012 April 1, 2008):

	Course Name	Course Number	Course Hours
1.	Correctional Probation Legal	CJK_0271	57.0
2.	Correctional Probation Interpersonal Communication Skills	CJK_0272	44.0
3.	Correctional Probation Caseload Management	CJK_0273	40.0
4.	Correctional Probation Supervision	CJK_0274	88.0
5.	Correctional Probation Investigations	CJK_0275	39.0
6.	Correctional Probation Management Information Systems	CJK_0276	27.0
7.	CMS Criminal Justice Defensive Tactics	CJK_0051	80.0
8.	CMS First Aid for Criminal Justice Officers	CJK_0031	40.0
9.	CMS Correctional Probation Firearms	CJK_0255	16.0
<del>9-10.</del>	Criminal Justice Officer Physical Fitness Training	CJK_0281	34.0
	TOTAL	Total	449.0 465.0

(g) Florida CMS Correctional Basic Recruit Training

Program number 1190, (Effective July 1, 2012):

	Course Name	Course Hours
1.	Introduction to Corrections	32.0
2.	Communications	40.0
3.	Officer Safety	16.0
4.	Facility and Equipment	8.0
5.	Intake and Release	18.0
6.	Supervising in a Correctional Facility	40.0
7.	Supervising Special Populations	20.0
8.	Responding to Incidents and Emergencies	16.0
9.	CMS First Aid for Criminal Justice Officers	40.0
10.	CMS Criminal Justice Firearms	80.0
11.	CMS Criminal Justice Defensive Tactics	80.0
12.	Officer Wellness and Physical Abilities	30.0
	TOTAL	420.0

(6) Commission-approved Basic Recruit Cross-Over Training Programs. The Commission has established basic recruit cross-over training programs to provide lateral movement of officers between criminal justice disciplines.

(a) through (c) No change.

(d) Law Enforcement Cross-Over Basic Recruit Training Programs.

1. through 2. No change.

3. Correctional Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program number 1178 (~~Retired June 30, 2012~~). (~~Effective April 1, 2008~~). An individual who has successfully completed the Correctional Officer Basic Recruit Training Program and passed the SOCE, shall complete the following courses to satisfy the training requirements to become a law enforcement officer:

	Course Name	Course Number	Course Hours
a.	<del>Correctional Cross-Over to Law Enforcement Introduction and Legal</del>	<del>CJK_0221</del>	<del>47.0</del>
b.	<del>Correctional Cross-Over to Law Enforcement Communications</del>	<del>CJK_0222</del>	<del>56.0</del>
e.	<del>Correctional Cross-Over to Law Enforcement Human Issues</del>	<del>CJK_0223</del>	<del>32.0</del>
d.	<del>Patrol 1</del>	<del>CJK_0061</del>	<del>58.0</del>
e.	<del>Patrol 2</del>	<del>CJK_0062</del>	<del>40.0</del>
f.	<del>Crime Scene Investigations</del>	<del>CJK_0076</del>	<del>24.0</del>
g.	<del>Criminal Investigations</del>	<del>CJK_0071</del>	<del>56.0</del>
h.	<del>Traffic Stops</del>	<del>CJK_0082</del>	<del>24.0</del>
i.	<del>DUI Traffic Stops</del>	<del>CJK_0083</del>	<del>24.0</del>
j.	<del>Traffic Crash Investigations</del>	<del>CJK_0086</del>	<del>32.0</del>
k.	<del>CMS Law Enforcement Vehicle Operations</del>	<del>CJK_0020</del>	<del>48.0</del>
l.	<del>Dart-Firing Stun Gun</del>	<del>CJK_0422</del>	<del>8.0</del>
m.	<del>Cross-Over Correctional to Law Enforcement CMS High Liability. (End of course examination is not required for CJK_0212)</del>	<del>CJK_0212</del>	<del>8.0</del>
	<del>Total</del>		<del>457.0</del>

4. Correctional Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program number 1191 (Effective July 1, 2012). An individual, who has successfully completed the Correctional Basic Recruit Training

Program and passed the SOCE, shall complete the following courses to satisfy the training requirements to become a law enforcement officer:

	Course Name	Course Hours
a.	<u>Correctional Cross-Over to Law Enforcement Introduction and Legal Overview</u>	<u>48.0</u>
b.	<u>Correctional Cross-Over to Law Enforcement Human Interaction and Communications</u>	<u>56.0</u>
c.	<u>Correctional Cross-Over to Law Enforcement Response to Human Issues</u>	<u>24.0</u>
d.	<u>Patrol 1</u>	<u>58.0</u>
e.	<u>Correctional Cross-Over to Law Enforcement Patrol 2</u>	<u>20.0</u>
f.	<u>Crime Scene Investigations</u>	<u>24.0</u>
g.	<u>Criminal Investigations</u>	<u>56.0</u>
h.	<u>Traffic Stops</u>	<u>24.0</u>
i.	<u>DUI Traffic Stops</u>	<u>24.0</u>
j.	<u>Traffic Crash Investigations</u>	<u>32.0</u>
k.	<u>Cross-Over Program Updates</u>	<u>8.0</u>
l.	<u>CMS Law Enforcement Vehicle Operations</u>	<u>48.0</u>
m.	<u>Dart-Firing Stun Gun</u>	<u>8.0</u>
n.	<u>Correctional Cross-Over to Law Enforcement Officer Wellness</u>	<u>35.0</u>
o.	<u>Cross-Over Handgun Transition Course</u>	<u>24.0</u>
	<u>TOTAL</u>	<u>489.0</u>

5.4. Correctional Probation Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program number 1179 (Effective July 1, 2012 April 1, 2008). An individual who has successfully completed the Correctional

Probation Officer Basic Recruit Training Program and passed the SOCE, shall complete the following courses to satisfy the training requirements to become a law enforcement officer:

	Course Name	Course Number	Course Hours
a.	Correctional Cross-Over to Law Enforcement Introduction and Legal	CJK_0221	47.0
b.	Correctional Cross-Over to Law Enforcement Communications	CJK_0222	56.0
c.	Correctional Cross-Over to Law Enforcement Human Issues	CJK_0223	32.0
d.	Patrol 1	CJK_0061	58.0
e.	Patrol 2	CJK_0062	40.0
f.	Crime Scene Investigations	CJK_0076	24.0
g.	Criminal Investigations	CJK_0071	56.0
h.	Traffic Stops	CJK_0082	24.0
i.	DUI Traffic Stops	CJK_0083	24.0
j.	Traffic Crash Investigations	CJK_0086	32.0
k.	CMS Criminal Justice Vehicle Operations	CJK_0020	48.0
l.	Dart-Firing Stun Gun	CJK_0422	8.0
m.	CMS Criminal Justice Firearms	CJK_0040	80.0
n.	Cross-Over Program Updates		8.0
o.	Correctional Probation Cross-Over to Law Enforcement Officer Wellness		42.0
	<b>Total</b>	<b>TOTAL</b>	<b>579.0</b> <del>529.0</del>

(e) Correctional Cross-Over Basic Recruit Training Programs.

~~Enforcement Officer Basic Recruit Training Program and passed the SOCE, shall complete the following courses to satisfy the training requirements to become a correctional officer:~~

1. through 2. No change.

3. Law Enforcement Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program number 1181 (Retired June 30, 2012). (Effective April 1, 2008). An individual who has successfully completed the Law

	Course Name	Course Number	Course Hours
a.	Law Enforcement Cross Over to Correctional Introduction	CJK_0204	59.0
b.	Interpersonal Skills 2	CJD_750	50.0
e.	Emergency Preparedness	CJD_741	26.0
d.	Correctional Operations	CJD_752	64.0
	<b>Total</b>		<b>199.0</b>

4. Law Enforcement Officer Cross-Over Training to Florida CMS Correctional BRTP number 1192 (Effective July 1, 2012). An individual, who has successfully completed the Law Enforcement Officer Basic Recruit Training Program and

passed the SOCE, shall complete the following courses to satisfy the training requirements to become a correctional officer:

	Course Name	Course Hours
a.	Law Enforcement Cross-Over to Correctional Introduction and Legal	22.0
b.	Law Enforcement Cross-Over to Correctional Officer Safety	14.0
c.	Facility and Equipment	8.0
d.	Law Enforcement Cross-Over to Correctional Procedures	14.0
e.	Supervising in a Correctional Facility	40.0
f.	Law Enforcement Cross-Over to Correctional Supervising Special Populations	14.0

<u>g.</u>	<u>Cross-Over Program Updates</u>	<u>8.0</u>
<u>h.</u>	<u>Law Enforcement Cross-Over to Correctional Officer Wellness</u>	<u>12.0</u>
<u>l.</u>	<u>Cross-Over Handgun Transition Course</u>	<u>24.0</u>
	<u>TOTAL</u>	<u>156.0</u>

5.4. ~~Correctional Probation Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program number 1182 (Retired June 30, 2012). (Effective April 1, 2008). An individual who has successfully completed the Law Enforcement Officer Basic Recruit Training Program and~~

~~passed the SOCE, shall complete the following courses to satisfy the training requirements to become a correctional officer:~~

	<u>Course Name</u>	<u>Course Number</u>	<u>Course Hours</u>
<u>a.</u>	<del>Correctional Probation Cross-Over to Correctional Legal and Communications</del>	<u>CJK_0277</u>	<u>16.0</u>
<u>b.</u>	<del>Correctional Probation Cross-Over to Correctional Interpersonal Skills 1</del>	<u>CJK_0278</u>	<u>35.0</u>
<u>e.</u>	<del>Correctional Probation Cross-Over to Correctional Interpersonal Skills 2</del>	<u>CJK_0279</u>	<u>35.0</u>
<u>d.</u>	<u>Emergency Preparedness</u>	<u>CJD_741</u>	<u>26.0</u>
<u>e.</u>	<u>Correctional Operations</u>	<u>CJD_752</u>	<u>64.0</u>
<u>f.</u>	<u>CMS Criminal Justice Firearms</u>	<u>CJK_0040</u>	<u>80.0</u>
	<u>Total</u>		<u>256.0</u>

6. ~~Correctional Probation Officer Cross-Over Training to Florida CMS Correctional Basic Recruit Training Program number 1193 (Effective July 1, 2012). An individual, who has successfully completed the Correctional Probation Officer~~

~~Basic Recruit Training Program and passed the SOCE, shall complete the following courses to satisfy the training requirements to become a correctional officer:~~

	<u>Course Name</u>	<u>Course Hours</u>
<u>a.</u>	<u>Introduction to Corrections</u>	<u>32.0</u>
<u>b.</u>	<u>Correctional Probation Cross-Over to Correctional Radio Communications and Searches</u>	<u>10.0</u>
<u>c.</u>	<u>Facility and Equipment</u>	<u>8.0</u>
<u>d.</u>	<u>Intake and Release</u>	<u>18.0</u>
<u>e.</u>	<u>Supervising in a Correctional Facility</u>	<u>40.0</u>
<u>f.</u>	<u>Supervising Special Populations</u>	<u>20.0</u>
<u>g.</u>	<u>Responding to Incidents and Emergencies</u>	<u>16.0</u>
<u>h.</u>	<u>Cross-Over Program Updates</u>	<u>8.0</u>
<u>l.</u>	<u>CMS Criminal Justice Firearms</u>	<u>80.0</u>
<u>l.</u>	<u>Correctional Probation Cross-Over to Correctional Officer Wellness</u>	<u>18.0</u>
	<u>TOTAL</u>	<u>250.0</u>

(f) ~~Correctional Probation Cross-Over Basic Recruit Training Programs.~~

1. through 2. No change.

3. ~~Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program number 1184 (Effective July 1, 2012 April 1, 2008). An individual who has successfully completed the Law~~

~~Enforcement Basic Recruit Training Program and passed the SOCE, shall complete the following courses to satisfy the training requirements to become a correctional probation officer:~~

	<u>Course Name</u>	<u>Course Number</u>	<u>Course Hours</u>
<u>a.</u>	<u>Law Enforcement Cross-Over to Correctional Probation Legal and Investigations</u>	<u>CJK_0252</u>	<u>18.0</u>
<u>b.</u>	<u>Law Enforcement Cross-Over to Correctional Probation Caseload Management</u>	<u>CJK_0256</u>	<u>27.0</u>
<u>c.</u>	<u>Law Enforcement Cross-Over to Correctional Probation Supervision</u>	<u>CJK_0257</u>	<u>40.0</u>
<u>d.</u>	<u>Correctional Probation Management Information Systems</u>	<u>CJK_0276</u>	<u>27.0</u>
<u>e.</u>	<u>Cross-Over Program Updates</u>		<u>8.0</u>

f.	Law Enforcement Cross-Over to Correctional Probation Officer Wellness		10.0
	<del>TOTAL Total</del>		<del>130.0</del> 112.0

4. Correctional Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program number 1183 (Effective ~~July 1, 2012~~ ~~April 1, 2008~~). An individual who has successfully completed the Correctional

Basic Recruit Training Program and passed the SOCE, shall complete the following courses to satisfy the training requirements to become a correctional probation officer:

	Course Name	Course Number	Course Hours
a.	Correctional Cross-Over to Correctional Probation Legal and Communications	<del>CJK_0230</del>	18.0
b.	Correctional Cross-Over to Correctional Probation Supervision	<del>CJK_0231</del>	57.0
c.	Correctional Cross-Over to Correctional Probation Investigations	<del>CJK_0232</del>	30.0
d.	Correctional Probation Management Information Systems	<del>CJK_0276</del>	27.0
e.	Correctional Probation Caseload Management	<del>CJK_0273</del>	40.0
g.	<u>Cross-Over Program Updates</u>		8.0
h.	<u>Correctional Cross-Over to Correctional Probation Officer Wellness</u>		14.0
	<del>TOTAL Total</del>		<del>194.0</del> 172.0

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS. History—New 12-13-92, Amended 1-10-94, 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, \_\_\_\_\_.

11B-35.0021 Courses and Requirements for Basic Recruit Training, Advanced, and Instructor Training Requiring Proficiency Demonstration.

(1) High-Liability Basic Recruit Training Courses:

(a) CMS Criminal Justice Firearms, ~~course number CJK\_0040~~.

(b) CMS Law Enforcement Vehicle Operations, ~~course number CJK\_0020~~.

(c) CMS Criminal Justice Defensive Tactics, ~~course number CJK\_0051~~.

(d) CMS First Aid for Criminal Justice Officers, ~~course number CJK\_0031~~.

(e) Cross-Over Handgun Transition Course.

(2) DUI Traffic Stops, ~~course number CJK\_0083~~.

(3) No change.

(4) Specialized Instructor Courses: ~~Speed Measurement Instructor Course, number 1159~~.

(a) Speed Measurement Instructor Course, number 1159.

(b) Breath Test Instructor Course, number 1110.

(c) Breath Test Instructor Renewal Course, number 1111.

(5) Advanced Training Program Courses: ~~Speed Measurement Course, number 1158~~.

(a) Speed Measurement Course, number 1158.

(b) Underwater Police Science and Technology course, number 077.

~~(6)(5)~~ Applicants shall complete the training requirements set forth in subsections 11B-20.0014(2)-(3), F.A.C., to become certified by the Commission to instruct in the topics of firearms, vehicle operations, defensive tactics, first aid, speed measurement and breath test and ~~Speed Measurement~~.

~~(7)(6)~~ Instructor to student ratios for instruction of proficiency skills in Basic Recruit Training Program Courses, Advanced Training Program Courses, and Specialized Instructor Training Program Courses and ~~Instructor Training Courses~~ requiring proficiency demonstration.

(a) For instruction of the CMS Criminal Justice Firearms Course, Cross-Over Handgun Transition Course, or CMS Firearms Instructor Course, there shall be no more than six students actively engaged on a firearms range for each Commission-certified firearms instructor. One rangemaster shall supervise all range activity while training is actively engaged. The rangemaster shall be a Commission-certified firearms instructor and shall not be included as an instructor to comply with the instructor to student ratio requirements. Discretionary course of fire shall be conducted with a one-to-one instructor to student ratio. Actively engaged is defined as “a student on the firing range handling a weapon.”

