

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

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

RULE NO.: 18-21.022  
 RULE TITLE: Payments and Fees for Aquacultural Activities

PURPOSE AND EFFECT: The proposed rule would remove the requirement for a fee change each year.

SUBJECT AREA TO BE ADDRESSED: Addresses the requirement for a fee change each year.

RULEMAKING AUTHORITY: 253.03, 253.73 F.S.

LAW IMPLEMENTED: 253.002, 253.03, 253.04, 253.67-.75, 253.77, 597.010 F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Portia Sapp via email at Portia.Sapp@FDACS.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

18-21.022 Payments and Fees for Aquacultural Activities.

(1) through (3) No change.

(4) The annual fee may shall be revised ~~March 1~~ of each ~~year~~ and increased or decreased based on the average change over time in the price paid by all urban consumers for a market basket of consumer goods and services. In determining the change, the Board will annually consult the Consumer Price Index figures established for the previous five years by the Bureau of Labor Statistics, computed as provided in the BLS Publication "Handbook of Methods," Chapter 17, June 2007, which is hereby adopted and incorporated by reference and may be obtained on the Internet at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10655> or by writing to the Division of Aquaculture at 600 S. Calhoun Street, Suite 217, Tallahassee, Florida 32399. There shall be a 10 percent cap on any annual increase.

(5) through (8) No change.

Rulemaking Authority 253.03(7), (11), 253.73 FS. Law Implemented 253.002, 253.03, 253.04, 253.67-.75, 253.77, 597.010 FS. History—New 9-1-09, Amended 7-10-19, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE NO.: 64B2-18.0055  
 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes a new rule to create language requirements for continuing education.

SUBJECT AREA TO BE ADDRESSED: The new rule addresses continuing education.

RULEMAKING AUTHORITY: 460.4165(13) FS.

LAW IMPLEMENTED: 460.4165(13) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dayle DeCastro Mooney, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, or by telephone: (850)488-0595 or by electronic mail – Dayle.Mooney@myfloridalicense.com

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-13.001  
 RULE TITLE: Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The Board proposes the rule development to clarify and update CME requirements.

SUBJECT AREA TO BE ADDRESSED: To clarify and update CME requirements including obtaining completion of CME in a distance learning format and approving an additional provider for the controlled substance prescribing course.

RULEMAKING AUTHORITY: 456.013, 456.0301, 456.031, 459.005, 459.008(4) FS.

LAW IMPLEMENTED: 456.013, 456.0301, 456.031, 459.008 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Danielle Terrell, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06,

Tallahassee, Florida 32399-3256, or by email at Danielle.Terrell@flhealth.gov.

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

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

- RULE NOS.:      RULE TITLES:
- 73-1.001        Definitions
- 73-1.002        Registration Requirements
- 73-1.003        Computation of Time
- 73-1.004        Fines
- 73-1.005        Liens
- 73-1.006        Rebuttable Presumption

PURPOSE AND EFFECT: To create a rule that aligns with new legislative changes from Senate Bill 264 from the 2023 Legislative Session that prohibits the purchase of real property on or around military installations or critical infrastructure facilities by foreign principals.

SUBJECT AREA TO BE ADDRESSED: Purchase of real property on or around military installations or critical infrastructure facilities by foreign principals.

RULEMAKING AUTHORITY: 692.203(10), F.S.

LAW IMPLEMENTED: 692.203, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen Gates, Department of Commerce, 107 East Madison Street, Tallahassee, Florida 32399, RuleComments@commerce.fl.gov, (850)245-7150. The Department of Commerce encourages the public to submit written comments for this rule development. To submit a comment on this rule development, please email RuleComments@commerce.fl.gov. All comments are requested to be submitted by August 14, 2023.

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

**Section II  
Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

- RULE NO.: RULE TITLE:
- 5E-13.021        Definitions
- 5E-13.022        Eligibility for State Approved Program and/or Aid
- 5E-13.027        Certified Budgets, Filing
- 5E-13.03        State Aid Basis and Availability
- 5E-13.031        District or County Use of Funds
- 5E-13.032        Program Directors, Employment and Classification
- 5E-13.033        Inspections and Investigations
- 5E-13.036        Demonstrable Increase or Other Indicator of Arthropod Population Level

PURPOSE AND EFFECT: The rulemaking will update definitions, forms, and requirements for mosquito control districts, to clarify the rules and assist the districts in achieving compliance.

SUMMARY: Proposed modifications to 5E-13.021 will alphabetize the definitions and update two defined phrases to reduce confusion.

Rules 5E-13.022, 5E-13.027, 5E-13.030, and 5E-13.031 are being amended to update required forms and associated references.

Rule 5-13.022 is being amended to incorporate all forms which are submitted annually, into the same section. The update also includes significant changes to the form Operational Workplan, FDACS-13666. The form will be renamed to Integrated Mosquito Management Plan and will provide clear direction on the information required. FDACS-13617 and FDACS-13623 are being amended to make minor changes that will help reduce confusion on understanding and signing the form.

Rule 5E-13.027 is being renamed and amended to incorporate all monthly reporting requirements into one section. FDACS-13652 is being renamed the Mosquito Control Monthly Report - Pesticide Activity and is being reordered and cleaned up for ease of completing the form. FDACS-13663, FDACS-13652 and FDACS-13613 are being amended to incorporate minor edits to the layout of the forms. 5E-13.027 is also being amended to include local budget reporting requirements for all participating programs which will bring the rule into alignment with the requirements in Chapter 388, Florida Statutes (F.S.).

The time frame for submission of the September budget report is being changed to thirty (30) days to align with the statutory requirements found in 388, F.S. Language regarding the failure to submit reports within 90 days of deadline is being stricken.

Rule 5E-13.030 is being restructured and language clarified in an effort to align with Chapter 388, F.S. A modification to subsection (2) clarifies language as to how Tier II programs can use funding based on 388, F.S. Subsection (3) is being amended to provide clarity for programs that budget less than one million dollars. Subsection (4) was amended to include language specific to counties or Districts that may start a new mosquito control program, which matches language in 388, F.S. Revisions to subsection (6) will clarify steps the Department will take when determining state matching funds and what will occur if funds are not matched in accordance with the rule.

Proposed amendments to 5E-13.031, will adopt the most up to date version of FDACS-13613.

Proposed amendments to 5E-13.032 will expand the requirement for having a Director to all programs seeking state approval. Additionally, the minimum qualification for Directors is being expanded to include the requirement that they possess a public health pest control license.

5E-13.0332 is a new rule section. The proposed language will list and adopt 5 forms which are currently used as a part of mosquito control inspections.

Proposed amendments to 5E-13.036 include new criteria by which a program can conduct adulticide applications.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The proposed modifications in 5E-13.021 and 5E-13.031 do not create any new regulatory requirements. There are no regulatory impacts from the modification of 5E-13.022, 5E-13.027, and 5E-13.030. Changes in these sections were done to clarify the rule and meet the intent of Chapter 388, F.S. Other proposed changes will update forms by simplifying the information collected for easier assessment. There are no regulatory impacts associated with the addition of 5E-13.0332 as these forms are already used as a part of the regulatory process. Additionally, no significant regulatory impacts are expected from implementing changes to 5E-13.032 with the requirement that appointed directors possess a public health pest control license prior to hiring, or 5E-13.036 by adding the use of established baseline thresholds as an option for verification of a need to make applications.

The adverse impact or potential regulatory costs of the proposed rule modifications do not exceed any of the criteria established in ss.120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon current and historical regulatory activities conducted and found no basis for increased costs or fees being imposed on pesticide applicators, dealers, or others, by the proposed modifications to this rule.

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

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.

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:** 388.261, 388.361

**LAW IMPLEMENTED:** 388.162, 388.201, 388.231, 388.261, 388.271, 388.281, 388.341, 388.361, (2)(a)

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Marah Clark, Environmental Administrator, Bureau of Scientific Evaluation and Technical Assistance, Entomology and Pest Control Section, Marah.Clark@FDACS.gov Phone: (850)617-7918

## THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 5E-13.021, F.A.C., follows. See Florida Administrative Code for present text.

**5E-13.021 Definitions.**

In addition to those terms contained in Section 388.011, F.S., the following terms shall mean:

(1) “Adulticide” – a pesticide intended to affect an adult arthropod.

(2) “Annual Certified Budget” – District or county budget for control of arthropods attested to by the clerk of the circuit court, secretary of the board of commissioners, or any other Person duly authorized by law under the official seal of the District or county.

(3) “Approved Mosquito Control Program” – any county or District in current compliance with ss. 388.101 or 388.241, 388.261(2), 388.271, 388.341, 403.088(1), F.S., and Rule 5E-13.032, F.A.C.

(4) “Arthropods” – those insects of public health or nuisance importance, including all mosquitoes, midges, dog flies, house flies, yellow flies, and sand flies.

(5) “Arthropod control pesticide” – any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any arthropod as defined in ss. 388.011(4), F.S.

(6) “Arthropod control program” – a program organized to control arthropod populations on property other than that exempted under ss. 388.361(4), F.S.

(7) “Arthropod Control Research or Demonstration Projects” – studies, educational/administrative product development, demonstration or training projects that are funded by State funds.

(8) “Beaches and bayshores” – the areas within 1500 feet landward of the high-tide mark.

(9) “Biologically highly productive” – those public lands that make exceptionally high beneficial contributions to the overall ecology of a region or area.

(10) “Department” – the Department of Agriculture and Consumer Services.

(11) “Direct Supervision” – supervision by licensed applicators, who are responsible for the pesticide Use activities and actions of unlicensed individuals. The licensed direct supervisor must be in immediate contact, either directly or by electronic means, including, but not limited to, cell phones, radios and computers.

(12) “Director” – a qualified Person responsible for the planning and direct supervision of a District as defined under ss. 388.011(5), F.S., who directs the execution of a county or District mosquito control program and oversees its day-to-day activities.

(13) “District” – any defined area of the state or a county established for express purpose of controlling arthropods within said boundaries under the provisions of Chapter 388, F.S. or other legislative acts. These rules shall apply only to Districts participating under Chapter 388, F.S., except as provided in ss. 388.323 and 388.281, F.S.

(14) “Environmentally sensitive” – public lands that have special ecological values and which values may be lost to a substantial degree by the application of certain pesticides or other practices used in the control of arthropods.

(15) “Labeling” – all labels and all other written, printed, or graphic matter:

(a) Accompanying the pesticide or device at any time; or

(b) To which reference is made on the label or in literature accompanying the pesticide or device, except to current official publications of the Environmental Protection Agency, the United States Departments of Agriculture and Interior, the Department of Health and Human Service, and other similar federal or state institutions or agencies authorized by law to conduct research in the field of pesticides.

(16) “Landing rate count” – a method of determining adult mosquito levels by counting all mosquitoes that land on the visible portion of the body during a one minute period. Results are expressed as numbers of mosquitoes per minute.

(17) “Licensed applicator” – any Person 18 years or older who is licensed to Use or supervise the Use of a pesticide intended for arthropod control.

(18) “Nonparticipating program” – any non-state Approved Mosquito Control Program that does not have a contract or memorandum of agreement with the Department.

(19) “Other public lands” – those lands not identified by a land management agency as environmentally sensitive or biologically highly productive.

(20) “Participating program” – any state Approved Mosquito Control Program that enters into either a contract or memorandum of agreement with the Department.

(21) “Person” – any individual, partnership, trust, association, corporation, organized group of persons, whether incorporated or not, or governmental agency or governmental arthropod control agency’s program Director.

(22) “Public health pest control” – a category or classification of licensure that includes private applicators, federal, state, or other governmental employees using or supervising the Use of general or restricted-use pesticides in public health programs for the management and control of pests having medical and public health and nuisance importance.

(23) “Public land management agency” – any federal, state, or county agency that may be responsible for the management of such public lands as parks, wildlife management areas, preserves, fishing grounds, sea shores, etc., including but not limited to the department, the Florida Department of

Environmental Protection, Fish and Wildlife Conservation Commission, and Trustees of the Internal Improvement Trust Fund.

(24) “Public lands control plan” – those plans formulated by a public land management agency and a local arthropod control agency for the purposes of achieving the legislative intent as declared in ss. 388.0101, F.S.

(25) “Source reduction projects” – planned methods to control arthropods through construction designed to alter environmental conditions in arthropod breeding areas.

(26) “State funds” – funds received from the state pursuant to ss. 388.261(1), F.S., expended for any and all types of arthropod control measures approved by the department.

(27) “Temporary control” – planned methods of controlling arthropods for short periods of time through application of repetitive measures.

(28) “Use” – any act of handling or release of a pesticide or exposure to man or the environment of a pesticide through acts including but not limited to:

(a) Application of a pesticide, including mixing and loading and any required supervisory action in or near the area of application;

(b) Storage actions for pesticides and pesticide containers;

(c) Disposal actions for pesticides and pesticide containers and;

(d) Transportation actions for pesticides and pesticide containers.

Rulemaking Authority 388.361 FS. Law Implemented 388.361 FS. History—New 1-1-77, Formerly 10D-54.21, Amended 2-10-87, Formerly 10D-54.021, Amended 3-14-94, 6-10-04, 8-9-06,\_\_\_\_\_.

**5E-13.022 Eligibility for State Approved Program and/or Aid.**

(1) A district or county will be eligible to receive state aid for control of arthropods when it provides the following: an annual budget for such purpose; a contractual services agreement with the department; a signed acknowledgement of being subject to Section 215.97, F.S.; a detailed work plan budget on the form entitled “Detailed Work Plan Budget-Arthropod Control” (FDACS 13623, Rev 07/13) which is hereby adopted and incorporated by reference and available online \_\_\_\_\_ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-04132>; an operational work plan on the form entitled “Operational Work Plan for Mosquito Control” (FDACS 13666, Rev. 07/13) which is hereby adopted and incorporated by reference and available \_\_\_\_\_ online \_\_\_\_\_ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03546>; and the district or county complies with provisions of Section 388.271(1), F.S.

(1)(2) Nonparticipating counties shall be admitted to the state aid program only on October 1 of any given year.

(3) Participating districts or counties that do not want to receive state aid but want to remain or become a state approved program will be eligible when they provide the following: a memorandum agreement with the department that the district or county will provide monthly chemical reports of accomplishments on form entitled “Mosquito Control Monthly Activity Report” (FDACS 13652, Rev. 07/13), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03549>; a detailed work plan budget on the form entitled “Detailed Work Plan Budget Arthropod Control” (FDACS 13623, Rev. 07/13); an operational work plan narrative on the form entitled “Operational Work Plan for Mosquito Control” (FDACS-13666, Rev. 07/13), and the district or county complies with provisions of Sections 388.271(1) and 388.341, F.S.

(2) On or before July 15 of each year, a district or county seeking approval to participate in the state approved program must submit the following:

(a) A completed Detailed Work Plan Budget-Arthropod Control, FDACS-13623 Rev.

02/23, incorporated herein by reference and available online \_\_\_\_\_ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The Detailed Work Plan Budget-Arthropod Control, FDACS-13623 Rev. 02/23, outlines the tentative use of state and local funds in the upcoming fiscal year necessary to implement or maintain an integrated mosquito management program.

(b) A completed integrated mosquito management plan on the form entitled Integrated

Mosquito Management Plan, FDACS-13666 Rev. 02/23, incorporated herein by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(3) After notification by the department of its approval of the Plan and Budget, each District or

county shall submit to the Department, not later than September 30, two (2) copies of the Annual Certified Budget on the form entitled Annual Certified Budget for Arthropod Control, FDACS-13617 Rev. 02/23, incorporated herein by reference and available online \_\_\_\_\_ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The Annual Certified Budget shall show all estimated cash carry-over amounts as a beginning cash balance. When the estimated cash carry-over amount in any fund is found to be less than the actual cash carry-over amount, a budget amendment shall be submitted to allocate the additional amount of funds. However, only local fund carry-over re-allocated by October 30 will be matched. The Department shall make an adjustment in

funding amounts payable to the District or counties in the last three (3) quarters of current fiscal year and provide notification to each District or county of any distribution changes due to the re-allocation.

The forms referenced above are also available upon request by contacting the Department at Mosquito Control Program, 3125 Conner Blvd, Suite E, Tallahassee, Florida 32399-1650 and MosquitoControlReports@FDACS.gov.

(4) Agreement with the Department:

(a) Participating Districts or counties seeking state aid must enter into a contractual services agreement with the department and sign an acknowledgement of being subject to ss. 215.97, F.S.

(b) Participating Districts or counties that do not want to receive state aid but want to remain or become a state approved program must enter into a memorandum agreement with the Department.

