

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.256 Transparency and Patient Billing

PURPOSE AND EFFECT: The Agency proposes to open a new section of rule as directed by the recent statutory changes. SUBJECT AREA TO BE ADDRESSED: The Agency will clarify requirements of price transparency and patient billing as outlined in s. 395.301, Florida Statutes.

RULEMAKING AUTHORITY: 395.301 FS.

LAW IMPLEMENTED: 395.301 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: Monday, September 12, 2016, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, Conference Room D, 2727 Mahan Drive, Building #3, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jessica Munn, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4359. 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: Jessica Munn at (850)412-4359 or email at Jessica.Munn@ahca.myflorida.com

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-3.0015 Verification of Supervised Experience for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the incorporated form.

SUBJECT AREA TO BE ADDRESSED: Verification of Supervised Experience for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants.

RULEMAKING AUTHORITY: 491.004(5) FS.

LAW IMPLEMENTED: 491.005(1)(c), (3)(c), (4)(c) 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: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-5.005 Minor Violations, Notice of Noncompliance

PURPOSE AND EFFECT: The Board proposes the rule amendment to update minor violations and notice of noncompliance.

SUBJECT AREA TO BE ADDRESSED: Minor Violations, Notice of Noncompliance.

RULEMAKING AUTHORITY: 120.695, 456.073(3), 491.004(5) FS.

LAW IMPLEMENTED: 120.695, 456.073(3), 491.009(2)(n), 491.0149 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: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NOS.:	RULE TITLES:
64B4-6.001	Renewal of Active License
64B4-6.0025	Approved Continuing Education Course for Supervisory Training
64B4-6.009	Approval of Continuing Education Courses on Prevention of Medical Errors

PURPOSE AND EFFECT: The Board proposes the rule amendment to for Rule 64B4-6.001, F.A.C., to update the requirements for continuing education for a qualified supervisor; for Rule 64B4-6.0025, F.A.C., to provide a description of the continuing education courses for a qualified supervisor; for Rule 64B4-6.009, F.A.C., to remove the requirement for an initial licensee to complete a medical error course.

SUBJECT AREA TO BE ADDRESSED: Renewal of Active License. Approved Continuing Education Course for Supervisory Training. Approval of Continuing Education Courses on Prevention of Medical Errors.

RULEMAKING AUTHORITY: 456.013(7), 491.004(5), 491.007(1), 491.0085 FS.

LAW IMPLEMENTED: 456.013(7), 456.031(1)(a), 491.007(2), 491.007, 491.0085 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: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

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 EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.099822	School Improvement Rating for Alternative Schools.

PURPOSE AND EFFECT: To conform rule language to statutory changes and create a new school improvement rating

calculation and categories for alternative schools and ESE centers, and to propose cut scores based on results of the initial learning gains calculation.

SUMMARY: School Improvement Ratings are annually produced by the Bureau of Accountability Reporting in lieu of School Grades for ESE Centers and Alternative Schools that elect them or that do not indicate a preference. The proposed method for calculating ratings is more aligned with the newly implemented school grades rule, Rule 6A-1.09981, F.A.C., and the proposed cut scores for determining a rating are based on the percentage of points earned for the components for which a school has sufficient data.

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 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. More specifically, the agency intends to implement the rule with existing staff and the proposal does not increase the reporting requirements or any other requirements on districts. It is anticipated that districts may incur some indeterminate level of costs educating staff on the new rule.

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

RULEMAKING AUTHORITY: 1001.02, 1008.34, 1008.341(6), 1008.3415(3), FS.

LAW IMPLEMENTED: 1008.34, 1008.341, 1008.3415, FS.

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

DATE AND TIME: September 23, 2016, 9:00 a.m.

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Duval Room, Tampa, Florida 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jane Fletcher, Assistant Deputy Commissioner, Office of Accountability and Policy Research, Division of Accountability, Research, and Measurement, Florida Department of Education, 325 West Gaines Street, Suite 514, Tallahassee, Florida 32399-0400, (850)245-0437

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 6A-1.099822 follows. See Florida Administrative Code for present text.

6A-1.099822 School Improvement Rating for Alternative Schools.

(1) Purpose. The purpose of this rule is to provide the definitions and policies for school improvement ratings as required in Sections 1008.34 and 1008.341, F.S.