(b) through (c) No change.

(d) For instruction of the CMS First Aid for Criminal Justice Officers Course and CMS First Aid Instructor Course, at least one Commission-certified CMS First Aid Instructor shall be required for every ten students actively engaged in the practical and performance areas of the training. Actively engaged is defined as “a student involved in the practical performance of any first aid skills training.” CPR Instructors,

who possess a valid CPR Instructor Certification from an entity referenced in Rule 64J-1.022, F.A.C., are permitted to instruct CPR in the CMS First Aid for Criminal Justice Officers Course and the CMS First Aid Instructor Course, or be used to meet the required instructor to student ratio for demonstration of proficiency in these courses. The instructor to student ratio shall match the prerequisites set forth in the approved CPR course certification requirements. A copy of the Instructor Exemption Application form CJSTC-82 and a copy of the instructor's valid CPR Instructor Certification shall be maintained in the course instructor's file. Form CJSTC-82 can be obtained at by contacting Commission staff at (850)410-8615 or at the following FDLE Internet address <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>.

(e) For instruction of the Speed Measurement Course or the Speed Measurement Instructor Course, there shall be one Commission-certified Speed Measurement Instructor for each class. Speed Measurement Device Operators are authorized to instruct the practical exercises in the Speed Measurement Course or the Speed Measurement Instructor Course under the supervision of a certified Speed Measurement Instructor, pursuant to Rule 11B-35.006, F.A.C. A copy of the Instructor Exemption form CJSTC-82 shall be maintained in the course file.

(f) For instruction of the Breath Test Instructor Course, there shall be at least one Commission-certified Breath Test Instructor, who shall also be Alcohol Testing Program staff, for each class. An individual, who has a professional or technical certification or three years of experience in the specified subject matter to be instructed, shall be authorized to instruct the relevant topic under the supervision of the FDLE Alcohol Testing Program Commission-certified instructor. A copy of the Instructor Exemption form CJSTC-82 shall be maintained in the course file.

(g) For instruction of the Breath Test Instructor Renewal Course, there shall be at least one Commission-certified Breath Test Instructor, who shall also be Alcohol Testing Program staff, for each class. An individual, who has a professional or technical certification or three years of experience in the specified subject matter to be instructed, shall be authorized to instruct the relevant topic under the supervision of the Commission-certified Breath Test Instructor. A copy of the Instructor Exemption form CJSTC-82 shall be maintained in the course file.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.14(3), 943.17 FS. Law Implemented 943.12(5), 943.17 FS. History—New 12-13-92, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 9-28-09, \_\_\_\_\_.

11B-35.0023 Student Transfers within Basic Recruit Training Programs.

(1) No change.

~~(2) A student enrolled in a Commission-approved Basic Recruit Training Program may transfer courses from a Commission-approved Basic Recruit Training Program to another training school, for the same training program, provided; the courses have been successfully completed and the student has not been dismissed from the previous training school. Verification shall be made by reviewing the student's course score in item number 12 of the Training Report form CJSTC-67 to determine if the student was dismissed from the previous training school.~~

(a) The courses have been successfully completed four years from the beginning date of the Commission-approved Basic Recruit Training Program; and

(b) The student has not been dismissed from the previous training school; and

(c) Verification has been made by reviewing the student's grade on the ATMS Global Profile Report.

~~(a) Courses completed in a Traditional Basic Recruit Training Program shall be recognized and transferable to a Traditional Basic Recruit Training Program in a different training school.~~

~~(b) Courses completed in the CMS Application Based Law Enforcement Basic Recruit Training Program shall be transferable to a CMS Application Based Law Enforcement Basic Recruit Training Program in a different training school.~~

~~(c) Courses completed in the Florida CMS Law Enforcement Basic Recruit Training Program shall be transferable to a Florida CMS Law Enforcement Basic Recruit Training Program in a different training school.~~

~~(d) Courses completed in the Florida Correctional Probation Basic Recruit Training Program shall be transferable to a Florida Correctional Probation Basic Recruit Training Program in a different training school.~~

~~(d)(e)~~ Basic recruit training courses requiring proficiency demonstrations that were successfully completed shall be transferable. Demonstration of proficiency skills required by the rule at the time of the requested transfer shall be met by the student. The training center director or designee shall evaluate the student's completed performance evaluation form(s) and ensure the student meets the current proficiency standards. Demonstration of the new skills shall be documented on the applicable performance evaluation form pursuant to Section 11B-35.0024, F.A.C.

(3) through (5) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.17 FS. History—New 12-13-92, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 6-9-08, 9-28-09, \_\_\_\_\_.

11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, ~~and~~ Instructor Training Courses, ~~and~~ Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration.

(1) Students enrolled in a Commission-approved Basic Recruit Training Program, ~~or~~ Instructor Training Course, ~~or~~ Specialized or Advanced Training Course shall qualify through demonstration of proficiency skill(s) in the applicable course(s) and pass a written end-of-course examination.

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

(3) Successful completion and demonstration of proficiency skills is required for each of the following high-liability courses: CMS Criminal Justice Defensive Tactics Course, CMS Defensive Tactics Instructor ~~Course~~ Courses, CMS Criminal Justice Firearms Course, Cross-Over Handgun Transition Course, CMS Firearms Instructor ~~Course~~ Courses, CMS Law Enforcement Vehicle Operations Course, CMS Vehicle Operations Instructor ~~Course~~ Courses, CMS First Aid for Criminal Justice Officers Course, and CMS First Aid Instructor ~~Course~~ Courses.

(a) CMS Criminal Justice Defensive Tactics Course.

1. No change.

2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate at 100% proficiency, defensive tactics skills taught by a training school, with the results recorded on the required CMS Defensive Tactics Performance Evaluation, form CJSTC-6 CMS, revised December 16, 2010 ~~October 30, 2008~~, hereby incorporated by reference. Form CJSTC-6 CMS can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Form CJSTC-6 CMS shall be maintained in the student or course file.

3. A basic recruit student shall be subject to chemical agent contamination as described in the CMS Criminal Justice Defensive Tactics Course. Prior to beginning a Florida CMS Law Enforcement, Florida CMS Correctional, ~~Traditional Correctional~~, or Florida Correctional Probation Basic Recruit Training Program, a student shall complete the Physical Fitness Assessment form CJSTC-75B. This form verifies that there are no known medical conditions that would prevent a student from participating in chemical agent contamination. A student who has provided the training school with documentation of prior chemical agent exposure that includes chemical agent contamination and working through the effects of chemical agent contamination in a training environment, shall be exempt from this requirement.

(b) No change.

(c) CMS Criminal Justice Firearms Course.

1. No change.

2. A basic recruit student shall achieve a score of 80% on the required written end-of-course examination and demonstrate the required Firearms High-Liability Proficiency Skills, using a commercially produced B-21E target or equivalent Pride Enterprises (P.R.I.D.E.) target ~~the B-21E Target or equivalent~~, at 80% or higher using a handgun (revolver or semi-automatic pistol for both daylight and night) and a long gun (shotgun or semiautomatic rifle/carbine). The results shall be recorded on the required CMS Firearms Performance Evaluation form CJSTC-4 CMS, revised December 16, 2010 ~~August 6, 2009~~, hereby incorporated by reference. Form CJSTC-4 CMS can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850)410-8615. ~~The B-21E target is commercially available through retailers.~~ Form CJSTC-4 CMS shall be maintained in the student or course file.

(d) CMS Firearms Instructor Course.

1. No change.

2. A firearms instructor student shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required Firearms High-Liability Proficiency Skills, using a commercially produced B-21E target or equivalent Pride Enterprises (P.R.I.D.E.) target ~~the B-21E Target or equivalent~~, at 85% or higher using a handgun (revolver or semi-automatic pistol for both daylight and night) and a long gun (shotgun or semi-automatic rifle/carbine) for all proficiency skills, with the results recorded on the required CJSTC-4 CMS form. A copy of the completed form CJSTC-4 CMS shall be provided to the student and the original form CJSTC-4 CMS shall be maintained in the student or course file.

(e) CMS First Aid for Criminal Justice Officers Course.

1. No change.

2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required First Aid High-Liability Proficiency Skills at 100%, with the results recorded on the required CMS First Aid Performance Evaluation, form CJSTC-5 CMS, revised December 16, 2010 ~~October 30, 2008~~, hereby incorporated by reference. Form CJSTC-5 CMS can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Form CJSTC-5 CMS shall be maintained in the student or course file.

(f) No change.

(g) CMS Law Enforcement Vehicle Operations Course.

1. No change.

2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required Vehicle Operations High-Liability Proficiency Skills, with four out of five runs



(80%) for each exercise, with the results recorded on the required CMS Vehicle Operations Performance Evaluation, form CJSTC-7 CMS, revised December 16, 2010 ~~October 30, 2008~~, hereby incorporated by reference. Form CJSTC-7 CMS can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Form CJSTC-7 CMS shall be maintained in the student or course file. Form CJSTC-7 CMS shall be maintained in the student or course file.

(h) No change.

(4) Successful completion and demonstration of proficiency skills is required for each of the following basic recruit, advanced, specialized instructor, or specialized training program courses: DUI Traffic Stops, Speed Measurement Course, Speed Measurement Instructor Course, Breath Test Instructor Course, Breath Test Instructor Renewal Course, Breath Test Operator Course, Breath Test Operator Renewal Course, Agency Inspector Course, and Agency Inspector Renewal Course.

(a) DUI Traffic Stops Course, number CJK\_0083.

1. through 2. No change.

(b) Speed Measurement Course, number 1158. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Speed Measurement Operator Performance Report form CJSTC-11, hereby incorporated by reference, revised December 16, 2010. Form CJSTC-11 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Form CJSTC-11 shall be maintained in the student or course file.

(c)(b) Speed Measurement Instructor Course, number 1159.

1. through 2. No change.

(d) Breath Test Instructor Course, number 1110.

1. An instructor student shall complete the Breath Test Instructor Course requirements pursuant to Rule 11B-20.0014, F.A.C., to instruct the Breath Test Operator Course, Breath Test Operator Renewal Course, Agency Inspector Course, and Agency Inspector Renewal Course.

2. An instructor applicant shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Breath Test Instructor Performance form CJSTC-17, created December 16, 2010, hereby incorporated by reference. Form CJSTC-17 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Forms.aspx>, or by contacting Commission

staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(e) Breath Test Instructor Renewal Course, number 1111.

1. An instructor student shall complete the Breath Test Instructor Renewal Course requirements pursuant to Rule 11B-20.0017, F.A.C., to satisfy the continuing education requirements for a Breath Test Instructor Certification.

2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-17. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(f) Breath Test Operator Course, number 851. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Breath Testing Course Performance form CJSTC-14, created December 16, 2010, hereby incorporated by reference. Form CJSTC-14 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism-Program-Form.s.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(g) Breath Test Operator Renewal Course, number 951. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(h) Agency Inspector Course, number 850. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(i) Agency Inspector Renewal Course, number 950. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12, 943.17 FS. History—New 2-17-93, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, \_\_\_\_\_.

11B-35.003 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training.

(1) No change.

(2) To become certified as a law enforcement or correctional ~~an~~ auxiliary officer, an applicant shall meet the requirements outlined in Sections 943.13(1)-(9), and (11), 943.14(7), and 943.17(1)(g), F.S., ~~and To become certified as a correctional probation auxiliary officer, an applicant shall meet the requirements outlined in Sections 943.13(1)-(9), and (11), and 943.14(7), F.S., and shall complete the Florida Correctional Probation Basic Recruit Training Program in its entirety. Applicants requesting certification as a correctional officer shall complete the Florida CMS Correctional Basic Recruit Training Program in its entirety. Applicants requesting certification as a law enforcement auxiliary officer shall~~ successfully complete the following Auxiliary Officer Basic Recruit Training Program requirements:

(a) Auxiliary Officer Prerequisite Course taught at a Commission-certified training school using Commission-certified instructors; and

(b) High-liability Training Courses for vehicle operations, defensive tactics, and firearms, taught by a Commission-certified instructor and ~~applicable to the discipline for which certification is sought. The vehicle operations, defensive tactics, and firearms courses~~ shall be taught at a Commission-certified training school or criminal justice agency.

(c) No change.

(3) A training school shall submit form CJSTC-67 to Commission staff upon an individual's successful completion of a CMS Law Enforcement ~~or Correctional Auxiliary~~ Officer Prerequisite Course. The training school or agency shall document the student's successful completion of the applicable Basic Recruit Training High-Liability Courses, pursuant to subsection 11B-35.0024(3), F.A.C. Regardless of where the

Basic Recruit Training High-Liability Course is completed, the employing agency shall maintain the training documentation in the officer's file.

(4) Commission-approved Basic Recruit Training High-Liability Courses instructed at a Commission-certified training school shall be recognized by the Commission for applicants requesting certification as a law enforcement, correctional, or correctional probation officer, if the applicant has ~~maintained active employment within the discipline as an auxiliary officer, or has~~ completed training within the past four years pursuant to subsection 11B-35.002(2), F.A.C. Recognition of completed Basic Recruit Training High-Liability Courses shall comply with paragraph 11B-35.0023(2)(e), F.A.C.

(5) Individuals exempt from completing the 40-hour CMS First Aid for Criminal Justice Officers course ~~CJK\_0031~~, in the CMS Law Enforcement Auxiliary Officer Basic Recruit Training Program, based on education and training experience in the United States or its territories, shall complete the 111-hour CMS Law Enforcement Auxiliary Officer Prerequisite Course, pursuant to paragraph (6)(a) of this rule section, and the applicable high-liability courses pursuant to paragraphs (6)(b)-(d) of this rule section. The following individuals shall possess an active certificate or license that shall be maintained in the course file to be eligible for the exemption:

(a) through (f) No change.

(6) CMS Law Enforcement Auxiliary Officer Basic Recruit Training Program number 1180 (Effective April 1, 2008).

(6) CMS Law Enforcement Auxiliary Officer Basic Recruit Training Program number 1180 (Effective April 1, 2008).

(a)	CMS Law Enforcement Auxiliary Officer Prerequisite Course	Course-Number	Course Hours
1.	Law Enforcement Auxiliary Introduction	<del>CJK_0240</del>	27.0
2.	Law Enforcement Auxiliary Patrol and Traffic	<del>CJK_0241</del>	19.0
3.	Law Enforcement Auxiliary Investigations	<del>CJK_0242</del>	17.0
4.	Dart-Firing Stun Gun	<del>CJK_0422</del>	8.0
5.	CMS First Aid for Criminal Justice Officers	<del>CJK_0031</del>	40.0
	CMS Law Enforcement Auxiliary Officer Prerequisite Course	Sub-total	111.0
(b)	CMS Criminal Justice Firearms This course shall be taught by a Commission-certified high-liability instructor at a training school or agency.	<del>CJK_0040</del>	80.0

(c)	CMS Criminal Justice Defensive Tactics This course shall be taught by a Commission-certified high-liability instructor at a training school or agency.	CJK_0051	80.0
(d)	CMS Law Enforcement Vehicle Operations **CMS Law Enforcement Vehicle Operations is optional and is based on employing agency requirements. If required, the course shall be taught by a Commission-certified high-liability instructor at a training school or agency. If CMS Law Enforcement Vehicle Operations is not instructed, the total program hours will be reduced to 271 hours.	CJK_0020	48.0
	CMS Law Enforcement Auxiliary <u>TOTAL</u> Officer Program	Total	**319.0

(7) Correctional Auxiliary Officer Basic Recruit Training Program number 501 (Retired June 30, 2012) (Effective January 1, 1997).