Rulemaking Authority 388.361 FS. Law Implemented 388.162, 388.201, 388.271, 388.341, 388.361 FS., Section 11, Chapter 91-428, Laws of Florida. History—New 1-1-77, Formerly 10D-54.22, 10D-54.022, Amended 6-10-04, 8-9-06, 5-21-14, \_\_\_\_\_.

Substantial rewording of Rule 5E-13.027, F.A.C., follows. See Florida Administrative Code for present text.

**5E-13.027 Monthly Reporting Requirements and Filing For All State Approved Programs. Certified Budgets, Filing.**

(1) Not later than thirty (30) days after the end of each month, each approved District or county receiving state aid shall submit a monthly local financial report to the Department on the form entitled Mosquito Control Monthly Report – Local Funds, FDACS-13663 Rev. 02/23, incorporated herein by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, as instructed on the form. These programs shall also submit the form entitled Mosquito Control Monthly Report – State Funds FDACS-13650 Rev. 02/23, incorporated herein by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, as instructed on the form. The reports shall be signed by the program Director or Person responsible for administration of the program and funds.

(2) Any county or District withdrawing from participation in state matching funds under Chapter 388, F.S., shall continue to submit the form entitled Mosquito Control Monthly Report – State Funds FDACS-13650 Rev. 02/23, as instructed on the form, until funds received under this program are exhausted.

(3) Budget amendments on the form entitled Arthropod Control Budget Amendment, FDACS-13613 Rev. 02/23, incorporated herein by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, shall be prepared and submitted to the Department,

as instructed on the form, prior to over-expending state funds in any account or expending state funds in non-budgeted accounts. Department approval of the amendment(s) must be received before such expenditures are made.

(4) A state approved District or county shall submit monthly pesticide usage report by submitting the signed form entitled Mosquito Control Monthly Report - Pesticide Activity, FDACS-13652 Rev. 02/23, to the Department, as instructed on the form, not later than thirty (30) days after the end of each month.

The forms referenced above are also available upon request by contacting the Department at Mosquito Control Program, 3125 Conner Blvd, Suite E, Tallahassee, Florida 32399-1650 and MosquitoControlReports@FDACS.gov.

Rulemaking Authority 388.361 FS. Law Implemented 388.201, 388.271, 388.341 FS., Section 11, Chapter 91-428, Laws of Florida. History—New 1-1-77, Formerly 10D-54.27, 10D-54.027, Amended 7-5-95, 6-10-04, 5-21-14, \_\_\_\_\_.

**5E-13.030 State Aid Basis and Availability.**

(1) Distribution for arthropod control research or demonstration projects will be made pursuant to ss. 388.261, F.S.

(2)(4) Pursuant to ss. 388.261(2) and (3), F.S., a ~~A~~ District or county shall be eligible to receive state funds on a dollar-for-dollar matching basis not to exceed \$120,000 for any one county for any one year ~~provided they meet the requirements of Section 388.261, F.S.~~ Any distribution will be made subsequent to funds distributed pursuant to ss. 388.261(4) and (8), F.S. If appropriated state funds are insufficient to grant each eligible county or District state funds on a dollar-for-dollar matching basis to the amount budgeted in local funds, then funds shall be distributed as follows:

(a) Eighty percent of the remaining appropriated state funds shall be distributed equally to eligible counties and Districts with less than one million dollars of local funds budgeted for arthropod control; and

(b) The remaining twenty percent of the appropriated state funds shall be distributed equally to counties and Districts with between one million dollars and less than three million dollars of local funds budgeted for arthropod control. The state funds shall be budgeted for mosquito control and to support research, education, and outreach. Districts with three million dollars or more of local funds budgeted for arthropod control shall be ineligible to receive state funds. ~~If total expenditures of local funds of a district or county for the year are under \$120,000 and are less than the budgeted sum, a minus adjustment shall be made in the allocation.~~

(3) Counties and Districts with less than one million dollars of local funds budgeted for arthropod control must allocate to arthropod control local funds totaling at least twenty-five percent of the state distribution to be eligible to receive the full

distribution of state funds. If a county or District allocates less than the required twenty-five percent of the state distribution in local funds, then the state funds shall be reduced by the percent difference between the required twenty-five percent and the amount of local funds budgeted. Programs and Districts located in fiscally constrained counties as defined in s. 218.67(1), F.S., with less than one million dollars of local funds budgeted for arthropod control are exempt from the twenty-five percent allocation match requirement.

~~(4)(2)~~ If a District or county has a new mosquito control program that serves an area not previously served by the county or District, it may A county or district shall, without contributing matching funds, receive state funds, supplies, services, or equipment in an amount not to exceed \$50,000 per year for up to three (3) years provided the district or county has a new mosquito control program which serves an area not previously served by the county or district. The total state funding provided for an expanded district will be calculated using the fund allocation formula applied to existing programs, but shall not be more than \$50,000 annually. As with existing programs, following the receipt and review of a district or county annual financial budget submitted in compliance with Section 388.261, F.S., the amount of state funds earned by a district or county for that fiscal year will be based on the amount legislatively authorized and released by the Executive Office of the Governor.

~~(5)(3)~~ For purposes of budgeting state funds in any fiscal year, Districts or counties shall calculate amounts of state funds available to them based on estimates provided by the department. Tentative allocations and payments shall be made on the basis of matching local funds budgeted.

~~(6)(4)~~ Following receipt and review of a District or county Annual Certified Budget submitted in compliance with rule 5E-13.022(4), F.A.C and Section 388.271(1), F.S., the amount of state funds earned by a District or county for that fiscal year, beginning October 1, shall be determined by the Department based on release of funds by the Executive Office of the Governor. Any eligible county or District budgeting an amount less than that calculated, will have its share reduced by the Department by the percent difference between the required twenty-five percent and the amount of local funds budgeted reduced to an amount equivalent to that budgeted. Additional funds made available by such a reduction will be divided evenly between the remaining counties or Districts. Any over or under allocation of funds will be considered in computing state funds payable to the district or county the succeeding fiscal year. Districts or counties shall be notified of such adjustments in amount of funds to be allocated and if necessary shall amend amount of state funds budgeted. The department shall determine the amount of state funds available following receipt and approval of certified budgets for fiscal year beginning

~~October 1.~~ Following the determination of funds available, if necessary, the Department shall make an adjustment in amounts of money payable to the District or counties in the last three (3) quarters of the current fiscal year. District or counties shall be notified of the amount of money payable to them and if necessary shall amend amounts of state funds budgeted.

~~(7)(5)~~ The amount of state funds available to a District or county for any fiscal year shall be paid in quarterly installments.

~~(6)~~ Twenty percent of the state funds legislatively authorized and released by the Executive Office of the Governor for arthropod control shall be distributed to competitive research programs. Only public state universities and colleges in Florida shall be eligible to receive state funds for arthropod research. After twenty percent of the funds legislatively authorized and released by the Executive Office of the Governor for arthropod control are distributed for research and after distributions are made to the Department as provided by statute, should funds be insufficient to grant each county or district state funds on a dollar for dollar matching basis, then seventy percent of the remaining state funds shall be distributed equally to eligible counties and districts with less than one million dollars of local funds budgeted for arthropod control. To be eligible for state funds, counties and districts with less than one million dollars of local funds budgeted for arthropod control must allocate to arthropod control local funds totaling at least twenty five percent of the state distribution. Should a county or district allocate less than the required twenty five percent of the state distribution in local funds, then the state funds shall prorated accordingly.

~~The remaining thirty percent of state funds shall be allocated equally to counties and districts with between one million dollars and three million dollars of local funds budgeted for arthropod control to support public arthropod education programs and outreach.~~

Rulemaking Authority 388.261, 388.361 FS. Law Implemented 388.261 FS. History—New 1-1-77, Formerly 10D-54.30, 10D-54.030, Amended 3-14-94, 6-10-04, 5-21-14, \_\_\_\_\_.

#### **5E-13.031 District or County Use of Funds.**

(1) When purchasing equipment with state funds, the District or county shall jointly determine with the Department the type and size of equipment necessary to perform the work planned. The District or county shall submit complete specifications to the Department for all equipment to be purchased when the cost will exceed twenty-five thousand (\$25,000) dollars per unit and the purchase deviates from the approved detailed work plan.

(2) Districts or counties as authorized by law may, upon Department approval, purchase equipment by borrowing funds, time-payment plans or lease-purchase plans. When purchases are made in whole or in part from local funds,

amounts paid from local funds in each fiscal year for the purchase price or principal of loan shall be matched with state funds provided interest, carrying charges or other loan costs will not be matched.

(3) Proceeds from sale or rental of property purchased with state funds shall be deposited and credited to State funds.

(4) Proceeds from the sale or rental of property purchased with local funds may be deposited and credited to the local fund account after the Department has:

(a) Reviewed documentation submitted to the Department by the District or County that identifies the type of property, condition of the property, and amount for which the property was sold or rented; and,

(b) Verified that the proceeds of the sale or rental have been received and allocated to the local arthropod control program and documented on the "Arthropod Control Budget Amendment," (FDACS-13613, Rev. 02/23 ~~Rev. 07/13~~), incorporated in as adopted in subsection 5E-13.027(3)(2), F.A.C.

(5) Insecticide spray material shall not be sold by ~~D~~istricts or counties without approval from the Department.

(6) State funds received shall be accounted for separately from local funds received. Disbursements shall be made on prenumbered checks or warrants drawn on proper depository accounts.

(7) Local and state funds shall be deposited in banks designated as depositories of public funds in accordance with provisions of ss. 658.60, F.S.

Rulemaking Authority 388.361 FS. Law Implemented 388.231, 388.281 FS. History—New 1-1-77, Formerly 10D-54.31, 10D-54.031, Amended 3-14-94, 6-10-04, 5-21-14, 3-13-16, \_\_\_\_\_.

**5E-13.032 Program Directors, Employment and Classification.**

(1) Any program seeking state approval or any ~~D~~istricts or counties ~~in the state~~ budgeting local funds in excess of thirty thousand dollars (\$30,000) for arthropod control during a fiscal year shall employ a qualified ~~D~~irector to plan, supervise and direct the execution of county or ~~D~~istrict arthropod control programs.

(2) Persons seeking position of mosquito control program ~~D~~irector must submit to the board of commissioners a written application setting forth their complete educational background, work experience and three (3) names of ~~P~~ersons as reference to their ability in public or business administration.

(3) The Board of commissioners ~~Commissioners~~ shall forward to the ~~D~~epartment its ~~their~~ recommendation for the new ~~D~~irector, along with that individual's written application, to obtain written confirmation of eligibility from the department, pursuant to subsection 5E-13.032(4), F.A.C.

(4) The following minimum ~~D~~irector classifications are based upon amount of local funds budgeted for the fiscal year

in which they are initially employed and for which they assume responsibilities of administration.

(a) Director I (Tier I Program) – Local budget greater than \$3,000,000.

Minimum qualifications for Director I position:

1. Possess a public health pest control license; and

2. A ~~g~~Graduate of a four (4) year college or university with a degree in the basic sciences and two years work experience in public health arthropod control or a graduate of a four (4) year college or university and a satisfactory work experience record of five (5) years duration in public health arthropod control.

(b) Director II (Tier II Program) – Local budget between \$1,000,000 to \$2,999,999.99.

Minimum qualifications for Director II position:

1. Possess a public health pest control license; and

2. A ~~g~~Graduate of a four (4) year college or university with a degree in the basic sciences or with a High School diploma or completion of the General Education Development (GED) and proof of a satisfactory work experience record of five (5) years duration in public health arthropod control. ~~The r~~Requirements for a college degree in a basic science may be substituted with a four (4) year degree from a college or university and proof of a satisfactory work experience record of two (2) years duration in public health arthropod control; ~~or with a High School diploma or completion of the General Education Development (GED) and proof of a satisfactory work experience record of five (5) years duration in public health arthropod control.~~

(c) Director III (Tier III Program) – Local budget of up to \$999,999.99.

Minimum qualifications for Director III position:

1. Possess a public health pest control license; and

2. A High School diploma or completion of the General Education Development (GED) with a minimum of two (2) years of training and field experience in public health arthropod control ~~and proof of Public Health Pest Control licensure.~~

(5) Mosquito Control Directors Certification.

(a) Persons applying for a Director I, II, or III position must hold a valid Director's Certification prior to appointment or obtain the Director's Certification within six (6) months of employment.

(b) In order to obtain this certification the applicant must pass the department's Director's Certification Examination by scoring 70% or better.

(c) Applicants must hold a valid Public Health Pest Control license in order to take the Director's Certification Exam.

(d) The Director's Certification expires when the holder's Public Health Pest Control license expires.

(e) The Director's Exam may be taken only three times within any six (6) month period.



(f) Persons employed as Directors when they apply for a Director’s position in another Florida approved program are exempt from paragraph 5E-13.032(5)(a), F.A.C.

(6) The Department shall be notified, in writing, when a Director’s position becomes vacant or open.

Rulemaking Authority 388.361 FS. Law Implemented 388.162 FS. History–New 1-1-77, Formerly 10D-54.32, Amended 2-10-87, Formerly 10D-54.032, Amended 3-14-94, 7-5-95, 6-10-04, 8-9-06, 9-18-14, \_\_\_\_\_.

**5E-13.0332 Inspections and Investigations.**

(1) The Department is authorized to conduct inspections or for cause investigations, pursuant to ss. 388.361(5), F.S.

(2) The following forms may be used in Department inspections and investigations. Copies of these forms may be obtained from the department’s Bureau of Inspection and Incident Response, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650 or online as provided below.

(a) Notice of Inspection, FDACS-13656, Rev. 02/23, incorporated in paragraph 5E-14.1025(2)(d), F.A.C., and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(b) Affidavit, FDACS-13661, Rev. 02/23, incorporated in paragraph 5E-14.1025(2)(f), F.A.C., and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(c) Pesticide Sample Collection Report, FDACS-13234, Rev. 02/23, incorporated in paragraph 5E-14.1025(2)(p), F.A.C., and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(d) Pesticide Use Investigation Report, FDACS-13660, Rev. 02/23, incorporated in paragraph 5E-14.1025(2)(q), F.A.C., and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(e) Mosquito Control Pesticide Use Inspection Report, FDACS-13632, Rev. 02/23, incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=XXXXX>. Rulemaking Authority 388.361 FS. Law Implemented 388.361 FS. History–New \_\_\_\_\_.

**5E-13.036 Demonstrable Increase or Other Indicator of Arthropod Population Level.**

(1) Mosquito and other arthropod control programs will ensure insure that the application of pesticides are made only when necessary by determining a need in accordance with specific criteria that demonstrate a potential for a mosquito-borne disease outbreak or numbers of disease vector mosquitoes sufficient for disease transmission or defined levels

of, or a quantifiable increase in numbers of pestiferous mosquitoes or other arthropods as defined by ss. 388.011(1), F.S. To determine the need for applications of adulticides, at least one of the following criteria shall be met and documented by records:

(a) When a large population of adult mosquitoes is demonstrated by either a quantifiable increase in, or a sustained ~~elevation of elevated~~, mosquito population level as detected by landing rate counts or trap counts.

(b) Where adult mosquito populations build to levels exceeding ~~twenty-five (25)~~ mosquitoes per trap night or ~~five (5)~~ mosquitoes per trap hour during crepuscular periods or exceeding locally established thresholds which can be verified by documented surveillance records.

(c) When ~~service~~ requests for arthropod control ~~from the public~~ have been confirmed by one or more standard surveillance methods, which include:

1. Landing rate counts.
2. Mosquito trap counts.
3. Visual confirmation of the presence of adult or immature mosquitoes by a licensed applicator, or an applicator operating under the ~~D~~irect ~~S~~upervision of a licensed applicator.

(d) When a program receives a notification from the Florida Department of Health of a suspected human or animal arbovirus infection that may indicate an increased risk of arbovirus transmission in local mosquitoes.

(e) When a program is following the guidelines set forth in the Florida Department of Health Interagency Arbovirus Task Force Response Plan for Mosquito-Borne Diseases, Version 1.0 (02/04/2022) incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=XXXXX> and available upon request by contacting the Department at Mosquito Control Program, 3125 Conner Blvd, Suite E, Tallahassee, Florida 32399-1650 and [MosquitoControlReports@FDACS.gov](mailto:MosquitoControlReports@FDACS.gov).

~~(f)~~ (d) When counts as determined by landing rate counts in the daytime exceed 5 per minute for stable flies (dogflies) on beaches and bayshores.

(2) Aircraft applications of mosquito adulticides along beaches and bayshores shall be justified only when there is a demonstrable three-fold increase over a base population.

