

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

RULE NO.: **RULE TITLE:**
61-35.010 Construction Industry Departmental Forms

PURPOSE AND EFFECT: The proposed rulemaking seeks to amend Existing Rule 61-35.010, F.A.C., in order to update and revise application forms.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the adoption of the amended forms.

RULEMAKING AUTHORITY: 455.203, 455.213 FS.

LAW IMPLEMENTED: 455.213(1), 489.109, 489.111, 489.113, 489.1136, 489.114, 489.115, 489.116, 489.117, 489.118, 489.119, 489.133, 559.79 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: Aimee Odom, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1394.

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

Section II

Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
6A-1.0017 School Environmental Safety Incident Reporting (SESIR)

PURPOSE AND EFFECT: This amended rule provides greater clarity on SESIR reporting requirements and incident definitions and incorporated changes recommended by the Statewide Grand Jury, the Marjory Stoneman Douglas (MSD) High School Public Safety Commission, and an interdisciplinary SESIR workgroup. The effect is to set forth the requirements for school districts to report school-related incidents with enhanced accuracy and to standardize reporting to law enforcement.

SUMMARY: This proposed rule designates the specific SESIR incidents that schools must report to law enforcement in order to make permanent the changes established in Emergency Rule

6AER23-01. Previously each school board determined which incidents required reporting to law enforcement.

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 changes to SESIR reporting are based on requirements in House Bill 543 (2023) and are not expected to add to any expense associated with reporting. This proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of the rule changes.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1006.07(9), F.S.

LAW IMPLEMENTED: 1001.212(8), 1001.42(13)(b), 1001.51(12), 1001.54(3), 1002.33(16)(b)10, 1006.07(9), 1006.09(6), 1006.135(2)(e), 1006.147(4)(k), (6), 1008.385, F.S.

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

DATE AND TIME: July 19, 2023, 9:00 a.m.
PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, Florida 32819.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Collins, Office of Safe Schools, SafeSchools@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0017 School Environmental Safety Incident Reporting (SESIR).

- (1) No change.
- (2) Definitions.
 - (a) through (e) No change.

(f) “Reported to law enforcement” means that school district or charter school staff communicated with a School Resource Officer (SRO) or other law enforcement official about

an incident. Reporting to law enforcement may not always result in law enforcement action being taken.

~~(g)~~(f) “School district” or “district” means a Florida school district, the Florida Virtual School (Section 1002.37, F.S.), the Florida School for the Deaf and Blind (Section 1002.36, F.S.), and Developmental Research (Laboratory) Schools (Section 1002.32, F.S.). All reporting requirements in this rule also apply to charter schools, pursuant to Section 1002.33(16)(b)10., F.S.

~~(h)~~(g) “School personnel” means any person employed at a school, volunteering at a school on a temporary or permanent basis, or a third party that is contracted to provide services for the school.

~~(i)~~(h) “Unsubstantiated” means that following an investigation, there is not enough evidence to demonstrate that the alleged incident occurred.

(3) through (6) No change.

(7) Incident definitions.

(a) through (y) No change.

(z) Weapons Possession (Level II): Possession of a firearm or ~~weapon any instrument or object~~ as defined by Section 790.001(6) and (13), F.S., that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.

(8) Related element definitions.

(a) through (h) No change.

(i) Weapon-related: All SESIR incidents are required to be reported as Weapon-related where anyone involved possessed or used a firearm or weapon or if the incident was related to possession, use or sale of firearms or weapons, as defined in Section 790.001(6) and (13), F.S.

(9) Reporting law enforcement involvement. For each SESIR incident, a school district must report one of the following three (3) choices regarding law enforcement involvement:

(a) through (c) No change.

(d) Required reporting to law enforcement.

1. School districts must report all SESIR incidents to law enforcement, except for Bullying, Harassment, Sexual Harassment, and Tobacco.

2. School districts must report all SESIR incidents to law enforcement, including Bullying, Harassment, Sexual Harassment, and Tobacco, where the incident includes one or more of the following related elements:

a. Alcohol-related;

b. Drug-related;

c. Gang-related;

d. Hate crime-related;

e. Hazing-related;

f. Injury-related, if the injuries are reported as more serious; and

g. Weapon-related.

3. This rule does not limit school districts and charter schools from reporting other incidents to law enforcement that are not listed in subparagraph (9)(d)1. and 2.

(10) through (11) No change.

Rulemaking Authority 1001.02(1), (2)(n), 1006.07(9), 1008.385(3) FS. Law Implemented 1001.212(8), 1001.42(13)(b), 1001.51(12), 1002.33(16)(b)10., 1006.07(9), 1006.135(2)(e), 1006.147(4)(k), 1006.147(6), 1008.385 FS. History—New 6-16-20, Amended 8-23-21, 1-17-23.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julie Collins, Office of Safe Schools.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 17, 2023

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09414
 RULE TITLE: Course Requirements - Grades PK-12
 Exceptional Student Education

PURPOSE AND EFFECT: To align course descriptions with the modified student performance standards. Course descriptions for Special Skills courses will be revised. Student performance standards for Social Studies Access Points-Alternate Academic Achievement Standards (AP-AAAS) Grades K-12 were adopted in May by the State Board of Education.