(a)	Correctional Auxiliary Officer Prerequisite Course	Course Number	Minimum Hours
1.	Administration	NA	1
2.	Legal	NA	24
3.	Report Writing	NA	4
4.	Safety Issues	NA	4
5.	Interpersonal Skills	NA	5
6.	Security Procedures and Inmate Supervision	NA	4
7.	Equipment	NA	2
8.	Facility Movement	NA	4
9.	Correctional Operation and Intake Procedures	NA	1
10.	Inmate Property	NA	2
11.	Search Procedures	NA	3
12.	CMS First Aid for Criminal Justice Officers	CJK_0031	40
	Correctional Auxiliary Officer Prerequisite Course	Sub-total	94
(b)	CMS Criminal Justice Firearms	CJK_0040	80
(c)	CMS Criminal Justice Defensive Tactics	CJK_0051	80
	Correctional Auxiliary Officer Program	Total	254

(8) Correctional Auxiliary Officer Basic Recruit Training Program. To become a Correctional Auxiliary Officer an individual shall complete the Florida CMS Correctional Basic Recruit Training Program, number 1190, pursuant to paragraph 11B-35.002(5)(g), F.A.C.

(9)(8) Correctional Probation Auxiliary Officer Basic Recruit Training Program. To become a Correctional Probation Auxiliary Officer an individual shall complete the Florida Traditional Correctional Probation Officer Basic Recruit Training Program, number 1176, pursuant to paragraph 11B-35.002(5)(f)(6)(e), F.A.C.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(5), 943.17(1)(a) FS. History—New 12-13-92, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, \_\_\_\_\_.

11B-35.006 Advanced Training Program.

(1) Commission-approved Advanced Training Program Courses were created to enhance an officer’s knowledge, skills, and abilities for the job the officer performs and are used by an officer to satisfy mandatory retraining requirements or eligibility for salary incentive monies pursuant to Rule Chapter 11B-14, F.A.C.

(a) No change.

(b) The following is a complete list of active Advanced Training Program Courses:

	Course Number	Course Name	Course Hours
1.	006	Line Supervision	80
2.	011	Developing and Maintaining a Sound Organization	40
3.	012	Planning the Effective Use of Financial Resources	40
4.	013	Building and Maintaining a Sound Behavioral Climate	40
5.	016	Narcotics and Dangerous Drugs Investigations	40
6.	019	Criminal Law	40
7.	020	Case Preparation and Court Presentation	40
8.	032	Special Tactical Problems	40
9.	033	Sex Crimes Investigations	40
10.	036	Injury and Death Investigations	40
11.	047	Interviews and Interrogations	40
12.	050	Stress Management Techniques	40
13.	053	Crisis Intervention	40
14.	054	Organized Crime	40
15.	057	Discipline and Special Confinement Techniques	40
16.	058	Supervision of the Youthful Offender	40
17.	068	Advanced Report Writing and Review	40
18.	072	Firefighting for Correctional Officers	40
19.	073	Community and Human Relations	40
20.	074	Substance Abuse Awareness and Education	40
21.	077	Underwater Police Science and Technology	80
22.	080	Computers and Technology in Criminal Justice	40
23.	085	Emergency Preparedness for Correctional Officers	40
24.	087	Advanced Traffic Homicide Accident Investigations	80
25.	088	Traffic Crash Accident Reconstruction	80
26.	090	School Resource Officer	40
27.	091	Domestic Intervention and Investigations	40
28.	093	Hostage Negotiation	40
29.	094	Drug Abuse Resistance Education (D.A.R.E.) – FDLE instructed only	80
30.	096	Drug Abuse Resistance Education (D.A.R.E.)	40
31.	094 & 097	Drug Abuse Resistance Education (D.A.R.E.)	40
32.	098	Basic Traffic Homicide Investigations	80
33.	100	Crimes Against the Elderly	40
34.	107	Middle Management (Effective 10/1/06)	40
35.	809	*Field CMS Field Training Officer Program Course for Law Enforcement Officers (This course is not mandated for field training officers)	40
36.	1100	*Field Training Officer Course for Correctional and Probation Officers (This course is not mandated for field training officers)	40
37.	1151	Conducting Background Investigations	40
38.	1152	Investigation and Supervision of Officer-Involved Deadly Force Incidents Officer Involved Shootings	40
39.	1153	Computer Crimes Investigations	40
40.	1154	Financial Fraud Investigations	40
41.	1158	Speed Measurement Course (Effective 1/1/07)	40
42.	1161	Managing and Communicating with Inmates and Offenders (Effective 11/16/06)	40
43.	1163	Gangs and Security Threat Groups	40
44.	1164	Inmate Manipulation (Effective 6/1/06)	40
45.	1165	Spanish for Criminal Justice Professionals (Effective 2/1/07)	40
46.	1166	Advanced Investigative Techniques of Human Trafficking Offenses (Effective 5/10/07)	40
47.	1187	Investigating Crimes Against Children	40

48.	1188	*Field Training Officer Course for Correctional Probation Officers (This course is not mandated for field training officers)	40
<p>*Officers who are currently receiving salary incentive payment for completion of the Field Training Officer Course number 051, are not eligible to receive additional salary incentive credit for course number 809, <del>or 1100, or 1188.</del></p> <p>Officers who are currently receiving salary incentive payment for completion of the Radar Speed Measurement Training Course for Law Enforcement Officers number 055 and Laser Speed Measurement Operators Course for Law Enforcement Officers number 095 are not eligible to receive additional salary incentive credit for course number 1158.</p>			

(2) through (3) No change.

(4) To successfully complete an Advanced Training Program Course, a student shall comply with student attendance, performance, and course documentation requirements pursuant to Rule 11B-35.001, F.A.C.

(a) ~~A Speed Measurement Operator Performance Report form CJSTC 11, revised November 8, 2007, hereby incorporated by reference, shall be completed for the Speed Measurement Course number 1158. Form CJSTC 11 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism Program Forms.aspx>, or by contacting Commission staff at (850) 410-8615.~~

(b) ~~Speed Measurement Device Operators are authorized to instruct the practical exercises in the Speed Measurement Course with a certified Speed Measurement Instructor. A copy of the Instructor Exemption form CJSTC 82 shall be maintained in the course file.~~

(5) Training schools shall report the successful completion of Advanced Training Program Courses for officers pursuant to paragraph 11B-35.001(1)(b)(4)(b), F.A.C., if they have received written or electronic authorization from the officer's respective agency for salary incentive credit.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(5), 943.17(1) FS. History—New 12-13-92, Amended 1-10-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10.

11B-35.007 Specialized Training Program.

(1) through (2) No change.

(3) Specialized Instructor Training Courses pursuant to paragraph (1)(b) of this rule section. The following Specialized Instructor Training Courses are developed and approved by the Commission for instructor training and shall be delivered in their entirety by a training school for an individual to qualify to apply as a Commission-certified instructor:-

	Course Number	Course Names	Course Hours
(a)	1115	General Instructor Refresher Course	8
(b)	1116	CMS Instructor Techniques Course (Retired 11/14/08)	80

(c)	803	CMS General Instructor Transition Course (Retired 3/31/08)	12
(d)	800	CMS Vehicle Operations Instructor Course	40
(e)	805	CMS Vehicle Operations Instructor Transition Course (Retired 3/31/08)	16
(f)	801	CMS Firearms Instructor Course	44
(g)	806	CMS Firearms Instructor Transition Course (Retired 3/31/08)	12
(h)	802	CMS Defensive Tactics Instructor Course	80
(i)	807	CMS Defensive Tactics Instructor Transition Course (Retired 3/31/08)	32
(j)	1114	CMS First Aid Instructor Course	40
(k)	804	CMS First Aid Instructor Transition Course (Retired 3/31/08)	8
(l)	1107	Canine Team Training Instructor Course	40
(m)	1109	Laser Speed Measurement Device (LSMD) Instructor Transition Course for Radar Instructors (Retired 12/31/08)	24
(n)	1110	Breath Test Instructor Course	40
(o)	1111	Breath Test Instructor Renewal Course	8
(p)	1159	Speed Measurement Instructor Course (Effective 1/1/07)	40
(q)	1186	Florida General Instructor Techniques Course	64

(4) Commission-approved Specialized Training Program Courses pursuant to paragraph (1)(c)(~~d~~) of this rule section. The following Commission-approved Specialized Training Program Courses are developed and approved by the Commission and have not been designated as Commission-approved Advanced Training Program Courses:

	Course Number	Course Names	Course Hours
(a)	<del>1125</del> 1196	Contraband Forfeiture	<del>16</del> 40
(b)	1126	Human Diversity In-service Training for Professionalism and Ethics	4

(c)	1127	Human Diversity In-service Training for Interdependent Relationships	8
(d)	1128	Human Diversity In-service Training for Reducing Inter-group Conflict	4
(e)	1129	Human Diversity In-service Training for Sexual Harassment in the Workplace	4
(f)	1130	Human Diversity In-service Training for Specialized Topics in Diversity	4
(g)	1144	<del>CMS</del> Human Interaction Course	16
(h)	1131	Human Diversity In-service Training for Discriminatory Profiling and Professional Traffic Stops	4
(i)	1112	Canine Team Training Course	400
(j)	1113	Laser Speed Measurement Device (LSMD) Transition Operators Course for Radar Operators (Retired 12/31/08)	12
(k)	1132	Parking Enforcement Specialist for Civilians	16
(l)	1133	Selective Traffic Enforcement Program for Civilians	80
(m)	732	Traffic Control Officer for Civilians	8
(n)	1134	Criminal Justice Officer Ethics Course	8
(o)	1135	Crimes Against Children	24
(p)	1136	Domestic Violence	8
(q)	1137	Violent Crime Investigator Training Course	40
(r)	808	<del>CMS</del> Field Training Officer Transition Course (Retired 12/31/08)	8
(s)	1140	Basic Incident Command System (ICS) Course	6

(t)	1141	Intermediate Incident Command System (ICS) Course	<del>18</del> 24
(u)	1142	Advanced Incident Command System (ICS) Course	<del>14</del> 16
(v)	1149	<del>CMS</del> Special Populations Course	32
(w)	1150	<del>CMS</del> Problem-Solving Model: SECURE Specialized Training Course	6
(x)	1160	Dart-Firing Stun Gun	8
(y)	1167	<del>CMS</del> Instructor Update Course (Retired 12/31/10)	4
(z)	1169	<del>CMS</del> Defensive Tactics and Firearms Instructor Update Course (Retired 12/31/10)	6
(aa)	1185	Elder Abuse Investigations	4
(bb)	1189	<del>Physical Fitness Trainer Course</del>	<del>32</del>
(cc)	1194	<del>Responding to Veterans</del>	<del>16</del>
(dd)	1195	<del>Public Safety Telecommunications for Law Enforcement Officers</del>	<del>40</del>

(5) ~~Commission-approved Specialized Training Program Courses pursuant to paragraph (1)(a) and (c) of this rule section.~~ The following Commission-approved Specialized Training Program Courses are developed and approved by the Commission and have not been designated as Commission-approved Advanced Training Program Courses:

(a)	851	Breath Test Operator Course	16
(b)	951	Breath Test Operator Renewal Course	4
(c)	850	Agency Inspector Course	24
(d)	950	Agency Inspector Renewal Course	6

(6) through (7) No change.

(8) ~~Criminal Justice Standards and Training Trust Fund Officer Training Monies may be expended to conduct eLearning instruction for Commission approved Specialized Training Program Courses, pursuant to paragraph (1)(d) of this rule section, provided the courses are delivered using a learning management system, are instructor led, and the~~

~~courses meet minimum standards. Officer Training monies shall be expended pursuant to the requirements of Rule Chapter 11B-18, F.A.C.~~

~~(a) "Learning Management System (LMS) is defined as a web-based software application for the administration, documentation, tracking, and reporting of training programs, classroom and on-line events, eLearning programs, and training content. The LMS shall facilitate:~~

- ~~1. Management of users, roles, courses, and instructors.~~
- ~~2. Manager approval.~~
- ~~3. Student messaging and notifications.~~
- ~~4. Assembly and delivery of learning resources utilizing the Shareable Content Object Reference Model (SCORM).~~
- ~~5. Navigation of course sequence.~~
- ~~6. Collaborative learning (e.g., application sharing, discussion threads).~~
- ~~7. On-line assessment.~~
- ~~8. Display of scores and transcripts.~~
- ~~9. Grading of coursework and roster processing.~~
- ~~10. Collection and preservation of student activity and performance data.~~
- ~~11. Web-based or blended course delivery (web-based and classroom combined) accessible via internet enabled computing and/or mobile platforms.~~

~~(b) Conformity with minimum standards shall be documented on the eLearning Course Minimum Standard, Form CJSTC 18, created December 16, 2010, (effective 5/2012), hereby incorporated by reference, prior to delivery of the course and shall be maintained in the course file. An electronic copy of the corresponding course shall be maintained for a minimum of five years, and upon request shall be made available for review by Commission staff. Form CJSTC 18 and can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/Content/CJST/Publications/Professionalism Program Forms.aspx>, or by contacting Commission staff at (850) 410-8615.~~

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.175, 943.25 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, \_\_\_\_\_.

11B-35.009 Exemption from Basic Recruit Training.

(1) through (2) No change.

(3) For individuals who request an exemption from a Commission-approved Basic Recruit Training Program, the employing agency or Criminal Justice Selection Center shall:

(a) No change.

(b) Verify that the applicant's correctional officer training is comparable to the Commission's Florida CMS Traditional Correctional Basic Recruit Training Program whenever an exemption is requested, and at a minimum reflects successful completion of training for the topics of Legal, Communications, Responding to Emergencies, Correctional

Operations, Inmate Supervision, Intake and Release, Officer Safety, Defensive Tactics, First Aid or Equivalent, and Firearms.

(c) through (e) No change.

(4) through (9) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.131(2) FS. History—New 1-2-97, Amended 7-7-99, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 5-21-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Donna Hunt

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Systems**

RULE NOS.:	RULE TITLES:
11C-4.003	Arrest Fingerprint Card Submission
11C-4.006	Final Disposition Reporting

PURPOSE AND EFFECT: Rule 11C-4.003, F.A.C.: deletes a reference to the submission of the state identification number (FDLE number) which is not used by FDLE; adds a requirement that arrest charges be submitted using a Florida Statute chapter, section and subsection when available; and provides an email to contact with questions. Florida Statute Section 943.03(15) requires that a rule regarding the uniform reporting of statutes be adopted by December 31, 2012.

Rule 11C-4.006, F.A.C.: replaces a general reference to Clerks of Court submitting dispositions using "an automated format approved by the Director of the Criminal Justice Information Services" to specify the requirement to use automated submission software provided on the Criminal Justice Network; requires that disposition charges be reported using Florida Statute chapter, section and subsection when available; and provides an email to contact with questions.

SUMMARY: Provides direction to law enforcement agencies on the submission of arrest fingerprint records to the state criminal history repository at FDLE; provides direction to Clerks of Court and other criminal justice agencies on the submission of final court dispositions of arrest charges; requires that arrest charges and final court charges be submitted using a Florida Statute chapter, section and subsection when available; complies with statute.

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: This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None. 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: 943.03(4), 943.12(1), (2) FS.  
LAW IMPLEMENTED: 943.0542(2)(a) FS.

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

DATE AND TIME: Tuesday, January 22, 2013 at 1:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Martha Wright at (850)410-8113, or marthawright@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Wright at (850)410-8113, or marthawright@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 11C-4.003 Arrest Fingerprint Card Submission.

All law enforcement agencies of the State shall take the following action on all felony, misdemeanor, or comparable ordinance arrests of adults and on all felony and statutorily specified misdemeanor arrests of juveniles:

(1) Complete at the time of arrest an electronic submission of criminal arrest and fingerprint information containing legible quality fingerprint impressions, or a hard fingerprint card bearing equivalent information. Each arrest charge shall

be reported using Florida Statutes chapter, section and subsection when available. The state identification number (FDLE NO.) should be recorded on each arrest fingerprint card when the arrestee has a prior arrest record.

(2) A minor transferred for prosecution as an adult shall be fingerprinted and the notation, "Treat as an adult," shall be recorded on the criminal arrest fingerprint card by the arresting agency or clerk of certifying court.

(3) Submit on a daily basis all completed fingerprint cards to: Florida Department of Law Enforcement, Attention: Florida Crime Information Center Bureau, Post Office Box 1489, Tallahassee, Florida 32302-1489.

(4) Contact the Department with any arrest submission inquiries at Statutes@fdle.state.fl.us.

