

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NOS.:	RULE TITLES:
6E-1.003	Definition of Terms
6E-1.0032	Fair Consumer Practices

PURPOSE AND EFFECT: To update and review Definition of Terms and Fair Consumer Practices.

SUBJECT AREA TO BE ADDRESSED: Definitions and Fair Consumer Practices.

RULEMAKING AUTHORITY: 1005.22 FS.

LAW IMPLEMENTED: 1005.22, 1005.31, 1005.32 FS.

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

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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 IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-1.003 Definition of Terms.

Terms used in these rules are defined in Section 1005.02, F.S. In addition, as used in the rules of the Commission, unless the context clearly indicates otherwise:

- (1) No change.
- (2) “Additional Locations” means any locations other than auxiliary classroom space that supports a licensed institution.
- (2) through (58) renumbered (3) through (59) No change.

Rulemaking Specific Authority 1005.22(1)(e) FS. Law Implemented 1005.22, 1005.31, 1005.385 FS. History—Repromulgated 12-5-74, Amended 7-28-75, Formerly 6E-4.01(8), Readopted 11-11-75, Amended 3-7-77, 10-13-83, Formerly 6E-1.03, Amended 2-22-89, 11-29-89, 10-19-93, 4-11-00, 1-7-03, 12-23-03, 7-20-04, 3-28-05, 6-13-05, 2-20-06, 7-23-07, _____.

6E-1.0032 Fair Consumer Practices.

(1) through (4) No change.

(5) Any licensed institution offering a program which does not make ~~qualify~~ the graduate eligible to take required professional examinations in that field or to practice regulated professions in that field in Florida must publish a disclosure statement to inform prospective students clearly and unambiguously of this fact.

(6) Each prospective student shall be provided a written copy, or shall have access to an electronic copy, of the institution’s catalog prior to enrollment or the collection of any tuition, fees or other charges. The catalog shall contain the following required disclosures, and catalogs of licensed institutions must also contain the information required in subsections 6E-2.004(11) and (12), F.A.C.:

(a) Purpose of the institution: The purpose of the institution must be disclosed, and must be consistent with Section 1005.01, F.S.

(b) Educational programs and curricula: The curricula shall be published in the catalog and shall state objectives specific to each curriculum and the requirements to be met for successful completion of each curriculum or program. Information relating to course availability and prerequisites shall be available for students. The catalog shall also contain brief course descriptions for each course offered.

(c) Description of physical facilities: All licensed institutions must describe their physical facilities in Florida, which must meet the requirements as set forth in subsection 6E-2.004(9), F.A.C. Information showing compliance with relevant local safety and health standards, such as fire, building, and sanitation shall be available to students.

(d) Licensure and accreditation status: The institution shall disclose its status regarding licensure by the Commission and its status as an accredited institution or program, as applicable. The level and scope of licensure or accreditation shall be disclosed, and any ramifications of accreditation or lack of accreditation on the ~~(such as~~ ability to sit for professional examinations; and eligibility for financial aid; ~~or transferability of credits)~~ shall be disclosed. If the institution makes claims that it is accredited by an accrediting agency that is not recognized by the United States U.S. Department of Education, the following disclosure statement must be made in large bold type, all capital letters, and is to be inserted in the publications or advertising, as defined in subsection 6E-1.003(5), F.A.C., prior to identification of or mention of any accrediting association or agency. The required statement is:

THE ACCREDITING AGENCY(S) OR ASSOCIATION(S) LISTED BELOW IS/ARE NOT RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION AS AN APPROVED ACCREDITING AGENCY. THEREFORE, IF YOU ENROLL IN THIS INSTITUTION, YOU MAY NOT BE ELIGIBLE FOR TITLE IV FEDERAL FINANCIAL ASSISTANCE, STATE STUDENT FINANCIAL

ASSISTANCE, OR PROFESSIONAL CERTIFICATION. IN ADDITION, CREDITS EARNED AT THIS INSTITUTION MAY NOT BE ACCEPTED FOR TRANSFER TO ANOTHER INSTITUTION, AND MAY NOT BE RECOGNIZED BY EMPLOYERS.

This disclosure statement shall be inserted in all advertisements or publications wherever accreditation by an unrecognized accrediting agency is mentioned.

(e) Fee schedule: The institution shall disclose all fees required to be paid by students (including tuition, laboratory fees, graduation fees, other required fees), and any nonrefundable fees must be so identified.

(f) Transferability of credits: The institution shall disclose information to the student regarding transferability of credits to other institutions and from other institutions. The institution shall disclose that transferability of credit is at the discretion of the accepting institution, and that it is the student's responsibility to confirm whether or not credits will be accepted by another institution of the student's choice. If a licensed institution has entered into written articulation agreements with other institutions, a list of those other institutions may be provided to students, along with any conditions or limitations on the amount or kinds of credit that will be accepted. Such written agreements with other institutions must be valid and in effect at the time the information is disclosed to the student. The agreements shall be kept on file at all times and available for inspection by Commission representatives or students. Any change or termination of the agreements shall be disclosed promptly to all affected students. No representation shall be made by a licensed institution that its credits can be transferred to another specific institution, unless the institution has a current, valid articulation agreement on file. Units or credits applied toward the award of a credential may be derived from a combination of any or all of the following:

1. Units or credits earned at and transferred from other postsecondary institutions, when congruent and applicable to the receiving institution's program and when validated and confirmed by the receiving institution.

2. Successful completion of challenge examinations or standardized tests demonstrating learning at the credential level in specific subject matter areas.

3. Prior learning, as validated, evaluated, and confirmed by qualified instructors at the receiving institution.

(g) Admissions: The institution shall disclose its method of assessing a student's ability to successfully complete the course of study for which he or she has applied. The requirements for admission and for graduation shall be disclosed. If the practice of a career has special requirements or limitations, such as certain physical or language capabilities or lack of a criminal record, such requirements or limitations shall be disclosed to prospective students interested in training for that career.

(h) Student financial assistance: Information about the availability of financial assistance shall be disclosed to prospective students. In addition, each institution shall make such disclosure in writing, to be signed and dated by each student applying for and receiving a student loan, to the effect that the student understands that he or she is obligated to repay the loan, the terms and amounts of repayments, and when repayments will begin. References to financial assistance availability in any school catalogs or advertising shall include the phrase, "for those who qualify."

(i) Student refund policies: This rule establishes the Commission's minimum refund guidelines for licensed institutions. Refund policies which pertain to students who are receiving Title IV Federal Student Financial Assistance or veterans' benefits shall be in compliance with applicable federal regulations.

1. All institutions shall have an equitable prorated refund policy for all students, which shall be disclosed in the catalog and enrollment agreement or similar documents, and must be uniformly administered. Any nonrefundable fees or charges shall also be disclosed.

2. The institution's refund policy shall provide a formula for proration of refunds based upon the length of time the student remains enrolled, up to a minimum of 40 percent of a program, if the student is charged tuition for an entire program; or 20 percent, if the institution charges the student for a term, quarter, semester, or other time period that is less than the duration of the entire program.

3. As an alternative, an institution that charges tuition for a term, quarter, semester or other time period that is less than the duration of the entire program may establish a drop/add period which shall be no less than 10 percent of the period for which the student is financially committed, or one week, whichever is less. If the student withdraws before the end of the drop/add period, the student will be refunded all tuition and fees, as well as any funds paid for supplies, books, or equipment which can be and are returned to the institution.

4. The refund policy shall not consider that all or substantially all tuition for an entire program or term is earned when a student has been enrolled for only a minimal percentage of the program or term. The refund policy shall provide for cancellation of any obligation, other than a book and supply assessment for supplies, materials and kits which are not returnable because of use, within 3 working days from the student's signing an enrollment agreement or contract. Refunds shall be made within 30 days of the date that the institution determines that the student has withdrawn.

5. Institutions need not keep attendance, but must adopt and publish an equitable policy by which withdrawal dates will be determined, which may include notification by the student or reports from faculty. This policy shall be submitted to the Commission before publication.

6. Nonrefundable fees regarding admission and registration of Florida students shall not exceed \$150. The requirements regarding refund policies as stated herein do not apply to dormitory or meal fees. Refund policies for those fees, if charged, shall be set by the institution and also disclosed in conjunction with the refund policy.

(j) Employment placement services: The extent of placement services shall be specifically described. No guarantee of placement shall be made or implied. The institution may disclose information relating to market and job availability, if verified through statistical research; however, the institution shall not promise or imply any specific market or job availability amounts.

(k) A statement that additional information regarding the institution, if licensed, may be obtained by contacting the Commission for Independent Education, Department of Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400, toll-free telephone number (888)224-6684.

(7) Reduction of tuition or fees: A reduction in tuition, fees, or other charges may be implemented when there are specific criteria for student eligibility and selection procedures precisely disclosed within a policy at the institution. All students within the enrollment period that the reduction is offered must be eligible to apply for this reduction under the same circumstance; however there shall be no reduction based upon the timing or method of payment. The institution must maintain verifiable records including detailed and complete data when students are granted a bona fide reduction in tuition or fees. This must include copies of all application records, notes of selection committee meetings, and copies of notices to the student who received the reduction. This information shall be kept on file at the institution for on site review by CIE.

(8) A licensed institution which is not accredited by a United States Department of Education USDOE recognized institutional accrediting agency shall use an enrollment agreement or application for admission which, in addition to the catalog, shall be the binding contract between the institution and the student. The binding document shall include, but not be limited to, the following:

(a) Title. The binding document shall be identified by title as a "Contract", "Agreement", "Application" or similar title and clearly indicate that it will constitute a binding agreement upon acceptance by the institution and the student;

(b) Name of the institution. Name, phone number, and physical address of the institution;

(c) Title of Program. Program title as licensed and identified in the catalog;

(d) Time Required. Number of clock hours or credit units, including the number of weeks or months, or credit hours required for completion;

(e) Credential for Satisfactory Completion;

(f) Costs. All costs shall be clearly stated;

1. Tuition. The total tuition for the program must be listed by the total length of the program, the tuition cost per credit hour, clock hour, term or academic year.

2. Fees. All refundable and nonrefundable fees payable by the student.

3. Books and supplies. The cost for books and supplies may be estimated if necessary. This item may be omitted if the binding document states that the costs for books and supplies are included in the tuition charges as stated in the document.

4. Any other costs. Any other costs required to be paid by the student, whether or not purchased from the school. These costs may be stated as a listing of goods or services not included in the tuition.

(g) Terms of payment. The method of payment of all costs shall be clearly stated in the binding document and shall comply with federal and state laws.

(h) Class Start.

(i) Anticipated Program Completion Date (for Institutions that are not Colleges or Universities).

(j) Class Schedule. The day, evening or other schedule of class attendance must be clearly stated (if known at the time of signature by student).

(k) Termination or Cancellation by the Institution or Student. Grounds or procedures for cancellation of a binding document by an institution or student shall be clearly stated.

(l) Refund Policy. Institutions shall comply with refund policy as provided in subsection 6E-1.0032(6), F.A.C.

(m) Employment Guarantee Disclaimer. Institutions shall publish the disclaimer as provided in paragraph 6E-1.0032(6)(j), F.A.C.

(n) Statement that all signers have received and read a copy of the binding document and catalog.

(o) Signatures and Acceptance. The binding document shall contain the date and signature of the applicant and parent or guardian, if the applicant is under eighteen (18) years of age and the acceptance date and signature of the appropriate official at the institution.

(p) Format. If the binding document is not completed on one (1) side of a single sheet of paper, each side must clearly and conspicuously refer to the conditions on the other side as being part of the document. If more than one (1) page is used, each page must be numbered page 1 of ___ pages, page 2 of ___ pages, etc.

(9) through (12) No change.

Rulemaking Specific Authority 1005.22(1)(e)1., 1005.34 FS. Law Implemented 1005.04, 1005.22(1)(k), 1005.31(13), 1005.32(5), 1005.34 FS. History—New 10-19-93, Amended 4-2-96, 11-5-00, 1-7-03, 1-20-04, 3-29-04, 3-28-05, 5-18-05, 6-13-05, 7-23-07, _____.

and of an appropriate level of difficulty for the program to be offered. The Commission shall request assistance from other appropriate regulatory agencies as provided in Section 1005.22(2)(d), F.S., or appoint committees to review curricula, when necessary to ensure that specialized programs contain the appropriate material to prepare students to enter those fields.