SUMMARY: This rule contains Access courses for students with the most significant cognitive disabilities. Access courses are designed to provide students access to grade-level general instruction. Access Points are alternate academic achievement standards included in Access courses that target the salient content of Florida’s state academic standards. Access Points are intentionally designed to academically challenge students with the most significant cognitive disabilities. The rule also contains Special Skills courses that address the needs of students with disabilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the

statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or other factors listed in s. 120.541(2)(a), F.S., and is not expected to require legislative ratification. The proposed amendment does not impose any new costs on any stakeholder.

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, 1001.03(1), 1011.62(1)(t), F.S.

LAW IMPLEMENTED: 1001.03, 1011.62(1)(t), F.S.

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

DATE AND TIME: July 19, 2023, 9:00 a.m.

PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, Florida 32819.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica Brattain, Bureau of Exceptional Education and Student Services, (850)245-0475.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09414 Course Requirements – Grades PK-12 Exceptional Student Education.

A course description directs district personnel by providing the essential content and course requirements for each course in grades PK-12 contained in the “Course Code Directory and Instructional Personnel Assignments” adopted in Rule 6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publication “2023-2024 Florida Course Descriptions for Grades PK-12, Exceptional Student Education (<http://www.flrules.org/Gateway/reference.asp?No=Ref-45442>),” which is hereby incorporated by reference and made a part of this rule. Copies of approved course descriptions may be obtained from Division of Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. Rulemaking Authority 1001.02, 1001.03(1), 1011.62(1)(t) FS. Law Implemented 1001.03, 1011.62(1)(t) FS. History—New 7-9-86, Amended 12-28-86, 12-13-88, 12-11-89, 11-12-91, 6-6-93, 10-18-94, 9-28-99, 8-21-12, 3-25-14, 6-23-15, 6-23-16, 11-21-17, 10-18-18, 6-14-22, 6-27-23,

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica Brattain, Bureau of Exceptional Education and Student Services.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2023

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-5.065
 RULE TITLE: The Florida Educator Accomplished Practices

PURPOSE AND EFFECT: To set forth in rule Florida’s core standards for effective educators. The Florida Educator Accomplished Practices (FEAP) form the foundation for the state’s teacher preparation programs, educator certification requirements and school district instructional evaluation systems.

SUMMARY: The rule is updated to ensure alignment with HB 1069 (2023). Specifically, the standard for quality instruction is amended to include the requirements found in s. 1003.42(8)(c)3., F.S., and the standard for the learning environment is amended to include consistency with the requirements found in s. 1000.071, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1004.04(6), 1004.85(8), 1012.34(8), 1012.56(13), F.S.

LAW IMPLEMENTED: 1004.04, 1004.85, 1012.34, 1012.56, F.S.

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

DATE AND TIME: July 19, 2023, 9:00 a.m.
 PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, Florida 32819.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Abbey Stewart, Chief, Bureau of Educator Recruitment, Development and Retention, (850)245-9608 or Abbey.Stewart@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.065 The Florida Educator Accomplished Practices.

(1) No change.

(2) The Florida Educator Accomplished Practices. Each effective educator applies the foundational principles through six (6) Florida Educator Accomplished Practices. Each of the practices is clearly defined to promote a common language and statewide understanding of the expectations for the quality of instruction and professional responsibility.

(a) Quality of Instruction.

1. Instructional Design and Lesson Planning. Applying concepts from human development and learning theories, the effective educator consistently:

a. through f. No change.

g. Provides classroom instruction to students in prekindergarten through grade 12 that is age and developmentally appropriate and aligned to the state academic standards as outlined in Rule 6A-1.09401, F.A.C., and is consistent with s. 1001.42(8)(c)3., F.S.

2. The Learning Environment. To maintain a student-centered learning environment that is safe, organized, equitable, flexible, inclusive, and collaborative, the effective educator consistently:

a. through g. No change.

h. Adapts the learning environment to accommodate the differing needs and diversity of students while ensuring that the learning environment is consistent with s. 1000.071, F.S.;

i. through j. No change.

3. through 4. No change.

(b) No change.

Rulemaking Authority 1004.04, 1004.85, 1012.34, 1012.56 FS. Law Implemented 1004.04, 1004.85, 1012.34, 1012.56 FS. History—New 7-2-98, Amended 2-13-11, 11-22-22, 2-21-23, 5-23-23.

NAME OF PERSON ORIGINATING PROPOSED RULE: Abbey Stewart, Chief, Bureau of Educator Recruitment.
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2023

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.0952 Family Empowerment Scholarship Program
 PURPOSE AND EFFECT: To implement updates from House Bill 1 from the 2023 Legislative Session. Other changes to the rule will be considered related to the expansion of the program including, but not limited to, updates to Scholarship Funding Organization (SFO) responsibilities, Family Empowerment Scholarship (FES) eligibility, FES expansion, and provisions for choice navigator services.

SUMMARY: The rule amendment will bring the rule into alignment with House Bill 1 from the 2023 Legislative Session by changing scholarship eligibility requirements, the conditions for termination of the scholarship and amending scholarship payment 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: Based upon the nature of the change, the proposed rule is not expected to exceed any of the economic criteria set forth in s. 120.541(2)(a), F.S., and will not require legislative authorization.

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: 1002.394, F.S.

LAW IMPLEMENTED: 1002.394, F.S.

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

DATE AND TIME: July 19, 2023, 9:00 a.m.

PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, Florida 32819.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Emerson, Executive Director, Office of Independent Education & Parental Choice, adam.emerson@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0952 Family Empowerment Scholarship Program.