(2) Definitions. For the purposes of this rule, the following definitions shall apply:

(a) “Alternative schools.” For purposes of school accountability improvement ratings, an alternative school is any school that provides dropout prevention and academic intervention services pursuant to Section 1003.53, F.S.

(b) “Exceptional Student Education (ESE) Center School” means exceptional student education center schools as defined in Rule 6A-1.099828, F.A.C.

(c) “Learning gains” means learning gains calculated based on the provisions of Rule 6A-1.09981, F.A.C., except retake assessments for the statewide standardized end-of-course and grade 10 English Language Arts assessments shall be included in the calculation when first-time statewide standardized assessments are not available for a student. For grades 9 through 12, “first-time” designates an assessment that is administered to a student for the first time during enrollment in high school (grades 9 through 12).

(3) School Improvement Rating Framework.

(a) Prior to the calculation of school improvement ratings for alternative schools, as described in this rule, the Department of Education will annually identify alternative schools based on the information submitted by school districts.

1. Districts will be given two (2) weeks to submit recommended additions and deletions to the Department through the Master School Identification information change process described in Rule 6A-1.0016, F.A.C.

(b) Schools identified as alternative schools and ESE Center schools have the option of earning a school grade, pursuant to Section 1008.34, F.S., or a school improvement rating, as outlined in subsection (4) of this rule. Each alternative school identified as described in paragraph (3)(a) of this rule and ESE Center school identified pursuant to Rule 6A-1.099828, F.A.C., shall indicate whether it chooses to receive a school grade or a school improvement rating. Schools that do not indicate a choice will receive a school improvement rating.

(c) Each alternative school or ESE Center school that does not choose to receive a school grade shall be assigned a school improvement rating of Commendable, Maintaining, or Unsatisfactory annually based on the provisions of this rule.

(d) To ensure that student data accurately represent school performance, schools shall assess at least eighty (80) percent of their eligible students to qualify for a school improvement rating. If an alternative school tests less than ninety (90)

percent of its students, the school may not earn a rating higher than Maintaining.

(e) Eligible students for determining the percent tested. The percent-tested calculation shall be based on the count of students who were enrolled during the third period full-time equivalent (FTE) student membership survey as specified in Rule 6A-1.0451, F.A.C., and who were also enrolled at the time of statewide standardized testing.

(f) An alternative school shall receive a rating based solely on the components for which it has sufficient data to perform the calculation. Sufficient data exists when at least ten (10) students are eligible for inclusion in the calculation of the component. If a school does not have sufficient data to calculate a measure, that measure shall not be calculated for the school. If an alternative school does not have sufficient data to receive a rating for three (3) consecutive years, then in the third year the alternative school will receive a rating based on the most recent three (3) years of data.

(4) School Improvement Rating System.

(a) The school improvement rating system shall include the following components for all alternative schools and ESE Center schools selecting to receive a school improvement rating.

1. Learning gains in English Language Arts. The percentage of students enrolled in the second or third period full-time equivalent (FTE) student membership survey as specified in Rule 6A-1.0451, F.A.C., and were tested, who demonstrate learning gains in English Language Arts as defined in paragraph 6A-1.09981(2)(b), F.A.C.

2. Learning gains in Mathematics. The percentage of students enrolled in the second or third period full-time equivalent (FTE) student membership survey as specified in Rule 6A-1.0451, F.A.C., and were tested, who demonstrate learning gains in Mathematics (on the statewide standardized Mathematics assessment for grades 3 through 8, Algebra 1, Geometry, and Algebra 2), as defined in paragraph 6A-1.09981(2)(b), F.A.C.

(b) Procedures for calculating school improvement ratings.

1. The overall school improvement rating of Commendable, Maintaining, or Unsatisfactory as designated in Section 1008.341(2), F.S., shall be calculated based on the percentage of possible points earned by each school for the components applicable to the individual school. In the calculation of the school’s improvement rating, 100 points are available for each component with sufficient data, with one (1) point earned for each percentage of students meeting the criteria for the component. The points earned for each component shall be expressed as whole numbers by rounding the percentages. Percentages with a value of 0.5 or greater will be rounded up to the nearest whole number, and percentages

with a value of less than 0.5 will be rounded down to the nearest whole number. The school's improvement rating is determined by summing the earned points for each component and dividing this sum by the total number of available points for all components with sufficient data. The percentage resulting from this calculation shall be expressed as a whole number using the rounding convention described in this subparagraph.