Rulemaking Authority 943.03(4), 943.05(2)(d), 943.051(2) FS. Law Implemented 943.05, 943.051 FS. History—New 6-24-76, Amended 6-27-78, Formerly 11C-4.03, Amended 7-7-99, 3-21-07, 6-9-08,\_\_\_\_\_.

#### 11C-4.006 Final Disposition Reporting.

(1) Law enforcement agencies, units of government responsible for jail facilities, clerks of the court, Department of Corrections and Department of Juvenile Justice shall submit disposition data on criminal arrests, pretrial dispositions, trials, sentencing, confinement, parole and probation.

(2) Responsibility for completing and forwarding the final disposition report to the Department for arrests prior to January 1, 1988, may reside with an arresting agency, prosecuting authority or clerk of the court, according to arrangements agreed upon by authorities within each county or municipality. For arrests occurring after January 1, 1988, the clerks of the court, within each county, are responsible for submitting final disposition information to the Department. The responsible agency shall submit disposition data to the Department for each arrest as soon as received.

(3) Agencies, and clerks of the court possessing the technical requirements to collect, process, store, and disseminate disposition data in an automated information management system shall submit disposition information to the Department using the automated submission software available on the Criminal Justice Network in an automated format as approved by the Director of the Criminal Justice Information Services. Each court disposition charge shall be reported using Florida Statutes chapter, section and subsection when available.

(4) Contact the Department for information on how to access the disposition submission software at Disposition@fdle.state.fl.us.

Rulemaking Authority 943.03(4), 943.052 FS. Law Implemented 943.052 FS. History—New 6-24-76, Amended 11-12-81, Formerly 11C-4.06, Amended 7-7-99, 6-9-08,\_\_\_\_\_.



NAME OF PERSON ORIGINATING PROPOSED RULE: Martha Wright at (850)410-8113, or marthawright@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Systems**

RULE NO.: 11C-6.004  
 RULE TITLE: Procedures for Requesting Criminal History Records

PURPOSE AND EFFECT: Removes duplicate rule language for completing a user agreement as already outlined in Section 943.0542(2)(a), Florida Statutes by removing the reference to the VECHS User Agreement – Volunteer & Employee Criminal History System (NCPA 2; Rev. January 1, 2001) from subsection 11C-6.004(4), F.A.C.

Removes reference to submitting a fingerprint card in subsection 11C-6.004(4), F.A.C, in accordance with federal (FBI) regulations.

Updates VECHS Qualified Entity Application – Volunteer & Employee Criminal History System (NCPA 1; Rev. January 1, 2001) to remove references to hard card fingerprint submissions that are now prohibited by the Federal Bureau of Investigation for the purpose of conducting criminal history background checks. VECHS Qualified Entity Application - Volunteer & Employee Criminal History System (NCPA 1; Rev. January 1, 2001) is incorporated by reference in subsection 11C-6.004(4), F.A.C.

Clarifies and streamlines requirements for entities to register and participate in the Volunteer & Employee Criminal History System (VECHS) set forth in subsection 11C-6.004(4), F.A.C. and Section 943.0542, F.S.

SUMMARY: Removes rule reference to fingerprint cards in accordance with federal (FBI) regulations. Removes reference to the Volunteer & Employee Criminal History System (VECHS) User Agreement. Updates VECHS Qualified Entity Application.

**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: This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None 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: 943.03(4), 943.12(1), (2) FS. LAW IMPLEMENTED: 943.0542(2)(a) FS.

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

DATE AND TIME: Tuesday, January 22, 2013, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Martha Wright at (850)410-8113, or marthawright@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Wright at (850)410-8113, or marthawright@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

**THE FULL TEXT OF THE PROPOSED RULE IS:**

11C-6.004 Procedures for Requesting Criminal History Records.

(1) through (3) No change.

(4) Entities applying to the Florida Department of Law Enforcement to be qualified to receive criminal history records under the National Child Protection Act of 1993, as amended, must first complete and submit the following documents to the Florida Department of Law Enforcement, in accordance with the instructions provided: VECHS Qualified Entity Application – Volunteer & Employee Criminal History System (NCPA 1; Rev. January 1, 2001); and ~~VECHS User Agreement – Volunteer & Employee Criminal History System (NCPA 2; Rev. January 1, 2001).~~ Entities that are qualified through the Florida Department of Law Enforcement to receive criminal

history records under the National Child Protection Act must complete an ~~FBI authorized fingerprint card~~ or electronic fingerprint submission for each person and submit it to the Florida Department of Law Enforcement for each request for a criminal history record. Qualified entities that release to another qualified entity any criminal history record information received pursuant to the National Child Protection Act must complete and maintain the following document, in accordance with the instructions provided: VECHS Dissemination Log – Volunteer & Employee Criminal History System (NCPA 4, Rev. January 1, 2001). These forms are incorporated by reference.

Rulemaking Authority 943.03(4), 943.053(3), 943.0542, 943.056 FS. Law Implemented 943.053(3), 943.0542, 943.056 FS. History—New 12-30-76, Amended 11-7-83, Formerly 11C-6.04, Amended 9-1-88, 4-1-93, 7-7-99, 8-22-00, 7-29-01, 12-3-03, 6-9-08, 6-3-10, 5-21-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Martha Wright at (850)410-8113, or marthawright@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Local Law Enforcement Assistance**

RULE NOS.:	RULE TITLES:
11D-6.001	Definitions
11D-6.003	Procedures

PURPOSE AND EFFECT: Subsection 11D-6.001(5): Adds the definition of “Labels” to clarify the term “labels” with the implementation of Rapid ID to determine if a sample is needed to be collected from an offender and clarify the ambiguity of the term “labels.”

Paragraph 11D-6.003(1)(a): Revises the Oral Swab Collection Kit form FDLE/FOR-005 to comply with statutory changes.

Subparagraphs 11D-6.003(1)(a)1.-2., and (b): Corrects typographical and grammatical errors.

Paragraph 11D-6.003(1)(c): Transfers how to obtain form FDLE/FOR-005 to Rule 11D-6.001(a) where the form is incorporated as required by the Joint Administrative Procedures Committee (JAPC), provides rule reference for the sample collection procedures in Paragraph 11D-6.003(1)(a), and makes grammatical revisions.

SUMMARY: Adds the definition of Labels” to Rule 11D-6.001; revises the Oral Swab Collection Kit form FDLE/FOR-005; Corrects typographical and grammatical errors; and provides a rule reference for the rule section sample collection 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: This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None. 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: 943.03(4), 943.325(4), (5), (17) FS.

LAW IMPLEMENTED: 943.325 FS.

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

DATE AND TIME: Tuesday, January 22, 2013, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christopher Carney (850)617-1337 or Lisa Bohl (850)617-1303, or write to Florida Department of Law Enforcement, DNA Investigative Support Database, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christopher Carney (850)617-1337 or Lisa Bohl (850)617-1303, or write to Florida Department of Law Enforcement, DNA Investigative Support Database, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11D-6.001 Definitions.

As used in Rule 11D-6.003, F.A.C., the following definitions apply:

(1) "DNA sample" means a buccal or other approved biological specimen capable of undergoing DNA analysis.

(2) "Buccal sample" shall mean epithelial cells collected from the cheek in the oral cavity utilizing an FDLE-approved swab collection kit.

(3) "Other approved biological specimen" shall mean a specimen of whole blood, at least 7 cc in volume.

(4) "Qualifying Offender" shall mean a person as specified in Section 943.325(2), 943.325(9), 947.1405(7)(a) or 948.30(1), F.S.

(5) "Labels" shall mean shipping labels provided by the Department for the return of DNA sample collection kits.

(6)(5) FALCON is Florida's Integrated Criminal History System. This system allows for the biometric identification of criminal subjects.

(7)(6) "Rapid-ID Edge Device" shall mean an electronic fingerprint device attached to "FALCON" and available to criminal justice agencies within the state. This device and accompanying software allows agencies responsible for sample collection to determine if a qualifying offender DNA sample is on file, or if collection of the sample is required.

Rulemaking Authority 943.03(4), 943.325(4), (5), (17) FS. Law Implemented 943.325 FS. History—New 7-4-90, Amended 7-6-99, 8-22-00, 11-5-02, 3-21-07, 6-3-10, \_\_\_\_\_.

11D-6.003 Procedures.

(1) DNA Sample collection.

(a) A qualifying offender providing DNA samples must be positively identified in the manner specified by the Oral Swab Collection Kit Instructions and Form (FDLE/FOR-005, revised rev. September 2011, 2009 and incorporated by reference,) prior to taking the DNA samples from such offender. Form FDLE/FOR-005 and additional kits may be obtained from the Florida Department of Law Enforcement, DNA Database, Post Office Box 1489, Tallahassee, Florida 32302-1489. A qualifying offender may also be identified through use of the Falcon Rapid-ID Edge device.

1. DNA samples submitted from qualifying offenders ~~without the not identified through~~ use of the Falcon Rapid-ID Edge device must be accompanied by a completed Swab Collection Kit form from (FDLE/FOR-005). The imprinting of the offender's left and right thumbs, by means of an inked impression, in the spaces indicated on the form shall be completed as well. Inked fingerprint impressions must be legible for fingerprint classification and comparison purposes. DNA samples accompanied by one or more illegible inked fingerprint impressions will be unacceptable for entry into the DNA Database and will be requested by FDLE. The collecting agency must then submit a new DNA sample and completed form.

2. DNA Samples submitted from qualifying offenders ~~through use of whose identification is verified using~~ the FALCON Rapid-ID Edge device must be accompanied by the printout and barcode generated by the application. Any required information not captured by the Falcon/Rapid-ID DNA Availability application shall be filled out on the Swab Collection Kit form (FDLE/FOR-005).

(b) When ~~positive~~ identification of the qualifying offender is accomplished, DNA samples shall be taken from the qualifying offender in the manner described in Section 943.325(3), F.S.

(c) Such samples shall be taken using only the Oral Swab Collection Kit pursuant to (1)(a) of this rule section. ~~oral swab collection kit approved and provided by the Department of Law Enforcement. Agencies may obtain additional kits from FDLE, DNA Database, P. O. Box 1489, Tallahassee, Florida 32302-1489.~~

(d) Collection, labeling, storage, handling, and transmittal of DNA Samples shall be as prescribed in the printed instructions included with each oral swab sample collection kit. The collecting agency should forward DNA samples to the Department within 7 working days of collection.

(2) Removal of DNA Information from the DNA Database. Persons seeking removal of their DNA information from the DNA Investigative Support Database shall mail certified copies of the required documentation as described in Section 943.325(16), F.S., to the FDLE DNA Investigative Support Database, P. O. Box 1489, Tallahassee, Florida 32302-1489.

Rulemaking Authority 943.03(4), 943.325(4), (5), (17) FS. Law Implemented 943.325 FS. History—New 7-4-90, Amended 7-6-99, 8-22-00, 7-29-01, 11-5-02, 6-3-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Christopher Carney and Lisa Bohl

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Local Law Enforcement Assistance**

RULE NOS.:	RULE TITLES:
11D-9.001	Definitions
11D-9.003	Limitations on Funds Use
11D-9.006	Forms and Instructions

PURPOSE AND EFFECT: Subsection 11D-9.001(8): Deletes obsolete rule references and adds new rule references.

Subsection 11D-9.001(14): Adds new definition to correspond with the acronym used in Rule 11D-9.006.

Paragraph 11D-9.005(2)(c): Implements procedures for the web-based “Subgrant Information Management On-line System known as “SIMON.”

Rule 11D-9.006:

Subsection 11D-9.006(1): Revises the Project Expenditure Report form OCJG-001 to convert to a web-based application system and revises the name of the form.

Subsection 11D-9.006 (2): Revises the Financial Closeout Audit form OCJG-002 to convert to a web-based application system and revises the name of the form.

Subsection 11D-9.006(3): Revises the PGI Budget Request form OCJG-003 to convert to a web-based application system and revises the name of the form.

Subsection 11D-9.006(4): Revises the PGI Earnings and Expenditure Report form OCJG-004 to convert to a web-based application system and revises the name of the form.

Subsection 11D-9.006(6): Repeals the obsolete Certification of Compliance with Equal Employment Opportunity (EEO) Program Requirements/Subgrantee Certification form OCJG-006.

Subsection 11D-9.006(7): Repeals the obsolete Certification of Compliance with Equal Employment Opportunity (EEO) Program Requirements/Criminal Justice Agency Certification form OCJG-007.

Subsection 11D-9.006 new (9): Revises the Sole Source Justification for Services and Equipment Request for Approval Form OCJG-011 to convert to a web-based application system and revises the name of the form.

Subsection 11D-9.006 new (10): Revises the Certification of Acceptance of Subgrant Award form OCJG-012 to convert to a web-based application system and makes housekeeping changes to the name of the form.

Subsection 11D-9.006(11): Adds the Refund Form OCJG-018 to the web-based application system.

Subsection 11D-9.006(12): Adds the Grant Adjustment Notice form OCJG-020 to the web-based application system.

Subsection 11D-9.006(13): Adds the Performance Report form OCJG-023 to the web-based application system.

Subsection 11D-9.006(14): Adds the Certificate of Participation OCJG-024 to the web-based application system.

Subsection 11D-9.006(15): Adds the Request for Cash Advance form OCJG-025 to the web-based application system.

Subsection 11D-9.006(16): Adds the PGI Budget Approval form OCJG-026 to the web-based application system.

Subsection 11D-9.006(17): Adds the Certification as to Bulletproof Vest Purchase Requirements form OCJG-027 to the web-based application system.

SUMMARY: Deletes and adds rule references; adds new definition; Implements procedures for the web-based “Subgrant Information Management On-line System; Revises the following Grant forms to convert to a web-based application system: OCJG-001, OCJG-002, OCJG-003, OCJG-004, OCJG-008, OCJG-009, OCJG-010, OCJG-011,

and OCJG-012. Repeals the following forms: OCJG-006 and OCJG-007. Adds the following new forms: OCJG-018, OCJG-020, OCJG-023, OCJG-024, OCJG-025, OCJG-026, and OCJG-027.

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: This determination is based upon the nature of the subject matter of the proposed amendment. Other rules incorporating this rule: None. Effect on those other rules: None. 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: 943.03(4), 943.403 FS.

LAW IMPLEMENTED: 943.25(1), 943.402 FS.

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

DATE AND TIME: Tuesday, January 22, 2013, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janice Parish at (850)617-1271 or Fern Rosenwasser at (850)410-7685, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janice Parish at (850)617-1271 or Fern Rosenwasser at (850)410-7685, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11D-9.001 Definitions.

As used in these rules, except where the context clearly indicates a different meaning, the following terms shall have the meaning indicated:

(1) through (7) No change.

(8) "Eligible Application" is an application for Act funds, which meets the requirements of Rules 11D-9.001, 11D-9.002, ~~11D-9.003~~, ~~11D-9.004~~ and 11D-9.005, and 11D-9.006, F.A.C.

(9) through (13) No change.

(14) "PGI" means Program Generated Income.

Rulemaking Specific Authority 943.03(4), 943.403 FS. Law Implemented 943.25(1), 943.402 FS. History--New 2-6-90, Amended 4-2-92, 2-7-95, Formerly 9G-16.002, Amended 3-8-99, Formerly 9B-61.002, Amended 11-5-02, 3-27-06, Amended\_\_\_\_\_.

11D-9.005 Application and Award Procedures for JAG-Countywide and JAG-Direct.

(1) through (2) No change.

(2) JAG-Countywide Notification Process for Local Applicants.

(a) through (b) No change.

(c) The Chairman, Board of County Commissioners, in each county so notified shall return to the Department within 30 days of receiving notification, a statement of certification indicating the county's willingness to serve as the coordinating

unit of government for at least 51 percent of the units of government which also represent at least 51 percent of the population located in said county. The county shall also identify ~~When the county identifies a county coordinator,~~ the Department shall provide send an announcement code to access the application forms in "Subgrant Information Management On-line System "SIMON," and any other needed information to the county coordinator ~~application forms to the coordinator.~~

(d) No change.

(3) through (5) No change.