(1) Purpose. The Family Empowerment Scholarship (FES) Program is implemented by the Department of Education (Department) in collaboration with eligible nonprofit scholarship-funding organizations (SFOs), as required by Section 1002.394, F.S., in an effective and equitable manner that maintains the integrity of the program, which was established to provide children of families in the state with educational options to achieve success in their education, ~~including children of families with limited financial resources, children of military families, and children with disabilities.~~

(2) Definitions. As used in this rule:

(a) through (c) No change.

(d) “Family Empowerment Scholarship for Educational Options” is the scholarship option for eligible students residing in Florida ~~of families with limited financial resources, students in foster care or out of home care, and students of military families, as further described in subsection (3) of this rule.~~ Pursuant to Section 1002.394(4)(a), F.S., the scholarship funds may be used for a variety of purposes, such as tuition and fees at an eligible private school, certain instructional materials, and fees for assessments toward tuition and fees at an eligible private school or transportation to a Florida public school that is different from the student’s assigned school.

(e) through (g) No change.

(3) Family Empowerment Scholarship for Educational Options.

(a) Initial Eligibility. For initial program eligibility under Section 1002.394(3)(a), F.S., the SFO shall identify qualified students by verifying that the student:

1. ~~Is a resident of this state; Meets the household income requirements described in Sections 1002.394(3)(a)1., and 1002.394(3)(a)3., F.S.;~~

2. ~~Is eligible to enroll in kindergarten through grade 12 in a public school in this state. Is currently placed, or during the previous state fiscal year was placed, in foster care or in out-of-home care;~~

3. ~~Shares a birth parent or legal parent with one or more other children participating in a Family Empowerment Scholarship and such siblings reside in the same household; or~~

4. ~~Is the dependent child of a member of the United States Armed Forces.~~

(b) Term of Family Empowerment Scholarship. For a student initially eligible under Section 1002.394(3)(a), F.S., the scholarship remains in effect until one of the following occurs:

1. The SFO determines that the student is not eligible for renewal.

2. The Commissioner of Education suspends or revokes program participation or use of funds.

3. The parent has forfeited participation by failing to comply with the parent and student responsibilities in Section 1002.394(10), F.S.

4. ~~1.~~ The student enrolls in ~~returns to~~ a public school.

5. ~~2.~~ The student graduates from high school. The student may continue in the program until he or she receives a GED, standard diploma, or the private school’s equivalent. Certificates of completion or attendance do not constitute graduation from high school for purposes of this paragraph.

6. ~~3.~~ The student reaches the age of twenty-one (21). The student may complete the school year in which he or she reaches the age of twenty-one (21).

(c) No change.

(d) Transportation Scholarship. For a student initially eligible pursuant to Section 1002.394(3)(a)1., ~~or 1002.394(3)(a)2.,~~ F.S., in lieu of accepting the scholarship to attend a private school, a seven-hundred fifty dollar (\$750) scholarship may be awarded to assist with transportation costs to a public school that is different from the school the student is assigned to attend.

(4) No change.

(5) Scholarship Funding Process.

(a) through (b) No change.

(c) 1. Scholarship payments will be made to the SFO for students eligible pursuant to Section 1002.394(3)(a), F.S. on or before August September 1, November 1, February 1, and April 1 of each year. Following receipt of scholarship payment from the Department, the SFO shall have fourteen (14) business days to initiate a scholarship payment to a participating private school.

2. Scholarship payments will be made to the SFO for students eligible pursuant to Section 1002.394(3)(b), F.S. on or before September 1, November 1, February 1, and April 1 of each year.

3. For purposes of statutory deadlines associated with payment dates, the above listed dates shall be considered the official payment dates. ~~Following receipt of scholarship payment from the Department, the SFO shall have seven (7) business days to initiate a scholarship payment to a participating private school.~~

(d) Requests for scholarship funding must be submitted by the SFO to the Department no later than November 1 for the September and November payments and no later than February March 1 for the February and April payments.

(6) SFO Requirements. Eligible SFOs shall:

(a) No change.

(b) Verify the eligibility of all scholarship expenditures.

1. For students eligible under Section 1002.394(3)(a), F.S., verification must be made of continued enrollment and attendance at an eligible private school prior to payment of tuition and fees to the school.

2. No change.

(c) Four (4) times a year, no later than October 30, January 30, April 30, and July 30 of each year, the SFO shall submit, in a manner to be specified by the Department, electronic lists of all scholarship students, providers of services, and participating private schools. The lists shall include the following information:

1. Initial balance in each student's account as of July 1; Demographic information for each student;

2. Program award amount for each student;

2.3. Private school expenditure for each student; and,

3.4. For students eligible under Section 1002.394(3)(b), F.S., Expenditures by purpose type as specified in Section 1002.394(4), F.S.; and,

4. The balance remaining in each student's account.

(7) Return of Funds.

(a) SFOs are responsible for the return of all scholarship funds to the Department that were received in error or associated with a scholarship account that has been closed pursuant to Section 1002.394(5)(a)2., F.S. or Section 1002.394(5)(b)3., F.S. or identified as ineligible pursuant to Section 1002.394(8)(a)2., F.S. If the Department identifies scholarship funds that must be returned, it shall send a letter via both regular and certified mail requesting the return of the funds. The letter shall state the reason the funds are being requested, the student or students involved, instructions on returning the funds, and the procedure to be followed if the SFO believes that return of the funds is being requested in error or wishes to provide additional information related to the requested funds. The Department's letter may also require the SFO to provide an explanation for how the funds were erroneously obtained.