2. School improvement ratings shall be assigned to schools based on the percentage of total applicable points earned as follows:

a. Fifty (50) percent of total applicable points or higher equals a rating of Commendable;

b. Twenty-six (26) to forty-nine (49) percent of total applicable points equals a rating of Maintaining; and

c. Twenty-five (25) percent of total applicable points or less equals a rating of Unsatisfactory.

(5) Notwithstanding paragraph (3)(c) of this rule, the provisions of subsections 6A-1.09981 (6) and (7) F.A.C. shall apply to school improvement ratings except that the provisions of subparagraphs (6) (a) 1. and (7) (f) 2., regarding the percent of students tested at the school, is applicable when the percent of students tested at the school is less than eighty (80) percent of the school's eligible student population.

Rulemaking Authority 1001.02, 1008.34, 1008.341 1008.345, FS. Law Implemented 1008.34, 1008.341 1008.345, FS. History--New 4-14-08, Amended 6-22-09, 4-8-12, 11-13-12, 11-19-13,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 14, 2016

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-2.0020 Charter School Capital Outlay.

PURPOSE AND EFFECT: To revise eligibility requirements for charter school capital outlay to conform to statutory revisions and clarify additional eligibility requirements provided for in law.

SUMMARY: In the 2016 legislative session, section 1013.62, F.S., the charter school capital outlay law, was amended to change the eligibility criteria for capital outlay from three years of school operation to two. Additionally, legislators clarified that evidence of a financial emergency condition

would render an applicant ineligible. In addition to the changes above, the proposed rule also: Specifies thresholds for feeder patterns; Establishes deadlines for providing evidence of SACS accreditation; Determines what constitutes failure to meet satisfactory student achievement for purposes of receiving capital outlay; Specifies that eligibility for the additional school weights for free or reduced price meals for schools that serve students under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010 shall be determined by applying the multiplier authorized in Section 11(a)(1)(F)(vii) of the Richard B. Russell National School Lunch Act. The proposed rule also incorporates by reference Form IEPC-CO1, the official application necessary to request capital outlay.

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 establishes the process for charter schools to apply for state capital outlay funds and interprets the statutory eligibility criteria. The rule does not impose or cause any regulatory costs and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02, 1013.62, FS.

LAW IMPLEMENTED: 1013.62, FS.

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

DATE AND TIME: September 23, 2016, 9:00 a.m.

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Duval Room, Tampa, Florida 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Miller, Director of Charter Schools, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-2.0020 Eligibility for Charter School Capital Outlay.

The following provisions are established for the determination of eligibility of charter schools pursuant to Section 1013.62, F.S. Except as expressly provided herein, proof of eligibility requirements must be provided to the Department by July 1 of the fiscal year for which the charter school seeks funding. The continuation of funding is dependent upon maintaining eligibility requirements during the fiscal year.

(1) A charter school may be considered a part of an expanded feeder chain under Section 1013.62, F.S., if it either sends or receives at least sixty (60) percent a majority of its students directly to or from a charter school that is currently receiving capital outlay funding in the same fiscal year for which the charter school seeks funding pursuant to Section 1013.62, F.S. A charter school must submit an application by the deadline in subparagraph (7)(a) of this rule. The Department shall determine eligibility by applying the feeder chain criteria in Section 1013.62(1)(a)1.c., F.S., to the fiscal year's data from the October full-time equivalent (FTE) student enrollment survey conducted pursuant to Section 1011.62(1)(a), F.S., in the same fiscal year for which the charter school seeks funding. The Department shall calculate the funding amount associated with a school for which enrollment projections are estimated to meet the feeder chain eligibility criteria and shall distribute funds generated by the formula in Section 1013.62, F.S., upon proof of an expanded feeder chain from the October FTE student enrollment survey data.

(2) Pursuant to Section 1013.62(1)(a)1.d., F.S., charter schools that have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools may be eligible for charter school capital outlay. The eligibility requirement for satisfactory student achievement under Section 1013.62, F.S., shall be determined in accordance with the language in the charter contract and the charter school's current school improvement plan if the school has a current school improvement plan. A charter school receiving an "F" grade designation through the state accountability system, as defined in Section 1008.34, F.S., shall not be eligible for capital outlay funding for the school year immediately following the designation. Proof of accreditation by the Southern Association of Colleges and Schools Commission on Schools must be delivered to the Department by the deadline established in subparagraph (7)(a) for the fiscal year for which the charter school seeks funding to meet the eligibility requirement in Section 1013.62(1)(a)1.d., F.S. The continuation of funding is dependent upon maintaining accreditation during the current fiscal year. A charter school that expects to be accredited during a fiscal year shall include documentation of application for accreditation. The Department shall estimate the funding

amount associated with a charter school anticipating accreditation during the fiscal year and distribute funds generated by the formula in Section 1013.62, F.S., upon proof of final accreditation, if proof of accreditation for the school year is received by the Department prior to April 1 of the fiscal year for which the charter school seeks funding. If the Department does not receive proof of a charter school's official accreditation by April 1, the charter school shall be determined ineligible for that fiscal year.