(h) Faculty, advisory committees, or other qualified individuals must be involved in the development and ongoing review of curricula.

(i) Educational programs of 600 clock hours in length or longer shall be periodically reviewed by a committee of faculty, administrators, employers, and advisors drawn from relevant community and alumni groups, in an ongoing formalized process of evaluation and revision.

(j) Transferability of credits. At least 25 percent of the credits or hours required for completion of a program must be earned through instruction taken at the institution awarding the credential, unless a different standard has been adopted by the recognized accrediting body accrediting the institution, or by a governmental agency whose policies apply to the institution. This standard shall not apply if any of the training was taken at accredited institutions as defined in Section 1005.02(1), F.S., while the student was a member of the U.S. armed services. Units or credits applied toward the award of a credential may be derived from a combination of any or all of the following:

1. Units or credits earned at and transferred from other postsecondary institutions, when congruent and applicable to the receiving institution's program and when validated and confirmed by the receiving institution.

2. Successful completion of challenge examinations or standardized tests demonstrating learning at the credential level in specific subject matter areas.

3. Prior learning, as validated, evaluated, and confirmed by qualified instructors at the receiving institution.

(k) Any clinical experience, internship, externship, practicum, and other such formal arrangement for which an institution offers credit toward completion of a program, shall be under the supervision of the institution. Written agreements shall be executed between the institution and the entity providing the experience prior to obtaining program approval, delineating each party's responsibilities, the number of hours to be worked by the student, the types of work to be done by the student, the supervision to be given the student, and the method of evaluating the student's work and certifying it to the institution as satisfactory. If such experiences are required for the completion of a program, it is the responsibility of the institution to make prior arrangements for each student enrolled in the program to participate in the necessary experience within the agreed and documented length of time required for completion of and graduation from the program; and the institution's enrollments shall be based upon the availability of qualified clinical experiences, internships, externships, or practicums to serve all students.

(l) Policies regarding course or program cancellations shall be adopted, published, and followed by the institution.

(m) The following instructional program standards apply to nondegree diplomas:

1. Program specifications: The credential offered shall be a diploma or certificate. The duration of the program shall be appropriate for mastery of the subject matter or skills needed to pursue the occupation for which the student is being trained. There are no general education requirements.

2. Each program must have clearly defined and published objectives and occupational performance outcomes, which shall conform with accepted standards set by the Florida Department of Education or other appropriate recognized governmental or professional agencies. Institutions using occupational outcomes different from those set by recognized agencies shall document their justification for using the outcomes selected. For institutions participating in the Statewide Course Numbering System, these objectives and outcomes must conform to the requirements of that system.

3. Basic Skills. An institution offering a program of four hundred fifty (450) or more clock hours or the credit hour equivalent shall administer a basic skills examination to each student who enrolls, unless the student has provided evidence of a high school graduation diploma, general equivalency diploma, or its equivalent. Institutions must maintain copies of students' high school graduation diplomas, general equivalency diplomas, official high school transcripts, or equivalent documentation or procedures, to qualify for this exception. Institutions must utilize a test approved by the United States Department of Education to determine if a student has the ability to benefit from a program of instruction, or obtain written approval from the Commission for a different basic skills test. If the test is not approved by the United States Department of Education and is submitted to the Commission for approval, the submission must include documentation that the test is nationally normed and validated and assesses a student's mastery of basic skills. The test must be administered by an independent tester. Students deemed to lack the required minimal level of basic skills as measured by an approved examination shall, if admitted, be provided with instruction specifically designed to correct the deficiencies. Upon completion of the instruction, these students shall be retested by using an alternative form of the same examination that was used for initial testing, or another approved examination. Work intended to bring students' basic skills up to a postsecondary level of proficiency shall not be counted toward the completion of a course or program.

4. Acceptable admission scores must be in accordance with the standards of the individual examination as it relates to the student program. These minimum test scores must be published in the current school catalog.

(n) The following instructional program standards apply to occupational associate degrees:

1. Program specifications: The credential offered shall be the Associate of Applied Science, Occupational Associate, Associate of Specialized Business, or similar title considered by the Commission to be appropriate and not misleading. The duration of the program shall be a minimum of 1,200 clock hours of instruction, 60 semester credit hours, or 90 quarter credit hours pursuant to subsections 6E-1.003(14), (51) and (53) ~~(47) and (49)~~, F.A.C. The required general education component shall be at least 9 semester credit hours or 14 quarter credit hours, or the recognized clock hour equivalent. General education courses shall meet either of the definitions given in subsection 6E-1.003(6) or (33), F.A.C.

2. Programs must have clearly defined and published objectives and occupational performance outcomes, which shall conform with accepted standards set by the Florida Department of Education or other appropriate recognized governmental or professional agencies. Institutions using occupational outcomes different from those set by recognized agencies shall document their justification for using the outcomes selected. For institutions participating in the Statewide Course Numbering System these objectives and outcomes must conform to the requirements of that system.

3. Basic Skills. An institution offering a program of four hundred fifty (450) or more clock hours or the credit hour equivalent shall administer a basic skills examination to each student who enrolls, unless the student has provided evidence of a high school graduation diploma, general equivalency diploma, or its equivalent. Institutions must maintain copies of students' high school graduation diplomas, general equivalency diplomas, official high school transcripts, or equivalent documentation or procedures, to qualify for this exception. Institutions must utilize a test approved by the United States Department of Education to determine if a student has the ability to benefit from a program of instruction, or obtain written approval from the Commission for a different basic skills test. If the test is not approved by the United States Department of Education and is submitted to the Commission for approval, the submission must include documentation that the test is nationally normed and validated and assesses a student's mastery of basic skills. The test must be administered by an independent tester. Students deemed to lack the required minimal level of basic skills as measured by an approved examination shall, if admitted, be provided with instruction specifically designed to correct the deficiencies. Upon completion of the instruction, these students shall be retested by using an alternative form of the same examination that was used for initial testing, or another approved examination. Work intended to bring students' basic skills up to a postsecondary level of proficiency shall not be counted toward the completion of a course or program.

4. Acceptable admission scores must be in accordance with the standards of the individual examination as it relates to the student program. These minimum test scores must be published in the current school catalog.

(o) The following instructional program standards apply to academic associate degrees:

1. Program specifications: The credential offered shall be the Associate in Science Degree, Associate of Arts Degree, or an associate degree of a different name that is considered by the Commission to be appropriate for an academic associate degree. The duration of the program shall be a minimum of 60 semester credit hours, 90 quarter credit hours, or the recognized clock hour equivalent. The required general education component for the Associate in Science degree shall be a minimum of 15 semester credit hours, 22.5 quarter credit hours, or the recognized clock hour equivalent. The required general education component for the Associate of Arts degree shall be a minimum of 36 semester credit hours, 54 quarter credit hours, or the recognized clock hour equivalent. General education requirements for other academic associate degrees shall be individually reviewed by the Commission to determine whether they are appropriate to the specific degree. Applied general education shall not be utilized to fulfill this requirement. All general education courses must meet the definition given in subsection 6E-1.003(36)~~(33)~~, F.A.C.

2. Each program must have clearly defined and published objectives and performance outcomes.

3. Basic Skills. An institution offering academic associate degrees shall administer a basic skills examination to each student who enrolls, unless the student has provided evidence of a high school graduation diploma, general equivalency diploma, or its equivalent. Institutions must maintain copies of students' high school graduation diplomas, general equivalency diplomas, official high school transcripts, or equivalent documentation or procedures, to qualify for this exception. Institutions must utilize a test approved by the United States Department of Education to determine if a student has the ability to benefit from a program of instruction, or obtain written approval from the Commission for a different basic skills test. If the test is not approved by the United States Department of Education and is submitted to the Commission for approval, the submission must include documentation that the test is nationally normed and validated and assesses a student's mastery of basic skills. The test must be administered by an independent tester. Students deemed to lack the required minimal level of basic skills as measured by an approved examination shall, if admitted, be provided with instruction specifically designed to correct the deficiencies. Upon completion of the basic skills instruction, these students shall be retested by using an alternative form of the same examination that was used for initial testing or another

approved examination. Work intended to bring students' basic skills up to a postsecondary level of proficiency shall not be counted toward the completion of a course or program.

4. Acceptable admission scores must be in accordance with the standards of the individual examination as it relates to the student program. These minimum test scores must be published in the current school catalog.

(p) The following instructional program standards apply to bachelor's degrees:

1. Program specifications: The credential offered shall be the Bachelor of Science Degree, Bachelor of Arts Degree, or other baccalaureate degree title considered by the Commission to be appropriate and not misleading. The duration of the program shall be a minimum of 120 semester credit hours, 180 quarter credit hours, or the recognized clock hour equivalent. The required general education component for a Bachelor of Science degree shall be a minimum of 30 semester credit hours, 45 quarter credit hours, or the recognized clock hour equivalent. The required general education component for the Bachelor of Arts degree shall be a minimum of 45 semester credit hours, 67.5 quarter credit hours, or the recognized clock hour equivalent. The general education requirements for other bachelor's degrees shall be appropriate to the specific degree. Applied general education shall not be utilized to fulfill this requirement. All general education courses must meet the definition given in subsection 6E-1.003(36), F.A.C. Unless otherwise required by the accrediting agency, a minimum of 15 of the required general education credit hours or the recognized clock hour equivalents must be obtained at the bachelor's level.

2. Each program must have clearly defined and published objectives and performance outcomes.

3. Basic Skills. An institution offering bachelor's degrees shall administer a basic skills examination to each student who enrolls, unless the student has provided evidence of a high school graduation diploma, general equivalency diploma, or its equivalent. Institutions must maintain copies of students' high school graduation diplomas, general equivalency diplomas, official high school transcripts, or equivalent documentation or procedures, to qualify for this exception. Institutions must utilize a test approved by the United States Department of Education to determine if a student has the ability to benefit from a program of instruction, or obtain written approval from the Commission for a different basic skills test. If the test is not approved by the United States Department of Education and is submitted to the Commission for approval, the submission must include documentation that the test is nationally normed and validated and assesses a student's mastery of basic skills. The test must be administered by an independent tester. Students deemed to lack the required minimal level of basic skills as measured by an approved examination shall, if admitted, be provided with instruction specifically designed to correct the deficiencies. Upon completion of the instruction, these students shall be retested by using an alternative form of

the same examination that was used for initial testing, or another approved examination. Work intended to bring students' basic skills up to a postsecondary level of proficiency shall not be counted toward the completion of a course or program.

4. Acceptable admission scores must be in accordance with the standards of the individual examination as it relates to the student program. These minimum test scores must be published in the current school catalog.

(q) The following instructional program standards apply to master's degrees:

1. Program specifications: The credential offered shall be the Master of Arts degree, Master of Science degree, or other master's degree title considered by the Commission to be appropriate and not misleading. The duration of the program shall be a minimum of 24 semester credit hours or 36 quarter credit hours, or recognized clock hour equivalent, beyond the bachelor's degree.

2. A bachelor's degree will normally be a prerequisite to formal entrance to a master's degree program, unless the master's degree is a first professional degree as defined in subsection 6E-1.003(33)(34), F.A.C.

3. Programs must have clearly defined and published objectives and performance outcomes.

(r) The following instructional program standards apply to doctoral degrees:

1. Program specifications: The credential offered shall be the Doctor of Philosophy, Doctor of Medicine, Doctor of Osteopathy, or other doctoral degree term considered by the Commission to be appropriate and not misleading. The duration of the program shall be a minimum of 60 semester credit hours, 90 quarter credit hours, or the recognized clock hour equivalent beyond the bachelor's degree. The degree Doctor of Philosophy shall require a stringent research component and a dissertation for completion, and shall require appropriate accreditation by a recognized accrediting agency within three years of initiating the program, to retain licensure of the program.

2. A master's degree will normally be a prerequisite to formal entrance to a doctoral degree program, unless the doctoral degree is a first professional degree as defined in subsection 6E-1.003(30), F.A.C.