(3) All surveillance and adulticide application records shall be kept on file for at least three (3) years. Rulemaking Authority 388.361 FS. Law Implemented 388.361(2)(a) FS. History–New 2-10-87, Formerly 10D-54.036, Amended 3-14-94, 7-5-95, 8-9-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kelly Friend, Director, Division of Agricultural Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Wilton Simpson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 6, 2021

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

- |            |   |
|------------|---|
| RULE NOS.: | RULE TITLES:  |
| 5E-14.117  | Application for Department Credentials  |
| 5E-14.132  | Certificate Issuance and Renewal Fees   |
| 5E-14.136  | Fumigation Special Identification Card Examination, Renewal Fees, Forms, and Duties |
| 5E-14.142  | Responsibilities and Duties - Records, Reports, Advertising, Applications           |

PURPOSE AND EFFECT: The proposed changes will add questions related to the applicant’s criminal history to each application and renewal application for pest control licensure. Additionally, several applications are being combined and all are being reformatted.

SUMMARY: The applications/forms for new and renewal licensure will be amended to include questions related to the applicant’s criminal history. FDACS-13604, FDACS-13610, FDACS-13677 and FDACS-13685 are being combined into one new application titled Application For Limited Certification, FDACS-16043. FDACS-13680, FDACS-13681, FDACS-13682, FDACS-13683 and FDACS-13684 are being combined into one new application titled Renewal Application Limited Certification, FDACS-16044. FDACS-13641 has been absorbed into FDACS-13638, Renewal Notice. FDACS-13608 is being removed from the rule and will no longer be required.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no adverse regulatory impacts associated with implementing this rule. Proposed changes consist of expanding the articulated criminal offenses for which denial of an application for pest control licensure will be issued and including a question related to the applicant’s criminal history on each application and renewal application for licensure. These changes are intended to facilitate industry compliance and enhance consumer protections. They will impose negligible administrative costs which will not adversely affect small businesses or pest control operators. The adverse impact or potential regulatory costs of the proposed rule modifications did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statute. Additionally, no interested parties have submitted information regarding the economic impact of the proposed changes. Impacts to small businesses and other regulated entities will occur solely as a function of non-compliance and will not present any additional regulatory burden.

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.

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: 482.051, 482.151, 482.1562, 570.07(23)

LAW IMPLEMENTED: 112.011(1), 482.111, 482.132, 482.132(1) 482.141, 482.151, 482.152, 482.155, 482.156, 482.1562, 482.157

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gerald Everton; (850)617-7997; Gerald.Everton@fdacs.gov; 3125 Conner Blvd., Tallahassee, FL, 32399-1650

THE FULL TEXT OF THE PROPOSED RULE IS:

**5E-14.117 Application for Department Credentials.**

(1) Applications for examination must be made within one year after the applicant’s employee identification card expiration date. To apply ~~An applicant~~ for examination or reexamination for a pest control operator’s certificate and special identification card, the applicant shall complete the

application process online at <https://www.FDACS.gov>, or submit the following forms to 3125 Conner Boulevard, L8, Tallahassee, Florida 32399-1650. ~~All materials incorporated by reference in this rule can be requested from the Bureau of Licensing and Enforcement at 3125 Conner Boulevard, L8, Tallahassee, Florida 32399-1650. Applications for examination must be made within one year after the applicant's employee identification card expiration date.~~

(a) Pest Control Examination Application, FDACS-13607, Rev. ~~06/23 07/21~~, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <https://www.flrules.org/Gateway/reference.asp?No=Ref-13393>.

(b) through (c) No change.

(2) through (7) No change.

(8) An applicant for limited certification in Commercial Landscape Maintenance shall complete the initial exam application or renewal process online at <https://www.FDACS.gov> or submit the following by mail to the address as instructed on the form:

(a) For initial applicants:

1. No change.

2. ~~Application for Limited Certification for Commercial Landscape Maintenance Personnel~~, FDACS-~~1604313604~~, ~~06/23Rev. 07/21~~, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <https://www.flrules.org/Gateway/reference.asp?No=Ref-13392>.

3. through 4. No change.

(b) For renewal applicants:

1. No change.

2. ~~Renewal Application Limited Certification Notice Limited Commercial Landscape Maintenance~~, FDACS-~~1604413680~~, ~~06/23Rev. 10/15~~, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <https://www.flrules.org/Gateway/reference.asp?No=Ref-07310>.

3. through 4. No change.

(9) No change.

(10) An applicant for limited certification for governmental pesticide applicators or private applicators shall complete the initial application for examination on line at <https://www.FDACS.gov> or submit the following by mail to the address as instructed on the form:

(a) For initial applicants:

1. No change.

2. ~~Application for Limited Certification for Government Pesticide Applicators or Private Applicators~~, FDACS-~~1604313610~~, ~~06/23Rev. 07/21~~, which is hereby incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-13394>; and,

(b) For renewal applicants:

1. No change.

2. Applicants can renew on line at <https://www.FDACS.gov>, or submit either a ~~Renewal Application Limited Certification Notice Limited Government/Private Certificate Lawn and Ornamental Category~~, (FDACS- ~~1604413682~~, ~~06/23Rev. 09/16~~), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07312>, or a ~~Renewal Notice Limited Government/Private Certificate Structural Category~~, FDACS- ~~13683~~, Rev. ~~06/23 09/16~~, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07313>; and,

3. No change.

(11) Any person applying commercial fertilizer to an urban landscape must have a limited certification for urban landscape commercial fertilizer as provided herein. Applicants shall complete the initial application or renewal process online at <https://www.FDACS.gov> or submit the following by mail to the address as instructed on the form:

(a) For initial applicants:

1. through 2. No change.

3. ~~Application for Limited Certification for Urban Landscape Commercial Fertilizer~~, FDACS-~~1604313677~~, ~~06/23Rev. 07/21~~, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-13397>; and,

(b) For renewal applicants:

1. No change.

2. ~~Renewal Application Limited Certification Notice Limited Commercial Urban Fertilizer Applicator Certificate~~, FDACS-~~16044 13681~~, ~~06/23Rev. 07/21~~, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-13398>; and,

3. No change.

(12) An applicant for limited certification for commercial wildlife management shall complete the initial application for examination or renewal process online at

<https://www.FDACS.gov> or submit the following by mail to the address as instructed on the form:

(a) For Initial applicants:

1. No change.

2. ~~Application for Limited Certification for Commercial Wildlife Management, FDACS-1604313685, 06/23 Rev 07/21, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-13399>~~; and,

3. No change.

(b) For renewal applicants:

1. No change.

2. ~~Renewal Application Limited Certification Recertification Notice Limited Commercial Wildlife Management, (FDACS-1604413684, 06/23 Rev 10/15), which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07317>~~,

3. through 4. No change.

(13) No change.

Rulemaking Authority 482.051, 482.151, 482.1562, 570.07(23) FS. Law Implemented 112.011(1), 482.111, 482.132, 482.141, 482.151, 482.152, 482.155, 482.156, 482.1562, 482.157 FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.117, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02, 7-11-07, 2-24-09, 5-12-10, 5-20-12, 1-9-17, 8-8-21,\_\_\_\_\_.

**5E-14.132 Certificate Issuance and Renewal Fees.**

(1) The fee for issuance of each original certificate, and the fee for renewal thereof, shall be \$150. All materials incorporated by reference in this rule can be requested from the Bureau of Licensing and Enforcement at 3125 Conner Boulevard, L8, Tallahassee, Florida 32399-1650.

(2) Each certified pest control operator shall be certified as provided by this rule. ~~An applicant shall complete the application process online at <https://www.FDACS.gov> or submit the issuance fee as defined in subsection (1) above, with the Application for Pest Control Operator’s Certificate, FDACS-13608, Rev., 06/23 10/16, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <http://www.flrules.org/Gateway/reference.asp?No=Ref-07318>, to the address as instructed on the form.~~

(3) Annually, the department shall mail the Renewal Notice ~~Certified Pest Control Operator~~, FDACS-13638, Rev. 06/23 07/21, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-13395>, to the pest control operator’s last known address filed with the department by the operator. Not less than 60 days prior to the expiration of a certificate, a final renewal notice shall be mailed to each certified operator who has not renewed their certificate. These notifications shall be the only notice of renewal issued by the department.~~

(a) Upon receipt of the renewal form referenced above in subsection (3), an operator may renew his or her certificate annually by completing the renewal application process online at: <https://www.FDACS.gov> or submitting the renewal fee as referenced above in subsection (1), with the Renewal Notice ~~Certified Pest Control Operator~~, FDACS-13638, Rev. 06/23 10/15, as referenced and adopted in subsection (3) above, to address as instructed on the form.

(b) No change.

(4) No change.

Rulemaking Authority 482.051, 570.07(23) FS. Law Implemented 112.011(1), 482.111, 482.132(1) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, Formerly 10D-55.132, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02, 1-9-17, 8-8-21,\_\_\_\_\_.

**5E-14.136 Fumigation Special Identification Card Examination, Renewal Fees, Forms, and Duties.**

(1) The examination fee for each fumigation special identification card and for each renewal there of shall be \$100. All materials incorporated by reference in this rule can be requested from the Bureau of Licensing and Enforcement at 3125 Conner Boulevard, L8, Tallahassee, Florida 32399-1650.

(2) An applicant shall apply for examination by completing the application process online at <https://www.FDACS.gov> or submit the examination fee with the Pest Control Examination Application FDACS-13607, Rev., 06/23 07/21, as referenced in paragraph 5E-14.117(1)(a), F.A.C., as instructed on the form.

(3) Annually, the department shall mail the Renewal Notice ~~Special Fumigation Identification Card~~, FDACS-1363813641, 06/23 Rev. 10/15, as incorporated in s. 5E-14.132(3), F.A.C., ~~which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07327>~~, to the pest control operator’s last known address filed with the department by the Special Fumigation Identification Card holder. Not less than 60 days prior to the expiration of a certificate, a final renewal notice shall be mailed to each Special Identification Card holder who has not renewed his special identification card. These notifications shall be the only notice of renewal issued by the department.

(a) Upon receipt of the renewal form referenced above in subsection (3), a cardholder may renew his or her certificate annually by completing the renewal application process online at: <https://www.FDACS.gov> or submitting the renewal fee as referenced above in subsection (1), with the Renewal Notice

~~Special Fumigation Identification Card, FDACS-1363813641, 06/23 Rev. 10/15,~~ to address as instructed on the form.

- (b) through (c) No change.
- (4) through (7) No change.

Rulemaking Authority 482.051, 482.151, 570.07(23) FS. Law Implemented 112.011(1), 482.151 FS. History—New 1-1-77, Formerly 10D-55.136, Amended 7-5-95, 5-28-98, 4-29-02, 1-9-17, 8-8-21,

**5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.**

- (1) through (8) No change.

(9) Business license application: In accordance with Section 482.071(1), F.S., the following ~~information~~ shall be submitted online at <http://www.FDACS.gov> or ~~via submit~~ the Pest Control Business License Application, FDACS-13605, Rev. 06/23 07/21, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <https://www.flrules.org/Gateway/reference.asp?No=Ref-13514>.

- (a) through (c) No change.

(d) Either the licensees or the licensee’s certified operator in charge must also submit an Application for Pest Control Employee-Identification Card, FDACS-13606, Rev. 06/23 07/21, which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<https://www.flrules.org/Gateway/reference.asp?No=Ref-13515>, with each original or renewal business license application, or any business license change (Change of Address, Change of Name or Change of Owner), or within 30 days of employment of that employee in accordance with Section 482.091(1)(b), F.S.

- (10) through (12) No change.

(13) All materials incorporated by reference in this rule can be requested from the Bureau of Licensing and Enforcement at 3125 Conner Boulevard, L8, Tallahassee, Florida 32399-1650.

Rulemaking Authority 482.051, 570.07(23) FS. Law Implemented 112.011(1), 482.021(21), 482.032, 482.051(1), (5), 482.061, 482.071, 482.091, 482.111(5), (9), 482.161(1)(g), (h), 482.163, 482.226(1), (6), 482.2265 FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, 6-2-04, 6-1-06, 7-23-08, 9-17-08, 1-4-09, 5-20-12, 1-9-17, 5-7-17, 2-27-19, 9-21-21,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kelly Friend, Director, Division of Agricultural Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Wilton Simpson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 16, 2022

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-1.0019 Threat Management

PURPOSE AND EFFECT: To set forth requirements relating to threat management by extracting current threat assessment requirements from Rule 6A-1.0018 and creating a new rule on threat management. This new rule implements 2023 amendments to s. 1001.212(12), which requires the Department of Education’s Office of Safe Schools to develop a statewide, Florida-specific threat management operational process and threat assessment instrument, to provide training, and to coordinate the implementation of the new process.

SUMMARY: This new rule implements 2023 amendments to s. 1001.212(12), which require the Department of Education’s Office of Safe Schools to develop a statewide, Florida-specific threat management operational process and threat assessment instrument, to provide training on the operational process, and coordinate the ongoing implementation of the process.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

In summary, school districts will incur costs to train staff on the new Threat Management model, some districts will be required to update applications that track threat management to accommodate the new process and forms, and every district will be required to appoint a Threat Management Coordinator – for many districts this will require the creation of a new staff position. The changes are based on requirements for a new, Florida-specific Threat Management process in House Bill 543 (2023). This proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. Increase in regulatory costs are anticipated as a result of the rule changes.

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

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1001.11(9), 1001.212(12), F.S.

LAW IMPLEMENTED: 1001.11(9), 1001.212(12), 1006.07(7), F.S.

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

DATE AND TIME: August 23, 2023, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, FL 34109.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

### **6A-1.0019 Threat Management**

(1) Purpose. The purpose of this rule is to set forth requirements relating to threat management, a process by which school districts, K-12 schools, charter school governing boards, and charter schools identify, assess, manage, and monitor potential and real threats to student safety.

#### (2) Definitions.

(a) "CSTAG" means the Comprehensive School Threat Assessment Guidelines behavioral threat assessment instrument, Form CSTAG-2022, which must be used for threat assessments in all public schools, including charter schools through December 31, 2023. The CSTAG categorizes threats as (1) transient, meaning a threat without a sustained intent to harm that can be easily resolved by apology, retraction, or explanation; or (2) substantive, meaning a threat where the intent to harm is either present or unclear, and requires protective action.

(b) "Florida Harm Prevention and Threat Management Model" or "Florida Model" means the Florida-specific behavioral threat management process required by Section 1001.212(12), F.S. The Florida Model consists of the Florida Threat Management Manual and the Florida Harm Prevention and Threat Management Instrument ("Instrument"). Under the Florida Model, threats and reports of concerning behavior or concerning communications are categorized as having a low, medium, or high level of concern.

(c) "School" means a public K-12 school, including a charter school, with a Master School Identification Number (MSID) number as provided under Rule 6A-1.0016, F.A.C., but does not include:

1. Settings where instruction is provided in a county jail or state prison, in a Department of Juvenile Justice facility or program, in a hospital, or while a student is homebound;

2. Schools that provide only prekindergarten or adult education;

#### 3. Technical centers under Section 1004.91, F.S.

A list of schools meeting this definition will be provided to the School Safety Specialists by December 1, 2023, and annually thereafter by July 1.

(d) "School-based mental health services provider" means a school psychologist certified under Rule 6A-4.0311, F.A.C., a school social worker certified under Rule 6A-4.035, F.A.C., a school counselor certified under Rule 6A-4.0181, F.A.C., or a mental health professional licensed under Chapter 490 or 491, F.S., who is employed or contracted by a district or school to provide mental health services in schools.

(e) "School district" or "district" means a Florida school district, the Florida Virtual School (Section 1002.37, F.S.), the Florida School for the Deaf and the Blind (Section 1002.36, F.S.), Developmental Research (Laboratory) Schools (Section 1002.32, F.S.), and charter schools sponsored by a university or Florida College System institution (Section 1002.33(5), F.S.).

(f) "Student Support Management Plan" or "SSMP" means an ongoing intervention and monitoring plan implemented by the school-based threat management team. The SSMP may impose requirements on a student of concern for a defined period of time based on the level of concern. The SSMP is reviewed each month by the School Based Threat Management Team (SBTMT).

(g) "Threat Assessment" means the identification of individuals exhibiting threatening or other concerning behavior.

(h) "Threat Management" means the multipart process by which schools identify individuals exhibiting threatening or other concerning behavior, assess the risk of harm, and coordinate appropriate interventions and services for such individuals, as provided in Section 1006.07(7), F.S.