(b) through (d) No change.

(8) No change.

Rulemaking Authority 1002.394(14) FS. Law Implemented 1002.394 FS. History--New 10-27-20, Amended 9-21-21,

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 17, 2023

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.0960 Florida Tax Credit Scholarship Program

PURPOSE AND EFFECT: To implement updates from House Bill 1 from the 2023 Legislative Session, including, but not limited to, updates to Scholarship Funding Organization (SFO) requirements, scholarship program participation requirements, student account balance limits, and provisions for choice navigator services.

SUMMARY: The rule amendment brings the rule into alignment with House Bill 1 from the 2023 Legislative Session. Specifically, the rule expands eligibility to students participating in personalized education programs and amends time limits related to information to be submitted by SFOs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the nature of the change, the proposed rule is not expected to have any adverse impact on economic growth or business competitiveness, or increase regulatory costs or any other factor set forth in s. 120.541(2), F.S., and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1002.395, F.S.

LAW IMPLEMENTED: 1002.395, F.S.

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

DATE AND TIME: July 19, 2023, 9:00 a.m.

PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, Florida 32819.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Emerson, Executive Director, Office of Independent Education & Parental Choice, Adam.emerson@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0960 Florida Tax Credit Scholarship Program.

The Florida Tax Credit Scholarship Program will be implemented as required by Section 1002.395, F.S., to allow nonprofit scholarship-funding organizations to provide scholarships from eligible contributions to qualified students attending eligible private schools or public schools outside the school district in which the student resides or in a laboratory school; or students participating in personalized education programs as defined in Section 1002.01(2), F.S.

(1) Eligibility of nonprofit scholarship-funding organizations.

(a) A nonprofit organization may apply or register to be a scholarship-funding organization by having its principal officer or legal representative submit documentation to the Department of Education as specified in Form IEPC SFO-1, Nonprofit Scholarship-Funding Organization Participation Application for New Scholarship Funding Organization (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04661>), effective August 2023, Form IEPC SFO-2, Nonprofit Scholarship-Funding Organization Participation Renewal for Scholarship Funding Organization (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04662>), effective November 2014, or Form IEPC SFO-3, Nonprofit Scholarship-Funding Organization Participation Application for State Universities and Independent Colleges or Universities (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13502>), effective September 2021, which are hereby incorporated by reference to become a part of this rule ~~to become effective November 2014 and September 2021, respectively~~. The appropriate Nonprofit Scholarship-Funding Organization Form must be signed by the owner or operator, submitted annually, and be postmarked no later than September 1 for participation in the following school year. The Nonprofit Scholarship Funding Organization Participation Application for New Scholarship Funding Organizations may be submitted by November 1, and upon receipt by the Department of Education will be evaluated pursuant to Section 1002.395(c), F.S. and requirements in this rule. Forms may be obtained through Florida Department of Education, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399 or <https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/sfo/applications.shtml> http://www.floridaschoolchoice.org/information/CTC/SFO_Renewal.asp.

(b) through (c) No change.

(d) Within thirty (30) days of each ~~the~~ application deadline, the Department shall send to each nonprofit scholarship-funding organization applicant, at the address listed on the

Nonprofit Scholarship-Funding Organization Form, a written notice of any deficiencies in the application.

(e) through (k) No change.

(h) A state university; or an independent college which is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program, located and chartered in Florida, and is not for profit and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, is exempt from the initial or renewal application process, but must file a registration notice with the Department of Education in order to be an eligible nonprofit scholarship-funding organization.

(k) No change.

(2) Nonprofit scholarship-funding organization requirements.

(a) Eligible nonprofit scholarship-funding organizations shall ~~ten (10) five (5)~~ times a year, no later than July 10, August 10, September 10, October 10, November 10, January 10, February 10, and March 10, April 10 and no later than fifteen (15) days after the last payment date of the school year, submit in a format to be specified by the Department an electronic list of all participating Florida Tax Credit scholarship students. The list shall include the following information:

1. ~~(a)~~ Demographic information for each student, including name, date of birth, social security number, grade level, gender, race, parent's name, mailing address, email address, ~~and~~ telephone number, and student's household income level;

2. ~~(b)~~ Information on the student's school of attendance, including tuition, fees, and transportation amounts;

3. ~~(c)~~ The amount and type of each student's scholarship; and,

4. ~~(d)~~ Year-to-date information on the amount paid for each scholarship student during the school year and the school attended, including the first date of attendance and withdraw date. If a student attended more than one school, the summary shall detail the amount of the scholarship payments that the student generated by each school.

(b) Four (4) times a year, no later than October 30, January 30, April 30, and July 30 of each year, eligible nonprofit scholarship-funding organizations shall submit, in a manner to be specified by the Department, electronic lists of expenditures for all scholarship students, providers of services, and participating private schools. The lists shall include the following information:

1. Initial balance in each student's account as of July 1;

2. Program award amount for each student;

3. Private school expenditure for each student;

4. Expenditures by purpose type as specified in Section 1002.395(6)(f), F.S.; and,

5. The balance remaining in each student's account.

(3) through (5) No change.

(6) Measurement of student achievement. Private schools participating in the program are responsible for ensuring that all students in grades three through ten who are receiving scholarships are assessed annually and the results reported as required by Section 1002.395(8)(b)(e)2, F.S. Achievement data for scholarship students shall not be used to rate publicly the performance of private schools that participate in the program.