3. Programs must have clearly defined and published objectives and performance outcomes.

(5) Standard 5: Recruitment and Admissions. In all admissions and recruitment-related activities, the institution shall comply with the fair consumer practices provisions of Sections 1005.04 and 1005.34, F.S., and Rule 6E-1.0032, F.A.C., and the rule regarding Agents, Rule 6E-2.010, F.A.C.

(a) An institution's recruitment efforts shall be designed to target students who are qualified and likely to complete and benefit from the training provided by the institution.

(b) Recruiting Practices. Each institution must observe ethical practices and procedures in the recruitment of its students. Ethical practices and procedures include, at a minimum, the following:

1. An institution shall use only individuals, whether its own employees or agents, who are trained and licensed as agents pursuant to Rule 6E-2.010, F.A.C., to enroll students off-campus. Outside the United States, its territories, or its possessions, the institution may use third-party agents for recruiting; however, the institution remains responsible for the accuracy of advertising and of representations made to prospective students regarding the institution, its programs and policies, financial aid eligibility, availability and procedures, and other pertinent information. Other institutional officials who are not licensed agents may participate in occasional College Week or Career Week programs at area high schools or community centers, or give speeches regarding the institution to groups when invited; but no misleading information shall be communicated, no students shall be enrolled, and no tuition or fees shall be collected.

2. An institution shall not use employment agencies to recruit prospective students, or place advertisements in help-wanted sections of classified advertisements, or otherwise lead prospective students to believe they are responding to a job opportunity.

3. An institution shall ensure that its recruiting agents and other personnel do not make false or misleading statements about the institution, its personnel, its programs, its services, its licensure status, its accreditation, or any other pertinent information.

4. An institution shall not permit its recruiting agents or other personnel to recruit prospective students in or near welfare offices, unemployment lines, food stamp centers, homeless shelters, nursing homes, or other circumstances or settings where such persons cannot reasonably be expected to make informed and considered enrollment decisions. Institutions may, however, recruit and enroll prospective students at one-stop centers operated under government auspices, provided that all other recruitment and admissions requirements are met.

5. An institution shall inform each student accurately about financial assistance and obligations for repayment of loans.

6. An institution shall not make explicit or implicit promises of employment or salary expectations to prospective students.

7. An institution shall not permit the payment of cash or other nonmonetary incentives, such as but not limited to travel or gift certificates, to any ~~student or~~ prospective student as an inducement to enroll or visit the institution. An institution shall not use the word "free" or its synonyms in reference to any equipment, tuition, books, or other items in conjunction with

recruiting or advertising. ~~Tuition or fee discounts are not permissible;~~ Any ~~any~~ reductions of tuition or fees must comply with subsection 6E-1.0032(7), F.A.C.

8. An institution must provide the applicant with a copy of the completed enrollment agreement, signed by both parties.

9. Ethical practices shall be followed in all aspects of the recruiting process. An institution shall ensure that its personnel do not discredit other institutions by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or similar negative characteristics; making other false representations; disparaging the character, nature, quality, value or scope of their program of instruction or services; or demeaning their students. An institution shall also ensure that its personnel do not knowingly influence any student to leave another institution or encourage a student to change plans after signing an enrollment application and paying a registration fee to another institution.

(c) Admissions Acceptance Policies. The purpose of this section is to ensure that institutions admit only those students who are capable of successfully completing the training offered. Admission decisions shall be based on fair, effective, and consistently applied criteria that enable the institution to make an informed judgment as to an applicant's ability to achieve the program's objectives.

1. An institution shall determine with reasonable certainty that each applicant for enrollment is fully informed as to the nature of the training provided. The institution shall advise each applicant prior to admission to ensure that the applicant understands the program's responsibilities and demands.

2. An institution shall consistently and fairly apply its admission standards as published. It shall determine that applicants admitted meet such standards and are capable of benefitting from the training offered, and that applicants rejected did not meet such standards. The institution shall ensure that each applicant admitted has the proper qualifications, abilities, and skills necessary to complete the training, and shall secure and maintain documentation to demonstrate that each applicant meets all admissions requirements.

3. If an institution enrolls a person who does not have a high school diploma or recognized equivalency certificate, the determination of the applicant's ability to benefit from the training offered must be confirmed as provided in subparagraph (4)(o)3. of this rule.

4. An institution shall not deny admission or discriminate against students enrolled at the institution on the basis of race, creed, color, sex, age, disability or national origin. Institutions must reasonably accommodate applicants and students with disabilities to the extent required by applicable law.

5. An institution shall not accept enrollment from a person of compulsory school age, or one attending a school at the secondary level, unless the institution has established through

contact with properly responsible parties that pursuit of the training will not be detrimental to the student's regular schoolwork.

6. The institution shall document its reasons for denying admission to any prospective student. Records of denied applicants must be kept on file for at least one year.

(d) To ensure that the requirements of subsection (5) are met, it shall be the responsibility of an institution to require a training program for all staff who recruit prospective students, or who participate in the admission of prospective students, at the institution.

1. With each application for an annual license, an institution shall submit CIE Form XYZ, to demonstrate that the institution has instituted a training program that meets the requirements of subsection (5) and that all recruiting and admission staff have completed the training at least once annually.

2. The provisions of this paragraph shall apply to applications submitted by institutions beginning January 2012.

(6) Standard 6: Finances. All institutions must demonstrate that the financial structure of the institution is sound, with resources sufficient for the proposed operations of the institution and the discharge of its obligations to the students. To demonstrate this, the school shall provide the following:

(a) Provisional License:

1. A plan setting forth the sources, kinds and amounts of both current and anticipated financial resources. The plan shall include a budget for the institution's first year of operation, clearly identifying sources of revenue to ensure effective operations. The plan shall include estimates of projected operating expenses including the following areas: academics, administrative costs, occupancy, advertising, admission, and learning resources.

2. A pro forma balance sheet prepared ~~in accordance with Generally Accepted Accounting Principles~~ for the type of institution making application.

3. If the corporation that controls the institution is ongoing, the institution shall provide a financial statement of the parent corporation ~~compiled~~ ~~compiled~~, reviewed or audited in accordance with Generally Accepted Accounting Principles, prepared by an independent certified public accountant.

4. Institutions that are new and do not have a history of educational operations shall provide financial statements of the controlling principals, compiled, reviewed, or audited by an independent certified public accountant. These statements must demonstrate sufficient resources to ensure appropriate institutional development.

(b) Annual License, Extended Annual License, or Annual Review:

1. Licensed nondegree schools shall provide annually a review or audit, prepared in accordance with Generally Accepted Accounting Principles by an independent certified

public accountant. Licensed colleges and universities shall provide annually an audit, prepared in accordance with Generally Accepted Accounting Principles by an independent certified public accountant. This annual financial statement shall demonstrate that the current assets of the institution exceed the current liabilities, and that there was a positive net working capital and a profit or surplus for the prior year. If an institution does not meet the above requirements, the Commission shall require an explanation of the financial condition of the institution including a financial improvement plan or teach-out plan or form of surety guaranteeing that the resources are sufficient to protect the current students. Financial improvement plans shall include information on projected operating expenses including the following areas: academics, administrative costs, occupancy, advertising, admission, and learning resources. If the Commission determines that the institution does not have sufficient resources, it shall take actions up to and including revocation of licensure.

2. If an independent postsecondary educational institution earns less than \$100,000 gross tuition revenue per the institution's fiscal year, the institution shall provide both a financial statement of the institution and of the controlling principals ~~principles~~. The financial statement shall be compiled, reviewed, or audited by an independent certified public accountant. These statements must demonstrate sufficient resources to ensure appropriate institutional development.

3. Non-Florida corporations having one or more Florida location shall provide a profit and loss statement for each location in order to assess the financial stability of each individual location.

(c) License by Means of Accreditation: All institutions shall submit an annual audit prepared in accordance with Generally Accepted Accounting Principles by an independent certified public accountant. This audit shall demonstrate that the current assets of the institution exceed the current liabilities, and that there was a positive net working capital and a profit or surplus for the prior year. If an institution does not meet the above requirements, the Commission shall require an explanation of the financial condition of the institution including a financial improvement plan or teach-out plan or form of surety guaranteeing that the resources are sufficient to protect the current students. If the Commission determines that the institution does not have sufficient resources, it shall take actions up to and including revocation of licensure.

(7) Standard 7: Faculty.

(a) Nondegree Diploma Programs:

1. Verification of Credentials. Institutions shall maintain evidence of the credentials that qualify faculty members to teach their assigned courses. All faculty files shall include a resume or detailed application clearly reflecting the instructor's educational and work experience. In addition,

official transcripts for all degrees held by all faculty members shall be on file and available to the Commission upon request at each location and translated into English. Institutions shall also maintain copies of other documents which reflect the instructor's qualifications to teach, such as copies of licenses and certifications.

2. Faculty Qualifications. These standards shall apply to all full-time, part-time and adjunct faculty.

a. Institutions whose graduates must pass state, federal or other licensing examinations before being licensed to practice their vocation, technology, trade or business must provide evidence that each instructor teaching in that field holds a current and valid Florida occupational license in the occupation being taught.

b. For all non-degreed faculty, the burden of proof is on the institution to demonstrate instructor competence in the subjects taught. Instructors shall have completed postsecondary training in either a state licensed school or a college accredited by an accrediting agency recognized by the United States Department of Education USDOE plus one year of job experience related to the subjects taught; or have completed a minimum of three years of successful job experience directly related to the subjects taught.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for renewal of licensure.

4. Faculty Staffing. The number of faculty shall be sufficient to serve properly the number of students enrolled.

(b) Occupational Associate Degrees:

1. Verification of Credentials. Institutions must maintain evidence of the credentials that qualify faculty members to teach their assigned courses. All faculty files must maintain a resume or detailed application clearly reflecting the instructor's educational and work experience. In addition, official transcripts for all degrees held by all faculty members shall be on file and shall be available to the Commission upon request at each location and translated into English. Institutions shall also maintain copies of other documents which reflect the instructor's qualifications to teach, such as copies of licenses and certifications.

2. Faculty Qualifications. These standards shall apply to all full-time, part-time and adjunct faculty:

a. All general education and academic courses shall be taught by instructors who possess, at a minimum, a bachelor's degree and appropriate coursework in the assigned subject from an accredited college or university.

b. All other courses shall be taught by instructors who possess a bachelor's degree and appropriate coursework in the assigned subject from an accredited college or university; or who have completed postsecondary training in either an accredited college or a state licensed school with training in the

subject to be taught, plus two years of job experience related to the subjects to be taught; or who have completed a minimum of three years of successful job experience directly related to the subjects being taught. For all non-degreed faculty, the burden of proof is on the institution to demonstrate instructor competence in the subjects taught.

c. Institutions whose graduates must pass state, federal or other licensing examinations before being licensed to practice their vocation, technology, trade or business must provide evidence that each instructor teaching in that field holds a current and valid Florida occupational license in the occupation being taught.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for renewal of licensure.

4. Faculty Staffing. The number of faculty shall be sufficient to serve properly the number of students enrolled.

(c) Academic Associate Degrees:

1. Verification of Credentials. Institutions must maintain evidence of the credentials that qualify faculty members to teach their assigned courses. All faculty files must maintain a resume or detailed application clearly reflecting the instructor's educational and work experience. In addition, official transcripts for all degrees held by all faculty members shall be on file and shall be available to the Commission upon request at each location and translated into English. Institutions shall also maintain copies of other documents which reflect the instructor's qualifications to teach, such as copies of licenses and certifications.

2. Faculty Qualifications. These standards shall apply to all full-time, part-time and adjunct faculty:

a. All instructors shall hold bachelor's degrees, at a minimum.

b. Instructors teaching general education and other academic courses shall be assigned based on their major and minor academic preparation and related experience.

c. Institutions shall justify to the Commission exceptions to the bachelor's degree requirement for instructors teaching technical or vocational subjects in fields in which bachelor's degrees are not generally available, if the institution demonstrates that the instructors have documented alternative expertise in the field or subject area to be taught, such as educational preparation at other than the bachelor's degree level, professional certification, or significant related work experience. For all faculty not holding a bachelor's degree, the burden of proof is on the institution to demonstrate instructor competence in the subjects taught.

d. Institutions whose graduates must pass state, federal or other licensing examinations before being licensed to practice their vocation, technology, trade or business must provide

evidence that each instructor teaching in that field holds a current and valid Florida occupational license in the occupation taught.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for renewal of licensure.