(3) A charter school must have been in operation for two (2) or more full school years by July 1 of the fiscal year for which the charter school seeks funding to meet the eligibility requirement in Section 1013.62(1)(a)1.a., F.S.

(4) Satisfactory student achievement under Section 1013.62(1)(a)3., F.S., shall be determined by the school's most recent grade designation or school improvement rating from the state accountability system as defined in Sections 1008.34 and 1008.341, F.S. Satisfactory student achievement for a school that does not receive a school grade or a school improvement rating, including a school that has not been in operation for at least one school year, shall be based on the student performance metrics in the charter school's charter agreement. Allocations shall not be distributed until such time as school grade designations are known.

(a) A charter school that receives a grade designation of "F" or two (2) consecutive grades of "D" shall not be eligible for capital outlay funding.

(b) A charter school that receives a school improvement rating of "Unsatisfactory" shall not be eligible for capital outlay funding.

(5) Eligibility for the additional school weight for free or reduced price lunch and the additional school weight for students with disabilities under Section 1013.62(1)(c)1., F.S., shall be determined by the student's status as reported in the fiscal year's October FTE student enrollment survey for the fiscal year in which funding is sought. The number of students eligible for free or reduced lunch for a school that provides free breakfast and lunch to all students under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010 shall be calculated by applying the multiplier authorized in Section 11(a)(1)(F)(vii) of the Richard B. Russell National School Lunch Act to the number of students reported to the Department as eligible for free meals based upon the Direct Certification determination. For schools that do not participate under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010, the number of students eligible for free or reduced price lunch shall be the number of students reported to the Department as eligible via the household meal application used by the district.

(6) A charter school whose most recent available audit, pursuant to Section 218.39, F.S., reveals any of the financial

emergency conditions provided in Section 218.503(1), F.S., is not eligible to receive charter school capital outlay.

(a) Upon notification pursuant to Section 1002.345, F.S., that a charter school’s audit reveals one or more of the financial emergency conditions in Section 218.503(1), Florida Statutes, the Department shall immediately discontinue distributions of charter school capital outlay funding for the school.

(b) A charter school shall remain ineligible to receive charter school capital outlay until the school produces an annual financial audit conducted pursuant to Section 218.39, F.S., which does not reveal any of the financial emergency conditions in Section 218.503(1), F.S., at which time capital outlay funding shall be calculated in an amount proportionate to the number of months remaining in the fiscal year.

(7) Pursuant to Section 1013.62(5), F.S., the procedures for submitting and approving an application for funding and the procedures for documenting expenditures, are as follows:

(a) Charter schools must submit an application using form IEPC-CO1, Charter School Capital Outlay Application, effective October 2016 (DOS link), which is hereby incorporated by reference in the rule, which may be accessed through

https://www.floridaschoolchoice.org/login/login_charter_school.asp. The application may be obtained by contacting the Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400. The Department will accept hard copy versions of the application. Hard copies should be sent to 325 West Gaines Street, Suite 1044, Tallahassee, Florida, 32399. Applications are due by July 1 of the fiscal year for which funding is sought. The Department may extend the deadline for all applications by posting the extended deadline on its website. The charter school shall include the purpose for which the funds will be expended. The Department shall review the application, determine eligibility, and direct the allocation and distribution of such funds in accordance with that determination.

(b) The Sponsor shall forward such funding pursuant to the provisions of Section 1002.33(17)(e), F.S., to any charter school that is determined to be eligible by the Department under this rule. The charter school shall include all disbursements and expenditures pursuant to Section 1013.62, F.S., in its monthly or quarterly financial statements pursuant to Section 1002.33(9)(g), F.S., and shall maintain all documentation of such expenditures and provide such documentation to the Sponsor upon request as necessary to monitor compliance with applicable law governing the proper use of such funds.