Rulemaking Specific Authority 943.03(4), 943.403 FS. Law Implemented 943.25(1), 943.402 FS. History--New 2-6-90, Amended 2-7-95, Formerly 9G-16.008, Amended 6-22-00, Formerly 9B-61.008, Amended 11-5-02, 3-27-06, \_\_\_\_\_.

11D-9.006 Forms and Instructions.

Copies of the materials and forms required for the application process in Rule 11D-9.005 are incorporated by reference herein may be obtained by writing or calling: Office of Criminal Justice Grants, Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308, Telephone (850)617-1250 410-8700.

Forms Required	
<del>(1) Project Expenditure Report</del> <u>Financial Claims Report</u>	OCJG-001 (rev. <del>June 2012</del> <u>October 2005</u> )
<del>(2) Financial Closeout</del> <u>Audit Package</u>	OCJG-002 (rev. <del>June 2012</del> <u>October 2005</u> )
<del>(3) PGI Budget Request</del> <u>Project Generated Income Agreement</u>	OCJG-003 (rev. <del>June 2012</del> <u>October 2005</u> )
<del>(4) PGI Earnings and Expenditure Report</del> <u>Program Generated Income Report</u>	OCJG-004 (rev. <del>June 2012</del> <u>October 2005</u> )
(5) No change.	
<del>(6) Certification of Compliance with Equal Employment Opportunity (EEO) Program Requirements/Subgrantee Certification</del>	OCJG-006 (rev. <del>October 2005</del> )
<del>(7) Certification of Compliance with Equal Employment Opportunity (EEO) Program Requirements/Criminal Justice Agency Certification</del>	OCJG-007 (rev. <del>October 2005</del> )
<del>(6)(8) Confidential Funds Certification</del>	OCJG-008 (rev. <del>October 2005</del> )
<del>(7)(9) Criminal Intelligence System Certification</del>	OCJG-009 (rev. <del>October 2005</del> )
<del>(8)(10) Automated Data Processing (ADP) Equipment and Software and Criminal Justice Information and Communication Systems Request for Approval Form</del>	OCJG-010 (rev. <del>October 2005</del> )
<del>(9)(11) Sole Source Justification for Services and Equipment</del> <u>Request for Approval Form</u>	OCJG-011 (rev. <del>June 2012</del> <u>October 2005</u> )
<del>(10)(12) Certificate of Acceptance of Subgrant Award</del>	OCJG-012 (rev. <del>June 2012</del> <u>October 2005</u> )
<del>(11) Refund Form</del>	OCJG-018 (rev. <del>June 2012</del> )
<del>(12) Grant Adjustment Notice</del>	OCJG-020 (rev. <del>June 2012</del> )
<del>(13) Performance Report</del>	OCJG-023 (rev. <del>June 2012</del> )
<del>(14) Certificate of Participation</del>	OCJG-024 (rev. <del>June 2012</del> )
<del>(15) Request for Cash Advance</del>	OCJG-025 (rev. <del>June 2012</del> )
<del>(16) PGI Budget Approval</del>	OCJG-026 (rev. <del>June 2012</del> )
<del>(17) Certification as to Bulletproof Vest Purchase Requirements</del>	OCJG-027 (rev. <del>June 2012</del> )

Rulemaking ~~Specific~~ Authority 943.03(4), 943.403 FS. Law Implemented 943.25(1), 943.402 FS. History—New 2-6-90, Amended 2-7-95, Formerly 9G-16.009, Amended 6-22-00, Formerly 9B-61.009, Amended 11-5-02, 3-27-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Janice Parrish  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2012  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2012

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.1031  
RULE TITLE: Influenza Immunization Certification Program and Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the language to include new vaccines and to update the application.

SUMMARY: New vaccines will be included in the rule. The application will be revised.

**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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 465.005 FS.

LAW IMPLEMENTED: 465.189 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.1031 Vaccine Influenza ~~Immunization~~ Certification Program.

(1) All applications for vaccine immunization certification programs shall be made on board approved form DH-MQA PH 109, Revised 10/12, Continuing Education Provider Application DH-MQA 1234, ~~“Vaccine Immunization Certification Program Application”~~, effective 04/10, which is hereby ~~incorporated by reference~~. To obtain an application, contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, FL 32399-3254 or (850)488-0595, or download the application from the ~~board’s website~~ at <http://www.doh.state.fl.us/mqa/pharmacy>.

(2) The Board shall approve for initial certification of pharmacist administration of vaccines influenza immunizations, programs of study not less than 20 hours that include coursework covering all of the following;

(a) through (k) No change.

(l) Administration of epinephrine using an autoinjector delivery system.

(m)(+) The current influenza, pneumococcal and shingles vaccine immunization guidelines and recommendations of the United States Department of Health Centers for Disease Control and Prevention published at [www.cdc.gov/vaccines](http://www.cdc.gov/vaccines) ~~in the Morbidity Weekly Report (MMWR) December 1, 2006, Vol. 55 No. RR-15 and updated MMWR July 13, 2007, Vol. 56, No. RR-6;~~

(n)(+) No change.

(o)(+) No change.

Successful completion of the certification program must include a successful demonstration of competency in the administration technique and a cognitive examination.

Rulemaking Authority 465.005 FS. Law Implemented 465.189 FS. History—New 3-20-08, Amended 8-30-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2012  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 1, 2012

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Mental Health Program**

RULE NOS.:	RULE TITLES:
65E-5.100	Definitions
65E-5.1302	Admissions to State Treatment Facilities
65E-5.1303	Discharge from Receiving and Treatment Facilities
65E-5.1304	Discharge Policies of Receiving and Treatment Facilities
65E-5.1305	Discharge from a State Treatment Facility
65E-5.1703	Emergency Treatment Orders

PURPOSE AND EFFECT: Certain subsections of Rule 65E-5.100 defining terms are being repealed because they are redundant to statute. The repealed subsections (2), (4), (16), and (17) merely reference definitions found in Sections 394.455(1), 394.4573(1)(b), 394.455(28) and 394.455(29), F.S., respectively. Subsection (6), which defines emergency treatment orders (ETOs) is being revised to clarify that ETOs for seclusion and restraint are to be addressed in subsection 65E-5.180(7), F.A.C.; while ETOs for psychotropic medications are to be addressed in Rule 65E-5.1703, F.A.C. Subsection (3) is inserted to provide a definition of certified recovery specialist. Subsection (18), renumbered to (15), is amended to include certified recovery specialists among the members of a Seclusion and Restraint Oversight Committee. The remaining definitions in Rule 65E-5.100, F.A.C., are being renumbered accordingly.

Subsection (3) of Rule 65E-5.1302, F.A.C., is being deleted because it merely restates a requirement found in Section 394.469, F.S.

Rule 65E-5.1303, F.A.C., is being expanded to include the provisions currently found in Rules 65E-5.1304 and 65E-5.1305, F.A.C.; the latter two rules are being repealed. Thus the provisions of these three rules are effectively being consolidated into a single rule. All of these Rules 65E-5.1303, 65E-5.1304, and 65E-5.1305, F.A.C., relate to the same topic (discharge planning). There are no substantive changes to these rules.

Rule 65E-5.1703, F.A.C., is being amended to clarify that the requirements for an emergency treatment order (ETO) for psychotropic medication are different from the requirements for seclusion and restraint. The ETO requirements for psychotropic medication are addressed in Rule 65E-5.1703, F.A.C. The seclusion and restraint requirements are contained in subsection (7) of Rule 65E-5.180, F.A.C., which is not being amended. This change clarifies and simplifies reporting requirements for service providers.

SUMMARY: Certain definitions and provisions redundant to statute are repealed. Certain definitions are amended or inserted for clarity. Certain rules dealing with discharge

planning are consolidated without substantive changes. Emergency treatment orders for psychotropic medication are distinguished from orders for seclusion and restraint.

**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 nature of the rule and a preliminary analysis conducted to determine whether a SERC was required.

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: 394.457(5), 394.46715 FS.

LAW IMPLEMENTED: 394.455, 394.457, 394.4573, 394.459(2), 394.459(3), 394.459(11), 394.4598, 394.460, 394.4625, 394.463(2)(f), 394.4655, 394.467, 394.468, 394.469 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Anson, Substance Abuse and Mental Health Program Office, Department of Children and Families, (850)717-4330

**THE FULL TEXT OF THE PROPOSED RULE IS:**

**65E-5.100 Definitions.**

As used in this chapter the following words and phrases have the following definitions:

(1) No change.

~~(2) Administrator means a person as defined in Section 394.455(1), F.S.~~

~~(2)(3)~~ (2) Assessment means the systematic collection and integrated review of individual-specific data. It is the process by which individual-specific information such as examinations and evaluations are gathered, analyzed, monitored and documented to develop the person's individualized plan of treatment and to monitor recovery. Assessment specifically includes efforts to identify the person's key medical and psychological needs, competency to consent to treatment, patterns of a co-occurring mental illness and substance abuse, as well as clinically significant neurological deficits, traumatic

brain injury, organicity, physical disability, developmental disability, need for assistive devices, and physical or sexual abuse or trauma.

~~(4) Case manager means a person as defined in Section 394.4573(1)(b), F.S.~~

(3) Certified recovery specialist means an individual credentialed by the Florida Certification Board as a Certified Recovery Peer Specialist, Certified Recovery Peer Specialist – Adult, Certified Recovery Peer Specialist – Family, Certified Recovery Peer Specialist – Veteran, or Certified Recovery Support Specialist.

~~(4)(5) Discharge plan means the plan developed with and by the person which sets forth how the person will meet his or her needs, including living arrangements, transportation, aftercare, physical health, and securing needed psychotropic medications for the post-discharge period of up to 21 days.~~

~~(5)(6) Emergency treatment order (ETO) means a written emergency order for psychotropic medications, seclusion, and restraints ordered by a physician in response to a person presenting an imminent danger to self or others, and as described in Rule 65E-5.1703, F.A.C.; or a written emergency order for seclusion or restraint, as described in subsection (7) of Rule 65E-5.180, F.A.C., of this rule chapter.~~

(6)(7) Examination means the integration of the physical examination required under Section 394.459(2), F.S., with other diagnostic activities to determine if the person is medically stable and to rule out abnormalities of thought, mood, or behavior that mimic psychiatric symptoms but are due to non-psychiatric medical causes such as disease, infection, injury, toxicity, or metabolic disturbances. Examination includes the identification of person-specific risk factors for treatment such as elevated blood pressure, organ dysfunction, substance abuse, or trauma.

(7)(8) Health care proxy means a competent adult who has not been expressly designated by an advance directive to make health care decisions for a particular incapacitated individual, but is authorized pursuant to Section 765.401, F.S., to make health care decisions for such individual.

(8)(9) Health care surrogate means any competent adult expressly designated by a principal's advance directive to make health care decisions on behalf of the principal upon the principal's incapacity.

(9)(10) Person means an individual of any age, unless statutorily restricted, with a mental illness served in or by a mental health facility or service provider.

(10)(11) Personal Safety Plan is a form used to document information regarding calming strategies that the person identifies as being helpful in avoiding a crisis. The plan also lists triggers that are identified that may signal or lead to agitation or distress.

(11)(12) Pro re nata (PRN) means an individualized order for the care of an individual person which is written after the person has been seen by the practitioner, which order sets

parameters for attending staff to implement according to the circumstances set out in the order. A PRN order shall not be used as an emergency treatment order.

~~(12)(13) Protective medical devices mean a specific category of medical restraint that includes devices, or combinations of devices, to restrict movement for purposes of protection from falls or complications of physical care, such as geri-chairs, posey vests, mittens, belted wheelchairs, sheeting, and bed rails. The requirements for the use and documentation of use of these devices are for specific medical purposes rather than for behavioral control.~~

~~(13)(14) Recovery Plan may also be referred to as a "service plan" or "treatment plan." A recovery plan is a written plan developed by the person and his or her recovery team to facilitate achievement of the person's recovery goals. This plan is based on assessment data, identifying the person's clinical, rehabilitative and activity service needs, the strategy for meeting those needs, documented treatment goals and objectives, and documented progress in meeting specified goals and objectives.~~

~~(14)(15) Recovery Team may also be referred to as "service team" or "treatment team." A recovery team is an assigned group of individuals with specific responsibilities identified on the recovery plan who support and facilitate a person's recovery process. Team members may include the person, psychiatrist, guardian/guardian advocate, community case manager, family member, peer specialist and others as determined by the person's needs and preferences.~~

~~(16) Restraint for behavior management purposes is defined in Section 394.455(28)(a), F.S. A drug used as a restraint is defined in Section 394.455(28)(b), F.S. Physically holding a person during a procedure to forcibly administer psychotropic medication is a physical restraint.~~

~~(17) Seclusion for behavior management purposes is defined in Section 394.455(29), F.S.~~

(15)(18) Seclusion and Restraint Oversight Committee is a group of staff members or volunteers ~~people at an agency or facility~~ that monitors the use of seclusion and restraint ~~in a at the facility~~ in order to assist in safely reducing the use of these practices. ~~This committee is intended to assist in the reduction of seclusion and restraint use at the agency or facility. Members are selected by the administrator and Membership~~ includes, but ~~are~~ is not limited to, the ~~administrator or designee~~ administrator/designee, medical director or a physician designated by the medical director staff, quality assurance staff, and a certified recovery specialist peer specialist or advocate, if employed by the facility or otherwise available. If no certified recovery specialist such person is employed by the facility, a volunteer certified recovery specialist an external peer specialist or advocate may be selected by the administrator appointed.

(16)(19) Standing order means a broad protocol or delegation of medical authority that is generally applicable to a group of persons, hence not individualized. As limited by this



chapter, it prohibits improper delegations of authority to staff that are not authorized by the facility, or not permitted by practice licensing laws, to independently make such medical decisions; such as decisions involving determination of need, medication, routes, dosages for psychotropic medication, or use of restraints or seclusion upon a person.

Rulemaking Authority 394.457(5), 394.46715 FS. Law Implemented 394.455, 394.455(1), 394.457, 394.4573(1)(b), 394.459(2), 394.4625, 394.4655, 394.467, 765.101, 765.401 FS. History—New 11-29-98, Amended 4-4-05, 1-8-07, 5-7-08, \_\_\_\_\_.

#### 65E-5.1302 Admissions to State Treatment Facilities.

(1) through (2) No change.

~~(3) If a person awaiting transfer to a state treatment facility improves to the degree that he or she no longer meets the criteria for involuntary placement or that such transfer is unnecessary, the receiving facility shall discharge the person as specified in Section 394.469, F.S.~~

Rulemaking Authority 394.457(5) FS. Law Implemented 394.4573(2), 394.469 FS. History—New 11-29-98, Amended 4-4-05, \_\_\_\_\_.

#### 65E-5.1303 Discharge from Receiving and Treatment Facilities.

(1) through (3) No change.

(4) Receiving and treatment facilities shall have written discharge policies and procedures which shall contain:

(a) Agreements or protocols for transfer and transportation arrangements between facilities;

(b) Protocols for assuring that current medical and legal information, including day of discharge medication administered, is transferred before or with the person to another facility; and

(c) Policy and procedures which address continuity of services and access to necessary psychotropic medications.

(5) When a state mental health treatment facility has established an anticipated discharge date for discharge to the community which is more than seven days in advance of the person's actual discharge, at least 7 days notice must be given to the community agency which has been assigned case management responsibility for the implementation of the person's discharge plan. When an impending discharge is known 7 days or less prior to the discharge, the staff of the state mental health treatment facility shall give verbal and written notice of the impending discharge to the community case management agency within 1 working day after the decision to discharge is made. Recommended form CF-MH 7001, Jan. 98, "State Mental Health Facility Discharge Form," which is incorporated by reference, may be used for this purpose.

(6) On the day of discharge from a state mental health treatment facility, the referring physician, or his or her designee, within state law and approved facility protocols and practice guidelines shall immediately notify the community aftercare provider or entity responsible for dispensing or

administering medications. Recommended form CF-MH 7002, "Physician to Physician Transfer," as referenced in subsection 65E-5.1302(2), F.A.C., may be used for this purpose.