4. Faculty Staffing. The number of faculty shall be sufficient to serve properly the number of students enrolled.

(d) Bachelor's Degrees:

1. Verification of Credentials. Institutions shall follow the provisions of subparagraph (7)(c)1. of this rule.

2. Faculty Qualifications. These standards shall apply to all full-time, part-time and adjunct faculty:

a. All instructors shall hold master's degrees, at a minimum, except as provided in sub-subparagraph c. below.

b. Instructors teaching general education and other academic courses shall be assigned based on their major and minor academic preparation and related experience.

c. Institutions shall justify to the Commission exceptions to the master's degree requirement for instructors teaching technical or specialized subjects in fields in which master's degrees are not generally available, if the institution demonstrates that those instructors have documented alternative expertise in the field or subject area to be taught, such as educational preparation at other than the master's degree level, professional certification, or significant related work experience. For all faculty not holding a master's degree, the burden of proof is on the institution to demonstrate instructor competence in the subjects taught.

d. At least one-half of the lower division courses and all upper division courses, including any courses common to nonacademic degree or nondegree programs, shall be taught by faculty members holding graduate degrees, professional degrees such as Juris Doctor (J.D.) or Doctor of Medicine (M.D.), or bachelor's degrees plus professional certification.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for renewal of licensure.

4. Faculty Staffing. The number of faculty shall be sufficient to serve properly the number of students enrolled.

(e) Master's Degrees:

1. Verification of Credentials. Institutions shall comply with the provisions of subparagraph (7)(c)1. of this rule.

2. Faculty Qualifications. These standards shall apply to all full-time, part-time and adjunct faculty:

a. All instructors shall hold graduate degrees, at a minimum.

b. All instructors shall be assigned based on their major and minor areas of academic preparation and related experience.

c. Institutions shall justify to the Commission exceptions to the graduate degree requirement for instructors if the institution demonstrates that the instructors have documented exceptional practical or professional experience in the assigned field or if the assigned field is one in which graduate degrees are not widely available. For all faculty not holding graduate degrees, the burden of proof is on the institution to demonstrate instructor competence in the subjects taught.

d. At least one-half of all graduate-level courses shall be taught by faculty possessing terminal degrees. A J.D. degree shall be considered a terminal degree for all law-related courses. Professional certification is not an acceptable substitute for the terminal degree requirement.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for renewal of licensure.

4. Faculty Staffing. The number of faculty shall be sufficient to serve properly the number of students enrolled.

(f) Doctoral Degrees:

1. Verification of Credentials. Institutions shall comply with the provisions of subparagraph (7)(c)1. of this rule.

2. Faculty Qualifications. These standards shall apply to all full-time, part-time and adjunct faculty:

a. All instructors shall hold terminal degrees, at a minimum. A J.D. degree shall be considered a terminal degree for all law-related courses. Professional certification is not a substitute for a terminal degree.

b. All instructors shall be assigned based on their major and minor areas of academic preparation and related experience.

c. Institutions shall justify to the Commission occasional exceptions to the terminal degree requirement for instructors, if the institution demonstrates that the instructors have documented exceptional practical or professional experience in the assigned field, or that the assigned field is one in which terminal degrees are not widely available.

3. Pursuant to Section 1005.39, F.S., faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition for renewal of licensure.

4. Faculty Staffing. The number of faculty shall be sufficient to serve properly the number of students enrolled.

(8) No change.

(9) No change.

(10) Standard 10: Student Services. All institutions, regardless of the level of credentials offered, shall comply with the following standards:

(a) Each institution shall designate a properly trained individual to provide each of the following student services: academic advisement, financial aid advisement, personal advisement, and placement services. The extent of these services and the personnel assigned to them shall be determined by the size of the institution and the type of program offerings.

(b) Placement services. Placement services shall be provided to all graduates without additional charge. No guarantee of placement shall be directly or indirectly implied. Records of initial employment of all graduates shall be maintained. Exceptions to this requirement shall be made for those graduates who attended the institution on a student visa or other temporary immigration status, and who do not seek employment in this country.

(c) Placement Improvement Plans.

1. A nonaccredited institution holding provisional or annual licensure shall report ~~its~~ placement information to rate as defined by the Commission with each license review. If the placement rate falls below 60%, the Commission shall place the institution on a placement improvement plan. This plan shall include actions to be taken to improve the placement rate and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission, and shall include information on placement personnel, placement activities, job development activities, and additional data as requested by the Commission to show the effectiveness of the plan in improving the placement rate. If the progress report does not show an improvement as accepted by the Commission, the Commission shall take actions up to and including revocation of license.

2. An institution accredited by an agency recognized by the United States Department of Education USDOE shall report its placement rate, as required by its respective accrediting agency, with each annual review. If the placement rate does not meet the accrediting agency's requirements, the Commission shall place the institution on a placement improvement plan. This plan shall be developed by the institution and include actions to be taken to improve the placement rate, and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission and shall include information documenting the activities taken by the institution to improve the placement rate. If the progress report does not show improvement as accepted by the Commission, the Commission shall take actions up to and including revocation of license.

(d) Retention Improvement Plans.

1. A nonaccredited institution holding provisional or annual licensure shall report ~~its~~ retention information to rate as defined by the Commission with each license review. If the rate falls below 50%, the Commission shall place the institution on a retention improvement plan. This plan shall include actions to be taken to improve other retention rate, and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission, and shall include information documenting the activities taken by the institution to improve the retention rate. If the progress report is not accepted by the Commission, the Commission shall take actions up to and including revocation of license.

2. An institution accredited by an agency recognized by United States Department of Education USDOE shall report its retention rate, as required by its respective accrediting agency, with each annual review. If the retention rate does not meet the accrediting agency's requirements the Commission shall place the institution on a retention improvement plan. This plan shall be developed by the institution and include actions to be taken to improve the retention rate, and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission and shall include information documenting the activities taken by the institution to improve the retention rate. If the progress report does not show an improvement as accepted by the Commission, the Commission shall take actions up to and including revocation of license.

(e) In order for the Commission to calculate placement and retention rates under subparagraphs (10)(c)1. and (10)(d)1., all institutions shall submit a completed CIE Form 701, Annual Student Data Collection, (effective month day, 2010) between October 1st and November 30th each year.

(f) In order to provide information on student placement and retention rates required by subparagraphs (10)(c)2. and (10)(d)2., all institutions accredited by an agency recognized by the United States Department of Education shall submit a completed CIE Form 702, Institutions Accredited by an Agency Recognized by the USDOE – Placement Rate and Retention Rate Data Collection, (effective month day 2010), with each annual review of licensure.

(g) CIE Forms 701 and 702 may be obtained without cost, from the Commission's website at www.fldoe.org/cie or by writing to the Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

(10) Standard 10: Student Services. All institutions, regardless of the level of credentials offered, shall comply with the following standards:

(a) Each institution shall designate a properly trained individual to provide each of the following student services: academic advisement, financial aid advisement, personal advisement, and placement services. The extent of these

services and the personnel assigned to them shall be determined by the size of the institution and the type of program offerings.

(b) Placement services. Placement services shall be provided to all graduates without additional charge. No guarantee of placement shall be directly or indirectly implied. Records of initial employment of all graduates shall be maintained. Exceptions to this requirement shall be made for those graduates who attended the institution on a student visa or other temporary immigration status, and who do not seek employment in this country.

(c) Placement Improvement Plans. A nonaccredited institution holding provisional or annual licensure shall report its placement rate as defined by the Commission with each license review. If the placement rate falls below 60%, the Commission shall place the institution on a placement improvement plan. This plan shall include actions to be taken to improve the placement rate and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission, and shall include information on placement personnel, placement activities, job development activities, and additional data as requested by the Commission to show the effectiveness of the plan in improving the placement rate. If the progress report does not show an improvement as accepted by the Commission, the Commission shall take actions up to and including revocation of license.

An institution accredited by an agency recognized by the United States Department of Education USDOE shall report its placement rate, as required by its respective accrediting agency, with each annual review. If the placement rate does not meet the accrediting agency's requirements, the Commission shall place the institution on a placement improvement plan. This plan shall be developed by the institution and include actions to be taken to improve the placement rate, and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission and shall include information documenting the activities taken by the institution to improve the placement rate. If the progress report does not show improvement as accepted by the Commission, the Commission shall take actions up to and including revocation of license.

(d) Retention Improvement Plans. A nonaccredited institution holding provisional or annual licensure shall report its retention rate as defined by the Commission with each license review. If the rate falls below 50%, the Commission shall place the institution on a retention improvement plan. This plan shall include actions to be taken to improve other retention rate, and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission, and shall include information documenting the activities taken by the institution

to improve the retention rate. If the progress report is not accepted by the Commission, the Commission shall take actions up to and including revocation of license.

An institution accredited by an agency recognized by United States Department of Education USDOE shall report its retention rate, as required by its respective accrediting agency, with each annual review. If the retention rate does not meet the accrediting agency's requirements the Commission shall place the institution on a retention improvement plan. This plan shall be developed by the institution and include actions to be taken to improve the retention rate, and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission and shall include information documenting the activities taken by the institution to improve the retention rate. If the progress report does not show an improvement as accepted by the Commission, the Commission shall take actions up to and including revocation of license.

(11) Standard 11: Publications and Advertising.

(a) General Standard. Each institution shall comply with these provisions, regardless of the level of credentials offered. Publications must be presented in a professional manner. Information published must be accurate and factual and reflect the current status of the institution.

(b) Catalog.

1. Pursuant to Section 1005.04(1)(a), F.S., certain disclosures are required to be made in writing to prospective students one week prior to enrollment or collection of tuition. If the institution uses its catalog as the sole source of those required disclosures, the institution shall ensure that each prospective student is provided a written copy, or has access to an electronic copy, of the catalog one week prior to enrollment or collection of tuition.

2. Each institution shall publish and provide to each enrolled student a catalog in written or electronic form. Written catalogs shall be professionally printed and bound. If electronic catalogs are also used, the two versions shall contain the same information, except for updates that may be provided more quickly in electronic versions. The catalog shall constitute a contractual obligation of the school to the student and shall be the official statement of the school's policies, programs, services, and charges and fees. The catalog shall include, at a minimum, the following information:

- a. Name, address and telephone number of the institution;
- b. Identifying data such as volume number and effective dates of the catalog;
- c. Table of contents or index. Pages of the catalog shall be numbered and included in the table of contents or index;
- d. A statement of legal control which includes the names of the trustees, directors, and officers of the corporation;
- e. If the institution is accredited as defined in Section 1005.02(1), F.S., a statement of accreditation. If an institution claims accreditation by an accrediting agency that is not

recognized by the United States ~~U.S.~~ Department of Education, the disclosure required in paragraph 6E-1.0032(6)(d), F.A.C., is to be inserted in the catalog and in all publications or advertising, as defined in subsection 6E-1.003(5), F.A.C., wherever the unrecognized accrediting association or agency is mentioned;

f. The following statement: "Licensed by the Commission for Independent Education, Florida Department of Education. Additional information regarding this institution may be obtained by contacting the Commission at 325 West Gaines Street, Suite 1414, Tallahassee, FL 323099-0400, toll-free telephone number (888)224-6684;"

g. The names and titles of all full-time and part-time administrators;

h. A listing of all faculty indicating degrees held and institutions or agencies awarding the credentials;

i. A statement of the purpose of the institution;

j. An academic calendar showing beginning and ending dates of enrollment periods, programs, terms, quarters, or semesters; holidays; registration dates; and other significant dates and deadlines;

k. The institution's admission requirements, policies, and procedures, including the basis for admissions, and test requirements, if applicable, for each program offered. Admissions requirements shall be in compliance with the provisions of paragraph 6E-1.0032(6)(g), F.A.C.;

l. Specific procedures for the granting of credit for prior learning or by examination, if offered, including the maximum amount of credit which can be obtained in this manner, pursuant to Rule 6E-2.0041, F.A.C.;

m. A statement regarding the transfer of credit both to and from the institution, in compliance with the provisions of paragraph 6E-1.0032(6)(f), F.A.C.;

n. A description of the curricula for all programs offered, including for each: a statement of the objective or purpose of the program; an accurate and complete listing of the courses included in each program, each with a unique identifying number and title; identification of courses that are general education courses, if applicable; the credit or clock hours awarded for each course; the total credits or clock hours and grades required for satisfactory completion of the program; requirements for certification, licensing or registration in the program career field, as applicable; and any additional or special requirements for completion;

o. A description of each course offered, including identifying number, title, credit or clock hours awarded, a description of the contents of the course including language of instruction if other than English, and prerequisites, if any;

p. A description of the course numbering system, in compliance with Section 1007.24(7), F.S., and applicable State Board of Education rule(s).