(c) If overpayments occur, the Department of Education will take any or all of the following actions: require a charter school to return the overpaid amount; adjust a school’s

allocations in future years; or seek to collect the overpayment in any manner authorized by law.

Rulemaking Authority 1001.02, 1013.62 FS. Law Implemented 1013.62 FS. History–New 12-15-09, Amended _____.

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

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 15, 2016

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

RULE NO.: 65E-4.016 RULE TITLE: Mental Health Residential Treatment Facilities

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 95, May 15, 2015 issue of the Florida Administrative Register has been withdrawn.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-22.201 RULE TITLE: Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice:

On August 23, 2016, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: Duncan Groves Homeowners Association, Inc. – File Tracking No. 16-4229

Date Petition Filed: July 15, 2016

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought:
Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register:
July 18, 2016

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org. (OGC # 2016038)

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on August 23, 2016, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2009 FDA Food Code from Nikai located in Islamorada. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided and that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share the warewashing and mopsink facilities located within a business located in the same building under the same ownership.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

NOTICE IS HEREBY GIVEN that on August 15, 2016, the Florida Real Estate Appraisal Board received a petition for variance or waiver from subsection subparagraph 61J1-4.010(1)(b)(c), F.A.C., filed by John C. Gibilaro. Petitioner requested a waiver or variance from the requirements that supervisory appraisers must be a current certified general or

certified residential appraiser in good standing with the Board, shall have been state-certified for a minimum of four (4) years in the same jurisdiction in which the trainee appraiser practices for a minimum of four (4) years. Comments on this petition should be filed with Juana Watkins, Executive Director, Florida Real Estate Appraisal Board, 400 West Robinson Street, #N801, Orlando, FL 32801, (850)487-1395, Juana.Watkins@myfloridalicense.com, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Juana Watkins, Executive Director, Florida Real Estate Appraisal Board, at the above address.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-701.300 Prohibitions

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of Section 403.717(3)(c), F.S., to the New River Solid Waste Association. The file has been assigned File No. SWVA 16-03. The variance will allow the New River Regional Landfill to dispose of whole waste tires as part of a research study on a technique to reuse whole waste tires at the landfill. The variance is being granted because the petitioner has demonstrated the variance is necessary to relieve or prevent hardship. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Permitting and Compliance Assistance, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8707, email Cory.Dilmore@dep.state.fl.us.

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the

petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Petitions for an administrative hearing must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative hearing under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation is not available in this proceeding.

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68,

F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.002 Supervisor

NOTICE IS HEREBY GIVEN that on August 23, 2016, the Board of Clinical Laboratory Personnel received a petition for variance or waiver filed by Gregory Hendricks. Petitioner is seeking a variance or waiver of paragraph 64B3-5.002(3)(e), Option 3a., Florida Administrative Code, which sets forth the education, training/experience and certification requirements for a specialty licensure in histocompatibility as a supervisor. Petitioner is also seeking a variance or waiver of paragraph 64B3-5.002(3)(f), Option 2a., Florida Administrative Code, which sets forth the education, training/experience and certification requirements for a specialty licensure in molecular pathology as a supervisor.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, September 14, 2016, 9:00 a.m.; Thursday, September 15, 2016, 9:00 a.m.; Wednesday, September 28, 2016, 9:00 a.m.; Thursday, September 29, 2016, 9:00 a.m.

PLACE: Florida Commission on Offender Review, 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 Commission on Offender Review, (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: the Florida Commission on Offender Review at ada@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: September 2, 2016, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in Section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to bid (ITB-DEM-16-17-015) for FDEM Hurricane Season Preparedness and Media Buy.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Kara Godwin, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)922-1649, Kara.Godwin@em.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 48 hours before the workshop/meeting by contacting: Kara Godwin, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)922-1649, Kara.Godwin@em.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 10, 2016, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd. Suite 100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: Wren Krahl, wren@tbrpc.org.