Rulemaking Authority 394.457(5), 394.46715 FS. Law Implemented 394.4573(2), 394.459(11), 394.460, 394.4655, 394.468 FS. History—New 11-29-98, Amended 4-4-05, \_\_\_\_\_.

#### 65E-5.1304 Discharge Policies of Receiving and Treatment Facilities.

Rulemaking Authority 394.457(5) FS. Law Implemented 394.459(11) FS. History—New 11-29-98, Amended 4-4-05, Repealed \_\_\_\_\_.

#### 65E-5.1305 Discharge from a State Treatment Facility.

Rulemaking Authority 394.457(5) FS. Law Implemented 394.4573, 394.459(11), 394.468 FS. History—New 11-29-98, Amended 4-4-05, Repealed \_\_\_\_\_.

#### 65E-5.1703 Emergency Treatment Orders for the Administration of Psychotropic Medications.

(1) An emergency treatment order shall be consistent with the least restrictive treatment interventions, including the emergency administration of psychotropic medications or the emergency use of restraints or seclusion. Use of seclusion or restraint in an emergency situation is addressed in subsection 65E-5.180(7), Florida Administrative Code and is not addressed in this rule. This rule pertains only to the use of psychotropic medication in an emergency situation.

(a) The issuance of an emergency treatment order requires a physician's review of the person's condition for causal medical factors, such as insufficiency of psychotropic medication blood levels, as determined by drawing a blood sample; medication interactions with psychotropic or other medications; side effects or adverse reactions to medications; organic, disease or medication based metabolic imbalances or toxicity; or other biologically based or influenced symptoms.

(b) All emergency treatment orders may only be issued ~~written~~ by a physician licensed under the authority of Chapter 458 or 459, F.S.

(c) The physician must review, integrate and address such metabolic imbalances in the issuance of an emergency treatment order.

(d) The use of an emergency treatment order must be consistent with the least restrictive treatment requirements, and for persons must include:

~~1. Absent more appropriate interventions, an emergency treatment order is for immediate administration of rapid response psychotropic medications to a person to expeditiously treat symptoms, that if left untreated, present an immediate danger to the safety of the person or others.~~

~~2. Absent more appropriate medical interventions, an emergency treatment order for restraint or seclusion of a person to expeditiously treat symptoms that if left untreated, present an imminent danger to the safety of the person or others.~~

~~(d) An emergency treatment order, as used in this chapter, excludes the implementation of individualized behavior management programs as described and authorized in Rule 65E-5.1602, F.A.C., of this rule chapter.~~

(2) through (9) No change.

Rulemaking Authority 394.457(5) FS. Law Implemented 394.459(3), 394.4598, 394.463(2)(f), 458, 459 FS. History—New 11-29-98, Amended 4-4-05\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Joe Anson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 8, 2012

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE NOS.:	RULE TITLES:
66B-1.005	Funds Allocation
66B-1.006	Application Process

PURPOSE AND EFFECT: The proposed rule amendment is being promulgated to implement changes in the administration of the District's Cooperative Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

The proposed rule making will include the following provisions in the program rule: Ensure consistency within the rule and with F.S. 374, add definition of "beach renourishment" to the funding allocation list of the Cooperative Assistance Program (CAP), update references within rule and add "pre-agreement expenses" to interlocal agreements.

SUMMARY: Minor changes to the Cooperative Assistance Program rule sections: Funds Allocation and Application process.

**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: No requirement for a SERC was triggered under Section 120.541(1), F.S. and

2) Based upon the nature of the rule, the adverse impact or regulatory cost, if any, do 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. It is anticipated that the proposed rule will not have any negative economic impact.

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

RULEMAKING AUTHORITY: 379.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

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

DATE AND TIME: January 15, 2013, 11:00 a.m.

PLACE: Florida Inland Navigation District, 1314 Marcinski Rd, Jupiter, Florida 33477

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Zimmerman, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Rd, Jupiter FL 33477, Phone: (561)627-3386

THE FULL TEXT OF THE PROPOSED RULE IS:

66B-1.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. If funds are determined to be available for the program, the District will notify potential eligible state and regional agencies of the availability of program funding and the authorized submission period. Applications will be reviewed by the Board utilizing District Form No. 00-25 and No. 00-25 (a) thru (f) Cooperative Assistance Program Application Evaluation and Rating Worksheet (effective date 4-24-06) hereby incorporated by reference and available from the District office.

(1) through (4) No change.

(5) Inlet Management and Beach Renourishment: Projects and project elements in the categories of inlet management and beach renourishment shall be subject to the following provisions. ~~benefit public navigation within the District and shall be consistent with a Department of Environmental Protection approved inlet management plan. The District shall contribute no more than fifty percent of the local share of the cost of the project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project. Funding for the construction phase of an inlet management or beach renourishment project may be approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. Additionally the following provisions shall be met for inlet management or beach renourishment projects:~~

(a) Inlet Management: Inlet management projects shall benefit public navigation within the District and shall be consistent with Department of Environmental Protection approved inlet management plans and the statewide beach management plan pursuant to Section 161.161, F.S. Inlet management projects that are determined to be consistent with Department of Environmental Protection approved inlet management plans are declared to be a benefit to public navigation.

(b) Beach Renourishment: All projects in this category shall be consistent with the statewide beach management plan. Beach renourishment projects shall only include those beaches that have been adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project. The determination of beach areas that are adversely impacted by navigation for the purposes of this program shall be made by Department of Environmental Protection approved inlet management plans. If state funding is not provided for a beach project, public access with adequate parking must be available in accordance with Chapter 161, F.S.

(6) through (7) No change.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (3) FS. History—New 12-17-90, Amended 2-6-97, Formerly 16T-1.005, Amended 5-17-98, 3-31-99, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 4-1-09, 3-7-11, 3-7-12, \_\_\_\_\_.

66B-1.006 Application Process.

(1) through (6) No change.

(7) Interlocal Agreements: The District may enter into interlocal agreements to accomplish the goals of this program provided that funds are determined to be available based upon the District’s overall goals, management policies, fiscal responsibilities and operational needs at the time of the request. Interlocal agreements will be considered by the Board at any time upon submission of a proposal on the forms of this program. Interlocal agreements under this program shall be in compliance with Chapters 374 and 163, F.S., and will only be approved for multi-agency projects that involve more than one project site or more than one political sub-division of the state, will directly benefit the maintenance of the Atlantic Intracoastal Waterway channel as documented by the District’s long range dredged material management plans, will directly benefit the maintenance of the Okeechobee Waterway channel as documented by the District’s long range dredged material management plan, will directly benefit the maintenance or improvement of District property, right-of-way or navigation interests, or will have multiple funding partners including the Corps of Engineers as the project manager. Interlocal agreements may include participation in government sponsored projects at privately owned waterway related facilities that serve the public on a first come, first serve basis. Applications that the Board determines meet the criteria set forth in subsection 66B-1.005(5), F.A.C., can qualify for project assistance through an interlocal agreement pursuant to Chapter 163, F.S., or Section 374.984(6)(a), F.S. District staff

will identify applications that appear to meet these criteria and present them to the Board for its determination as to the funding. Interlocal agreement projects shall comply with all other provisions of this rule, except for pre-agreement, the permitting and property control requirements.

(8) through (10) No change.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 2-6-97, Formerly 16T-1.006, Amended 3-5-00, 3-21-01, 7-30-02, 3-20-03, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 3-7-11, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet Zimmerman, Assistant Executive Director  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner Donn Colee, Chairman, Florida Inland Navigation District  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 18, 2012  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 27, 2012

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE NO.: 66B-2.005  
 RULE TITLE: Funds Allocation

PURPOSE AND EFFECT: The proposed rule amendment is being promulgated to implement changes in the administration of the District’s Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

The proposed rule making will include the following provisions in the program rule: Ensure consistency within the rule and with F.S. 374, clarification of rule for land acquisition projects, add language for funding of derelict vessel and cleanup projects and update references within rule.

SUMMARY: Minor changes to the Waterway Assistance program rule sections: Funds Allocation.

**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: 1) No requirement for a SERC was triggered under Section 120.541(1), F.S. and

2) Based upon the nature of the rule, the adverse impact or regulatory cost, if any, do 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. It is anticipated that the proposed rule will not have any negative economic impact.

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

RULEMAKING AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

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

DATE AND TIME: January 15, 2013, 11:00 a.m.

PLACE: Florida Inland Navigation District, 1314 Marcinski Rd, Jupiter, FL 33477

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Zimmerman, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Rd, Jupiter, FL 33477, Phone: (561)627-3386

THE FULL TEXT OF THE PROPOSED RULE IS:

66B-2.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. If funds are determined to be available for the program, the District will notify potential eligible governmental agencies of the availability of program funding. Applications will be reviewed by the Board utilizing District Forms No. 91-25 and 91-25 (a) through (f) Waterways Assistance Program Application Evaluation and Rating Worksheet (effective date 4-24-06); and 93-25 and 93-25 (a), (b) and (c) Waterways Assistance Program Navigation Districts Application Evaluation and Rating Worksheet (effective date 4-24-06), hereby incorporated by reference and available from the District office.

(1) No change.

(2) Project Funding Ratio: All financial assistance and support to eligible governmental agencies shall require, at a minimum, equal matching funds from the project sponsor, with the exception of public navigation projects that meet the provisions of subsection 66B-2.005(7), F.A.C., land acquisition projects in accordance with subsection 66B-2.005(8) and Rule 66B-2.008, F.A.C., and small-scale spoil island restoration and enhancement projects that meet the provisions of Rule 66B-2.014, F.A.C. derelict vessel projects consistent with Rule 66B-2.0015, and Waterway Cleanup Projects approved under Rule 66B-2.0016, F.A.C. Applicant's in-house costs are limited pursuant to paragraph 66B-2.008(1)(c), F.A.C. All financial assistance to seaports shall require equal matching funds. The District shall

contribute no more than fifty percent (50%) of the local share of the cost of an inlet management or beach renourishment project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project.

(3) through (6) No change.

(7) Land Acquisition: All land acquisition projects shall qualify for a maximum of twenty-five (25) percent program funding. All pre-agreement expenses for land acquisition must be completed within one-year of the date of application for funding. All funded land acquisition projects must construct the required boating access facility within 7 years of completion of the land acquisition, or the District may require the applicant to refund the program funding. Immediately upon acquiring title to the land, the applicant shall record a declaration of covenants in favor of the District stating that if the required boating access facility is not constructed within 7 years and dedicated for the public use as a boating access facility for a minimum period of 25 years after completion of construction, the District may require the applicant to refund the program funding.

(8) No change.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (3) FS. History—New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 4-1-09, 3-7-11, 3-7-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet Zimmerman

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner Donn Colee, Chairman, Florida Inland Navigation District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 18, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 27, 2012

Section III  
Notices of Changes, Corrections and  
Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09422  
RULE TITLE: Florida Comprehensive Assessment Test and End-of-Course Assessment Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 71, November 14, 2012 issue of the Florida Administrative Register.

Subsection (8) is amended to read:

(8) For students who entered grade nine during the 2000-2001 school year through the 2009-2010 school year, the passing score for the required reading and mathematics assessments shall be a score equal to or greater than 300 on the 100 to 500 scale, and 1926 for the reading assessment and 1889 for the mathematics assessment on the developmental scale. ~~Students required to earn a score equal to or greater than 300 on the Grade 10 FCAT Reading may meet the passing requirement by earning a score of 241 on the Grade 10 FCAT 2.0 Reading. Students who entered grade nine in the 1999-2000 school year, who are required to earn a score equal to or greater than 387 on the Grade 10 FCAT Reading, may meet the passing requirement by earning a score of 236 on the Grade 10 FCAT 2.0 Reading.~~

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-1.09422  
 RULE TITLE: Florida Comprehensive Assessment Test and End-of-Course Assessment Requirements

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 71, November 14, 2012 issue of the Florida Administrative Register. The summary of the statement of estimated regulatory cost and legislative ratification has been amended as follows:

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 rule revisions relate only to establishing achievement levels for statewide k-12 assessments; therefore, there is no direct or immediate impact on economic growth, private sector job creation, or employment, or private sector investment. If there is any impact on such economic growth and private sector job creation, the impact would be positive because the establishment of rigorous, yet attainable assessment standards positively impacts student outcomes, which, in turn, positively impacts economic growth, private sector job creation, and employment. For the same reasons, no impact or positive impact on business competitiveness would be anticipated. Because the proposed rule relates only to the establishment of achievement levels for statutorily required statewide assessments, it is not likely to increase regulatory costs.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

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

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 71, November 14, 2012 issue of the Florida Administrative Register.

The summary of statement of estimated regulatory cost and legislative ratification has been amended as follows: The Agency has determined that the amendments will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$2000,000 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 nature of the changes, namely changes to the criteria by which school grades are calculated, are not ones that will have any impact on small business. The state's schools receive a grade from the agency based upon information provided to the agency by districts. This change in methodology does not require any change to the information provided to the agency and grades will be calculated by the agency based upon existing resources. Thus, no increase to regulatory costs are expected. For these same reasons, the changes are not expected to have any impact on the other criteria set forth in Section 120.541(2)(a), F.S.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.0981  
 RULE TITLE: Provider Approval for Virtual Instruction Program

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 69, November 9, 2012 issue of the Florida Administrative Register.

The summary of statement of estimated regulatory costs and legislative ratification has been corrected to read:

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 been prepared by the agency.

Approximately twenty private businesses are estimated to apply to be a provider annually. It is unknown if any will be small businesses. There will be no out-of-pocket expenses for compliance with the rule, except staff time to gather the documentation requested.

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.

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.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE NO.: RULE TITLE:  
60Y-7.001 Complaints

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 94, December 19, 2012 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: RULE TITLE:  
64B3-5.008 Public Health Laboratory Personnel

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 54, October 19, 2012 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (4) shall now read as follows:

(4) All applicants for licensure as a Public Health Laboratory Scientist shall apply to the Department on Form # DH-MQA 3001 (12/12) "Application for Public Health Laboratory Scientist" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from the web at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon Guilford, Program Operations Administrator, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: RULE TITLE:  
64B16-26.601 Standards for Approval of Courses and Providers

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 47, November 23, 2011 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 HEALTH

Division of Emergency Medical Operations

RULE NO.: RULE TITLE:

64J-1.003: Advanced Life Support Service License – Ground  
NOTICE IS HEREBY GIVEN that on December 13, 2012, the Department of Health received a petition for A variance to Section 64J-1.003, Florida Administrative Code, on use of medications by an Emergency Medical Services (EMS) agency, as specified in Table II, "Ground Vehicle Advanced Life Support (ALS) Equipment and Medications". Three specific medications were cited as not being available for purchase by the EMS agency.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Roy Pippin, 4052 Bald Cypress Way, Bin A22, Tallahassee, Florida 32399-1722; (850)245-4440, ext. 2752; [roy\\_pippin@doh.state.fl.us](mailto:roy_pippin@doh.state.fl.us).

**Section VI  
Notices of Meetings, Workshops and Public  
Hearings**

DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 8, 2013, 11:00 a.m.

PLACE: Please call (850) 414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards and Recognition Task Force

DATE AND TIME: January 9, 2013, 10:00 a.m.

PLACE: Please call (850) 414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee

DATE AND TIME: January 9, 2013, 11:00 a.m.

PLACE: Please call (850) 414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee

DATE AND TIME: January 9, 2013, 1:30 p.m.

PLACE: Please call (850) 414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force

DATE AND TIME: January 10, 2013, 9:00 a.m.

PLACE: Please call (850) 414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance/Budget Committee

DATE AND TIME: January 10, 2013, 11:00 a.m.

PLACE: Please call (850) 414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee

DATE AND TIME: January 16, 2013, 10:00 a.m.

PLACE: Please call (850) 414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee

DATE AND TIME: January 17, 2013, 1:00 p.m.

PLACE: Please call (850) 414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mentoring Task Force

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850) 414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050 PHONE: (850)414-3300 FAX: (850)921-4131

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 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050 PHONE: (850)414-3300 FAX: (850)921-4131. 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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-4131.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Early Learning Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2013, 10:00 a.m. – 3:00 p.m.