q. An explanation of the grading or marking system, which is consistent with that appearing on the transcript;

r. A definition of the unit of credit. If credit hours, the institution shall clearly specify whether quarter or semester credit hours, as defined in Rule 6E-1.003, F.A.C.;

s. A complete explanation of the standards of satisfactory academic progress. This policy shall include, at a minimum: Minimum grades and ~~or~~ standards considered satisfactory; conditions for interruption due to unsatisfactory grades or progress; a description of the probationary period, if applicable; and conditions of re-entrance for those students suspended for unsatisfactory progress;

t. A description of all diplomas or degrees awarded, together with a statement of the requirements to be met for satisfactory completion of each;

u. A detailed description of the charges for tuition, fees, books, supplies, tools, equipment, student activities, service charges, rentals, deposits and any other applicable charges. All nonrefundable charges shall be clearly indicated as such;

v. A detailed description of all financial aid offered by the institution. This shall include, but is not limited to, scholarships, in-house loan and grant programs, third-party loan and grant programs, and federal or state financial aid. Any student eligibility standards and conditions shall be stated for each type of financial aid offered. Tuition or fee discounts are not permissible; any reductions of tuition or fees must comply with subsection 6E-1.0032(7), F.A.C. Obligations to repay loans shall be clearly disclosed and explained to students, along with anticipated repayment terms, dates and amounts;

w. A statement of the refund policy and procedures for the refund of the unused portion of tuition, fees and other charges in the event the student does not enter the program, withdraws from the program, or is discharged from the program. The refund policy shall comply with the provisions of paragraph 6E-1.0032(6)(i), F.A.C., and other applicable federal and state requirements;

x. A complete description of the institution's physical facilities and equipment;

y. A description of the nature and extent of student services offered;

z. The institution's policy on student conduct and conditions of dismissal for unsatisfactory conduct;

aa. The institution's procedures for students to appeal academic or disciplinary actions;

bb. If required by law, the institution's anti-hazing policy;

cc. The procedures by which complaints will be considered and addressed by the institution;

dd. If the institution offers courses through distance education or other alternative means, the catalog shall include the information specified in subsection 6E-2.0041~~(10)(H)~~, F.A.C.;

ee. If the institution offers courses taught in any language other than English, then the catalog must contain the following disclosure:

COMPLETING A COURSE OR PROGRAM IN A LANGUAGE OTHER THAN ENGLISH MAY REDUCE EMPLOYABILITY WHERE ENGLISH IS REQUIRED.

3. Catalogs for Multiple Institutions. All institutions utilizing a common catalog must be of common ownership. Photographs of the physical facilities of any of the institutions must be captioned to identify the particular institution or campus depicted. The faculty and staff of each institution and the members of the administration for the group of institutions shall be clearly identified with respect to each institution and to the overall administration. Any information contained in the catalog that is not common to all institutions in the group shall be clearly disclosed ~~presented in such a manner that no confusion, misunderstanding or misrepresentation is possible.~~

(c) Advertising.

1. An institution shall not advertise until a license has been issued.

2. For initial applicants and renewal of licensure, the institution shall submit a copy of all proposed or actual advertising publications, ~~together with any and all materials used for the purpose of recruiting students.~~

3. All advertising by an institution, ~~including all written and verbal communications, illustrations, and express or implied representations,~~ shall be factual and not misleading to the public. All illustrations in published materials must specifically and accurately represent the institution. If any other illustrations are used, they must be clearly and accurately captioned.

4. An institution shall use its correct name as approved by the Commission in all advertising; no blind advertisements are permitted.

5. An institution shall not offer the payment of cash or other nonmonetary incentives, such as but not limited to travel or gift certificates, ~~monetary incentives~~ as an inducement to visit the campus or to enroll in a course or program.

6. All advertising shall clearly state that training and education, not employment, are being offered. All print advertising in classified sections, such as newspapers, telephone directories, periodicals, etc. must appear under a heading that identifies its category as education and training, not employment opportunities.

7. No institution, in its advertising or through activities of its owners, officers, or representatives shall guarantee or imply the guarantee of employment or of any certain wage or salary either before enrollment, during the program(s), or after the completion thereof. Guarantee of acceptance into any union, organization, or achievement of a recognition, certification, or qualification for licensure examination is not permitted. The term "lifetime placement" shall not be used.

8. Any placement claims, employment predictions, or salary projections used by the institution in its recruiting efforts shall be accurate, and based upon reliable statistical data which shall be provided to all prospective students and to the Commission upon request. It is the responsibility of the institution to ensure that all such claims are kept up to date and reflect actual current conditions and job market projections, taking into account the anticipated needs in the local community. Advertisements shall contain citations of the source of such claims. The institution shall maintain backup documentation to support the citations.

9. The level of educational programs provided shall be clearly defined if used for advertising. No institution shall refer to itself as a "college" or "university" unless authorized to do so by the Commission.

10. No institution shall use the term "accredited" unless fully authorized to do so by an accrediting agency recognized by the United States Department of Education.

11. References to financial assistance availability shall include the phrase, "for those who qualify," or similar disclaimer. Scholarships, if offered, must be fully disclosed and clearly explained if used in advertising.

12. Overstatements, ~~superlatives,~~ and exclusives shall not be used in any advertising. The word "free" shall only be used when there is unconditional access to the item or service for all students, without cost or obligation of any type, and if refunds or loan repayments do not include consideration of the item or service.

13. A new or modified program shall not be advertised until the Commission approves the program.

14. If endorsements are used, they must be factual and reflect present conditions, and must be uncompensated; and the institution must maintain documentation of prior consent by the participant. If an employee of the institution or a person otherwise affiliated with the institution, other than a student or graduate, makes an endorsement, the relationship or affiliation shall be fully disclosed in the advertising.

15. Institutions shall comply with advertising regulations pertaining to the training of individuals who are sponsored by a state or federal agency.

16. A licensed institution shall use only the following phrase to identify its licensure status in any advertising: "Licensed by the Florida Commission for Independent Education, License No. _____." The use of any other phrase or form shall be considered a violation of this rule.

(12) No change.

Rulemaking Specific Authority 1005.22(1)(e), 1005.31(2), (3), 1005.34, 1005.39 FS. Law Implemented 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS. History—Repromulgated 12-5-74, Formerly 6E-3.01(1), Readopted 11-11-75, Amended 3-7-77, 5-7-79, 10-13-83, Formerly 6E-2.04, Amended 11-27-88, 11-29-89, 12-10-90, 10-19-93, 4-2-96, 4-11-00, 1-7-03, 4-5-04, 5-24-04, 7-20-04, 5-18-05, 7-10-06, 7-23-07,_____.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: 6E-4.001
 RULE TITLE: Fees and Expenses

PURPOSE AND EFFECT: The purpose and effect is to clarify when base and workload fees will be reduced and clarify the reporting period for fees and expenses.

SUBJECT AREA TO BE ADDRESSED: Fees charged to licensed postsecondary institutions.

RULEMAKING AUTHORITY: 1005.22, 1005.35, 1005.37 FS.

LAW IMPLEMENTED: 1005.22, 1005.35, 1005.37 FS.

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

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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 IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-4.001 Fees and Expenses.

(1) The Base Fee and the Workload Fee shall be assessed at one of six levels based upon the Florida student enrollment (per license issued) for the last reported fiscal year ending on June 30th. For each licensed institution, Florida student enrollment consists of all students enrolled at a Florida campus of an institution plus all Florida residents enrolled in any Commission CIE licensed distance education program. If an institution that holds a license has not submitted enrollment data to the Commission (using the CIE Annual Data Collection) they shall be assessed at the highest level.

- (a) Level 1 = 0 to 100 students
- (b) Level 2 = 101-500 students
- (c) Level 3 = 501-1,000 students
- (d) Level 4 = 1,001 to 5,000 students
- (e) Level 5 = 5,001 to 10,000 students
- (f) Level 6 = over 10,000 students

If the total revenue collected by the Commission during a fiscal year is ~~greater than~~ 12% or greater than of the Commission's budgeted expenditures for the same fiscal year, the Commission is authorized to reduce the Base Fee and Workload Fee up to 3%. If the total revenue collected by the Commission during a fiscal year is less than the Commission's budgeted expenditures for the same fiscal year, the Commission is authorized to increase the Base Fee and Workload Fee up to 3%.

(2) through (9) No change.

Rulemaking Specific Authority 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS. Law Implemented 1005.22, 1005.35, 1005.37, 1005.38 FS. History—New 1-7-03, Amended 7-27-04, 1-30-08, 7-21-08,_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

EXECUTIVE OFFICE OF THE GOVERNOR

Office of Adoption and Child Protection

RULE NOS.: 27F-1.001, 27F-1.002, 27F-1.003, 27F-1.004, 27F-1.005, 27F-1.006, 27F-1.007, 27F-1.009
 RULE TITLES: Purpose and Scope, Child Abuse and Prevention and Permanency Advisory Council, Explore Adoption, Direct Support Organization, Fiscal Agent, Children and Youth Cabinet, Cooperative Planning Teams, Other Office Initiatives

PURPOSE AND EFFECT: The purpose and effect is to adopt rules for the Office of Adoption and Child Protection as required by Section 39.001, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The purpose and effect is to adopt rules for the Office of Adoption and Child Protection as required by Section 39.001, Florida Statutes.

RULEMAKING AUTHORITY: 39.001(11) FS.

LAW IMPLEMENTED: 39.001, 39.0011 FS.

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

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 24 hours before the workshop/meeting by contacting: Simonne Lawrence, (850)488-3494 or simonne.lawrence@eog.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Simonne Lawrence, Assistant General Counsel, Executive Office of the Governor, The Capitol, Tallahassee, Florida, (850)488-3494 or simonne.lawrence@eog.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

27F-1.001 Purpose and Scope.

The purpose of the office is to prevent child abuse, abandonment and neglect, promote adoption and support adoptive families. The Office will be responsible for developing and launching an adoption public awareness campaign, developing and monitoring a state plan for adoption promotion, support of adoptive families, and the prevention of abuse, abandonment and neglect, and launching and supporting the Children and Youth Cabinet.

Rulemaking Authority 39.001(11) FS. Law Implemented 39.001, 39.0011 FS. History–New _____.

27F-1.002 Child Abuse and Prevention and Permanency Advisory Council.

(1) The council shall serve as a research arm for the Governor’s Office of Adoption and Child Protection.

(2) The council shall assist in the development of a plan of action for better coordination and integration of the goals, activities and funding pertaining to the promotion of adoption and support of adoptive families and the prevention of child abuse, abandonment, and neglect in order to maximize staff and resources at the state level.

(3) The council shall assist in providing a basic format to be utilized by the districts in the preparation of local plans of action in order to provide for uniformity in the district plans and to provide for greater ease in compiling information for the state plan.

(4) The council shall provide the districts with technical assistance in the development of local plans of action, if requested.

(5) The council shall assist in the examination of the local plans to determine if all the requirements of the local plans have been met and, if they have not, informing the districts of the deficiencies and requesting the additional information needed.

(6) The council shall assist in preparation of the state plan for submission to the Legislature and the Governor.

Rulemaking Authority 39.001(11) FS. Law Implemented 39.001, 39.0011 FS. History–New _____.

27F-1.003 Explore Florida.

Explore Florida is a marketing campaign aimed at promoting the benefits of public adoption and urging families to consider creating or expanding their families by adopting a child who is older, has significant special needs, or is part of a sibling group.

(1) The critical elements or components for a successful local initiative:

Use state provided supports when developing circuit marketing strategy.