#### (3) Required policies.

(a) Each school district and charter school governing board must adopt policies, consistent with this rule, for the establishment of threat management teams and for the completion of threat assessments. These policies must include procedures for referrals to mental health services, pursuant to Section 1012.584(4), F.S., and referrals for threats of self-harm, consistent with Section 394.463, F.S.

#### (b) Parental notification.

1. School districts and charter school governing boards must, at a minimum, require parental notification in the following circumstances:

a. If the SBTMT Chair determines the report of a concerning behavior or threat is a Low level of concern and summarily closes the case, the Chair or designee must use reasonable efforts to notify the parent or guardian of the student of concern.

b. If the Chair does not summarily close the case and refers it to the SBTMT, reasonable efforts must be made to notify the student of concern's parent or guardian on the same day the SBTMT assigns the preliminary level of concern.

c. If the preliminary level of concern is High, the SBTMT Chair or designee must notify the superintendent or designee to ensure that the notice requirements of Section 1006.07(7)(e), F.S., are met.

d. Parents or guardians must also be notified if the threat management process reveals information about their student's mental, emotional, or physical health or well-being, or results in a change in related services or monitoring, including but not limited to implementation of an SSMP.

e. Once an SSMP is finalized and anytime it is substantively revised, the SBTMT Chair or designee must provide a copy of the SSMP to the student of concern's parent or guardian. The targeted student's parent or guardian should also be informed that an SSMP has been implemented.

f. Where a report of concern includes an identified student target, the Chair must make a reasonable effort to notify the parent or guardian of the targeted student before the end of the school day that the report was received unless the Chair has determined the concern is unfounded. As provided for in the Florida Harm Prevention and Threat Management Manual (Form OSS-001), the unfounded summary disposition should only be used when it is clear and articulable that there is no basis for concern. If there is any doubt, the case should be forwarded to the full School Based Threat Management Team for further evaluation and parent notification should occur. Nothing herein prevents the school from notifying parents or guardians if they believe it is in the best interest of the student.

2. "Reasonable effort to notify" means the exercise of reasonable diligence and care to make contact with the student's parent or guardian, typically through the contact information shared by the parent or guardian with the school or school district. The SBTMT Chair or designee must document all attempts to make contact with the parent or guardian.

3. Timelines for required notice may be modified where the SBTMT reasonably believes and documents that such disclosure would result in abuse, abandonment, or neglect, as defined in Section 39.01, F.S.

(c) Education records. Threat assessments and records related to threat management are considered education records as defined by the Family Educational Rights and Privacy Act (FERPA) and Sections 1002.22 and 1002.221, Florida Statutes. Policies relating to access, maintenance, and retention of these records must be consistent with Rule 6A-1.0955, F.A.C., Education Records.

(4) CSTAG. Threats assessments initiated on or before December 31, 2023, must be done in accordance with CSTAG

and the Model Behavioral Threat Assessment Policies and Best Practices for K-12 Schools, as follows:

(a) Threat management teams. Each school must have a threat management team (previously known as a threat assessment team) that includes persons with expertise in counseling, instruction, school administration, and law enforcement. The counseling and law enforcement team members must meet the requirements in subparagraphs (5)(c)1. and 4.

(b) Training. Threat management teams at each school must be fully staffed before the start of the school year. Due to the pending switch to the Florida Model, additional training is not required for the Fall 2023 semester, as long as at least one (1) member of the team has been CSTAG trained.

(c) Instrument. Through December 31, 2023, threats will be assessed using the CSTAG instrument to assess the behavior of persons who may pose a threat to school staff or students and to coordinate intervention and services for such persons. All reported threats, even those determined not to be a threat, must be documented, including the evaluation process and any resultant action.

(d) Meetings. Each school-based threat management team must meet as often as needed to fulfill its duties of assessing and intervening with persons whose behavior may pose a threat to school staff or students, but no less than monthly. Districts must adopt policies requiring threat management teams to maintain documentation of their meetings, including meeting dates and times, team members in attendance, cases discussed, and actions taken.

(e) Reporting. Each district must ensure that all threat management teams in the district report to the Office on the team's activities during the previous school year. The district school safety specialist must ensure all schools in the district timely report information required by this paragraph: the total number of threat assessments conducted, disaggregated by the total number of non-threats, the total number of transient threats, the total number of substantive threats, and the sex, race, and grade level of all students assessed by the threat management team.

1. Information for the 2022-23 school year is due by October 1, 2023 in the Florida Safe Schools Assessment Tool (FSSAT).

2. Information for August 1-December 31, 2023 is due by June 15, 2024 in FSSAT.

(5) Florida Harm Prevention and Threat Management Model ("Florida Model"). Beginning January 1, 2024, threat management and assessment of concerning behaviors or communications must be conducted in accordance with the Florida Model, as follows:

(a) District Threat Management Coordinator (DTMC). Each school district superintendent must designate a Threat

Management Coordinator to oversee threat management at all public K-12 schools, including charter schools sponsored by or under contract with the district. Where there is no superintendent, the lead administrator for the school district must assign the Threat Management Coordinator.

1. The DTMC must:

a. Ensure that all district-level and school-level threat management team personnel are trained in threat management and on the Florida Model;

b. Serve as Chair of the District Threat Management Team and as the liaison to the Department of Education's Office of Safe Schools ("Office"); and

c. Assist School Based Threat Management Teams in the district.

2. Each school district school superintendent, or lead administrator if there is no superintendent, must report the name, phone number, and email address of the District Threat Management Coordinator to the Office at FloridaModel@fldoe.org. This information must be reported annually by July 1, and must be updated within one (1) school day if there is a change in the information provided.

(b) District Threat Management Team (DTMT). Each school district superintendent must designate a District Threat Management Team that will receive referrals from the School Based Threat Management Teams, assess serious situations, and provide support to school-based teams, including charter schools in their district. The DTMT must include the District Threat Management Coordinator as Chair, persons from school district administration and persons with expertise in counseling, instruction, and law enforcement. Where there is no superintendent, the lead administrator for the district must assign the DTMT. Districts with three (3) or fewer schools may request approval to alter the DTMT membership by emailing the Office at FloridaModel@fldoe.org. The Office will grant requests that demonstrate that the duties of the DTMT can be executed with fidelity.

(c) School Based Threat Management Team (SBTMT). Each school must have an SBTMT comprised of four (4) members, at a minimum, including persons with expertise in counseling, instruction, school administration, and law enforcement. The principal or equivalent administrative head of the school is responsible for appointing team members. The SBTMT must also include a member with personal knowledge of the student of concern who is the subject of threat management. Team members must meet the following requirements:

1. The counseling team member must be a school-based mental health services provider that is able to access student mental health records.

2. The instructional team member must meet the definition of instructional personnel under Section 1012.01(2)(a)-(d),

F.S., or must hold a current Florida Educator Certificate under Section 1012.56, F.S.

3. The school administrator team member must meet the definition of administrative personnel found in Section 1012.01(3), F.S. This should not be the school principal, or equivalent, unless they are the only administrator at the school, because the principal has administrative oversight of the SBTMT.

4. The law enforcement team member must be a sworn law enforcement officer, as defined by Section 943.10(1), F.S., including a School Resource Officer, school-safety officer, or other active law enforcement officer. At a minimum, a law enforcement officer serving on a threat management team must have access to local Records Management System information, the Criminal Justice Information System, and the Florida Crime Information Center and National Crime Information Center databases. Officers serving on school-based threat management teams must also have clearance to review Criminal Justice Information and Criminal History Record Information. A school guardian, as defined under Section 1006.12(3), F.S., or a school security guard, as defined under Section 1006.12(4), F.S., may not serve as the law enforcement member of a threat management team.

5. If none of the team members are familiar with the student of concern, the SBTMT Chair must assign a member of the school's staff who is familiar with the student to consult with and provide background information to the threat management team. The person must be instructional or administrative personnel, as defined in Section 1012.01(2) and (3), F.S. Consulting personnel do not have to complete Florida Model training and may not participate in the decision-making process.

(d) Threat Management Chair and Vice Chair. The principal of each school must appoint a Chair and Vice Chair of the SBTMT. The Chair serves as the point person for threat management at the school-level and is responsible for triaging reported threats or concerning behavior and communications to determine whether the matter should be summarily closed or whether it should be reviewed by the full SBTMT.

(e) Instrument. Each SBTMT and DTMT must use the Florida Model to assess the behavior of students who may pose a threat of harm to themselves or others and to coordinate intervention and services for such students. All reported threats or concerning behaviors and communications, even those determined to be unfounded, must be documented by the SBTMT along with any resultant action, using the Florida Model Instrument.

(f) Meetings. Each SBTMT must meet as often as needed to fulfill its duties of assessing and intervening with students whose behavior may pose a threat of harm to themselves or others, but no less than monthly. Districts must adopt policies requiring threat management teams to maintain documentation



of their meetings, including meeting dates and times, team members in attendance, cases discussed, and actions taken. DTMTs must meet as needed to review and consult with SBTMTs and must meet timeframes set forth in the Florida Threat Management Manual.

(g) Training.

1. All members of SBTMTs and DTMTs must be trained on the Florida Model through training provided by or approved by the Office of Safe Schools, as follows:

a. All SBTMT and DTMT members must complete basic Florida Model training.

b. The District Threat Management Coordinator must complete additional training specific to the Coordinator role.

c. School principals, the Threat Management Chair, and the Vice Chair must complete additional training specific to their respective roles.

2. In order to switch to the Florida Model on January 1, 2024, District Threat Management Coordinators, SBTMT members, school principals, and DTMT members must complete Office-approved training no later than December 31, 2023.

3. Beginning with the 2024-25 school year, district and school-level teams must be designated before the start of the school year. Team members who have not previously completed training must complete Florida Model training before the start of the school year. Those appointed to threat management teams after the start of the school year must complete Florida Model training within sixty (60) days of appointment. For assistance in accessing this training, districts must contact the Office in writing at FloridaModel@fldoe.org.

4. Beginning with the 2024-25 school year, district and school-level team members who have been fully trained in a previous school year must complete an annual refresher training provided by the Office within the first sixty (60) days of school.

(h) Reporting. Each district school safety specialist must ensure that all threat management teams in the district report to the Office on the team's activities during the previous school year. The initial reporting period for the Florida Model will be from January 1-May 31, 2024, and information will be due by June 15, and annually thereafter for the preceding school year. The Office will provide reporting instructions by November 2023, and annually thereafter prior to the start of the school year, that will include at a minimum the following metrics:

1. Number of cases reported to the SBTMT;

2. Number of students evaluated by the SBTMT, broken down by sex, race, grade level, and existence of an IEP, 504, or behavior intervention plan at the time of evaluation;

3. Number of cases closed by the SBTMT Chair as unfounded; after referral for self-harm assessment; or as a low level concern without review by the full SBTMT;

4. Number of cases the SBTMT Chair referred to the full SBTMT for review;

5. Number of cases categorized by the SBTMT as unfounded, low, medium and high levels of concern;

6. Number of SSMPs implemented after cases categorized as low, medium, and high levels of concern;

7. Number of cases referred to the DTMT categorized as medium and high levels of concern;

8. Number of high level of concern cases the DTMT referred back to SBTMT; and

9. Numbers of students who received disciplinary action or where law enforcement took action in response to the behavior initially reported to the SBTMT.

(6) Transition to Florida Model. All threat assessments initiated under CSTAG that are not completed by January 1, 2024, or where a student is still being actively monitored by the threat management team on January 1, 2024, must be reassessed under the Florida Model. While new information may be gathered by the SBTMT Chair, the Chair may rely on the information gathered while using CSTAG to determine what level of concern to classify the student's behavior, and if a SSMP should be implemented as a result. If an SSMP is implemented, the student must be monitored for the minimum period that aligns with the new Florida Model.

(7) Charter Schools. Charter schools are responsible for establishing SBTMTs and conducting threat assessments as required by this rule. DTMCs and DTMTs must oversee and support charter schools sponsored by or under contract with the district to the same extent they do for traditional public schools.

(8) Virtual Schools. Virtual schools are responsible for establishing SBTMTs and conducting threat assessments as required by this rule. Florida Virtual School must also establish a District Threat Management Team and assign a District Threat Management Coordinator.

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

(a) Florida Harm Prevention and Threat Management Manual, Form OSS-001 (insert link), effective September 2023.

(b) Florida Harm Prevention and Threat Management Instrument, Form OSS-002 (insert link), effective September 2023.

(c) Comprehensive School Threat Assessment Guidelines, Form CSTAG-2022 (insert link), effective September 2023.

(d) Model Behavioral Threat Assessment Policies and Best Practices for K-12 Schools, Form BTAP-2022 (insert link), effective September 2023.

Rulemaking Authority 1001.02(1), (2)(n), 1001.11(9), 1001.212(12) FS. Law Implemented 1001.11(9), 1001.212(12), 1006.07(7) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Julie Collins, Office of Safe Schools.  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Manny Diaz Jr., Commissioner,  
 Department of Education.  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: July 31, 2023  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: June 26, 2023

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-1.09550  
 RULE TITLE: Student Online Personal Information Protection

PURPOSE AND EFFECT: To set forth requirements for policies that must be adopted by school districts and charter school governing boards to protect personally identifiable information of students when using required online educational services and for agreements with third-party vendors to protect student information.

SUMMARY: This new rule moves requirements relating to the use of online educational services by students and parents and relating to third-party agreements from Rule 6A-1.0955. Those requirements have also been updated to ensure districts and charter schools review online educational services for compliance with Section 1006.1494, F.S., and to provide transparency for parents regarding use of student information.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1002.22(3), 1006.1494(7), F.S.

LAW IMPLEMENTED: 1002.22(2), (3), 1002.221, 1006.1494, F.S.

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

DATE AND TIME: August 23, 2023, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail Naples, FL 34109

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Andre Smith, Deputy Commissioner, Division of Technology and Innovation, Andre.Smith@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-1.09550 Student Online Personal Information Protection**

(1) Purpose. This rule sets forth requirements for policies that must be adopted by school districts and charter school governing boards to protect personally identifiable information of students when using required online educational services. The rule also provides minimum requirements for contracts or agreements where student information will be disclosed to or used by third-party vendors or service providers.

(2) Definitions.

(a) "Education records" means records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution, as defined in 20 U.S.C. s. 1232g(a)(4).

(b) "Eligible student" means a student who has reached eighteen (18) years of age or is attending a postsecondary institution, at any age.

(c) "Institution" means any public school, center, or other entity that is part of Florida's education system under Sections 1000.04(2), (4), and (5), F.S.

(d) "Online educational service" means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as part of a school activity or function. Examples include online services that students or parents use to access class readings, assignments, or videos, to view learning progression, or to complete assignments. This does not include online services that students or parents may use in their personal capacity or to online services that districts or schools may use to which students or parents do not have access, such as a district student information system.

(e) "Parent" includes parents or guardians of students who are or have been in attendance at a school or institution as defined in paragraph (2)(c).

(f) “Personally identifiable information” or “PII” means information that can be used to distinguish or trace a student’s identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to direct identifiers (such as a student’s or other family member’s name), indirect identifiers (such as a student’s date of birth, place of birth, or mother’s maiden name), and other personal identifiers (such as a student’s social security number or Florida Education Identifier (FLEID) number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

(g) “School Board or School District” means a Florida school district or district school board, charter school governing board, the Florida Virtual School (Section 1002.37, F.S.), the Florida School for the Deaf and the Blind (Section 1002.36, F.S.), and Developmental Research (Laboratory) Schools (Section 1002.32, F.S.).

(h) “Student” means any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records.

(i) “Third-party vendor” or “Third-party service provider” means any entity, whether public or private, that provides services to a school board or institution through a contract or agreement. The term does not include the Florida Department of Education, the Department’s contractors and subcontractors, or School Boards and School Districts as defined in paragraph (2)(g).

### (3) Review and Approval of Online Educational Services.

(a) For online educational services that students and parents are required to use, school districts and charter school governing boards must adopt policies to protect student PII from potential misuse and to protect students from data mining and targeted advertising. These policies must include, at a minimum, review and approval of any online educational service that students or their parents are required to use as part of a school activity or function. These policies must also include:

1. Review and approval of the online educational service’s terms of service and privacy policy to ensure compliance with state and federal privacy laws, including FERPA and its implementing regulations, the Children’s Online Privacy Protection Act (COPPA), 15 U.S.C. ss. 6501-6506, Section 1002.22, F.S., and the Student Online Personal Information Protection Act, Section 1006.1494, F.S.

2. Designation of a person or persons responsible for the review and approval of online educational services that will be required for students or parents to use and the procedure for seeking such approval.