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 4 hours before the workshop/meeting by contacting: Wren Krahl, wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, wren@tbrpc.org.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:RULE TITLES:

40D-8.041 Minimum Flows

40D-8.624 Guidance and Minimum Levels for Lakes

The Southwest Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: September 2, 2016, 10:00 a.m. – 12:00 Noon

PLACE: Teleconference: call-in number: 1(888)670-3525, participant code: 7169306632 then press #

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida, St. Johns River, and Southwest Florida water management districts are conducting independent scientific peer review of their work to expand the East Central Florida Transient Groundwater Model in support of the 2020 Regional Water Supply Plan for the Central Florida Water Initiative (CFWI) area that includes the southern portion of Lake and all of Orange, Osceola, Polk and Seminole counties. Information to be reviewed, supporting documents, and review comments and documents produced by the peer review panel, as well as comments from stakeholders, will be accessible at <http://cfwiwater.com/> by clicking on Hydrologic analysis under Working groups. Three main topics will be covered during this workshop: Florida's Sunshine Laws; planning for future meetings and technical reviews; and background on the Central Florida Water Initiative and previous groundwater modeling performed for the initiative. This is the first workshop for the ECFTX model whereby peer reviewers are working together with the goal of collectively developing a single peer-review report. The District invites stakeholders to participate in this public workshop on September 2 to discuss

peer review panel and stakeholder comments received during the workshop. The minutes from this teleconference will be available for review, at the website above, by September 9, 2016.

NOTE: One or more members of the District’s Governing Board may attend this meeting.

A copy of the agenda may be obtained by contacting: Mark Barcelo, SWFWMD, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211 or Mark.Barcelo@wattermatters.org, or by clicking on “Meetings and Events” on the CFWI website at <http://cfwiwater.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: SWFWMD Human Resources Director, (352)796-7211, ext. 4701; 1(800)423-1476 (FL only), ext. 4701 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the District using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mark Barcelo, SWFWMD, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211 or Mark.Barcelo@wattermatters.org. (OGC#2016045).

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: Tuesday, October 18, 2016, 9:00 a.m. – 12:00 p.m.

PLACE: Nemours Children’s Specialty Care, 10th Floor Auditorium, 807 Children’s Way, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Telehealth Advisory Council will meet to make recommendations intended to increase the use and accessibility of services provided via telehealth.

A copy of the agenda may be obtained by contacting: Dana Watson, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop 16, Tallahassee, FL 32308-5403.

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: Dana Watson at (850)412-3784. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Dana Watson at (850)412-3784.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF CANCELLATION -- The Florida Communities Trust Governing Board announces the cancellation of the following public meeting:

DATE AND TIME: August 25, 2016, 10:30 a.m. -- CANCELLED

PLACE: Florida Department of Environmental Protection, Douglas Building, Conference Room A, 3900 Commonwealth Blvd., Tallahassee, Florida 32399; telephone conference toll-free: 1(888)670-3525, participant code: 4998182812 then #
GENERAL SUBJECT MATTER TO BE CONSIDERED: The FCT Governing Board to consider the minutes from the May 26, 2016 meeting and any other business deemed necessary has been cancelled.

For more information, you may contact: Linda Reeves, Florida Department of Environmental Protection, Office of Operations, Land and Recreation Grant Programs, 3900 Commonwealth Blvd., Mail Station 103, Tallahassee, Florida 32399, (850)245-2702, Linda.Reeves@dep.state.fl.us.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, November 30, 2016, 4:00 p.m.; Thursday, December 1, 2016, 8:30 a.m., reconvening at 1:30 p.m.; Friday, December 2, 2016, 8:30 a.m.

PLACE: Doubletree Deerfield Beach, 100 Fairway Drive, Deerfield Beach, FL 33441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Credential and Education Committee Hearings, Disciplinary Hearings and General Business.

A copy of the agenda may be obtained by contacting: <http://www.floridasnursing.gov/meeting-information/>.

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

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

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support

RULE NO.: RULE TITLE:

64J-2.006 Trauma Registry and Trauma Quality Improvement Program

The Bureau of Emergency Medical Oversight announces a workshop to which all persons are invited.

DATE AND TIME: September 9, 2016, 9:00 a.m., ET

PLACE: Room 240P, 4042 Bald Cypress Way, Tallahassee, FL

This workshop will be held via telephone conference call. Call-in number: 1(888)670-3525; participant code: 1043560135, then press #. A telephone line has been established at the access point location above.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Department will consider changes and updates to the Florida Trauma Registry, Data Dictionary.

A copy of the agenda may be obtained by contacting: Michael Leffler, Michael.Leffler@flhealth.gov, 4052 Bald Cypress Way, Bin #A-22, Tallahassee, Florida 32399, (850)245-4440, ext. 2760.