(a) Pursuant to Section 1002.395(9)(e)(i), F.S., relating to the identification and selection of nationally norm-referenced tests for the measurement of student achievement, participating private schools must annually administer a nationally norm-referenced test that has been approved by the Department and listed on the Department’s website to students receiving Florida Income Tax Credit Scholarships. The list may be accessed at <http://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/ftc/annual-assessment-requirement.stml>.

(b) No change.

Rulemaking Authority 1002.395(9)(i), (12)(d), (15)(h)-(i) FS. Law Implemented 1002.395 FS. History—New 2-5-07, Amended 11-26-08, 6-22-10, 10-25-10, 11-4-14, 3-22-17, 8-21-18, 9-21-21.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 09, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 17, 2023

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0981
 RULE TITLE: Provider Approval and Renewal for Virtual Instruction Program

PURPOSE AND EFFECT: To update applications in Rule 6A-6.0981; Form VSP-02 Virtual Instruction Program Application for Provider Approval; and Form VSP-02R Virtual Instruction Program Application for Provider Renewal.

SUMMARY: The rule amendment updates application forms to add clarity to instructions, remove extraneous information, and add assurance language in regards to ss. 1001.42(8) and 1003.42(3), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly

regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the nature of the change, the proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1002.45(10), F.S.

LAW IMPLEMENTED: 1002.45. F.S

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

DATE AND TIME: July 19, 2023, 9:00 a.m.

PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, Florida 32819.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Emerson, Executive Director, Office of Independent Education & Parental Choice, adam.emerson@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0981 Provider Approval and Renewal for Virtual Instruction Program.

(1) No change.

(2)(a) Application Form. Form VSP-02, Virtual Instruction Program Application for Provider Approval (<https://www.flrules.org/Gateway/reference.asp?No=Ref-14698>), for becoming an approved provider for the Virtual Instruction Program, will be used for those virtual education providers applying for approved status from the State Board of Education. Form VSP-02 is hereby incorporated by reference and made a part of this rule to become effective August 2023 ~~September 2022~~.

(b) Application Form. Form VSP-02R, Virtual Instruction Program Application for Provider Renewal (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14699>), for renewing an approved provider for the Virtual Instruction Program, will be used for those virtual education providers applying for renewal status from the State Board of Education. Form VSP-02R is hereby incorporated by reference and made a part of this rule to become effective August 2023

~~September 2022~~. Copies of forms VSP-02 and VSP-02R may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(3) through (8) No change.

Rulemaking Authority 1001.02(1), (2)(n), 1002.45(10) FS. Law Implemented 1002.45 FS. History—New 11-26-08, Amended 10-21-09, 3-20-11, 12-20-11, 1-23-13, 1-1-14, 7-28-15, 10-30-16, 8-21-18, 9-21-21, 9-20-22.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 26, 2023

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.0982 Florida Approved Online Course Providers
PURPOSE AND EFFECT: To update applications in Rule 6A-6.0982: Form VSP-03, Online Course Provider Approval Application, Form VSP-04, Application for Currently Approved Online Course Provider, and Form VSP-05, Online Course Provider Renewal Approval Application.

SUMMARY: The rule amendment updates application forms to add clarity to instructions, remove extraneous information, and add assurance language in regards to Sections 1001.42(8) and 1003.42(3), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the nature of the change, the proposed is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

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

RULEMAKING AUTHORITY: 1001.02, 1003.499, 1008.31, F.S

LAW IMPLEMENTED: 1003.499, 1008.31, F.S.

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

DATE AND TIME: July 19, 2023, 9:00 a.m.

PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, Florida 32819.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Emerson, Executive Director, Office of Independent Education & Parental Choice, adam.emerson@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0982 Florida Approved Online Course Providers.

(1) Purpose. Section 1003.499(2), Florida Statutes (F.S.) requires the Commissioner of Education to annually publish online a list of providers approved to offer Florida approved courses.

(2)(a) Application Form. Form VSP-03, Online Course Provider Approval Application (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14701>), for becoming an approved online course provider, will be used for those online course providers applying for approved status from the Department of Education. Form VSP-03 is hereby incorporated by reference and made a part of this rule to become effective ~~August 2023~~ ~~September 2022~~.

(b) Application Form. Form VSP-04, Application for Currently Approved Online Course Provider (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14702>), for a currently approved online course provider to add new courses to their approval, will be used for online course providers applying for additional online course approval status from the Department of Education. Form VSP-04 is hereby incorporated by reference and made a part of this rule to become effective ~~August 2023~~ ~~September 2022~~.

(c) Application Form. Form VSP-05, Online Course Provider Renewal Approval Application (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14703>), for renewing an approved provider, will be used for those online course providers applying for renewal approval status from the Department of Education. Form VSP-05 is hereby incorporated by reference and made a part of this rule to become effective ~~August 2023~~ ~~September 2022~~. Copies of Form VSP-03, VSP-04, and VSP-05 may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(3) through (5) No change.

Rulemaking Authority 1003.499, 1008.31 FS. Law Implemented 1003.499, 1008.31 FS. History—New 12-23-14, Amended 7-28-15, 10-30-16, 10-17-17, 8-21-18, 9-21-21, 9-20-22,

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 26, 2023

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.081
 RULE TITLE: Principles of Professional Conduct for the Education Profession in Florida

PURPOSE AND EFFECT: To revise the current Principles of Professional Conduct for the Education Profession in Florida. The amendment will align requirements to HB 1069 and HB 1521 (2023).