3. Procedures for notifying parents and eligible students if student PII will be collected by the online educational service.

4. Where student PII will be collected by the online educational service, procedures for notifying parents and eligible students of information that will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure, if any; and

5. An explicit prohibition against using any online educational service that will share or sell a student’s PII for commercial purposes, including but not limited to targeted advertising, without providing parents a means to either consent or disapprove. This disclosure prohibition does not prevent the purchase, merger, or other type of acquisition of a third-party provider or online educational service by another entity, provided that the successor entity continues to be subject to the provisions of this rule with respect to previously acquired PII.

6. For any online educational service that a student or parent is required to use, a district must provide notice on its website of the PII information that may be collected, how it will be used, when it will be destroyed and the terms of re-disclosure. This notice must include a link to the online educational service’s terms of service and privacy policy, if publicly available.

(b) For online educational services that students and parents are referred to as part of a school activity or function, but are not required to use, school districts and charter school governing boards must provide notice to parents and eligible students if such online services have not been reviewed and approved in accordance with paragraph (3)(a).

### (4) Contracts or Agreements with Third-Party Vendors.

(a) All contracts or agreements executed by or on behalf of a school district or charter school with a third-party vendor or a third-party service provider must protect the privacy of education records and student PII contained therein. Any agreement that provides for the disclosure or use of student PII must:

1. Require compliance with FERPA, its implementing regulations, and Section 1002.22, F.S..

2. Where applicable, require compliance with COPPA, 15 U.S.C. ss. 6501-6506, and its implementing regulations.

3. Where applicable, require vendors to ensure compliance with the Student Online Personal Information Protection Act, Section 1006.1494, F.S.

4. Ensure that only the PII necessary for the service being provided will be disclosed to the third party; and

5. Prohibit disclosure or re-disclosure of student PII unless one of the conditions set forth in paragraph (4)(b) has been met.

(b) Contracts or agreements with a third-party vendor or third-party service provider may permit the disclosure of PII to the third party only where one or more of the following conditions has been met:

1. The disclosure is authorized by FERPA and 34 CFR §99.31.

2. The disclosure is authorized by the school board or charter governing board’s directory information policy implemented in accordance with FERPA and 34 CFR §99.37. or

3. The disclosure is authorized by written consent of an eligible student or parent. Consent must include, at a minimum, an explanation of who the PII would be disclosed to, how it would be used, and whether re-disclosure is permitted. Any re-disclosure must meet the requirements of paragraph (4)(b) and must be authorized by the school board or charter school governing board.

Rulemaking Authority 1001.02(1), (2)(n), 1002.22(3), 1006.1494 FS. Law Implemented 1002.22(2), (3), 1002.221, 1006.1494 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Andre Smith, Deputy Commissioner, Division of Technology and Innovation.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2023

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-1.094125  
 RULE TITLE: Special Magistrate for Unresolved Student Welfare Complaints

PURPOSE AND EFFECT: To update the rule form to align with changes enacted from the 2023 Legislative Session in House Bill 1069 (Chapter 2023-105, Section 3, Laws of Florida).

SUMMARY: The proposed amendment updates the form a parent must utilize for requesting the appointment of a Special Magistrate regarding the classification of the dispute addressing classroom instruction.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

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

LAW IMPLEMENTED: 1001.42(8)(c)7., F.S.

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

DATE AND TIME: August 23, 2023, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Randy Kosec, Jr., Chief, Office of Professional Practices, (850)245-0438

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-1.094125 Special Magistrate for Unresolved Student Welfare Complaints.**

(1) through (7) No change.

(8) The following form is incorporated by reference and may be obtained at <https://www.fldoe.org/schools/k-12-public-schools/>: Parental Request for Appointment of a Special Magistrate, Form No. SM-1 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14688>) (effective September ~~2022~~ 2023).

Rulemaking Authority 1001.02(1), (2)(n), 1001.42(8)(c)7.b. FS. Law Implemented 1001.42(8)(c)7.b. FS. History—New 9-20-22.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 5, 2023

**DEPARTMENT OF EDUCATION****State Board of Education**

RULE NO.: RULE TITLE:

6A-1.094126 Special Magistrate for Materials Used in Classroom or School Libraries

PURPOSE AND EFFECT: This new rule will establish a process for parents to request the appointment of a special magistrate if they disagree with the local decision about an objection to materials used in school or classroom libraries.

SUMMARY: The rule sets forth a process to seek a review of the procedures used by a school district to consider and respond to a parental objection to specified materials, such as those found in libraries or used in classrooms. The rule includes a form parents must use to request a special magistrate, describes school district obligations to assist in the review, and includes factors used by the Department and Commissioner in deciding whether to appoint a special magistrate. The rule also describes the type of relief available and unavailable through a special magistrate. The rule also clarifies that objections to instructional materials that were adopted by a district using public notice and comment procedures will not be reviewed under the special magistrate process.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth or any other factor set forth in s. 120.531(2), F.S., and will not require legislative ratification. This is based upon experience with other special magistrate processes and the minimal requirements for parents and school districts in this rule.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1006.28(2), F.S.

LAW IMPLEMENTED: 1006.28(2)(a)6., F.S.

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

DATE AND TIME: August 23, 2023, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, FL 34109.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-1.094126 Special Magistrate for Materials Used in Classroom or School Libraries.**

(1) Purpose. The purpose of this rule is to describe the process for a parent to request the appointment of a Special Magistrate to determine whether a school district properly considered a parental objection to the use of specific material in school under s. 1006.28(2)(a)2., F.S.

(2) Definitions. In this rule, the terms have the following meaning:

(a) “Days” means business days and excludes state, federal, and school district holidays;

(b) “Department” means the Florida Department of Education;

(c) “Parental Request for Appointment of a Special Magistrate for Materials used in Classroom or School Libraries” or “Parental Request” means the written form adopted by and incorporated into this rule;

(d) “Parent” means the definition of that term provided in s. 1000.21(6), F.S.;

(e) “Parties” means the parent who submitted a request for appointment of a special magistrate and the school district;

(f) “Special Magistrate” means an administrative law judge provided by the Division of Administrative Hearings (DOAH) under s. 120.65(6), F.S., or a person appointed by the Commissioner of Education (Commissioner) who is a member of the Florida Bar in good standing with a minimum of five years of administrative law experience.

(3) Types of Materials Potentially Subject to the Special Magistrate Process.

(a) Except as set forth in paragraph (3)(b), the appointment of a Special Magistrate will be considered for parental objections to any type of material made available to a student in a school library, included on a school, grade, or classroom reading list, or used in a classroom.

(b) A special magistrate will not be appointed for parental objections to instructional materials that were adopted by a school district or are in the process of adoption by a school district using district procedures for public review and comment as required by ss. 1006.40(4) and 1006.283(2)(b)8., 9., and 11., F.S.

(4) Relief Potentially Available under the Special Magistrate Process. The special magistrate process is available to determine whether a district considered a parental objection

under procedures that meet the requirements of s. 1006.28(2)(a), F.S. Relief available to a parent under the special magistrate process does not include the removal of material or limiting student access to material.

(5) Parent Obligations. To request appointment of a Special Magistrate, a parent must:

(a) Complete the Parental Request form referenced in subsection (10) of this rule;

(b) Demonstrate that before filing the Parental Request, the parent filed an objection with the school board and the school board has either ruled on the objection or has failed to timely process the objection under s. 1006.28(2)(a)2., F.S., and the procedures adopted by the school board;

(c) Describe the nature of the original objection submitted to the district, including the title and ISBN of the specific material objected to and the reason for the objection;

(d) Describe how the district failed to establish an adequate policy to address objections to materials as required by s. 1006.28(2)(a)2., F.S., or failed to follow that policy when resolving the objection; and

(e) Describe the resolution sought from the Special Magistrate and the State Board of Education.

(6) School District Obligations. Each school district must:

(a) Designate at least one person responsible for responding to Departmental inquiries regarding a request for appointment of a special magistrate and notify the Department of the name and email address of the individual;

(b) Within fifteen (15) days of receipt of notice from the Department that a parent has requested the appointment of a Special Magistrate as described in subsection (5), provide to the Department the following:

1. The procedure adopted by the school board to address the parent's objection, including a web address where the procedures can be found;

2. A description of the parent's use of these procedures, including the nature of the objection submitted to the district and the district's decision on the objection;

3. A description of any school district remedies that remain available to the parent to resolve the objection; and

4. A statement identifying any of the grounds for dismissal of the request for appointment of a special magistrate, as described in paragraph (7)(b) of this rule.

(c) Expeditiously contract for payment of a Special Magistrate appointed by the Commissioner and notify the Department within twenty (20) days after receiving notice of the appointment of a Special Magistrate that an agreement has been reached for payment with the appointed Special Magistrate.

(7) Department of Education Obligations.

(a) Review of Parental Request. Upon receipt of the Parental Request, the Department will:

1. Review the form and provide an opportunity for the parent to provide missing or supplemental information within twenty (20) days of mailing of a Departmental notice that missing or supplemental information is needed;

2. Notify the school district of receipt of the Parental Request; and

3. Provide written notice to the parent and school district if a Special Magistrate has been appointed or the request has been dismissed.

(b) Dismissal of Parental Request. The Department may dismiss the Parental Request under the following circumstances:

1. The parent notifies the Department that the objection has been resolved or withdrawn;

2. The Parental Request form has not been substantially completed, after the opportunity to provide missing or supplemental information has been provided;

3. The parent has not demonstrated full and complete use of school and school district procedures adopted by the district under s. 1006.28(2)(a), F.S., for resolving the objection;

4. The parent fails to allege that the district either failed to create a policy as required by s. 1006.28(2)(a)2., F.S., or did not follow the policy when ruling on the objection; or

5. The parent failed to maintain accurate contact information with the Department or the Special Magistrate.

(c) Obligations Post Appointment of Special Magistrate. Upon appointment of a Special Magistrate by the Commissioner under subsection (8) of this rule, the Department must:

1. Provide the parties notice of the appointment of a Special Magistrate and advise the parties of the following:

a. The name and contact information of the Special Magistrate;

b. The time frame when the Special Magistrate must provide a written recommendation to the State Board of Education; and

c. The requirement to maintain accurate contact information with the Department and the Special Magistrate;

2. Provide to the Special Magistrate the following:

a. The Parental Request and any supplemental information received by the Department upon review of the Parental Request; and

b. A timeline for the Special Magistrate to submit the Recommendation to the State Board for the purpose of allowing sufficient time for the State Board to review the Recommendation and facilitating the efficient scheduling of State Board meetings. The timeline may only exceed the 30-day limit in paragraph (9)(d) of this rule if agreed to by the parties.

(8) Commissioner of Education. The Commissioner of Education will review each completed Parental Request that has not been dismissed by the Department under paragraph (7)(b)

of this rule and decide whether to appoint a Special Magistrate utilizing the following factors:

(a) Whether there is authority and the ability to provide effective relief to the parent through the special magistrate process;

(b) Whether the parent is seeking or has already sought relief in court;

(c) Whether due to a change in circumstances, such as the school or district removed the specific material objected to or the district has agreed to reconsider the objection and remedy any procedural errors; and

(d) Whether grounds for dismissal of the Parental Request, as described in paragraph (7)(b) of this rule, are found to exist.

(9) Special Magistrate Procedures.

(a) Where an administrative law judge provided by DOAH is available and assigned to act as the Special Magistrate, proceedings before the Special Magistrate will be held in accordance with DOAH rules, except where inconsistent with this rule or s. 1006.28(2)(a)6., F.S.

(b) Where an administrative law judge from DOAH is unavailable or the Commissioner appoints the Special Magistrate, the following procedures apply:

1. The Special Magistrate must set and notify all parties of the time and place of the hearings.

2. Any party directly involved in the proceeding may appear at the hearing with or without counsel or by other representative.

3. The parties and the Special Magistrate may call, examine, and cross-examine witnesses and enter evidence into the record. Witnesses must be examined under oath. Evidentiary matters before the Special Magistrate will be governed by the Administrative Procedure Act and DOAH rules.

4. The Special Magistrate may permit the submission of written memorandum by the parties; however, the submission of written memorandum may not extend the 30-day timeline established by paragraph (9)(d) of this rule unless agreed to by the parties.

(c) Following the close of the hearing, the Special Magistrate must prepare a written recommendation (Recommendation), determining whether a parent has demonstrated that the school district has failed to create an adequate policy as required by s. 1006.28(2)(a)2., F.S., or has materially failed to follow that policy. The Special Magistrate's Recommendation must be based upon the evidence presented and argument made before the Special Magistrate. The Recommendation must include findings of fact, conclusions of law, and recommendations for resolution of the dispute by the parties. The Special Magistrate's findings of fact must be accepted by the State Board unless they are not supported by competent, substantial evidence admitted at the hearing or

stipulated by the parties. The Special Magistrate's conclusions of law must be accepted by the State Board unless a contrary conclusion is more reasonable.

(d) The Special Magistrate's Recommendation is due within thirty (30) days of the date the Special Magistrate receives the Parental Request from the Department. The 30-day time frame can be extended upon agreement of the parties. A party may be deemed to have agreed to an extension if unavailable for hearing at the date and time set or where a party fails to timely respond to scheduling orders issued by the Special Magistrate.

(10) The following form is incorporated by reference and may be obtained at <https://www.fldoe.org/schools/k-12-public-schools/>: Parental Request for Appointment of a Special Magistrate for Materials Used in Classroom or School Libraries, Form No. SM-MAT (DOS Link) (effective September 2023).

Rulemaking Authority 1001.02(1), (2)(n), 1006.28(2)(a)6. FS. Law Implemented 1006.28(2)(a)6. FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Randy Kosec, Jr., Chief, Office of Professional Practices Services, randy.kosec@fldoe.org.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2023

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-4.0012	Application Information
6A-4.004	Florida Educator's Certificates with Academic, Administrative, Degreed Career and Technical, and Specialty Class Coverages

PURPOSE AND EFFECT: To align provisions with statutory changes from the 2023 legislative session in House Bills 1035 and HB 1537.

SUMMARY: The amendments create a new five-year temporary certificate for Teacher Internship, eliminate the two-year extension provision for temporary certificates, and create a new certification fee waiver for retired first responders.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment is not expected to have any adverse impact on economic growth or business competitiveness, or increase regulatory costs or any other factor set forth in s. 120.541(2), F.S. and will not require legislative ratification. This is based upon the nature of the proposed changes, which creates two new temporary certificate types and a new certification fee waiver for retired first responders.

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

RULEMAKING AUTHORITY: 1001.02, 1012.55, 1012.56, 1012.586, 1012.59, F.S.

LAW IMPLEMENTED: 1012.31, 1012.32, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798, F.S.

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

DATE AND TIME: August 23, 2023, 9:00 a.m.

PLACE: Collier County School Board Office, 5775 Osceola Trail, Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle L. Gaines, Bureau Chief, Educator Certification, Michelle.Gaines1@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-4.0012 Application Information.**

(1) Application process. To apply for evaluation of eligibility for a Florida Educator’s Certificate, an individual shall submit to the Bureau of Educator Certification the following:

(a) through (b) No change.

(c) A completed Form CG-10M Temporary Military Veterans Certificate Application and a nonrefundable application fee of \$75.00 per subject unless eligible for the Military Certification Fee Waiver per subsection (8) of this rule. Form CG-10M, Temporary Military Veterans Certificate Application, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14687>), effective September ~~2023~~ 2022, is hereby incorporated by reference and made a part of this rule. The form may be submitted online via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/on-line-application-status-lookup-site.shtml>, or may be retrieved from

the website and submitted via postal delivery to the Florida Department of Education, Bureau of Educator Certification, Room 201, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(d) A completed Temporary Teacher Internship Certificate Application and a nonrefundable application fee of \$75.00 per subject, effective September 2023, Form CG-10TI, Temporary Teacher Internship Application, (DOS link), effective September 2023, is hereby incorporated by reference and made a part of this rule. The form may be submitted online via the Department of Education Educator Certification website at <http://www.fldoe.org/teaching/certification/on-line-application-status-lookup-site.shtml>, or may be retrieved from the website and submitted via postal delivery to the Florida Department of Education, Bureau of Educator Certification, Room 201, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(2) through (7) No change.

(8) Military Fee Waivers.

(a) No change.