Implement an intake survey questionnaire to measure inquires as a result of Explore Adoption.

Develop media and vendor relationships to promote and produce materials as needed.

Secure positive earned media coverage with tracking mechanism.

Expand existing and establish new Explore Adoption Partnerships at the local level.

Customizable templates of all print materials (includes brochures, flyers, posters, window clings, lapel pins).

30-minute TV special featuring three real Florida families – in any needed format.

Five PSAs – in any needed format

Radio Spots – in any needed format

Marketing Kits

Bill Board design

Print ad design

Web banner design

Established partnerships contact information

Demographic Analysis – where to focus marketing efforts

Survey Results – how to communicate message

Web site with all materials, family stories, Child of the Month, FAQs, general adoption information, resources

(2) Funding. The Direct support organization of the Governor’s Office of Adoption and Child Protection will be tasked with raising funds for the purposes of continuing the statewide public awareness campaign to promote public adoption.

Rulemaking Authority 39.001(11) FS. Law Implemented 39.001, 39.0011 FS. History–New _____.

27F-1.004 Direct Support Organization.

(1) “The Trust for Florida’s Children, Inc” is the Direct Support Organization for the Office.

(2) The Direct Support Organization will assist the state in carrying out its purposes and responsibilities regarding the prevention of child abuse, abandonment, and neglect; the

promotion of adoption; and the support of adoptive families by raising money from private foundations, and individuals; submitting requests for and receiving grants from the Federal Government, the state or its political subdivisions, and making expenditures to or for the benefit of the Governor's Office of Adoption and Child Protection.

(3) Board of Directors shall be composed of individuals residing in The State of Florida, and others outside of the state with consent of the Board of Directors. The number of members on the Board of Directors shall be no less than seven (7) and no more than thirteen (13) directors. Membership on the Board of Directors of the direct-support organization shall include, but not be limited to, a guardian ad litem; a member of a local advocacy council; a representative from a community-based care lead agency; a representative from a private or public organization or program with recognized expertise in working with child abuse prevention programs for children and families; a representative of a private or public organization or program with recognized expertise in working with children who are sexually abused, physically abused, emotionally abused, abandoned, or neglected and with expertise in working with the families of such children; an individual working at a state adoption agency; and the parent of a child adopted from within the child welfare system.

(4) Each member of the Board of Directors should have demonstrated an active interest in the principles, objectives, concepts, and goals of the Corporation. Further, membership of the Board of Directors should incorporate representation of skills, knowledge, and/or background, in the areas of community service, local state government, grants and other funding mechanisms, the general community, and other areas as deemed appropriate. No person shall be denied membership on the Board of Directors by reason of race, creed, national origin, age, disability, color, marital status, sex or religion.

(5) The Board of Directors is required to meet at least two (2) times a year. One of these meetings shall be held concurrent with the annual meeting of the Board of Directors. Additional meetings may be called by majority vote of the Board of Directors, or by the Chair. Notice of meetings shall be made by mail or email to each Director, with an agenda prepared by the President in conjunction with the Chair, at least seven (7) days prior to the date of the meeting. Business for inclusion in the agenda may be submitted to the President by a Board member any time prior to the seven (7) day period.

Rulemaking Authority 39.001(11) FS. Law Implemented 39.001, 39.0011 FS. History–New _____.

27F-1.005 Fiscal Agent.

The Fiscal Agent for the Office of Adoption and Child Protection is Volunteer Florida, Inc.

Rulemaking Authority 39.001(11) FS. Law Implemented 39.001, 39.0011 FS. History–New _____.

27F-1.006 Children and Youth Cabinet.

The Cabinet shall ensure that the public policy of Florida relating to children and youth promotes interdepartmental collaboration and program implementation in order for services designed for children and youth to be planned, managed and delivered in a holistic and integrated manner to improve the self-sufficiency, safety, economic stability, health and quality of life of all children and youth in Florida.

Rulemaking Authority 39.001(11) FS. Law Implemented 39.001, 39.0011 FS. History–New _____.

27F-1.007 Cooperative Planning Teams.

(1) The Florida Statutes provide for workgroups of the Advisory Council to focus on cooperative planning efforts at the state level. Consequently, the Governor's Office of Adoption and Child Protection established two planning teams: The Education Cooperative Planning Team and the Law Enforcement Planning Team.

(2) The Governor's Office of Adoption and Child Protection continued efforts to convene and support local planning teams in each of the twenty (20) circuits around the state. These circuits are aligned with the judicial and the Department of Children and Families circuits. The representation on these local planning teams is consistent with the make-up of the statewide advisory council.

(3) Conference calls were held monthly with the conveners of the local planning teams, the Governor's Office of Adoption and Child Protection staff, and the Department of Children and Families staff members to address questions and provide information that would assist with the planning process. Copies of the current state and local plans are also available on the Website at: http://www.flgov.com/child_abuse_prevention.

Rulemaking Authority 39.001(11) FS. Law Implemented 39.001, 39.0011 FS. History–New _____.

27F-1.009 Other Office Initiatives.

(1) Family Strengthening is the approach used to identify and promote protective factors that may serve as buffers for families that would otherwise be at risk for abuse and neglect. Protective factors help families become familiar with alternate resources, supports, and coping strategies that will allow them to parent more effectively under stress. Through this initiative, strategies of early child care and education programs would effectively build protective factors known to prevent child abuse and neglect. The Family Strengthening Initiative is the intentional incorporation of the *Five Protective Factors* to prevent child maltreatment. Five Protective Factors are:

(a) Nurturing and Attachment – A child's ability to interact positively with others, to self-regulate, and to effectively communicate his or her emotions has a great impact on the parent-child relationship. A child's social and emotional development is highly dependent on the quality of a young

child's primary relationships. How caregivers respond to children's emotional expression profoundly influences how they learn to process, understand, and cope with such feelings as anger, happiness, and sadness. Promoting positive behavior and responses in children could strengthen parent-child relationships.

(b) Knowledge of Parenting and of Child and Youth Development – Extensive research links healthy child development to effective parenting. Children thrive when parents provide not only affection, but also respectful communication and listening, consistent rules and expectations, and safe opportunities that promote independence. Successful parenting fosters psychological adjustment, helps children succeed in school, encourages curiosity about the world, and motivates children to achieve.

(c) Parental Resilience – Parents who can cope with the stresses of everyday life, as well as an occasional crisis, have resilience; they have the flexibility and inner strength necessary to bounce back when things are not going well. Multiple life stressors, such as a family history of abuse or neglect, health problems, marital conflict, or domestic or community violence and financial stressors such as unemployment, poverty, and homelessness may reduce a parent's capacity to cope effectively with the typical day-to-day stresses of raising children.

(d) Social Connections – Parents with a social network of emotionally supportive friends, family, and neighbors often find that it is easier to care for their children and themselves. Most parents need people they can call on once in a while when they need a sympathetic listener, advice, or concrete support. Research has shown that parents, who are isolated, with few social connections, are at higher risk for child abuse and neglect.

(e) Concrete Supports for Parents – Partnering with parents to identify and access resources in the community may help prevent the stress that sometimes precipitates child maltreatment. Providing concrete supports may also help prevent the unintended neglect that sometimes occurs when parents are unable to provide for their children.

(2) Heart Galleries. Heart galleries will work with local professional photographers to help find homes for specific children by creating compelling personal portraits that capture each child's unique personality and interests. These portraits are displayed in areas where families most likely to adopt will have a chance to view them. Attached to the portraits are brochures containing brief information on that child with contact information for inquiries. In addition to the portrait exhibit, each heart gallery provides a Web site with general information on special needs adoption and a photo listing of children in the area who are legally free for adoption. These same portraits can be used on the state of Florida Adoption Exchange and the Explore Adoption Web site. There are 15 heart galleries operating in the following areas:

(a) Brevard County

(b) Broward County

(c) Gainesville

(d) Jacksonville

(e) Miami

(f) Orlando- Metro area

(g) Palm Beach County

(h) Pensacola – Art of Adoption

(i) Pinellas and Pasco Counties

(j) Sarasota County

(k) Southwest Florida (Collier, Lee, Hendry, Glades and Charlotte).

(l) Tampa

(m) The Gulf Coast

(n) North Florida (Big Bend Region)

(o) Volusia County

(3) Healthy Families Florida is an evidence-based, voluntary home visiting program that prevents child abuse and neglect in high-risk families before child abuse occurs. It provides quality services that are intensive, comprehensive, long-term, flexible and culturally appropriate. Healthy Families Florida uses a paraprofessional/professional home visitation model. It initiates services during pregnancy or soon after the birth of a baby. Highly trained family support workers provide frequent, intensive services to families in their homes for up to five years with intensity decreasing over time according to the needs of the family and their progress toward increasing protective factors and establishing a stable and nurturing home environment. Services follow a detailed curriculum that uses a strength-based approach to introduce topics that promote positive parent-child relationships, including basic care, cues and compassion, social and emotional development, play and stimulation, and brain development. In addition, family support workers teach problem solving skills, conduct screening for developmental delays, provide social support, connect parents and children to a medical provider and make referrals to other family support services as needed. This collaboration with community partners such as Healthy Start, domestic violence shelters, child care centers, community-based care agencies and others links families to the services they need beyond home visiting without duplication of effort. By increasing the knowledge and skills of new parents, Healthy Families Florida empowers parents to accept personal responsibility for their future and the future of their families.

(4) Positive Parenting Program. Triple P[®] has been given the highest evidence-based rating by the California Evidence-Based Clearinghouse for Child Welfare and the SAMHSA National Registry of Evidence-based Programs and Practices (NREPP). The Triple P[®] program targets parents and other caregivers of children from birth through age 18. Documented outcomes of the Triple P[®] program include child

safety and child/family well-being. Triple P[®] is a multi-level system of parenting and family support. It aims to prevent severe behavioral, emotional, and developmental problems in children by enhancing the knowledge, skills, and confidence of parents. It can be provided individually, in a group, or in a self-directed format. It incorporates five levels of intervention on a tiered continuum of increasing strength for parents of children and adolescents from birth to age 18. The multi-disciplinary nature of the program allows utilization of the existing professional workforce in the task of promoting competent parenting. The program targets five different developmental periods from infancy to adolescence. Within each developmental period, the reach of the intervention can vary from being very broad (targeting an entire population) to quite narrow (targeting only high-risk children). Triple P[®] enables practitioners to determine the scope of the intervention given their own service delivery system, priorities and funding.

(5) The Whole Child Philosophy is grounded in the notion that communities must address all six dimensions of children's well-being to raise healthy children. They are: physical and mental health, quality early education and development, social-emotional development, spiritual foundation and strength, safe and nurturing environment, and economic stability. Whole Child is not another program, but a philosophy that uses strategic planning, Web-based technology, performance measurement and broad-based community engagement to build communities where everyone works together to make sure children thrive.

(6) Faith-Based Initiative for Prevention and Permanency will provide family and community supports that would build the five protective factors identified in the Family Strengthening Initiative, promote public adoption in Florida's faith communities, empower faith communities to support adoptive families within their congregation and/or community at large using the five protective factors.

Rulemaking Authority 39.001(11) FS. Law Implemented 39.001, 39.0011 FS. History--New _____.

EXECUTIVE OFFICE OF THE GOVERNOR

Office of Adoption and Child Protection

RULE NOS.: RULE TITLES:
 27F-1.008 Florida Child Abuse Prevention and Permanency Plan

PURPOSE AND EFFECT: The purpose and effect is to adopt rules for the Office of Adoption and Child Protection as required by Section 39.001, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The purpose and effect is to adopt rules for the Office of Adoption and Child Protection as required by Section 39.001, Florida Statutes.

RULEMAKING AUTHORITY: 39.001(11) FS.

LAW IMPLEMENTED: 39.001 FS.

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Simonne Lawrence, Assistant General Counsel, Executive Office of the Governor, The Capitol, Tallahassee, Florida, (850)488-3494 or simonne.lawrence@eog.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

27F-1.008 Florida Child Abuse Prevention and Permanency Plan.

(1) The central focus of the Florida Child Abuse Prevention and Permanency Plan: July 2010 – June 2015 is to build resilience in all of Florida's families and communities in order to equip them to better care for and nurture their children. It will serve as a blueprint that will be implemented to provide for the care, safety, and protection of all of Florida's children in an environment that fosters healthy social, emotional, intellectual, and physical development.