SUMMARY: The amendment updates the prohibitions to provide instruction on sexual orientation and gender identity in prekindergarten through grade 8, and grade 9 through grade 12 except as required by law and in accordance with State Board rule. Subsection (13) is added to make it a violation of rule to violate s. 553.865(9)(a), F.S., regarding entering a restroom or changing facility on the premises of an educational institution designated for the opposite sex. Subsection (14) is added to make it a violation of rule to violate s. 1000.071, F.S., which relates to the use of personal titles and pronouns in educational institutions. The amendments align the rule with changes during the 2023 legislative session in House Bills 1069 and 1521.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any

other factors listed in s. 120.541(2)(a), F.S., and is not expected to require legislative ratification. The proposed rule is not anticipated to result in any new costs on any stakeholder.

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

RULEMAKING AUTHORITY: 1001.02, 1012.795(1)(j), F.S.
 LAW IMPLEMENTED: 1012.795, F.S.

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

DATE AND TIME: July 19, 2023, 9:00 a.m.

PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, Florida 32819.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Randy Kosec, Jr., Chief, Office of Professional Practices Services, Randy.Kosec@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.081 Principles of Professional Conduct for the Education Profession in Florida.

(1) No change.

(2) Florida educators shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator’s certificate, or the other penalties as provided by law.

(a) Obligation to the student requires that the individual:

1. through 5. No change.

6. Shall not intentionally provide classroom instruction to students in prekindergarten through grade ~~8~~ ³ on sexual orientation or gender identity, except when required by Sections 1003.42(2)(n)3. and 1003.46, F.S.

7. Shall not intentionally provide classroom instruction to students in grades ~~2~~ ⁴ through 12 on sexual orientation or gender identity unless such instruction is ~~either expressly~~ required by state academic standards as adopted in Rule 6A-1.09401, F.A.C., or is part of a reproductive health course or health lesson for which a student’s parent has the option to have his or her student not attend.

8. through 12. No change.

13. Shall not violate s. 553.865(9)(b), F.S., which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution.

14. Shall not violate s. 1000.071, F.S., which relates to the use of personal titles and pronouns in educational institutions.

(b) through (c) No Change.

Rulemaking Authority 1001.02, 1012.795(1)(j) FS. Law Implemented 1012.795 FS. History—New 7-6-82, Amended 12-20-83, Formerly 6B-1.06, Amended 8-10-92, 12-29-98, Formerly 6B-1.006, Amended 3-23-16, 11-22-22, 2-21-23, 5-23-23,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Randy Kosec, Jr., Chief, Office of Professional Practices Services.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 09, 2023

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-20.028: Florida Bright Futures Scholarship Program.

PURPOSE AND EFFECT: Modifications to the Florida Bright Futures Scholarship Program are required due to recent legislation included in Chapter 2023-39, Laws of Florida, that include implementing and providing clarification for section 1009.531, Florida Statutes. The changes include permitting students to combine volunteer service and paid work hours, authorizing students to earn a concordant score on the Classic Learning Test (CLT) to meet the minimum college entrance exam score requirement, and extending the college entrance exam test score deadline to August 31 of the student’s last year in high school.

SUMMARY: Florida Bright Futures Scholarship Program initial eligibility requirements including volunteer and paid work hours, in addition to test score 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: Based upon the nature of the changes and experience with similar changes in the past, the proposed rule is not expected to have any adverse impact on economic growth or business competitiveness, increase regulated costs, or any other factor set forth in section 120.541(2), Florida Statutes and will not require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1009.53(3), F.S.

LAW IMPLEMENTED: 1009.40, 1009.42, 1009.43, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536 and 1009.538, F.S.

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

DATE AND TIME: July 19, 2023, 9:00 a.m.

PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, Florida 32819.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shawn Haskin, Director, State Scholarships and Grants, Finance and Operations, Office of Student Financial Assistance, (850)410-5185

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-20.028 Florida Bright Futures Scholarship Program.

(1) through (2) No change.

(3) Initial eligibility requirements.

(a) through (c) No change.

(d) A home-educated student applying for a Florida Bright Futures Scholarship Program Academic Scholars award under Section 1009.53(2) 1009.534, F.S., must complete volunteer service hours or paid work hours that meet the following requirements during high school and by high school graduation:

1. through 4. No change.

5. Volunteer service hours and paid work hours are separate paths to satisfy the hours requirement; however, they may cannot be combined to achieve a minimum of one hundred (100) total hours satisfy the hours required.

(e) through (f) No change.

(g) Initial Academic Criteria:

1. For the purposes of student eligibility, in accordance with Sections 1009.534(1)(a) and 1009.535(1)(a), F.S., coursework must include a minimum of four (4) credits in English, four (4) credits in mathematics, three (3) credits in science, three (3) credits in social science, and completion of the foreign language component of the scholar designation pursuant to Section 1003.4285, F.S.

a. through c. No change.

d. A student must earn at least the minimum standardized Evidence-Based ~~based~~ Reading and Writing and Math scores on the SAT combined composite, excluding the Essay section, ~~or~~ the minimum standardized scores on the ACT, or the minimum standardized scores on the Classic Learning Test (CLT) either administered by January 31 for the seventh semester evaluation or by August 31 June 30 for the eighth

semester evaluation of the student’s last year in high school, as identified for each award level specified in Section 1009.531(6), F.S. ACT scores are rounded up for scores with .5 and higher; SAT and CLT scores do not require rounding. Sections of the SAT, ~~or~~ ACT, or CLT from different test dates may be used to meet the test criteria, but test types cannot be mixed. Scores from CLT test dates prior to July 1, 2023, may not be used.