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

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Broward Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 15, 2016, 10:00 – 12:00 Noon

PLACE: Florida Department of Children and Families, 1400 W. Commercial Blvd., Conference Room 203, Fort Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the Broward Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Miriam Rosario at (561)227-6722 or Taddese Fessehaye at (407)317-7335.

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

participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Miriam Rosario at (561)227-6722 or Taddese Fessehaye at (407)317-7335. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Miriam Rosario at (561)227-6722 or Taddese Fessehaye at (407)317-7335.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Palm Beach Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 16, 2016, 10:00 a.m. – 12:00 Noon

PLACE: West Palm Beach City Hall, Room - Flagler Gallery, 401 Clematis Street, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the Broward Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Miriam Rosario at (561)227-6722 or Taddese Fessehaye at (407)317-7335.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Miriam Rosario at (561)227-6722 or Taddese Fessehaye at (407)317-7335. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Miriam Rosario at (561)227-6722 or Taddese Fessehaye at (407)317-7335.

RK&K

The Florida Department of Transportation (FDOT), District One, announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 1, 2016, 5:00 p.m. – 7:00 p.m.

PLACE: FDOT Manatee Operations Center, 14000 East State Road (SR) 64, Bradenton, FL 34212

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Department of Transportation (FDOT) invites you to attend a public information meeting for an improvement project at the intersection of SR 64, Rye Road, and White

Eagle Boulevard (future) in Manatee County. Financial Project ID 196022-5-21-01.

The meeting will be held in an open house format with continuous video presentation. Project staff will display plans and answer questions about the project. Information on the alternatives being considered at the intersection will be available at the meeting. Both a signalized intersection and roundabout are being evaluated.

FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability, or family status.

Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) should contact: Patrick Bateman, E.I., project manager, FDOT, at (863)519-2792 or Patrick.Bateman@dot.state.fl.us at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Patrick Bateman, E.I., project manager, FDOT, at (863)519-2792 or Patrick.Bateman@dot.state.fl.us.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing

NOTICE IS HEREBY GIVEN that the Division of Licensing has received the petition for declaratory statement from Eduardo Wolmers. The petition seeks the agency’s opinion as to the applicability of Chapter 493, Florida Statutes, as it applies to the petitioner.

The petitioner seeks to create a new company that provides a variety of services, and whose prospective activities provide the basis for his petition. Petitioner asks 11 questions regarding advertising, contracting, and licensure, seeking to determine whether and how chapter 493 applies to his proposed company. Per Rule 28-105.0027, Florida Administrative Code, except for good cause shown, petitions to intervene must be filed within 21 days of publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: John Roberts, Government Analyst I, Post Office Box 5708, Tallahassee, Florida 32314, John.Roberts@freshfromflorida.com, (850)245-5459.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Richard Hawkins, Unit Owner, In Re: Mangrove Bay of Lee County Condominium Association, Inc., Docket No. 2016038809, filed on August 16, 2016. The petition seeks the agency’s opinion as to the applicability of Section 718.113(2), Florida Statutes, and Section 718.110(4), Florida Statutes, as it applies to the petitioner.

Whether the proposed changes to the Association’s Bylaws and Articles of Incorporation, concerning the use, access, and fees associated with the exclusive use of boat slips, fall under the 75% vote requirement pursuant to Section 718.113(2), Florida Statutes, or under the 100% vote requirement of all owners and lien holders pursuant to Section 718.110(4), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)717-1539, Danielle.Walker@myfloridalicense.com.

Please refer all comments to: Robin E. Smith, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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

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

NONE

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

NONE

Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Bid No. BDC15-16/17 Little Manatee River State Park –
 Campground Bathhouse Renovations

NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC15-16/17, Little Manatee River State Park – Campground Bathhouse Renovations. More info @ <http://tinyurl.com/BDC15-16-17>.

CHARLES PERRY PARTNERS, INC.
 UF_607-Florida Innovation Hub Phase 2
 Advertisement of Prequalification
 Charles Perry Partners, Inc. is the selected design-build firm for the University of Florida – Innovation Hub Phase 2 building located in Gainesville, Florida. The project will be approximately 12 months and consists of a 3-story building that will be approximately 48,000 SF.
 Charles Perry Partners, Inc. is currently accepting subcontractor/vendor prequalification forms for the following scopes of work.