(2) Desired Population-Level Results of Plan Implementation.

(a) Child Maltreatment Prevention – By 30 June 2015, the verified findings of child abuse rate will be reduced from the State Fiscal Year 2008-2009 statewide rate of 10.94 per 1,000 children.

(b) Promotion of Adoption – By 30 June 2015, the percent of children adopted within 12 months of becoming legally free for adoption will increase from the State Fiscal Year 2008-2009 rate of 66.4 percent.

(c) Promotion of Adoption – By 30 June 2015, the percent of children legally free for adoption who have been waiting for adoption since the date of termination of parental rights (TPR) for more than 12 months will be reduced from the State Fiscal Year 2008-2009 rate of 92.9 percent.

(d) Support of Adoptive Families – By 30 June 2015, the annual number of adopted children who are returned to foster care (regardless of when the adoption was finalized) will be reduced from the State Fiscal Year 2008-2009 number of 98.

Strategy	Objective	Lead(s)	Workgroups
<u>Prevention Strategy 1: Infuse the Five Protective Factors into Florida Systems that Serve Parents and Children.</u> By 30 June 2015, Florida-based programs, supports and services will have intentionally incorporated the <i>Five Protective Factors</i> as a foundation for their work.	CAN 1.1 Early Education and Care	Agency for Workforce Innovation	
	CAN 1.2 Home Visiting Programs	Healthy Families Florida	<u>Home Visiting Protective Factors Workgroup</u>
	CAN 1.3 Head Start Programs	FL Head Start Collaboration Office and Florida Head Start Association	<u>Head Start Protective Factors Workgroup</u>
	CAN 1.4 Medicaid Child Health Check-Up Program	Agency for Health Care Administration	<u>Child Health Check-Up Protective Factors Workgroup</u>
	CAN 1.5 Technical Assistance to Circuits	Department of Children and Families	<u>Local Plan Family Strengthening Initiative Team</u>
	CAN 1.6 Faith-Based and Community-Based Efforts	Executive Office of the Governor	<u>Faith-Based and Community-Based Workgroup</u>
<u>Prevention Strategy 2: Strengthen Florida Systems to Better Serve the Needs of Florida Families.</u> By 30 June 2015, the State of Florida will have supported and built the capacity of Florida-based parenting and support programs and services to incorporate the <i>Five Protective Factors</i> as a foundation for their work and provide sustainable, accessible quality services for Florida families.	CAN 2.1 Whole Child	Lawton Chiles Foundation	<u>Whole Child Leadership Team</u>
	CAN 2.2 Healthy Families Florida	Department of Children and Families and Healthy Families Florida	<u>Healthy Families Florida Advisory Committee</u>
	CAN 2.3 Healthy Start	Department of Health and Florida Association of Healthy Start Coalitions	<u>Healthy Start Protective Factors Workgroup</u> <u>Healthy Start Parent Education Workgroup</u> <u>FIMR Workgroup</u>
	CAN 2.4 Education Services for Parents/Caregivers of Newborns	Department of Health and Florida Association of Healthy Start Coalitions	<u>Education Services for Parents/Caregivers of Newborns Leadership Team</u>
<u>Prevention Strategy 3: Provide Information on Ways to Ensure that Children are Safe and Nurtured and Live in Stable Environments that Promote Well-being.</u> By 30 June 2015, the State of Florida will have implemented statewide, public awareness and education campaigns that provided information to the general population on child development, positive parenting practices, community action that promotes and supports each of the <i>Five Protective Factors</i> , and ways to prevent child deaths.	CAN 3.1 Public Awareness and Education	Prevent Child Abuse Florida	
	CAN 3.2 Evidence-Based Parenting Programs	Department of Children and Families	<u>Evidence-Based Parenting Programs Workgroup</u>

	<u>CAN 3.3 Child Death Review</u>	<u>Child Abuse Death Review Team and Department of Children and Families</u>	<u>Child Abuse Death Review Team</u>
<u>Prevention Strategy 4: Inform and Instruct Education Communities – The Florida Cooperative Education Child Abuse Prevention Plan.</u> By 30 June 2015, the State of Florida will have collaboratively worked through Florida’s educational communities to prevent and respond appropriately to child abuse, abandonment and neglect.	<u>CAN 4.1 Professional Development for School Personnel</u>	<u>Department of Education and Cooperative Education Planning Team</u>	<u>Cooperative Education Planning Team</u>
	<u>CAN 4.2 Resources for Parents of School Children</u>		
	<u>CAN 4.3 Resource Awareness</u>		
	<u>CAN 4.4 Multidisciplinary Curricula</u>	<u>Cooperative Education Planning Team and Monique Burr Foundation</u>	
<u>Prevention Strategy 5: Inform and Instruct Law Enforcement Communities – The Florida Cooperative Law Enforcement Child Abuse Prevention Plan.</u> By 30 June 2015, the Cross Agency Memorandum of Understanding on Training with the embedded core learning objectives will be viable and working to promote cross agency prevention training in the law enforcement community.	<u>CAN 5.1 Law Enforcement Memorandum of Understanding Review Design</u>	<u>Executive Office of the Governor and Cooperative Law Enforcement Planning Team</u>	<u>Cooperative Law Enforcement Planning Team</u>
	<u>CAN 5.2 Law Enforcement Annual Reviews and Updates</u>	<u>Cooperative Law Enforcement Planning Team</u>	
	<u>CAN 5.3 Law Enforcement Future Plans</u>		
<u>Prevention Strategy 6: Monitor and Evaluate Plan Implementation.</u> By 30 June 2015, leadership of plan implementation will have monitored and annually assessed the progress and effectiveness the plan-based initiatives.	<u>CAN 6.1 Instrumentation and Procedures Design</u>	<u>Executive Office of the Governor</u>	<u>Evaluation Design Team and Prevention Learning Community</u>
	<u>CAN 6.2 Progress Monitoring</u>		

Overview of the Florida Promotion of Adoption Plan: July 2010 – June 2015

<u>Strategy</u>	<u>Objective</u>	<u>Lead(s)</u>	<u>Workgroups</u>
<u>Promotion of Adoption Strategy 1: Infuse the Five Protective Factors into Florida Systems that Recruit Adoptive Parents.</u> By 30 June 2015, Florida-based adoptive parent recruitment systems will have intentionally incorporated the <i>Five Protective Factors</i> as a part of the foundation for their work.	<u>PA 1.1 Local Recruitment Efforts</u>	<u>Department of Children and Families and Community Based Care Lead Agencies</u>	<u>Protective Factors and Permanency Workgroup</u>
	<u>PA 1.2 Parent Preparation and Training</u>	<u>Department of Children and Families and Community Based Care Lead Agencies</u>	

<p>Promotion of Adoption Strategy 2: Strengthen Florida Systems to Better Recruit Families to Meet the Needs of Children and Youth Awaiting Adoption. By 30 June 2015, the State of Florida will have implemented systems and efforts to better target recruitment of families to meet the needs of children and youth awaiting public adoption.</p>	<p>PA 2.1 Faith-Based and Community-Based Efforts</p>	<p>Executive Office of the Governor</p>	<p>Faith-Based and Community-Based Workgroup</p>
	<p>PA 2.2 Targeted and Child Specific Recruitment</p>	<p>Department of Children and Families and Community Based Care Lead Agencies</p>	
	<p>PA 2.3 Information and Support for Prospective Adoptive Parents</p>		<p>Customer Service Protocol Workgroup</p>
<p>Promotion of Adoption Strategy 3: Monitor and Evaluate Plan Implementation. By 30 June 2015, leadership of plan implementation will have monitored and annually assessed the progress and effectiveness the plan-based initiatives.</p>	<p>PA 3.1 Instrumentation and Procedures Design</p>	<p>Executive Office of the Governor</p>	<p>Evaluation Design Team and Adoption Learning Community</p>
	<p>PA 3.2 Progress Monitoring</p>		
	<p>PA 3.3 Annual Review and Assessment</p>		

<p>Overview of the Florida Support of Adoptive Families Plan: July 2010 – June 2015</p>			
<p>Strategy</p>	<p>Objective</p>	<p>Lead(s)</p>	<p>Workgroups</p>
<p>Support of Adoptive Families Strategy 1: Strengthen Florida Service Systems to Better Support Adoptive Families to Meet the Needs of Their Adopted Children and Youth. By 30 June 2015, the State of Florida will have implemented post adoption services that provide for mental health, emotional, physical and other needs of adoptive families.</p>	<p>SA 1.1 Information and Support for Adoptive Families</p>	<p>Department of Children and Families and Community Based Care Lead Agencies</p>	<p>Customer Service Protocol Workgroup</p>
	<p>SA 1.2 Adoption Competent Professionals</p>		<p>Adoption Competency Advisory Committee</p>
	<p>SA 1.3 Post Adoption Services Counselors</p>		
<p>Support of Adoptive Families Strategy 2: Provide Information and Supports to Adoptive Families. By 30 June 2015, the State of Florida will have implemented post adoption services that provide for mental health, emotional, physical and other needs of adoptive families.</p>	<p>SA 2.1 Adoption Support Groups</p>	<p>Department of Children and Families and Community Based Care Lead Agencies</p>	<p>Adoption Support Advisory Committee</p>
	<p>SA 2.2 Education Opportunities for Adoptive Parents</p>		
	<p>SA 2.3 Faith-Based and Community-Based Efforts</p>	<p>Executive Office of the Governor</p>	<p>Faith-Based and Community-Based Workgroup</p>

<p>Support of Adoptive Families Strategy 3: Monitor and Evaluate Plan Implementation. By 30 June 2015, the State of Florida will have provided information and supports to Florida adoptive families on ways to build competence in meeting the needs of their adopted children and youth.</p>	<p>SA 3.1 Instrumentation and Procedures Design</p>	<p>Executive Office of the Governor</p>	<p>Evaluation Design Team and Adoption Learning Community</p>
	<p>SA 3.2 Progress Monitoring</p>		
	<p>SA 3.3 Annual Review and Assessment</p>		

Rulemaking Authority 39.001(11) FS. Law Implemented 39.001 FS. History—New.

61D-5.003

Applications for Licensure;
Fingerprint Requirements;
Exemptions from Fingerprinting
Temporary Occupational Licenses
Exemptions to Occupational
Licensing Requirements
Waiver of Criminal Convictions or
Other Offenses

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

61D-5.004

61D-5.005

Division of Hotels and Restaurants

RULE NO.: 61C-1.004
RULE TITLE: General Sanitation and Safety Requirements

61D-5.006

PURPOSE AND EFFECT: The proposed rule development will update the rule to reflect changes made to Chapter 509, F.S., by Chapter 2008-055, Laws of Florida, and remove other agency rules from incorporation by reference.

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement amendments to Section 550.105, Florida Statutes, which were effective July 1, 2010, pertaining to pari-mutuel occupational licenses.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development addresses changes to Chapter 509, F.S., resulting from Chapter 2008-055, Laws of Florida, and rules incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: Rule 61D-5.001, F.A.C., addresses the license and renewal periods, fees, and required forms for pari-mutuel occupational licenses. Rule 61D-5.003, F.A.C., addresses certain persons who are exempt from the fingerprint requirement. Rule 61D-5.004, F.A.C., addresses the term of temporary licenses and the requirements for obtaining a temporary license. Rule 61D-5.005, F.A.C., addresses persons in certain positions who are exempt from the occupational license requirements. Rule 61D-5.006, F.A.C., addresses the adoption and incorporation of the license application and request for waiver forms.

RULEMAKING AUTHORITY: 509.032 FS.

RULEMAKING AUTHORITY: 550.0251(3), 550.105(2)(b), (6), (10) FS.

LAW IMPLEMENTED: 509.032, 509.215, 509.221 FS.

LAW IMPLEMENTED: 550.0251, 550.105, 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 WEEKLY.