(b) To apply for a military fee waiver, a request must be submitted via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/military/> along with documentation establishing that the applicant meets the requirements for a fee waiver under subparagraph (8)(a)1., 2., or 3., of this rule. The following chart lists the required documentation:

BASIS FOR WAIVER OF FEE	DOCUMENTATION REQUIRED
Member of Armed Forces	Military ID card
Spouse of member of Armed Forces	Military dependent ID card (DD Form 1173)
Member of reserves	Military ID card or NGB22 Form or DD 256A Form
Spouse of member of reserves	Military dependent ID card (DD Form 1173) or Military dependent ID card (DD Form 1173-1)
Honorably discharged veteran	Certificate of Release or Discharge from Active Duty (DD Form 214 Member 4)
Spouse or surviving spouse of honorably discharged veteran	DD Form 214 Member 4 of spouse and marriage certificate
Honorably discharged veteran of reserves	DD Form 214 Member 4, NGB22 Form or DD 256A Form
Spouse of	DD Form 214 Member 4,



honorably discharged veteran of reserves	NGB22 Form or DD 256A Form of spouse and marriage certificate
Surviving spouse of member of armed forces on active duty at time of death	Official documentation from Department of Defense
Surviving spouse of member of reserves at time of death	Official documentation from Department of Defense

(c) through (d) No change.

(e) All documents submitted to verify eligibility for military fee waivers will be retained in the certification record maintained by the department and will not be returned to the applicant. Approval for military fee waivers remain valid for five (5) years from the date issued unless a document used to verify eligibility indicates an earlier expiration date or end date of its validity and in that case, validity of the military fee waiver expires when the verifying document expires. In no case, shall a person use or attempt to use a fee waiver if the person does not meet the eligibility criteria set forth in Section 1012.59(3), F.S.

(9) Retired First Responder Fee Waivers.

(a) An individual is eligible for a retired first responder fee waiver from the department for the application fees prescribed in subparagraph (1)(a)1., 2., or 3. and fees under (1)(b) and (d) of this rule if he or she:

- 1. Is a retired law enforcement officer as defined in Section 943.10(1), F.S.;
- 2. Is a retired firefighter as defined in Section 633.102(9), F.S.; or
- 3. Is a retired emergency medical technician or paramedic as defined in Section 401.23, F.S.

(b) To apply for a retired first responder fee waiver, a request must be submitted via the Department of Education Educator Certification website at <http://www.fldoe.org/teaching/certification/retiredfirstresponder/> along with documentation establishing that the applicant meets the requirements for a retired first responder fee waiver under subparagraph (9)(a)1., 2., or 3., of this rule.

(c) Where the required documentation submitted does not establish eligibility, due to a name change or other circumstance, the applicant will be notified by the Department within ninety (90) days and afforded the opportunity to submit additional documentation to verify eligibility.

(d) All documents submitted to verify eligibility for retired first responder fee waivers will be retained in the certification record maintained by the Department and will not be returned to the applicant. Approval for retired first responder fee waivers remain valid for five (5) years from the date issued unless a

document used to verify eligibility indicates an earlier expiration date or end date of its validity and in that case, validity of the fee waiver expires when the verifying document expires. In no case shall a person use or attempt to use a retired first responder fee waiver if the person does not meet the eligibility criteria set forth in Section 1012.59(3), F.S., and this rule.

Rulemaking Authority 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS. Law Implemented 1012.31, 1012.32, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798 FS. History—New 7-6-82, Amended 9-27-83, Formerly 6A-4.012, Amended 12-25-86, 10-26-88, 5-2-90, 4-24-91, 7-7-92, 5-3-94, 7-18-95, 9-17-01, 11-25-03, 12-27-04, 1-1-08, 10-21-09, 12-31-14, 11-21-17, 11-28-18, 9-20-22.

**6A-4.004 Florida Educator’s Certificates with Academic, Administrative, Degreed Career and Technical, and Specialty Class Coverages.**

A Florida educator’s certificate is issued to an applicant with academic, administrative, degreed career and technical, and specialty class coverages as specified below.

(1) Temporary certificate.

(a) No change.

(b) Expired temporary certificates. A new five-year nonrenewable temporary certificate may be issued to an applicant who satisfies all the following:

1. through 2. No change.

~~(c) Extensions to temporary certificates. When an individual has not met requirements for the professional certificate the Commissioner shall grant a one-time extension to the validity of the temporary certificate based upon the following criteria:~~

~~1. The individual must submit a completed CG 10 application and fee per Rule 6A 4.0012, F.A.C., before the temporary certificate is expired for more than one (1) school fiscal year; and~~

~~2. The district school superintendent or governing authority of a university lab school, state supported school, or private school must submit a request on behalf of the individual written on official letterhead, addressed to the Commissioner of Education and delivered to the Bureau of Educator Certification, Room 201, 325 West Gaines Street, Tallahassee, Florida 32399, requesting extension of the temporary certificate for two (2) additional years based on evidence that during the validity of the temporary certificate:~~

~~a. The employee experienced serious illness or serious injury, resulting in unexpected hardship that prevented the employee from satisfying all requirements for the professional certificate;~~

~~b. The employee experienced extenuating circumstances resulting in unexpected hardship that prevented the employee from satisfying all requirements for the professional certificate;~~

~~e. The employee's spouse served on active duty as a member of the United States Armed Forces or a related reserve component resulting in unexpected hardship that prevented the employee from satisfying all requirements for the professional certificate;~~

~~d. The employee earned a summative rating of highly effective as specified in Rule 6A 5.030, F.A.C., on the immediate prior year's performance evaluation pursuant to Section 1012.34, F.S., or~~

~~e. The employee successfully completed a two-year mentorship program approved by the Department of Education per Section 1012.56(8), F.S.~~

(2) Temporary military veterans certificate.

(a) The five-year nonrenewable military veterans temporary certificate may be issued once to an applicant who does not qualify for the professional certificate but meets the following requirements:

1. through 5. No change.

(3) Temporary teacher internship certificate. The five-year nonrenewable temporary teacher internship certificate may be issued to an applicant who does not qualify for the professional certificate but meets the following requirements:

(a) Meets the requirements of Section 1012.56(2)(a), (b), (d), (e), and (f), F.S.

(b) Holds a valid official statement of status of eligibility as specified in Section 1012.56(1), F.S., which reflects that the applicant has satisfied specialization requirements.

(c) Enrolled in a state-approved teacher preparation program under Section 1004.04, F.S., and Rule 6A-5.066, F.A.C.;

(d) Actively completing the required program field experience or internship at a public school;

(e) Completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge as provided in Section 1012.56(5), F.S.

(f) Documents at least sixty (60) college credits earned with a minimum cumulative grade point average of 2.5 on a 4.0 scale, in lieu of a bachelor's degree, by submitting an official transcript per Rule 6A-4.003, F.A.C.; and

(g) Satisfies the fingerprint requirement per subparagraph (1)(a)3.a. of this rule.

~~(4) (3) Professional certificate.~~

(a) through (c) No change.

~~(5) (4) Nonrenewable certificates covering speech-language impaired.~~

(a) through (b) No change.

~~(6) (5) Certificates covering only athletic coaching (Grades K-12).~~

(a) through (c) No change

~~(7) (6) Special temporary certificate covering only educational leadership.~~

(a) through (c) No change

~~(8) (7) Restricted professional certificate.~~

(a) through (b) No change

~~(9) (8) Addition of subjects to a professional certificate. A subject may be added to a valid renewable professional certificate when an applicant meets the following requirements:~~

(a) through (b) No change.

~~(10) (9) Addition of endorsements. An endorsement may be added to a valid five-year nonrenewable temporary or renewable professional certificate when an applicant meets the following requirements:~~

(a) through (b) No change

~~(11) (40) Expired certificates.~~

(a) through (d) No change.

Rulemaking Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1012.55, 1012.56 FS. History—New 4-20-64, Amended 4-8-68, 7-7-68, 4-11-69, 4-11-70, 9-17-72, 8-17-74, Repromulgated 12-5-74, Amended 11-9-76, 7-1-79, 8-27-80, 1-3-82, 4-26-84, 11-18-84, 6-18-85, Formerly 6A-4.04, Amended 12-25-86, 10-18-88, 9-12-89, 12-4-89, 4-15-91, 10-10-91, 5-3-94, 10-15-01, 12-27-04, 11-26-08, 3-5-14, 12-20-16, 8-21-18, 3-17-20, 9-20-22, 6-27-23.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michelle L. Gaines, Bureau Chief, Educator Certification, Michelle.Gaines1@fldoe.org.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2023

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-6.0786 Forms for Charter School Applicants and Sponsors

PURPOSE AND EFFECT: The rule amendment makes changes to the Florida Model Charter Application, already incorporated into this rule, to make clear that charter schools cannot employ the three-cueing system model of reading or visual memory as a basis for teaching word reading, pursuant to HB 7039. Further, charter schools and virtual charter schools are required to describe the mathematical curriculum and differentiated strategies for students performing at grade level and for students performing below grade level, pursuant to HB 7039. Additional edits to incorporated forms to address legislative changes and to improve clarity are also considered.

SUMMARY: The purpose of the rule amendment is to bring the rule into compliance with HB 7039 from the 2023 Legislative

Session, make changes to the Florida Model Charter Application and make changes to improve clarity.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

**RULEMAKING AUTHORITY:** 1001.02(1), 1001.02(2)(n), 1002.33(28), F.S.

**LAW IMPLEMENTED:** 1002.33, 1002.331, 1002.332, F.S.

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

**DATE AND TIME:** August 23, 2023, 9:00 a.m.

**PLACE:** Collier County School Board Office, 5775 Osceola Trail, Naples, FL 34109.

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

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

**6A-6.0786 Forms for Charter School Applicants and Sponsors.**

(1) Persons or entities submitting a charter school application must use Form IEPC-M1, Model Florida Charter School Application, effective ~~September 2023~~ ~~November 2022~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14909>), pursuant to Section 1002.33, F.S. Form IEPC-M1 is hereby incorporated by reference and may be obtained electronically on the Department’s website at <http://www.floridaschoolchoice.org>, or from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(2) through (4) No change.

(5) A high-performing charter school system may replicate its high-performing charter schools in any school district in the state. The applicant must submit an application using Form IEPC-HPS1, the Model Florida Charter School Application High-Performing Charter School System Replication (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08914>), effective ~~September 2023~~ ~~January 2018~~, pursuant to Section 1002.332(2)(b), F.S. Form IEPC-HPS1 is hereby incorporated by reference and may be obtained electronically on the Department’s website at <http://www.floridaschoolchoice.org>, or from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(6) No change.

(7) Persons or entities submitting a virtual charter school application must use [Form IEPC-VI, Model Florida Virtual Charter School Application](http://www.flrules.org/Gateway/reference.asp?No=Ref-14912), effective ~~September 2023~~ ~~November 2022~~, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14912>), pursuant to Section 1002.33, F.S. Form IEPC-VI is hereby incorporated by reference and may be obtained electronically on the Department’s website at <http://www.floridaschoolchoice.org>, or from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(8) through (9) No change.

Rulemaking Authority 1002.33(6), (28) FS. Law Implemented 1002.33(6), (21), 1002.331, 1002.332(2) FS. History—New 10-25-10, Amended 7-9-12, 12-23-14, 8-6-15, 2-9-16, 12-20-16, 1-1-18, 12-22-19, 11-22-22.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Adam Emerson, Executive Director, Independent Education and Parental Choice.

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** July 31, 2023

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** **RULE TITLE:**

6A-7.0715 Certifications and Plans for Instructional Materials and Library Media

**PURPOSE AND EFFECT:** This rule sets forth the certifications that must be filed by school district superintendents with the

Florida Department of Education relating to instructional and library materials. This rule amendment is designed to implement House Bill 5101 from the 2023 legislative session.

**SUMMARY:** The proposed rule amends a certification from school districts to the Department for implementation of instructional and library media materials and adds a new certification for school districts regarding the district’s estimated allocation of funds for instructional materials.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth or business competitiveness, or increase regulatory costs or any other factor set forth in s. 120.541(2), F.S., and will not require legislative ratification. This is based upon the nature of the proposed rule, which describes the instructional materials and library media certifications and plans that must be filed by school district superintendents with the Florida Department of Education.

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

**RULEMAKING AUTHORITY:** 1001.02(1), (2)(n), 1006.28, 1006.40, F.S.

**LAW IMPLEMENTED:** 1006.28(3), 1006.283(1), (4), 1006.29(6), 1006.40, F.S.

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

**DATE AND TIME:** August 23, 2023, 9:00 a.m.  
**PLACE:** Collier County School Board Office 5775 Osceola Trail Naples, FL 34109.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Katelyn Barrington, Bureau of Standards and Instructional Support, 850-245-0633 or Katelyn.Barrington@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-7.0715 Certifications and Plans for Instructional Materials and Library Media.**

- (1) through (4) No change.
- (5) Certification Requirements for Implementation of Instructional and Library Media Materials Release of Funds for Instructional Materials under Section 1011.67(2), F.S.

(a) Each superintendent must certify on the form entitled “Certification of Implementation of Instructional and Library Media Materials” (Form IM-B), the following:

- 1. through 3. No change.
- 4. Core reading materials and reading intervention materials used in kindergarten through grade 5 meet the requirements of Section 1001.215(7)(8), F.S.; and
- 5. No change.
- (b) No change.
- (c) The certification is due annually by August 1 ~~July 1~~.
- (6) No change.

(7) Certification of estimated allocation for instructional materials under Section 1006.40(1), F.S.

(a) In accordance with Section 1006.40(1), F.S., each superintendent must annually certify by July 1, the estimated allocation for instructional materials for the ensuing fiscal year.

(b) This certification must be made on the form entitled “Certification of Estimated Instructional Materials Spending” (Form IM-E), must be submitted electronically to <https://districts.flimadoption.org>.

(8) ~~(7)~~ Documents Incorporated by Reference. The following documents are incorporated by reference and may be obtained at <https://www.fldoe.org/academics/standards/instructional-materials/>.

- (a) No change.
- (b) Certification of Implementation of Instructional and Library Media Materials, Form IM-B, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15150>) effective September ~~February~~ 2023, due annually on or before August 1 ~~July 1~~.

(c) through (d) No change.

(e) Certification of Estimated Instructional Materials Spending, Form IM-E, (DOS link) effective September 2023, due annually on or before July 1.

Rulemaking Authority 1001.02(1), (2)(n), 1006.28, 1006.40 FS. Law Implemented 1006.28(3), 1006.283(1), (4), 1006.29(6), 1006.40 ~~1011.67(2)~~ FS. History–New 2-21-23,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Katelyn Barrington, Bureau of Standards and Instructional Support.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2023

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

### Section III

#### Notice of Changes, Corrections and Withdrawals

##### DEPARTMENT OF STATE

##### Division of Elections

RULE NO.: 1S-2.042  
RULE TITLE: Third-Party Voter Registration Organizations

##### NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 49 No. 147, July 31, 2023 issue of the Florida Administrative Register. A hearing will take place on August 22, 2023, at 11:00 a.m., at the place previously noticed: Heritage Hall, R.A. Gray Bldg., 500 S. Bronough St., Tallahassee, FL 32399; or 1-888-585-9008 (conference room 201-297-717).

### Section IV

#### Emergency Rules

NONE

### Section V

#### Petitions and Dispositions Regarding Rule Variance or Waiver

##### PUBLIC SERVICE COMMISSION

RULE NO.: 25-6.0143  
RULE TITLE: Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4.

NOTICE IS HEREBY GIVEN that on July 28, 2023, the Florida Public Service Commission received a petition from Florida Power & Light Company in Docket No. 20230017-EI - Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Ian and Nicole, by Florida Power & Light Company, seeking a temporary variance from or waiver of paragraph 25-6.0143(1)(g), Florida

Administrative Code. The rule addresses accounting for storm-related damages and requires an investor-owned electric utility to file by September 30 a petition for the disposition of any costs deferred prior to June 1 of the year following the storm event giving rise to the deferred costs.

A copy of the petition can be obtained from the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6770.. Comments on the petition should be filed with the Office of Commission Clerk within 14 days of publication of this notice. For additional information, please contact Shaw Stiller, Office of the General Counsel, at [sstiller@psc.state.fl.us](mailto:ssstiller@psc.state.fl.us).

##### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on July 31, 2023, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for Laurentians. at 1285 Gulf Shore Blvd N, Naples, FL 34102. Petitioner seeks an emergency temporary variance of the requirements of ASME A17.3, 2015 edition, Section 3.10.12, as adopted by 61C-5.001, Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2023-086).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. [chr.elevators@myfloridalicense.com](mailto:chr.elevators@myfloridalicense.com).