I. To be eligible for the Florida Academic Scholars award, a student must achieve the required examination score at the 89th SAT User percentile, ~~or~~ the concordant ACT score, or the concordant CLT score.

II. To be eligible for the Florida Medallion Scholars award, a student must achieve the required examination score at the 75th SAT User percentile, ~~or~~ the concordant ACT score, or the concordant CLT score.

III. through IV. No change.

2. No change.

(h) No change.

(4) Academic Top Scholars awards.

(a) No change.

(b) To be designated an Academic Top Scholar, a student must have:

1. through 3. No change.

4. Been the highest-ranked Florida Academic Scholars award recipient in the Florida school district where the student last attended and graduated from high school. For this determination, Florida Academic Scholars award recipients will be ranked by the FDOE on the basis of the product of their Florida Bright Futures cumulative GPA, calculated on the minimum college preparatory academic courses as listed in subparagraph (3)(g)1. of this rule and their best combined SAT, ~~or~~ composite ACT, or combined CLT test score as reported for their Florida Academic Scholars eligibility.

(c) In the event of a tie, the FDOE shall apply the following criteria in the following order to students who are tied in the same school district, until the tie is broken:

1. The product of each student’s weighted Bright Futures GPA and best combined SAT, ~~or~~ equivalent ACT score, or equivalent CLT score at a single administration of the test.

2. The product of each student’s weighted Bright Futures GPA and best combined SAT, ~~or~~ equivalent ACT score, or equivalent CLT score at the earliest single administration of the test.

3. through 4. No change.

(5) through (7) No change.

(8) Institutional responsibilities.

(a) through (d) No change.

(e) Florida eligible non-public secondary schools must, in order to annually maintain eligibility to participate in the Florida Bright Futures Scholarship Program:

1. No change.

2. Submit scholarship required courses, volunteer service hours or paid work hours, and other eligibility criteria data as requested for all students in ninth through twelfth grades to the FDOE, via the Online Transcript Entry and Evaluation System (<https://www.floridastudentfinancialaidsg.org> ~~https://www.floridastudentfinancialaidsgk.org~~).

Rulemaking Authority 1001.02(1), (2)(n), 1009.53(3) FS. Law Implemented 1009.40, 1009.42, 1009.43, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, 1009.538 FS. History—New 5-10-12, Amended 1-1-14, 11-29-16, 3-15-22, 11-23-22.

NAME OF PERSON ORIGINATING PROPOSED RULE: Shawn Haskin, Director, State Scholarships and Grants, Finance and Operations.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 26, 2023

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:

64B1-3.010 Licensure by Endorsement Through Another State License

PURPOSE AND EFFECT: The Board proposes to clarify existing requirements for licensure.

SUMMARY: The proposed rule to clarify existing requirements for licensure.

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 concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect

regulatory costs. Hence, the Board 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: 457.104, 457.105 FS.

LAW IMPLEMENTED: 457.105 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: Danielle Terrell, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, Danielle.Terrell@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-3.010 Licensure by Endorsement Through Another State License.

Pursuant to Section 457.105(2)(c), F.S., the Board of Acupuncture will certify for licensure those applicants who:

(1) Submit proof of being actively licensed in a state which has examination requirements that are substantially equivalent to or more stringent than those of this state at the time applicant was originally licensed. Applicants must establish their other state licensure by requesting the licensing authority of the other state provide to the Board a statement which indicates the current status of the applicant’s license as of the date of statement, the expiration date of the other state license, and the ~~basis for issuing the other state’s license in effect at the time applicant was licensed including the state’s laws and rules and examination requirements at the time the license was issued;~~ and

(2) Meet the requirements of Sections 457.105(2)(a) and (d), F.S.; and

(3) Meet the minimal requirements set forth in subsections 64B1-4.001(4), ~~(b) and (c) (5) and (6)~~, F.A.C.

Rulemaking Authority 457.104, 457.105 FS. Law Implemented 457.105 FS. History—New 10-1-89, Amended 2-27-92, Formerly 21AA-3.010, 61F1-3.010, Amended 2-20-96, Formerly 59M-3.010, Amended 4-7-98, 2-22-01, 2-7-17, 8-9-18, 9-22-21, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 2, 2023

**Section III
Notice of Changes, Corrections and
Withdrawals**

NONE

**Section IV
Emergency Rules**

NONE

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

The Florida Housing Finance Corporation hereby gives notice: On June 15, 2023, the Florida Housing Finance Corporation issued an order granting the waiver from Rule 67-48.0072(21)(b), Florida Administrative Code (6/23/20) for RGC Phase I, LLC, allowing Petitioner to extend its firm loan commitment issuance deadline from July 15, 2023, to January 15, 2024. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on May 16, 2023, and notice of the receipt of petition was published on May 17, 2023, in Vol. 49, Number 91 F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

**Section VI
Notice of Meetings, Workshops and Public
Hearings**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The The CRAFT Foundation, Inc. Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 2023, 1:00 p.m.

PLACE: Attendees may join the meeting in person at 600 N. Broadway Avenue, Suite 101, Bartow, FL 33813 or via Zoom; <https://us02web.zoom.us/j/88478791626?pwd=Qy9YM3I0ZTFiWGN3TTIMQmVsWmR6dz09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CRAFT Foundation Board of Directors will conduct their Annual Meeting in conjunction with their monthly meeting to discuss and execute matters including, but not election of officers, discussion regarding parameters of Cycle Five and Existing Tree Therapies participation, and more.