The remaining bid packages will include the following:

- SELECTIVE DEMOLITION
- SITE CONCRETE
- MASONRY
- DOOR & HARDWARE INSTALLATION
- DAMPPROOFING, WATERPROOFING
- ROOFING SYSTEM
- METAL WALL PANELS
- DOORS/FRAMES/HARDWARE
- STOREFRONT/CURTAINWALL/GLASS

- DRYWALL/FRAMING
- ACOUSTICAL CEILINGS/TREATMENTS
- PAINTING, COATINGS/WALLCOVERINGS
- FLOORING
- MISCELLANEOUS SPECIALTIES
- SIGNAGE
- CASEWORK
- LAB CASEWORK
- WINDOW TREATMENTS
- SITE FURNISHINGS
- FIRE PROTECTION
- PLUMBING
- HVAC
- TEST & BALANCE
- BUILDING AUTOMATION SYSTEM & CONTROLS
- ELECTRICAL
- LANDSCAPING, IRRIGATION
- PAVER SYSTEMS

All parties interested in bidding on this project must be prequalified in order for their bid to be considered. Prequalification instructions and forms are available by logging on to <http://planroom.cppi.com>.

Username: innovation
 Password: hub2prequal

FOR REMAINING PACKAGES: Completed prequalification forms must be filled out and emailed to iHub2.Prequalification@cppi.com by September 2, 2016. Prequalified bidders will receive detailed bidding instructions, bid dates and times.

All interested parties are encouraged to attend an informational meet-n-greet at the CPPI office (8200 NW 15th Place, Gainesville, FL) at 9:00 a.m. on Wednesday, September 7, 2016. The agenda will include introductions, project overview and bid schedule.

Bids are scheduled to be due on September 22, 2016. Construction is tentatively scheduled to start in October 2016.

The University of Florida and CPPI are committed to Small Business and Vendor Diversity and encourages participation by such. CPPI reserves the right to reject any bid if considered to be in best interest of the project. Compliance with UF Purchasing and EDA guidelines will be required.

Notice of requirements for affirmative action to ensure equal employment opportunity (Executive Order 11246 and 41 CFR Part 60-4).

The Department of Commerce Economic Development Administration is providing partial funding for this project. Investment Number 04-79-07090.

Section XII
Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Clean Water State Revolving Fund Program
NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
Walton/Okaloosa/Santa Rosa Regional Utility Authority,
Florida

The Florida Department of Environmental Protection (DEP) has determined that the Walton/Okaloosa/Santa Rosa Regional Utility Authority’s project to improve the water reclamation facility is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$2,505,000. The project may qualify for a Clean Water State Revolving Fund loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Mahnaz Massoudi, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS3505, Tallahassee, Florida 32399-3000, mahnaz.massoudi@dep.state.fl.us, or calling (850)245-2960

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-16-157
ROBERT SMITH, Petitioner,
v. FINAL ORDER NO. DEO-16-157
CASE NO.: 16-048
(FINAL ORDER NO. DEO-16-121)
STATE OF FLORIDA, DEPARTMENT OF ECONOMIC OPPORTUNITY, Respondent.

ORDER

THIS CAUSE has come before the State of Florida, Department of Economic Opportunity (Department) on a Petitioner’s motion to repudiate the Department’s final order of dismissal without prejudice. Petitioner’s motion to repudiate does not comport with the requirements of 28-106.303, Florida Administrative Code, because it fails to “fully state the action requested and the grounds relied upon.” It is, therefore:

ORDERED AND ADJUDGED:

The motion to repudiate the final order of dismissal without prejudice is hereby DENIED. The Petitioner has fifteen (15) days from the date of this Order to file an amended motion with the Department that complies with rule

28-106.303, Florida Administrative Code. This Order constitutes final agency action of the Department.

DONE AND ORDERED this 23rd day of August, 2016, in Tallahassee, Leon County, Florida.

/s/
Taylor Teepell, Director
Division of Community Development
Department of Economic Opportunity
Notice of administrative rights

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

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

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

Pursuant to section 120.573, florida statutes, and chapter 28, part iv, florida administrative code, mediation is not available to settle administrative disputes.

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

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order denying Petitioner’s motion to repudiate order of dismissal has been filed with the Agency Clerk, Stephanie Chatham, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128, telephone: (850)245-7150, and that a true and correct copy has been furnished via certified mail to Robert J. Smith, 23329 Royal Palm Drive, Palm Bay, Florida 32905 this 23rd day of August, 2016.

/s/
Stephanie Chatham, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

Telephone: (850)245-7150

Section XIII
Index to Rules Filed During Preceding
Week

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