##### DEPARTMENT OF ENVIRONMENTAL PROTECTION

##### Beaches and Coastal Systems

##### RULE NOS.:RULE TITLES:

62B-33.002 Definitions  
62B-33.0051 Coastal Armoring and Related Structures

NOTICE IS HEREBY GIVEN that on July 27, 2023, the Department of Environmental Protection, received a petition for variance or waiver pursuant to section 120.542, F.S. from Patricia A. Cochran, Trustee. The petition requested a variance from rule subparagraphs 62B-33.002(12)(b)1., 62B-33.002(39), and 62B-33.0051(1)(a)1., F.A.C., to meet eligibility requirements for the reconstruction of existing armoring. The property is located at 30 15th Avenue South, Naples, Florida. The petition has been assigned OGC #23-1206. A copy of the Petition for Variance or Waiver may be obtained by contacting: Celora Jackson, Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station

3522, Tallahassee, Florida 32399-2400; telephone (850)245-7668; e-mail Celora.A.Jackson@floridadep.gov, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. If you have any questions, please call the Coastal Construction Line Program Office at (850)245-2094. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Beaches and Coastal Systems  
RULE NOS.:RULE TITLES:

62B-33.002 Definitions  
62B-33.0051 Coastal Armoring and Related Structures  
NOTICE IS HEREBY GIVEN that on July 27, 2023, the Department of Environmental Protection, received a petition for variance or waiver pursuant to section 120.542, F.S. from Randal D. Bellestri, Trustee. The petition requested a variance from rule subparagraphs 62B-33.002(12)(b)1., 62B-33.002(39), and 62B-33.0051(1)(a)1., F.A.C., to meet eligibility criteria for the reconstruction of existing armoring. The property is located at 25 16th Avenue South, Naples, Florida. The petition has been assigned OGC #23-1207. A copy of the Petition for Variance or Waiver may be obtained by contacting: Celora Jackson, Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3522, Tallahassee, Florida 32399-2400; telephone (850)245-7668; e-mail Celora.A.Jackson@floridadep.gov, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. If you have any questions, please call the Coastal Construction Line Program Office at (850)245-2094. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

FLORIDA GAMING CONTROL COMMISSION  
RULE NO.: RULE TITLE:

75-14.047 Facility Based Monitoring System and Computer Diagnostics  
NOTICE IS HEREBY GIVEN that on July 17, 2023, the Florida Gaming Control Commission, received a petition for waiver of Rule 75-14.047, F.A.C. by PPI, Inc., d/b/a Harrah's Pompano Beach. Petitioner seeks a waiver from the requirements of Rule 75-14.047, F.A.C., in order to store Slot Data System (SDS) back-up data to cloud storage instead of a physical back-up tape. Any interested person may file comments within 14 days of the publication of this notice with the Agency Clerk, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, Florida 32311, or Clerk@flgaming.gov.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Darrell Garvey at 4070 Esplanade Way, Tallahassee, Florida 32311, or Darrell.Garvey@flgaming.gov.

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

DEPARTMENT OF EDUCATION  
Division of Florida Colleges  
The Florida State College at Jacksonville (FSCJ) District Board of Trustees (DBOT) announce the following workshop and regular meeting, which are open to the public, and an Executive Session for Tuesday, August 8, 2023. All meetings will be held at the College's Administrative Offices, 501 West State Street, Jacksonville, FL 32202.  
DATE AND TIME: Tuesday, August 8, 2023, 12:00 Noon – 2:30 p.m.  
PLACE: FSCJ Administrative Offices (AO), 501 West State St., Jacksonville, FL 32202  
WORKSHOP: AO, Room 403A, 12:00 Noon – 12:15 p.m.  
GENERAL SUBJECT MATTER(S) TO BE CONSIDERED:  
1) DBOT Governance Structure  
EXECUTIVE SESSION: AO, Room 403A, 12:15 p.m. – 1:00 p.m. (~ 45 minutes)  
GENERAL SUBJECT MATTER(S) TO BE CONSIDERED:  
Executive Session and Board discussion regarding the Faculty Collective Bargaining Agreement and related labor matters pursuant to Section 447.605, Florida Statutes (2022). Pursuant to Section 447.605, Florida Statutes (2022), the Executive Session is closed to the public and exempt from the provisions of Section 286.011, Florida Statutes (2022). Documents prepared for the Executive Session pertaining to faculty collective bargaining are confidential and exempt from Section 119.07(1), Florida Statutes (2022).  
Attendees: FSCJ DBOT Members; FSCJ College President; FSCJ Vice President of Finance and Administration; FSCJ Chief Human Resource Officer; FSCJ Outside Attorney; and Florida Professional Reporter.  
REGULAR MEETING: AO, Board Room 405, 1:00 p.m. – 2:30 p.m.  
GENERAL SUBJECT MATTER(S) TO BE CONSIDERED:  
Annual Organizational Meeting and as required by law the Board will act on matters involving personnel appointments, finance, facilities and finalizing the College President's performance evaluation and contract.  
Agenda copies may be obtained by contacting: Kimberli Sodek, Office of the College President (OCP) Administration Support Manager (ASM) at Kim.Sodek@fscj.edu. Copies of the agenda for the meetings will be available for inspection beginning

Tuesday, August 1, 2023, and copies will be provided upon written request and the payment of approved duplicating charges. Any person requesting to address agenda items at the Board of Trustees regular meeting will be provided an opportunity to do so by appearing before the Board\* at the meeting. If any person decides to appeal any decision made by the Board with respect to any matter considered at the regular meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend the meetings is asked to advise the agency at least 24 hours before the meetings by contacting: The OCP ASM Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu. 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).

Florida State College at Jacksonville does not discriminate against any person on the basis of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information in its programs, activities and employment. For more information, visit FSCJ's Equal Access/Equal Opportunity page.

For more information, you may contact: Kimberli Sodek, OCP ASM at (904)632-3205 or Kim.Sodek@fscj.edu.

\* Please refer to the FSCJ DBOT webpage for procedures/information regarding appearing before the Board as to "Public Comments." The FSCJ DBOT webpage is located within the College's website at: [www.fscj.edu/dbot](http://www.fscj.edu/dbot).

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

The Department of Highway Safety and Motor Vehicles announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2023, 2:30 p.m. – 4:00 p.m., ET  
 PLACE: THIS MEETING WILL BE HELD VIA MICROSOFT TEAMS. PLEASE SEE DIAL-IN INFO BELOW.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Motorist Modernization Advisory Board is meeting to discuss and provide guidance & recommendations on Phase 2 of the Motorist Modernization Program.

**AGENDA**

- Roll Call
- Welcome
- Review and Approval of Last Meeting Minutes
- Phase II IV&V Update
- MM Phase II Program Update
- Financial Review

- Project Updates
- Stakeholder Outreach Update
- Communications Update
- Q&A
- Adjourn

Microsoft Teams meeting

Join on your computer or mobile app:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MmFIYmMwYjgtZjRkYS00ZWRiLTlkOTUtYTI3MGNIZDE1ODBm%40thread.v2/0?context=%7b%22Tid%22%3a%2225c7bf74-6ed1-4f3c-af88-d6c3933606ca%22%2c%22Oid%22%3a%22f12acde9-abbd-45e0-93b8-12e80c44c029%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MmFIYmMwYjgtZjRkYS00ZWRiLTlkOTUtYTI3MGNIZDE1ODBm%40thread.v2/0?context=%7b%22Tid%22%3a%2225c7bf74-6ed1-4f3c-af88-d6c3933606ca%22%2c%22Oid%22%3a%22f12acde9-abbd-45e0-93b8-12e80c44c029%22%7d)

Or call in (audio only):

+1(850)583-5466,,362353834# United States, Tallahassee  
 Phone Conference ID: 362 353 834#

A copy of the agenda may be obtained by contacting: The agenda is included 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: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**REGIONAL PLANNING COUNCILS**

East Central Florida Regional Planning Council

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2023, 10:30 a.m.

PLACE: 5656 E Silver Springs Blvd, Silver Springs, FL 34488

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the East Central Florida Regional Planning Council. Due to limited access, all attendees must RSVP no later than November 10 to ensure their names are provided to the park.

A copy of the agenda may be obtained by contacting: Ken Storey at (407)245-0300, ext. 300 or [KStorey@ecfrpc.org](mailto:KStorey@ecfrpc.org)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two (2) days before the workshop/meeting by contacting: Ken Storey at (407)245-0300, ext. 300 or [KStorey@ecfrpc.org](mailto:KStorey@ecfrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ken Storey at (407)245-0300, ext. 300 or [KStorey@ecfrpc.org](mailto:KStorey@ecfrpc.org)

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council  
The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2023, 9:30 a.m.  
PLACE: 5656 E Silver Springs Blvd, Silver Springs, FL 34488  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the East Central Florida Regional Planning Council Executive Committee. Due to limited access, all attendees must RSVP no later than November 10 to ensure their names are provided to the park.

A copy of the agenda may be obtained by contacting: Ken Storey at (407)245-0300, ext. 300 or KStorey@ecfrpc.org  
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two (2) days before the workshop/meeting by contacting: Ken Storey at (407)245-0300, ext. 300 or KStorey@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).  
For more information, you may contact: Ken Storey at (407)245-0300, ext. 300 or KStorey@ecfrpc.org

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council  
The Tampa Bay Regional Planning Council’s Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2023, 1:00 p.m.  
PLACE: 4000 Gateway Centre Blvd. Ste. 100 Pinellas Park, Florida 33782.  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council’s Agency on Bay Management.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org  
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).  
For more information, you may contact: Wren Krahl, Wren@tbrpc.org

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council  
The Tampa Bay Regional Planning Council’s Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: September 14, 2023, 9:00 a.m.  
PLACE: Tampa Bay Regional Planning Council Office, 4000 Gateway Centre Blvd., STE 100, Pinellas Park, Florida 33782  
Zoom:

<https://us02web.zoom.us/j/89565354616?pwd=RktQdEZVanhYnhqcWQ4SytZRMlYUT09>  
Meeting ID: 895 6535 4616  
Passcode: 186446

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council’s Agency on Bay Management.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org  
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

WATER MANAGEMENT DISTRICTS

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

DATE AND TIMES: August 10, 2023, 1:00 p.m., ET Governing Board Meeting; 1:05 p.m., ET Public Hearing on Consideration of Regulatory Matters

PLACE: 81 Water Management Drive, Havana, Florida 32333  
GENERAL SUBJECT MATTER TO BE CONSIDERED: District business. Commitment of Fiscal Year 2022-2023 fund balances as required by the Governmental Accounting Standards Board (GASB) Statement No. 54.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Savannah Shell, (850)539-5999 or online at <http://www.nfwwater.com/About/Governing-Board/Board-Meetings-Agendas>

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 72 hours before the workshop/meeting by contacting: Savannah Shell, (850)539-5999. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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#### DEPARTMENT OF MANAGEMENT SERVICES

The Florida Emergency Communications Board announces a public meeting to which all persons are invited.

DATES AND TIMES: August 16, 2023, 1:00 p.m. - until close of business; August 17, 2023, 9:00 a.m. - until close of business

PLACE: Betty Easley Building, 4075 Esplanade Way, Rm 166, Tallahassee, FL. 32399

Join this meeting from your Computer, tablet or smartphone: Call in number: 1(888)822-7517 (access code:1813078)

<https://us06web.zoom.us/j/86085534310?pwd=QkI4OGp6b3ZEOHVHeGIxYkpOV1MxUT09>

(password:396448)

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

Day1: Grants Review Meeting

Day2: General Business

A copy of the agenda may be obtained by contacting: Leon.Simmonds@dms.fl.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Leon.Simmonds@dms.fl.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Leon.Simmonds@dms.fl.gov

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#### DEPARTMENT OF MANAGEMENT SERVICES

Florida Digital Service

RULE NO.: RULE TITLE:

60GG-2.001 Purpose and Applicability; Definitions; Agency Requirements

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: August 10, 2023, 9:00 a.m. – 10:00 a.m., EST

PLACE: Virtual

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Advisory Council Operations Workgroup, announces its agenda to include cybersecurity reports and recommendations.

The public may participate by phone by dialing: United States (toll free) 1(850)739-6768; Phone Conference ID: 297 736 023#

A copy of the agenda may be obtained by contacting: [https://www.dms.myflorida.com/other\\_programs/cybersecurity\\_advisory\\_council](https://www.dms.myflorida.com/other_programs/cybersecurity_advisory_council)

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: Candace.Wynn@digital.fl.gov or (850)766-0270. 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).

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#### DEPARTMENT OF MANAGEMENT SERVICES

Florida Digital Service

RULE NO.: RULE TITLE:

60GG-2.003 Protect

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2023, 2:00 p.m. – 3:00 p.m., EST

PLACE: Virtual

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Advisory Council Protect Workgroup, announces its agenda to include cybersecurity reports and recommendations. The public may participate by phone by dialing: United States (toll free) 1(850)739-6768; Phone Conference ID: 297 736 023#

A copy of the agenda may be obtained by contacting: [https://www.dms.myflorida.com/other\\_programs/cybersecurity\\_advisory\\_council](https://www.dms.myflorida.com/other_programs/cybersecurity_advisory_council)

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: Candace.Wynn@digital.fl.gov or (850)766-0270. 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 MANAGEMENT SERVICES

Florida Digital Service

RULE NO.: RULE TITLE:

60GG-2.004 Detect

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2023, 9:00 a.m. – 10:00 a.m., EST

PLACE: Virtual

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Advisory Council Detect Workgroup, announces its agenda to include cybersecurity reports and recommendations. The public may participate by phone by dialing: United States (toll free) 1(850)739-6768; Phone Conference ID: 297 736 023#

A copy of the agenda may be obtained by contacting: [https://www.dms.myflorida.com/other\\_programs/cybersecurity\\_advisory\\_council](https://www.dms.myflorida.com/other_programs/cybersecurity_advisory_council).

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: Candace.Wynn@digital.fl.gov or (850)766-0270. 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 MANAGEMENT SERVICES

Florida Digital Service

RULE NO.: RULE TITLE:

60GG-2.004 Detect

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2023, 9:00 a.m. – 10:00 a.m., EST

PLACE: Virtual

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Advisory Council Detect Workgroup, announces its agenda to include cybersecurity reports and recommendations.

The public may participate by phone by dialing: United States 1(305)224-1968; Meeting ID: 892 5180 2952; Passcode: 273208.

A copy of the agenda may be obtained by contacting: [https://www.dms.myflorida.com/other\\_programs/cybersecurity\\_advisory\\_council](https://www.dms.myflorida.com/other_programs/cybersecurity_advisory_council)

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: Candace.Wynn@digital.fl.gov or (850)766-0270. 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 MANAGEMENT SERVICES

Florida Digital Service

RULE NO.: RULE TITLE:

60GG-2.001 Purpose and Applicability; Definitions; Agency Requirements

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: August 10, 2023, 9:00 a.m. – 10:00 a.m., EST

PLACE: Virtual

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Advisory Council Operations Workgroup, announces its agenda to include cybersecurity reports and recommendations.

The public may participate by phone by dialing: United States 1(305)224-1968; Meeting ID: 892 5180 2952; Passcode: 273208.

A copy of the agenda may be obtained by contacting: [https://www.dms.myflorida.com/other\\_programs/cybersecurity\\_advisory\\_council](https://www.dms.myflorida.com/other_programs/cybersecurity_advisory_council).

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: Candace.Wynn@digital.fl.gov or (850)766-0270. 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 MANAGEMENT SERVICES

Florida Digital Service

RULE NO.: RULE TITLE:

60GG-2.003 Protect

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2023, 2:00 p.m. – 3:00 p.m., EST

PLACE: Virtual

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Advisory Council Protect Workgroup, announces its agenda to include cybersecurity reports and recommendations.

The public may participate by phone by dialing: United States 1(305)224-1968; Meeting ID: 892 5180 2952; Passcode: 273208.

A copy of the agenda may be obtained by contacting: [https://www.dms.myflorida.com/other\\_programs/cybersecurity\\_advisory\\_council](https://www.dms.myflorida.com/other_programs/cybersecurity_advisory_council).

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: Candance.Wynn@digital.fl.gov. 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**

**Construction Industry Licensing Board**

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, August 18, 2023, 2:00 p.m.

PLACE: 1(888)585-9008, participant code: 564 952 647

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Rules Committee to discuss proposed changes to Chapter 61G4-15, F.A.C.

A copy of the agenda may be obtained by contacting: Jordan Jones, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)717-1983.

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: Jordan Jones, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)717-1983. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jordan Jones, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)717-1983.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

The Electrical Contractors' Licensing Board announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Tuesday, August 29, 2023, 10:00 a.m. and Thursday, August 31, 2023, 10:00 a.m.

PLACE: <https://global.gotomeeting.com/join/564765493>

You can also dial in using your phone.