PLACE: Embassy Suites Hotel Tampa-Airport/Westshore, 555 North Westshore Blvd., Tampa, Florida 33609, (813) 875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly business meeting.

A copy of the agenda may be obtained by contacting: Whitney.Davis@oel.myflorida.com. Agenda will be available 7 days before the meeting date.

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

For more information, you may contact: Whitney.Davis@oel.myflorida.com.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

The Region XIV Trust Fund Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2013, 10:00 a.m.

PLACE: Miami Dade College, North Campus, Room 9118

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Region XIV reports and other Region XIV business matters.

A copy of the agenda may be obtained by contacting: Maevis Pierre, Interim, Region XIV Secretary O. (305) 237-1329, email: mpierre6@mdc.edu

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 2, 2013, 2:00 p.m.; January 29, 2013, 2:00 p.m.; February 28, 2013, 2:00 p.m.; April 3, 2013, 2:00 p.m.; April 30, 2013, 2:00p.m.; May 28, 2013, 2:00p.m. (date/time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict1)

PLACE: Florida Department of Transportation, 801 N. Broadway Avenue, Bartow, FL 33831

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Review of technical issues relating to bids received by District One Contracts Office.

A copy of the agenda may be obtained by contacting:  
cathy.gardyaszc@dot.state.fl.us or calling (863)519-2212.

DEPARTMENT OF TRANSPORTATION

The Department Of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 3, 2013, 9:00 a.m.; January 31, 2013, 10:00 a.m.; March 5, 2013, 10:00 a.m.; April 4, 2013, 10:00 a.m.; May 2, 2013, 10:00 a.m.; May 30, 2013, 10:00 a.m. (date/time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict1)

PLACE: Florida Department of Transportation, 801 N. Broadway Avenue, Bartow, FL 33831

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Meetings to determine the Department's intent to award or reject bids received by District One Contracts Office.

A copy of the agenda may be obtained by contacting:  
cathy.gardyaszc@dot.state.fl.us or calling (863)519-2212.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 23, 2013, 11:00 a.m.; February 20, 2012, 11:00 a.m.; April 17, 2013, 11:00 a.m.; May 15, 2013, 11:00 a.m.; June 12, 2013, 11:00 a.m. (Date/Time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict2)

PLACE: Florida Department of Transportation, 1109 S. Marion Avenue, Lake City, Florida 32025-5874

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Review of technical issues relating to bids received by District Two Contracts Office.

A copy of the agenda may be obtained by contacting:  
patsy.elkins@dot.state.fl.us or calling (386)758-3703.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: February 5, 2013, 5:00 p.m.; March 5, 2013, 5:00 p.m.; April 2, 2013, 5:00 p.m.; April 30, 2013, 5:00 p.m.; May 28, 2013, 5:00 p.m.; June 25, 2013, 5:00 p.m. (Date/Time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict2)

PLACE: Florida Department of Transportation, 1109 S. Marion Avenue, Lake City, Florida 32025-5874.

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Meetings to determine the Department's intent to award or reject bids received by District Two Contracts Office.

A copy of the agenda may be obtained by contacting:  
patsy.elkins@dot.state.fl.us or calling (386)758-3703.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 23, 2013, 1:30 p.m.; February 27, 2013, 1:30 p.m.; March 27, 2013, 1:30 p.m.; April 24, 2013, 1:30 p.m.; May 22, 2013, 1:30 p.m.; June 26, 2013, 1:30 p.m. (Changes to meeting date and time will be posted at: www.dot.state.fl.us/contractsadministrationdistrict3)

PLACE: Florida Department of Transportation, 1074 Hwy 90 Chipley, Florida 32428.

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Review of technical issues relating to bids received by District Three Contracts Office.

A copy of the agenda may be obtained by contacting:  
richard.norris@dot.state.fl.us or calling (850)638-0250.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 24, 2013, 2:00 p.m.; February 28, 2013, 2:00 p.m.; March 28, 2013, 2:00 p.m.; April 25, 2013, 2:00 p.m.; May 23, 2013, 2:00 p.m.; June 27, 2013, 2:00 p.m. (Changes to meeting date and time will be posted at: www.dot.state.fl.us/contractsadministrationdistrict3)

PLACE: Florida Department of Transportation, 1074 Hwy 90 Chipley, Florida 32428.

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Meetings to determine the Department's intent to award or reject bids received by District Three Contracts Office.

A copy of the agenda may be obtained by contacting:  
richard.norris@dot.state.fl.us or calling (850)638-0250.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces a public meeting to which all persons are invited.

DATES AND TIMES: January 15, 2012, 8:30 a.m.; February 12, 2012, 9:00 a.m.; March 12, 2012, 9:00 a.m.; April 16, 2012, 9:00 a.m.; May 14, 2012, 9:00 a.m.; June 18, 2012, 9:00 a.m. (Date/time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict4)

PLACE: Florida Department of Transportation, 3400 W. Commercial Blvd., Ft. Lauderdale, FL 33309.

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Review of technical issues relating to bids received by District Four Contracts Office.

A copy of the agenda may be obtained by contacting:  
Maurice.borrows@dot.state.fl.us or calling (954)777-4621.

DEPARTMENT OF TRANSPORTATION



The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 18, 2012, 9:00 a.m.; February 14, 2012, 9:00 a.m.; March 14, 2012, 1:30 p.m.; April 18, 2012, 2:00 p.m.; May 16, 2012, 10:30 a.m.; June 20, 2012, 1:30 p.m. (Date/time changes will be posted at: [www.dot.state.fl.us/contractsadministrationdistrict4](http://www.dot.state.fl.us/contractsadministrationdistrict4))

PLACE: Florida Department of Transportation, 3400 W. Commercial Blvd., Ft. Lauderdale, FL 33309.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meetings to determine the Department's intent to award or reject bids received by District Four Contracts Office.

A copy of the agenda may be obtained by contacting: [Maurice.borrows@dot.state.fl.us](mailto:Maurice.borrows@dot.state.fl.us) or calling (954)777-4621.

#### DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 17, 2013, 3:00 p.m.; February 14, 2013, 3:00 p.m.; March 14, 2013, 3:00 p.m.; April 11, 2013, 3:00 p.m.; May 16, 2013, 3:00 p.m.; June 13, 2013, 3:00 p.m. (Date/time changes will be posted at: [www.dot.state.fl.us/contractsadministrationdistrict5](http://www.dot.state.fl.us/contractsadministrationdistrict5))

PLACE: Florida Department of Transportation, 719 S. Woodland Blvd., DeLand, FL 32720.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues relating to bids received by District Five Contracts Office.

A copy of the agenda may be obtained by contacting: [Roger.masten@dot.state.fl.us](mailto:Roger.masten@dot.state.fl.us) or calling (386)943-5536.

#### DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: February 7, 2013, 2:30 p.m.; March 7, 2013, 2:30 p.m.; April 4, 2013, 2:30 p.m.; May 2, 2013, 2:30 p.m.; June 6, 2013, 2:30 p.m. (Date/time changes will be posted at: [www.dot.state.fl.us/contractsadministrationdistrict6](http://www.dot.state.fl.us/contractsadministrationdistrict6))

PLACE: Florida Department of Transportation, 1000 NW 111th Avenue, Miami, FL 33172.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues relating to bids received by District Six Contracts Office.

A copy of the agenda may be obtained by contacting: [michelle.guidry@dot.state.fl.us](mailto:michelle.guidry@dot.state.fl.us) or calling (305)470-5404.

#### DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: February 11, 2013, 9:30 a.m.; March 11, 2013, 9:30 a.m.; April 8, 2013, 9:30 a.m.; May 6, 2013, 9:30 a.m.; June 10, 2013, 9:30 a.m. (Date/time changes will be posted at: [www.dot.state.fl.us/contractsadministrationdistrict6](http://www.dot.state.fl.us/contractsadministrationdistrict6))

PLACE: Florida Department of Transportation, 1000 N.W. 111th Avenue, Miami, FL 33172.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meetings to determine the Department's intent to award or reject bids received by District Six Contracts Office.

A copy of the agenda may be obtained by contacting: [michelle.guidry@dot.state.fl.us](mailto:michelle.guidry@dot.state.fl.us) or calling (305)470-5404.

#### DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 16, 2013, 10:00 a.m.; February 20, 2013, 10:00 a.m.; March 20, 2013, 10:00 a.m.; April 17, 2013, 10:00 a.m.; May 15, 2013, 10:00 a.m.; June 19, 2013, 10:00 a.m. (Date/time changes will be posted at: [www.dot.state.fl.us/contractsadministrationdistrict7](http://www.dot.state.fl.us/contractsadministrationdistrict7))

PLACE: Florida Department of Transportation, 11201 North McKinley Drive, Tampa, Florida 33612.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues relating to bids received by District Seven Contracts Office.

A copy of the agenda may be obtained by contacting: [Sharlena.korman@dot.state.fl.us](mailto:Sharlena.korman@dot.state.fl.us) or calling (813)975-6036.

#### DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 24, 2013, 8:00 a.m.; February 27, 2013, 8:00 a.m.; March 29, 2013, 8:00 a.m.; April 26, 2013, 8:00 a.m.; May 31, 2013, 8:00 a.m.; June 28, 2013, 8:00 a.m. (Date/time changes will be posted at: [www.dot.state.fl.us/contractsadministrationdistrict7](http://www.dot.state.fl.us/contractsadministrationdistrict7))

PLACE: Florida Department of Transportation, 11201 North McKinley Drive, Tampa, Florida 33612.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meetings to determine the Department's intent to award or reject bids received by District Seven Contracts Office.

A copy of the agenda may be obtained by contacting: [Sharlena.korman@dot.state.fl.us](mailto:Sharlena.korman@dot.state.fl.us) or calling (813)975-6036.

#### DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 28, 2013, 11:00 a.m.; February 18, 2013, 11:00 a.m.; March 4, 2013, 11:00 a.m.; March 25, 2013, 11:00 a.m.; April 22, 2013, 11:00 a.m.; May 27, 2013,

11:00 a.m.; June 24, 2013, 11:00 a.m. (Changes to meeting dates and times will be posted at: [www.dot.state.fl.us/contractsadministrationturnpike](http://www.dot.state.fl.us/contractsadministrationturnpike))

PLACE: Florida Department of Transportation, MP 263, Bldg. 5315, Florida's Turnpike, Ocoee, FL 34761.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** These are the Technical/Award Review Committee Meetings for review of issues relating to projects where bids were received by the Turnpike Contracts Office.

A copy of the agenda may be obtained by contacting: Richardjr.Nethercote@dot.state.fl.us or calling (407)264-3885.

**DEPARTMENT OF TRANSPORTATION**

The Department of Transportation announces public meetings to which all persons are invited.

**DATES AND TIMES:** February 12, 2013, 2:00 p.m.; March 12, 2013, 2:00 p.m.; April 9, 2013, 2:00 p.m.; May 7, 2013, 2:00 p.m.; June 4, 2012, 2:00 p.m. (Date/time changes will be posted at: [www.dot.state.fl.us/cc-admin](http://www.dot.state.fl.us/cc-admin))

PLACE: Florida Department of Transportation, 605 Suwannee St., Tallahassee, FL 32399-0450.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review of technical issues relating to bids received by Central Office Contracts Office.

A copy of the agenda may be obtained by contacting: Juanita.moore@dot.state.fl.us or calling (850)414-4000.

**DEPARTMENT OF TRANSPORTATION**

The Department of Transportation announces public meetings to which all persons are invited.

**DATES AND TIMES:** February 13, 2013, 1:00 p.m.; March 13, 2013, 1:00 p.m.; April 10, 2013, 1:00 p.m.; May 8, 2013, 1:00 p.m.; June 5, 2013, 1:00 p.m. (Date/time changes will be posted at: [www.dot.state.fl.us/cc-admin](http://www.dot.state.fl.us/cc-admin))

PLACE: Florida Department of Transportation, 605 Suwannee St., Tallahassee, FL 32399-0450.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meetings to determine the Department's intent to award or reject bids received by Central Office Contracts Office.

A copy of the agenda may be obtained by contacting: Juanita.moore@dot.state.fl.us or calling (850)414-4000.

**FLORIDA PAROLE COMMISSION**

The Florida Parole Commission announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Wednesday, January 9, 2013, January 23, 2013, and January 30, 2013, 8:30 a.m.

**NOTE:** If not completed, meetings will continue on Thursday, January 10, 2013, January 24, 2013 and January 31, 2013, 8:30 a.m.

PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission (850)488-1293.

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: Florida Parole Commission at [ada@fpc.state.fl.us](mailto:ada@fpc.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800) 955-8771 (TDD) or (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.

**PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING**

The Florida Public Service Commission announces a public meeting in the following docket to which all persons are invited.

**TITLE:** Application for increase in water rates in Franklin County by Water Management Services, Inc.

**Docket No.** 110200-WU

**TECHNICAL AND CUSTOMER SERVICE HEARING DATE(S) AND TIME(S):** Wednesday, January 16, 2012, 10:00 a.m. and 6:00 p.m.; Thursday, January 17, 2013, 10:00 a.m.

**PLACE:** St. George Island Volunteer Fire Department, 324 E. Pine Avenue, Eastpoint, (St. George Island) Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING:** Docket No. 110200-WU -Petition for increase in rates by Water Management Systems, Inc. The purpose of the meeting is to permit parties to present testimony and exhibits relative to the application by Water Management Systems, Inc., and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on January 9, 2013. A copy of the agenda is not available at this time. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice). For more information, you

may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

The Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 7, 2013, 1:30 p.m.

PLACE: Chicane's Restaurant at Inn-on-the-Lakes, 3101 Golfview Road, Sebring, FL 33870.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Finance Committee of the Central Florida Regional Planning Council will review the annual audit prior to the January Council Meeting.

A copy of the agenda may be obtained by contacting Kathryn Hall at (863) 534-7130 ext. 129 or khall@cfrpc.org.

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.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 28, 2013, 3:00 p.m.

PLACE: The South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021; (954)985-4416.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the Revolving Loan Fund loan applications. A copy of the agenda may be obtained by contacting: The South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021; (954)985-4416.

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 1 day before the workshop/meeting by contacting: (954) 985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800) 955-8771 (TDD) or (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 Cheryl Cook at (954)985-4416 or cherylc@sfrpc.com.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-3.011: Policy and Purpose (Repealed)

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2013, 1:30 p.m.

PLACE: SWFWMD Tampa Service Office, 7601 Highway 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Well Drillers Advisory Committee (WDAC) Meeting. Some members of the District's Governing Board may also attend the meeting.

A copy of the agenda may be obtained by contacting: teri.rhodes@watermatters.org, (800)836-0797 (FL only), or (813)985-7481, ext. 4476.

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: SWFWMD Human Resources, (800)423-1476 (FL only), or (352)796-7211, ext. 4702. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: January 2, 2013, 9:00 a.m.

PLACE: 7601 HWY 301 N, Tampa, FL 33637.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at [www.watermatters.org/calendar/calendar.php/](http://www.watermatters.org/calendar/calendar.php/).

A copy of the agenda may be obtained by contacting Carol Lynch, (813)985-7481, ext. 2004.

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: SWFWMD, Human Resources Bureau Chief at (800)423-1476, ext. 4702; TDD (FL only) (800)231-6103; or email: [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 7, 2013, 3:30 p.m.

PLACE: Southwest Florida Water Management District, Building 4, Conference Room 112 A & B, 2379 Broad Street, Brooksville, Florida 34604.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Hernando County Task Force of the Citrus/Hernando Waterways Restoration Council.

A copy of the agenda may be obtained by contacting: (352)796-7211 or (800)423-1476 (Florida only), extension 4378 or online at [www.watmatters.org/waterways](http://www.watmatters.org/waterways).

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: (352)796-7211 or (800)423-1476 (Florida only), extension 4702; TDD (Florida only) (800)231-6103; or email to [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

The Water Resource Advisory Committee (WRAC) announces a public meeting to which all persons are invited.

DATE AND TIME: January 3, 2013, 9:00 a.m.