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:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, Telephone: (850)488-1133, e-mail: Michelle.Comingore@dbpr.state.fl.us

DATE AND TIME: November 15, 2010, 1:00 p.m. – 3:00 p.m.
PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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

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: Mary Polombo at (850)413-0750. 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 BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.: 61D-5.001
RULE TITLES: Occupational Licensure

<p>THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035</p> <p>THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.</p>	<p>63N-1.0032</p> <p>63N-1.0033</p> <p>63N-1.0034</p> <p>63N-1.0035</p>	<p>Qualifications of Substance Abuse Professionals and Service Providers</p> <p>Clinical Supervision of Mental Health Clinical Staff</p> <p>Clinical Supervision of Substance Abuse Clinical Staff</p> <p>Retaining a Designated Mental Health Authority or Clinical Coordinator</p>
<p>DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION</p> <p>Board of Pilot Commissioners</p> <p>RULE NO.: RULE TITLE:</p> <p>61G14-19.001 Percentage of Gross Pilotage Assessed</p> <p>PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the rate the Department assesses the gross amounts of pilotage earned.</p> <p>SUBJECT AREA TO BE ADDRESSED: Percentage of gross pilotage assessed.</p> <p>RULEMAKING AUTHORITY: 310.131, 310.185 FS.</p> <p>LAW IMPLEMENTED: 310.131 FS.</p> <p>IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.</p> <p>THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robyn Barineau, Executive Director, Board of Pilots Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750</p> <p>THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.</p>	<p>63N-1.0036</p> <p>63N-1.004</p> <p>63N-1.0041</p> <p>63N-1.0042</p> <p>63N-1.005</p> <p>63N-1.0051</p> <p>63N-1.0052</p> <p>63N-1.0053</p> <p>63N-1.0054</p> <p>63N-1.0055</p> <p>63N-1.0056</p> <p>63N-1.006</p> <p>63N-1.007</p> <p>63N-1.0071</p>	<p>Referrals for Mental Health Services or Substance Abuse Services</p> <p>Mental Health, Substance Abuse and Developmental Disability Services Records Management</p> <p>Individual Healthcare Record</p> <p>Active Mental Health / Substance Abuse Treatment File</p> <p>Mental Health and Substance Abuse Screening and Evaluation</p> <p>Mental Health and Substance Abuse Screening</p> <p>Intake / Admission Suicide Risk Screening</p> <p>Massachusetts Youth Screening Instrument, Second Version (MAYSI-2) Procedures</p> <p>Comprehensive Assessments</p> <p>Comprehensive Mental Health Evaluations</p> <p>Comprehensive Substance Abuse Evaluations</p> <p>Suicide Risk Alerts and Mental Health Alerts</p> <p>Mental Health and Substance Abuse Treatment Planning</p> <p>Mental Health and Substance Abuse Treatment Planning in Detention Centers</p> <p>Mental Health and Substance Abuse Treatment Planning in Residential Commitment and Day Treatment Programs</p>
<p>DEPARTMENT OF ENVIRONMENTAL PROTECTION</p> <p>Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to http://www.dep.state.fl.us/ under the link or button titled "Official Notices."</p>	<p>63N-1.0072</p>	<p>Mental Health and Substance Abuse Treatment Planning in Residential Commitment and Day Treatment Programs</p>
<p>DEPARTMENT OF JUVENILE JUSTICE</p> <p>Mental Health/Substance Abuse/Developmental Disability Services</p> <p>RULE NOS.: RULE TITLES:</p> <p>63N-1.001 Purpose and Scope</p> <p>63N-1.002 Definitions</p> <p>63N-1.003 Administration and Management of Mental Health and Substance Abuse Services</p> <p>63N-1.0031 Qualifications of Mental Health Professionals</p>	<p>63N-1.0073</p> <p>63N-1.0074</p> <p>63N-1.0075</p> <p>63N-1.0076</p> <p>63N-1.008</p>	<p>Initial Mental Health and Substance Abuse Treatment Plans – General Requirements</p> <p>Individualized Mental Health and Substance Abuse Treatment Plans – General Requirements</p> <p>Integrated Mental Health and Substance Abuse Treatment Plans</p> <p>Review and Updating of Treatment Plans</p> <p>Mental Health and Substance Abuse Treatment Services</p>

63N-1.0081 Mental Health Treatment Services
 63N-1.0082 Substance Abuse Treatment Services
 63N-1.0083 Integrated Mental Health and Substance Abuse Treatment Services
 63N-1.0084 Documentation of Mental Health and Substance Abuse Treatment Services
 63N-1.0085 Psychiatric Services
 63N-1.0086 Mental Health and Substance Abuse Transition / Discharge Planning
 63N-1.009 Suicide Prevention
 63N-1.0091 Suicide Prevention Plans
 63N-1.0092 Screening for Suicide Risk
 63N-1.00921 Suicide Risk Screening – General Requirements
 63N-1.0093 Assessment of Suicide Risk and Follow-Up Assessment Procedures
 63N-1.00931 Licensed Mental Health Professional’s Off-Site Review of Assessment or Follow-Up Assessment of Suicide Risk
 63N-1.0094 Assessment of Suicide Risk Performed Off-Site
 63N-1.0095 Suicide Precaution Methods
 63N-1.00951 Precautionary Observation
 63N-1.00952 Secure Observation
 63N-1.00953 Monitoring of Youth Upon Removal from Precautionary or Secure Observation – General Requirements
 63N-1.00954 Administrative and Clinical Review of Suicide Precautions
 63N-1.0096 Immediate Response to a Suicide Attempt or Incident of Serious Self-Inflicted Injury
 63N-1.0097 Notifications When a Youth on Suicide Precautions is Released, Transferred or Discharged
 63N-1.0098 Serious Suicide Attempt or Serious Self-Inflicted Injury Review and Mortality Review
 63N-1.010 Mental Health Crisis Intervention Services
 63N-1.0101 Mental Health Crisis Assessment
 63N-1.0102 Mental Health Crisis Intervention Techniques
 63N-1.0103 Crisis Intervention Follow-Up Services and Mental Health Alerts
 63N-1.011 Emergency Mental Health and Substance Abuse Services
 63N-1.012 Off-Site Crisis Assessments and Emergency Evaluations Under Baker or Marchman Acts

63N-1.013 Services for Youths with Developmental Disability
 63N-1.014 Consent Requirements Applicable to Mental Health Services and Psychotropic Medication
 63N-1.015 Special Consent for Substance Abuse Evaluation and Treatment

PURPOSE AND EFFECT: The rule chapter establishes statewide requirements for the provision of mental health, substance abuse and developmental disability services for youth in department facilities and programs.

SUBJECT AREA TO BE ADDRESSED: The rule chapter addresses the administration of mental health, substance abuse and developmental disability services, and establishes statewide requirements for admission, assessment, service delivery, suicide prevention and crisis intervention.

RULEMAKING AUTHORITY: 985.64(2) FS.

LAW IMPLEMENTED: 985.64(2) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, November 18, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel’ Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0134
RULE TITLE: Maximum Number of Prescriptions in Registered Pain Management Clinics

PURPOSE AND EFFECT: As required by subsection 458.3265(4)(c), Florida Statutes, the Board proposes the development of a rule to address the maximum number of prescriptions for controlled substances for the treatment of pain which may be written by physicians practicing in pain management clinics.

SUBJECT AREA TO BE ADDRESSED: The maximum number of prescriptions for controlled substances for the treatment of pain which may be written by physicians practicing in pain management clinics.

RULEMAKING AUTHORITY: 458.3265(4)(c) FS.

LAW IMPLEMENTED: 458.3265(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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-14.0054
 RULE TITLE: Maximum Number of Prescriptions in Registered Pain Management Clinics

PURPOSE AND EFFECT: As required by subsection 459.0137(4)(c), Florida Statutes, the Board proposes the development of a rule to address the maximum number of prescriptions for controlled substances for the treatment of pain which may be written by physicians practicing in pain management clinics.

SUBJECT AREA TO BE ADDRESSED: The maximum number of prescriptions for controlled substances for the treatment of pain which may be written by physicians practicing in pain management clinics.

RULEMAKING AUTHORITY: 459.0137(4)(c) FS.

LAW IMPLEMENTED: 459.0137(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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-189.007
 RULE TITLE: Insurer Experience Reporting – Excessive Profits, Workers’ Compensation Insurance

PURPOSE AND EFFECT: The purpose and effect of this rule is to adopt a revised worker’s compensation excess profits form, and revise definition of “Insurance Group” to mean insurers operating under common majority ownership, not common management.

SUBJECT AREA TO BE ADDRESSED: Procedure, and form to be used, when reporting excessive profits for worker’s compensation insurance.

RULEMAKING AUTHORITY: 624.308(1), 627.215 FS.

LAW IMPLEMENTED: 624.307(1), 624.424(1)(c), 627.215 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: November 17, 2010, 9:00 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Richard Koon, Property and Casualty Product Review, Office of Insurance Regulation, E-mail Richard.Koon@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Koon, Property and Casualty Product Review, Office of Insurance Regulation, E-mail Richard.Koon@flor.com

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

FINANCIAL SERVICES COMMISSION

Securities

RULE NO.: 69W-301.002
 RULE TITLE: Processing of Applications

PURPOSE AND EFFECT: The agency intends to amend Rule 69W-301.002, F.A.C., to adopt the latest versions of the Form ADV, Uniform Application for Investment Adviser Registration Form, which reflects amendments to Parts 1 and Part 2 of the form, and Form BD, Uniform Application for Broker-Dealer Registration. These forms reflect federal standards that have been approved by the Securities and Exchange Commission (SEC). The forms are available on the SEC’s website: www.sec.gov.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation.

RULEMAKING AUTHORITY: 517.03(1), 517.12, 517.1201, 517.081(2), 517.082(4) FS.

LAW IMPLEMENTED: 120.60(1), 517.051, 517.075, 517.081, 517.082, 517.12, 517.161(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pam Epting, Chief, Bureau of Regulatory Review, Division of Securities, Office of Financial Regulation, The Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399-0375, (850)410-9500, pam.epting@flofr.com

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

Section II Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-10.026	Location and Preservation of Records
25-10.111	Customer Billing

PURPOSE AND EFFECT: The purpose of both rule repeals is to eliminate redundant provisions which are no longer in use. These rules have been superseded by new sections in Chapter 25-30, F.A.C. Docket 100380-WS.

SUMMARY: Rule 25-10.026, F.A.C. requires water and wastewater utilities to maintain records in accordance with the NARUC system of accounts and to maintain those records in an office within the State of Florida. All provisions of this rule have been included within the newer Rule 25-30.115, F.A.C., Uniform System of Accounts for Water and Wastewater Utilities and Rule 25-30.110, F.A.C., Records and Reports; Annual Reports. Rule 25-10.111, F.A.C., requires water and wastewater utilities to bill customers at regular intervals; contains various provisions for pro-rating less than full bill amounts; and requires a minimum of 20 days before a bill is considered delinquent. All of the provisions of this rule have been subsumed by Rule 25-30.335, F.A.C., Customer Billing. Repeal of Rules 25-10.026 and 25-10.111, F.A.C., will prevent

confusion or conflict with the more detailed rules in Chapter 25-30, F.A.C., and will eliminate redundant provisions which are no longer in use.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The rule repeals will benefit the Commission and customers by decreasing the number of rules and eliminate any confusion over redundant rules. Small businesses and water and wastewater utilities will benefit by the elimination of confusion over redundant rules and from the reduction of costs due to complying with redundant rules and reviewing obsolete rules.

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: 367.121 FS.

LAW IMPLEMENTED: 367.121(9) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. 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 RULES IS: Lorena A. Holley, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6197 or lholley@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

25-10.026 Location and Preservation of Records.

~~(1) All records that a utility is required to keep, by reason of these or other rules prescribed by the Commission, shall be kept at the office or offices of the utility within this State, unless otherwise authorized by the Commission. Such records shall be open for inspection by authorized representatives of the Commission at any and all reasonable hours.~~

~~(2) All records shall be preserved in accordance with the NARUC "Regulations to Govern the Preservation of Records of Electric, Gas and Water Utilities."~~

Rulemaking Specific Authority 367.121 FS. Law Implemented 367.121(9) FS. History--Amended 9-12-74, Formerly 25-10.26, Repealed _____.

25-10.111 Customer Billing.

~~(1) Bills shall be rendered at regular intervals and shall show at least the billing period covered; identification of the applicable rate schedule; the amount of the bill and, as~~