A copy of the agenda may be obtained by contacting: Tamara Wood at (863) 698-9276.

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: Tamara Wood at (863) 698-9276. 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: Tamara Wood at (863) 698-9276.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 27, 2023, 9:00 a.m.

PLACE: Microsoft Teams meeting

https://teams.microsoft.com/l/meetup-join/19%3ameeting_Mjk0Y2YzN2UtY2IwMy00Yzc4LTlkODEtNGU3NTk0MDRlYjQy%40thread.v2/0?context=%7b%22Tid%22%3a%2262557d98-bd11-4a88-8a7b-57bc3df0190b%22%2c%220id%22%3a%226d9faeba-61ea-42e0-8153-f01f4f95af86%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Viticulture Advisory Council announces a meeting of the Promotion Committee to which all interested persons are invited. Advertising and promotion grant program guidelines and requirements.

A copy of the agenda may be obtained by contacting: Melissa Hunt at (850) 841-0086.

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: Melissa Hunt at (850) 841-0086. 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: Melissa Hunt at (850) 841-0086.

STATE BOARD OF ADMINISTRATION

The State Board of Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 27, 2023, 10:00 a.m. until completion of agenda

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308; attendees should check in at reception desk, on-site parking available.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under s. 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Amy Walker, State Board of Administration, (850)413-1253 or amy.walker@sbafla.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: Eddie McEwen, (850)413-1104, eddie.mcewen@sbafla.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). 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: Amy Walker, State Board of Administration, (850)413-1253 or amy.walker@sbafla.com.

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATE AND TIME: June 28, 2023, 1:30 p.m.

PLACE: Web: <https://meetgoto.com/FL-BOMT/pcp-public>
OR Phone: 877-309-2073; Participation Code: 230-333-837

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases for which a determination of probable cause has already been made.

A copy of the agenda may be obtained by contacting: <https://floridasmassagetherapy.gov/meeting-information/upcoming-meetings/>

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

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

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families, Substance Abuse and Mental Health Program Office announces a public meeting to which all persons are invited.

DATES AND TIMES: • Tuesday, May 27, 2023, 9:00 a.m. – 11:00 a.m., EST

Call-in (audio only): 1-412-912-1530, Phone Conference ID: 542 191 963

• Thursday, July 20, 2023, 1:00 p.m. – 3:00 p.m., EST

Call-in (audio only): 1-412-912-1530, Phone Conference ID: 527 502 823

PLACE: Virtual meeting via Microsoft Teams. The access link is listed below and also available on the Department of Children and Families calendar of events located here: <http://www.myflfamilies.com/news-and-events/public-events-meetings>

• Tuesday, May 27, 2023, 9:00 a.m. – 11:00 a.m., EST

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• Thursday, July 20, 2023, 1:00 p.m. – 3:00 p.m., EST

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GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a System of Care Sub-Committee meeting and is in accordance with Senate Bill 96 for the members of the Commission on Mental Health and Substance Abuse. The Commission is comprised of individuals appointed by the Governor, President of the Senate, and Speaker of the House. Discussion topics will include the current status of Florida’s behavioral health system of care and opportunities to further examine the current methods of providing mental health and substance use services in the state. Specifically, the group will confer on ways to better improve the effectiveness of current practices, procedures, and programs, in providing such services; identify any barriers or deficiencies in the delivery of such services; and recommend changes to existing laws, rules and policies.

A copy of the agenda may be obtained by contacting: Aaron Platt at Aaron.platt@myflfamilies.com or (850) 717-4331.

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: Aaron Platt at Aaron.platt@myflfamilies.com or (850) 717-4331. 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: Aaron Platt at Aaron.platt@myflfamilies.com or (850) 717-4331.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2023, 4:00 p.m.

PLACE: 720 North Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained by contacting: Maria Diaz, 407-961-5541.

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: Maria Diaz, 407-961-5541. 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).

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

NONE

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

PUPS PUB TPA, LLC, AND PUPS PUB ORLANDO, LLC, Petitioners vs. DEPARTMENT OF HEALTH, Respondent; CASE NO.: 23-0429RU; RULE NO.: 64E-11

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

NONE

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State

Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Monday, June 12, 2023 and 3:00 p.m., Friday, June 16, 2023.

Rule No.	File Date	Effective Date
12AER23-2	6/13/2023	6/13/2023
33-601.901	6/12/2023	7/2/2023
40B-400.091	6/15/2023	7/5/2023
64B6-2.002	6/13/2023	7/3/2023
64B6-5.001	6/13/2023	7/3/2023
69C-2.033	6/15/2023	7/5/2023

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

Rule No.	File Date	Effective Date
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-6.001	5/10/2022	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****

62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

DECISION ON BATCHED APPLICATION

The Agency for Health Care Administration made the following decision on Certificate of Need application for the Hospice batching cycle with an application due date of March 29, 2023:

County: Alachua District: 3A

CON #10735 Decision Date: 6/16/2023 Decision: Denied

Applicant/Facility/Project: Arc Hospice of Florida, LLC – New hospice program

A request for administrative hearing, if any, must be made in writing and must be actually received by the Agency within 21 days of the first day of publication of this notice in the Florida Administrative Register pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

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.