PLACE: SFWMD, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Paul Millar, (561)682 6335; [pmillar@swfwmd.gov](mailto:pmillar@swfwmd.gov) or at our website: <http://my.swfwmd.gov/wrac.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 5 days before the workshop/meeting by contacting: the District Clerk, (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Paul Millar, (561)682-6335 or [pmillar@swfwmd.gov](mailto:pmillar@swfwmd.gov).

**DEPARTMENT OF MANAGEMENT SERVICES**

DMS – Division of Telecommunications/E911 Board

The DMS – Division of Telecommunications/E911 Board announces the following 2012/2013 Meeting Schedule information:

DATE AND TIME: January 16-17, 2013, 9:00 a.m. – until conclusion of business

PLACE: Telephone Conference (888)670-3525, Conference Code 2323004133 (To discuss general business)

DATE AND TIME: January 24, 2013, 2:00 p.m. – until conclusion of business

PLACE: Telephone Conference (888)670-3525, Conference Code 2323004133 (To discuss business related to the 2012 Annual Report to the Governor and Legislature)

DATE AND TIME: February 7, 2013, 2:00 p.m. – until conclusion of business

PLACE: Telephone Conference (888)670-3525, Conference Code 2323004133 (To discuss business related to the 2012 Annual Report to the Governor and Legislature)

DATE AND TIME: February 13-14, 2013, 9:00 a.m. – until conclusion of business

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee (To discuss general business)

DATE AND TIME: March 13-14, 2013, 9:00 a.m. – until conclusion of business

PLACE: Telephone Conference (888)670-3525, Conference Code 2323004133, (To discuss general business)

DATE AND TIME: April 10-11, 2013, 9:00 a.m. – until conclusion of business

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee (To review Spring Rural County Grants and discuss general business)

DATE AND TIME: April 29-May 2, 2013, 8:00 a.m. – 5:00 p.m., 911 Coordinator’s 2013 Spring Meeting

PLACE: Holiday Inn Resort, 1127 Front Beach Road, Panama City Beach

Two (2) or more Board members may attend the Florida Spring 911 Coordinators, Database Meetings and Training at the Florida NENA Conference

DATE AND TIME: May 15-16, 2013, 9:00 a.m. – until conclusion of business

PLACE: Embassy Suites, 225 Shorecrest Drive, Altamonte Springs (To discuss general business)

DATE AND TIME: June 12-13, 2013, 9:00 a.m. – until conclusion of business

PLACE: Marriott Renaissance Hotel, 500 Legacy Trail, St. Augustine (To discuss general business)

If accommodation due to disability is needed in order to participate, please notify the DMS – Division of Telecommunications Office/E911 Board in writing at least five (5) days in advance at 4030 Esplanade Way, Tallahassee, Florida 32399-0950.

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DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

The Department of Management Services/Division of Telecommunications/SLERS JTF Board announces a public meeting to which all persons are invited.

DATE AND TIME: February 5, 2013, 9:00 a.m. - 5:00 p.m.

PLACE: Camp Blanding, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the recommendations of Law Enforcement Consolidation Task Force SLERS and provide an analysis in preparation for February 26, 2013 JTF Board meeting.

A copy of the agenda may be obtained by contacting: Major Norton, FWC, (850)212-6396 or email Brett.Norton@myFWC.com

For more information, you may contact: Major Norton, FWC, (850) 212-6396 or email Brett.Norton@myFWC.com

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DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, January 17, 2013, 10:00 a.m.

PLACE: This is a telephonic meeting. Please contact Casey Snipes at (850)488-7082, x 1001 or casey.snipes@fchr.myflorida.com for the call-in information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss cases that have come before the Commission for decision.

A copy of the agenda may be obtained by contacting: Casey Snipes at (850)488-7082, x 1001 or casey.snipes@fchr.myflorida.com.

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: Casey Snipes at (850)488-7082, x 1001 or casey.snipes@fchr.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Casey Snipes at (850)488-7082, x 1001 or casey.snipes@fchr.myflorida.com

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

The Building Code Administrators and Inspectors Board announces a public meeting to which all persons are invited.

DATE AND TIME: February 5-8, 2013, 9:00 a.m.

PLACE: Floridays Resort, 12562 International Drive, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause (portions of which may be closed to the public) and regular board business.

A copy of the agenda may be obtained by contacting: BCAIB, 1940 N Monroe St, Tallahassee, FL.

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 board office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Office on Homelessness

NOTICE OF CANCELLATION – The Department of Children and Families, Council on Homelessness announces a series of conference call meetings of its respective committees to which all interested parties are invited to participate:

Children's

DATE AND TIME: Thursday, January 17, 2013, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call (888)670-3525, Code: 9798513235, then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, and (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact the Office on Homelessness at (850)922-4691 at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or

(800)955-8770 (Voice). For more information, you may contact: The Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Orange County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2013, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

the agency's opinion as to the applicability of Section 233.3 of the 2012 Florida Accessibility Code and the Fair Housing Act as it applies to the petitioner.

Petitioner seeks clarification as to whether Section 233.3 of the 2012 Florida Accessibility Code applies to a multi-family facility that is privately funded and for rent based on Advisory 233.1 of the 2012 Florida Accessibility Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: Mo Madani, CBO Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that Agency for Health Care Administration has received the petition for declaratory statement from Dayspring Village, Inc. The petition seeks the agency's opinion as to the applicability of Section 429.289(1)(j), Florida Statutes as it applies to the petitioner.

In particular, the Petitioner seeks elucidation of the following issue: whether the Agency for Healthcare Administration has the legal authority pursuant to Section 429.289(1)(j), Florida Statutes, to cite a regulated provider for actions related to infectious disease control.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

Please refer all comments to: John E. Bradley, Assistant General Counsel, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308, john.bradley@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Joseph Scofield, President of Advanced Manufacturing & Power Systems, Inc. The petition seeks the agency's opinion as to the applicability of Section 1626 of the Florida Building Code, Building (2010) and section 553.844(4), Florida Statutes. as it applies to the petitioner.

Petitioner is an approved modular building manufacturer that also provides products, specifically electrical generator enclosures that are designed for use in High Velocity Hurricane Zones in Florida. Petitioner, through an amended petition, seeks clarification as to if the enclosures are required to be tested and approved pursuant to Section 1626 of the Florida Building Code, Building (2010) and have Florida Product Approval numbers or Miami-Dade Notice of Acceptance approval.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: Mo Madani, CBO Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Lucy Yoon Park on behalf of LRK, Inc. The petition seeks

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Joseph R. Hetzel, P.E. of Doors & Access Systems Manufacturers Association International. The petition seeks the agency's opinion as to the applicability of Section 1609.1.2, Florida Building Code, Building (2010) as it applies to the petitioner.

Petitioner seeks clarification of the requirements of Section 1609.1.2, Florida Building Code, Building (2010) in reference to state-approved, non-glazed garage doors not rated for impact resistance and a state-approved, glazed garage door rated for non-HVHZ impact resistance for separate jobs in a windborne debris region. Neither product has a Miami-Dade county Notice of Acceptance. However, the jobs are outside of the HVHZ.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: Mo Madani, CBO Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from the City of Ocala Building Department. The petition seeks the agency's opinion as to the applicability of Section R318.5, Florida Building Code, Residential (2010) as it applies to the petitioner.

Petitioner seeks clarification as to whether the use of polyurethane resins under two different existing dwellings for soil stabilization would constitute a violation of R318.5, Florida Building Code, Residential (2010).

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: Mo Madani, CBO Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399.

**Section VIII**  
**Notices 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 have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX**  
**Notices 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 EDUCATION

University of Florida

Notice to Cx Consultants (UF-380)

**NOTICE TO PROFESSIONAL CONSULTANTS:**

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

Project: UF-380, School of Business Building – Heavener Hall (Gainesville, FL)

The project consists of site development, utilities infrastructure work, and construction of a 53,000 gross square foot classroom building that will serve as “home” for Warrington College of Business Administration undergraduate

students. The estimated construction budget is approximately \$17M; the design and construction management teams have been selected; and the project is currently in the Advanced Schematic Design stage.

The scope of services shall include design phase peer review; maintenance of the Owner's Project Requirements (OPR) document; development of the Commissioning Plan, Commissioning Specifications, and Systems Manual; construction phase performance testing of mechanical, electrical, building automation, security, and building envelope systems; and warranty phase follow-up and performance verification. The Cx consultant shall also support efforts to attain Gold or Platinum LEED certification.

Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.

**INSTRUCTIONS:** Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the facilities program, current design documents, the Project Fact Sheet for Commissioning Consultants, and other background information available on the Facilities Planning & Construction website.

The proposal shall be limited to 20 single-sided pages OR 10 double-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services.
2. A completed, project-specific Commissioning proposal form with signed certification. Applications on any other form will not be considered.
3. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
4. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for the applicant and its consultants from the appropriate governing board.
5. Proof of the applicant's ability to be insured for the level of professional liability coverage demanded for this project.

At the time of application, the applicant must possess current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession in the State of Florida; and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected applicant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified.

The Commissioning Services Proposal Form and Instructions, Project Fact Sheet, UF Design and Commissioning Services Guide, UF Design & Construction Standards, FP&C non-technical specifications, standard University of Florida Owner-Commissioning Consultant agreement, and other project and process information can be found on the Facilities Planning & Construction website: [www.facilities.ufl.edu](http://www.facilities.ufl.edu). Finalists may be provided with supplemental interview requirements and criteria as needed.

This is an entirely paperless selection process. Electronic submittals must be received by 3:00 PM local time, on Thursday, January 17, 2013. Hard copy and faxed submittals are not acceptable and will not be considered.

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#### AJAX BUILDING CORPORATION

##### INVITATION TO PREQUALIFY:

Prequalification notices for furnishing all labor and material and performing all work necessary and incidental to the completion of Liberty City Health Clinic will be received by Ajax Building Corporation at their office at 25166 Marion Ave, Suite 116, Punta Gorda, FL 33950, (Office: 941- 575-5177), (Fax: 941- 575-5135), (E-mail: [jderocker@ajaxbuilding.com](mailto:jderocker@ajaxbuilding.com)). Scope Includes: Sitework (Asphalt, Hardscape outside of Building Perimeter, Site Striping & Signage) & Utilities (Storm, Sanitary, water mains & fire line); Landscaping; Chain Link Fencing; Concrete related to Foundations & Slab On Grade; Masonry; Structural Steel, Pipe & Tube Railings, & Misc. Metals; Decorative Metal Fence & Gates; Millwork; Metal Roofing; Doors & Hardware; Overhead Doors; Glass & Glazing, Aluminum Entrances & Storefront; Drywall/Framing/Insulation & Stucco; Hard Tile, Carpet & VCT; Acoustical Ceilings; Painting, Joint Sealants & Coatings; Operable Partitions; Toilet & Bath Accessories; Toilet Partitions; Aluminum Canopies; Plumbing; HVAC with Controls; and Electrical with Communications. Project is expected to commence on 02/08/13 and be substantially complete on 10/08/13. Only bidders meeting prequalification criteria may bid and must provide all pre-qual forms and accompanying data by 01/09/13. Bidders meeting qualification requirements will be notified by 01/16/13. Interested bidders may view and download the Bidder Qualification Questionnaire from the Ajax Building Corporation website at the following address: <http://www.ajaxbuilding.com/pdf/Bidder%20Prequal%20Questionnaire%20--%202010-06-29.pdf>. Any questions can be directed to Jeff DeRocker. No bid documents will be distributed within seven (7) days of date of bid receipt; each bid must be accompanied by a Bid Bond, certified check or cashier's check in the amount not less than five percent (5%) of the total amount of the base bid. No bids may be withdrawn after the scheduled closing time for receipt of same for a period of sixty (60) days. A Mandatory Pre-Bid online meeting will be scheduled to review and discuss the bid documents. Ajax



Building Corporation will notify all pre-qualified bidders when this meeting is scheduled. Interested bidders must contact Ajax thru e-mail with contact information by 01/09/13. Ajax Building Corporation reserves the right to reject any and all bids received and to waive any and all informalities or irregularities in regard thereto. MBE/WBE and local participation is strongly encouraged. Dates are subject to change.

DAYTONA STATE COLLEGE  
 Daytona State College  
 Professional Design Services  
 RFQ #13-519

Pursuant to the provisions of Section 287.055, *Florida Statutes*, the "Consultants' Competitive Negotiations Act", Daytona State College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring professional design services.

The project consists of the design of a new 2.5 million gallon Thermal Storage Tank for the Daytona Beach Campus Energy Plant including site & parking improvements. The scope of work will include developing all documents for mechanical, site, water retention/drainage, tank design and construction administration. The total project budget is \$3 million inclusive of all fees and furnishings

Firms or individuals with experience in designing thermal energy storage and desiring to qualify for consideration must submit proposals no later than 2:00 p.m. on January 9, 2013, to the Facilities Planning Department, Daytona State College, Building 540/Room 112, 1200 W. International Speedway Blvd., Daytona Beach, FL 32114. Interested parties may obtain information by contacting [nielseb@daytonastate.edu](mailto:nielseb@daytonastate.edu) or by visiting our website at <http://www.daytonastate.edu/fp/proposals.html>.

Section XII  
 Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles  
 Land Rover North Dade, LLC, d/b/a Land Rover North Dade for the relocation of LNDR line-make

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Jaguar Land Rover North America, LLC, intends to allow the relocation of Land Rover North Dade, LLC, d/b/a Land Rover North Dade as a dealership for the sale of automobiles manufactured by Land Rover (line-make LNDR)

from its present location at 20800 Northwest 2nd Avenue, Miami, (Miami-Dade County), Florida 33169, to a proposed location at 14945 Biscayne Boulevard, North Miami, (Miami-Dade County), Florida 33181, on or after January 20, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Land Rover North Dade, LLC, d/b/a Land Rover North Dade are dealer operator(s): Warren H. Zinn, 20800 Northwest 2nd Avenue, Miami, Florida 33181, principal investor(s): Warren H. Zinn, 20800 Northwest 2nd Avenue, Miami, Florida 33181.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Lee Maas, Jaguar Land Rover North America, LLC, 555 MacArthur Blvd, Mahwah, New Jersey 07430.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles  
 Warren Henry Jaguar, LLC, d/b/a Warren Henry Jaguar for the relocation of JAGU line-make

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Jaguar Land Rover North America, LLC, intends to allow the relocation of Warren Henry Jaguar LLC, d/b/a Warren Henry Jaguar as a dealership for the sale of automobiles manufactured by Jaguar (line-make JAGU) from its present location at 20800 Northwest 2nd Avenue, Miami, (Miami-Dade County), Florida 33169, to a proposed location at 14945 Biscayne Boulevard, North Miami, (Miami-Dade County), Florida 33181, on or after January 20, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Warren Henry Jaguar LLC, d/b/a Warren Henry Jaguar are dealer operator(s): Warren H. Zinn, 20800 Northwest 2nd Avenue, Miami, Florida 33181, principal investor(s): Warren H. Zinn, 20800 Northwest 2nd Avenue, Miami, Florida 33181.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

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If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

##### State Plan Amendment

The Agency for Health Care Administration is submitting an amendment to the Medicaid State Plan, to implement the primary care rate increases according to the requirements published by the Centers for Medicare and Medicaid Services in the Federal Register on November 6, 2012. Section 1202 of the Patient Protection and Affordable Care Act (ACA) requires state Medicaid agencies to pay primary care physicians a fee that is at the level of the Medicare rate for certain services during calendar years 2013 and 2014. The federal government will match at 100% the increased cost between 2009 Medicaid fee levels and the required Medicare level during this 24 month period. The fee increase is required in both FFS payments and capitated managed care programs. The effective date of this fee increase will be January 1, 2013.

For information on the primary rate increase, Interested parties may contact the following staff for further information: Eleanor Cofer, Medicaid Services, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4271 or by e-mail at: [eleanor.cofer@ahca.myflorida.com](mailto:eleanor.cofer@ahca.myflorida.com).

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Section XIII  
Index to Rules Filed During Preceding Week

**NOTE: The above section will be published on Tuesday beginning October 2, 2012.**

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