United States: +1(224)501-3412

Access Code 564-765-493

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Tuesday, August 29, 2023 at 10:00 a.m.: Application Review; Thursday, August 31, 2023 at 10:00 a.m.: Application Review.

A copy of the agenda may be obtained by contacting: Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399. (850)487-1395.

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: Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399. (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399. (850)487-1395.

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

The Florida Coordinating Council for the Deaf and Hard of Hearing announces a public meeting to which all persons are invited.

DATE AND TIME: August 10, 2023, 8:00 a.m. - 12:00 noon.

PLACE: Join Zoom Meeting

<https://zoom.us/j/92609763181?pwd=NEXqc0VpTFJ4dE5ET2ptNy93TElWQT09>

Meeting ID: 926 0976 3181

Passcode: health

One tap mobile

+1(305)2241968,,92609763181#,,,,\*746430# US

+1(646)9313860,,92609763181#,,,,\*746430# US

Dial by your location

• +1(305)224-1968 US

• +1(646)931-3860 US

• +1(301)715-8592 US (Washington DC)

• +1(309)205-3325 US

• +1(312)626-6799 US (Chicago)

• +1(646)558-8656 US (New York)

• +1(719)359-4580 US

• +1(253)205-0468 US

• +1(253)215-8782 US (Tacoma)

• +1(346)248-7799 US (Houston)

• +1(360)209-5623 US

• +1(386)347-5053 US

- +1(507)473-4847 US
- +1(564)217-2000 US
- +1(669)444-9171 US
- +1(669)900-9128 US (San Jose)
- +1(689)278-1000 US

Meeting ID: 926 0976 3181

Passcode: 746430

Find your local number: <https://zoom.us/j/92609763181>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Coordinating Council for the Deaf and Hard of Hearing will serve as an advisory and coordinating body to recommend policies that address the needs of Florida's community who are deaf, hard of hearing, late deafened, or have combined hearing and vision loss. The purpose of the meeting is to provide committee updates, deliver presentations by community experts and provide a public forum.

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

For more information, you may contact:

A copy of the agenda may be obtained by contacting: Angie Green (850)558-9645

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 72 hours before the workshop/meeting by contacting: Angie Green (850)558-9645. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

Division of Emergency Preparedness and Community Support  
The Florida Department of Health/Florida Trauma System Advisory Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, August 29, 2023, 1:30 p.m. - 2:30 p.m., ET

**PLACE:** Via Microsoft Teams Meeting

Join on your computer, mobile app or room device

Meeting ID: 231 897 220 183

Passcode: MgdXn8

Join with a video conferencing device

[teams@meetme.flhealth.gov](mailto:teams@meetme.flhealth.gov)

Video Conference ID: 119 609 105 5

Or call in (audio only)

+1(850)792-1375,,227899671# United States, Tallahassee

Phone Conference ID: 227 899 671#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the general business of the Florida Trauma System Advisory Council in compliance with section 395.402, Florida Statute.

A copy of the agenda may be obtained by contacting: Kate Kocevar at (850)245-4054 or [kate.kocevar@flhealth.gov](mailto:kate.kocevar@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Kate Kocevar at (850)245-4054 or [kate.kocevar@flhealth.gov](mailto:kate.kocevar@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kate Kocevar at (850)245-4054 or [kate.kocevar@flhealth.gov](mailto:kate.kocevar@flhealth.gov).

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

The Department of Children and Families' announces a public meeting to which all persons are invited.

**DATE AND TIME:** Cancelled: August 1, 2023, 10:00 a.m. - 12:00 noon or until conclusion of business

**PLACE:** Cancelled Microsoft Teams meeting

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Cancelling meeting: (see original Issue: 49/119)

Original posting language: Department of Children and Families' Annual Joint Planning Meeting. The Joint Planning Meeting provides a collaborative space for the Department, internal and external stakeholders, and the Federal Children's Bureau to share, describe, and plan Florida's Child and Family Well-Being Program to ensure compliance with federal requirements, enhance programs, and lead to more effective service provision to Florida's children and families. The aim of joint planning is to plan and guide systemic, resource, programmatic, and practice adjustments to lead to improved outcomes for children and families.

A copy of the agenda may be obtained by contacting: Kelley Parker at [Kelley.Parker@myflfamilies.com](mailto:Kelley.Parker@myflfamilies.com) or (850)274-3923 regarding the cancellation.

For more information, you may contact: Kelley Parker at [Kelley.Parker@myflfamilies.com](mailto:Kelley.Parker@myflfamilies.com) or (850)274-3923 regarding the cancellation.

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

The Independent Living Services Advisory Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 16, 2023, 1:00 p.m. – 4:00 p.m.

**PLACE:** Microsoft Teams meeting

Join on your computer, mobile app or room device

Meeting ID: 271 199 060 671

Passcode: 3j6pLM

Join with a video conferencing device

929981474@t.plcm.vc

Video Conference ID: 118 771 741 9

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Independent Living Services Advisory Council announces a public meeting to which all persons are invited.

A copy of the agenda may be obtained by contacting: Eric Wetzel; Eric.Wetzel@myflfamilies.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Eric Wetzel; Eric.Wetzel@myfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Eric Wetzel; Eric.Wetzel@myflfamilies.com

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**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

The Independent Living Services Advisory Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** November 13, 2023 1:00 p.m. – 4:00 p.m.

**PLACE:** Microsoft Teams

Join on your computer, mobile app or room device

Meeting ID: 213 803 200 875

Passcode: 5VCFnt

Join with a video conferencing device

929981474@t.plcm.vc

Video Conference ID: 114 129 314 9

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Independent Living Services Advisory Council announces a public meeting to which all persons are invited.

A copy of the agenda may be obtained by contacting: Eric Wetzel; Eric.Wetzel@myflfamilies.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Eric Wetzel; Eric.Wetzel@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Eric Wetzel; Eric.Wetzel@myflfamilies.com

**BOARD OF GOVERNORS**

The Florida Board of Governors, State University System announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 18, 2023, 8:00 a.m. – 9:30 a.m., EST

**PLACE:** JPMorgan Chase, 383 Madison Avenue, 39th Floor, Room 39E, New York, NY 10179

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Chair Lamb and Governor Silagy will meet with Chancellor Rodrigues to discuss legislative budget requests and administrative matters.

A copy of the agenda may be obtained by contacting: Rachel Kamoutsas, Corporate Secretary, Board of Governors, 325 W. Gains Street, Suite 1614, Tallahassee, Florida 32339 and a copy will be available at [www.flbog.edu](http://www.flbog.edu)

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: Rachel Kamoutsas, Corporate Secretary, Board of Governors, 325 W. Gains Street, Suite 1614, Tallahassee, Florida 32339 or (850)245-0466. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rachel Kamoutsas, Corporate Secretary, Board of Governors, 325 W. Gains Street, Suite 1614, Tallahassee, Florida 32339.

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**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 9, 2023, 9:30 a.m.

**PLACE:** Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301. Attendance by telephone is also available by calling (850)988-5144 and entering phone conference ID: 686 974 885#.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Disposition of cases pending before the Reemployment Assistance Appeals Commission and Commission business. No public testimony or comment will be taken.

A copy of the agenda may be obtained by contacting: the office of the Reemployment Assistance Appeals Commission at [RAAC.Inquiries@commerce.fl.gov](mailto:RAAC.Inquiries@commerce.fl.gov) or by visiting <https://floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance-appeals-commission/about-the-reemployment-assistance-appeals-commission2/raac-notices>.

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: the Commission Clerk at (850)692-0180. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Commission Clerk at (850)692-0180.

**FLORIDA TELECOMMUNICATIONS RELAY, INC.**

The Florida Telecommunications Relay, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 7, 2023, 9:30 a.m.

PLACE: Conference Call. Please contact Denay Brown at (850)354-7615 or dbrown@stearnsweaver.com for conference call details.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Regular Meeting. Issues on the agenda will include the 2023/2024 Budget.

A copy of the agenda may be obtained by contacting: Cecil Bradley, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, FL 32301, cbradley@ftri.org, (850)270-2641.

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 72 hours before the workshop/meeting by contacting: Cecil Bradley, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, FL 32301, cbradley@ftri.org, (850)270-2641. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Cecil Bradley, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, FL 32301, cbradley@ftri.org, (850)270-2641.

**Section VII**

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory

statement from Irwin R. Gilbert, Esq., on behalf of Baring Industries, Inc., filed on June 29, 2023. The petition seeks the agency's opinion as to the applicability of Section 489.105, Florida Statutes and Section 489.103(6), Florida Statutes as it applies to the petitioner.

Petitioner asks the Board, "Is a Subcontractor under a licensed general contractor required to be licensed to subcontract to other licensed sub-contractors a portion of the Subcontractor's scope of work that requires a license in Florida?" "Is a Subcontractor required to be licensed to perform the scope of work required to physically attach but not incorporate a commercial exhaust hood to a structure?" Is Baring, as a Material supplier required to be licensed to perform the scope of work required to physically attach but not incorporate a commercial exhaust hood to a structure?" "Does a subcontractor that designs commercial kitchens and supplies the related equipment but does not itself perform electrical, plumbing or other work requiring a license in Florida fall under the exemption found at Section 489.103(6), F.S.?" Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amanda Ackermann, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039 or telephone: (850)487-1395, or by electronic mail to Amanda.Ackermann@myfloridalicense.com.

**Section VIII**

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

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

**NONE**

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

**NONE**

**Section IX**

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

**NONE**

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

NONE

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

DEPARTMENT OF EDUCATION

New College of Florida

Invitation to Request for Qualification for Continuing Services Contract to Provide Architectural and Engineering (A/E) Services

PUBLIC NOTICE

RFQ #072823AE

LEGAL NOTICE OF REQUEST FOR QUALIFICATION FOR CONTINUING

ARCHITECTURAL/ENGINEERING SERVICES

PUBLIC ANNOUNCEMENT FOLLOWING PROCEDURES OF THE CONSULTANT'S COMPETITIVE NEGOTIATION ACT, CHAPTER 287.055, LAWS OF FLORIDA

The Board of Trustees of New College of Florida (NCF) announces that continuing Professional Services will be required from qualified Architectural/Engineering (A/E) firms registered in the State of Florida.

Continuing Architectural and Engineering services are required to support the Office of Facilities, Planning and Construction with the maintenance and development of the campus buildings and associated infrastructure. Works are anticipated to include renovations, remodels and small additions up to four (4) million dollar construction value. The period of the contract will be for an initial term of one (1) year. This is renewable annually for up to two (2) additional years at the College's discretion.

Applicants for the position of consultant architect and engineer must apply in writing for consideration.

Interested A/E firms must submit the information required by the Request for Qualification (RFQ) application packet. Submissions shall include details of the firm's abilities and previous experience with respect to State funded projects, projects in education institutions and for facilities similar to those found on the campus of New College in Florida. Also required is a synopsis of the firm's qualifications and resumes of key personnel in accordance with Standard Federal Form 330.

Request for Qualification for A/E Services, RFQ #072823AE, may be viewed and downloaded from the College's Facilities

Management web Page:

<https://www.ncf.edu/about/departments-and-offices/facilities-planning-and-construction/>. Interested parties may also receive additional information, or request a copy of the RFQ document via e-mail only to [lranker@NCF.edu](mailto:lranker@NCF.edu).

Written questions regarding this RFQ must be submitted no later than 5 days prior to the RFQ due date. All questions and responses will only be posted to the NCF Facilities Web-Page listed above not less than 2 days prior to the RFQ due date.

Deliver six (6) copies of the printed and completed Statement of Qualification to New College of Florida, Office of Facilities, Planning & Construction, 5800 Bay Shore Road, Sarasota, FL 34243-2109. Deliver to Attention: Itza Frisco, AVP, Facilities, no later than August 16, 2023 at 3:00 p.m. No electronic submittals will be accepted. The College will not be responsible for any delays in delivery nor for any costs associated with the preparation.

The Continuing Services Selection Committee will hold a public meeting via Zoom, on Friday, August 25, 2023 beginning at 8:00 a.m. to review and score the received and accepted RFQ responses. The link can be found on the College's Facilities Management web page (<https://www.ncf.edu/about/departments-and-offices/facilities-planning-and-construction/>).

Following a short listing review, a number of firms may be asked to participate in a discussion and interview with the Continuing Services Selection Committee on Wednesday, September 8, 2023, beginning at 8:00 a.m. at the NCF Campus in the Jane Bancroft Cook Library room 228.

Firms who submitted a completed Statement of Qualification and who are shortlisted will be notified in writing of any changes to the above discussion and interview date at least five (5) days prior to the discussion and interview date. Any changes will be posted on College's Facilities Management web Page: <https://www.ncf.edu/about/departments-and-offices/facilities-planning-and-construction/>.

Any addenda to the RFQ will be available on the College's Facilities Management web page noted above two (2) days before the noted submission date.

New College of Florida is an Equal Access/Equal Opportunity Employer

DEPARTMENT OF EDUCATION

New College of Florida

Invitation to Request for Qualification for Continuing Services Contract to Provide Mechanical, Electrical, and Plumbing (MEP) Engineering Services

PUBLIC NOTICE

RFQ #072823MEP

LEGAL NOTICE OF REQUEST FOR QUALIFICATION FOR CONTINUING

**MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) SERVICES**

**PUBLIC ANNOUNCEMENT FOLLOWING PROCEDURES OF THE CONSULTANT'S COMPETITIVE NEGOTIATION ACT, CHAPTER 287.055, LAWS OF FLORIDA**

The Board of Trustees of New College of Florida (NCF) announces that continuing Professional Services will be required from qualified Mechanical, Electrical and Plumbing (MEP) design firms registered in the State of Florida.

Continuing MEP services including low voltage design are required to support the Office of Facilities, Planning and Construction with the maintenance and development of the campus buildings and associated infrastructure. Works are anticipated to include renovations, remodels and small additions up to four (4) million dollar construction value. The period of the contract will be for an initial term of one (1) year. This is renewable annually for up to two (2) additional years at the College's discretion.

Applicants for the position of consultant MEP engineer must apply in writing for consideration.

Interested MEP firms must submit the information required by the Request for Qualification (RFQ) application packet. Submissions shall include details of the firm's abilities and previous experience with respect to State funded projects, projects in education institutions and for facilities similar to those found on the campus of New College in Florida. Also required is a synopsis of the firm's qualifications and resumes of key personnel in accordance with Standard Federal Form 330.

Request for Qualification for MEP Services, RFQ #072823MEP, may be viewed and downloaded from the College's Facilities Management web Page: <https://www.ncf.edu/about/departments-and-offices/facilities-planning-and-construction/>. Interested parties may also receive additional information, or request a copy of the RFQ document via e-mail only to [lranker@NCF.edu](mailto:lranker@NCF.edu).

Written questions regarding this RFQ must be submitted no later than 5 days prior to the RFQ due date. All questions and responses will only be posted to the NCF Facilities Web-Page listed above not less than 2 days prior to the RFQ due date.

Deliver six (6) copies of the printed and completed Statement of Qualification to New College of Florida, Office of Facilities, Planning & Construction, 5800 Bay Shore Road, Sarasota, FL 34243-2109. Deliver to Attention: Itza Frisco, AVP, Facilities, no later than August 16, 2023 at 3:00 p.m. No electronic submittals will be accepted. The College will not be responsible for any delays in delivery nor for any costs associated with the preparation.

The Continuing Services Selection Committee will hold a public meeting via Zoom, on Friday, August 25, 2023 beginning at 8:00 a.m. to review and score the received and accepted RFQ responses. The link can be found on the College's Facilities Management web page (<https://www.ncf.edu/about/departments-and-offices/facilities-planning-and-construction/>).

Following a short listing review, a number of firms may be asked to participate in a discussion and interview with the Continuing Services Selection Committee on Wednesday, September 8, 2023, beginning at 8:00 a.m. at the NCF Campus in the Jane Bancroft Cook Library room 228.

Firms who submitted a completed Statement of Qualification and who are shortlisted will be notified in writing of any changes to the above discussion and interview date at least five (5) days prior to the discussion and interview date. Any changes will be posted on College's Facilities Management web Page: <https://www.ncf.edu/about/departments-and-offices/facilities-planning-and-construction/>.

Any addenda to the RFQ will be available on the College's Facilities Management web page noted above two (2) days before the noted submission date.

New College of Florida is an Equal Access/Equal Opportunity Employer

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**DEPARTMENT OF EDUCATION**

New College of Florida

Invitation to Request for Qualification for Continuing Services Contract to Provide Civil Engineering Services

**PUBLIC NOTICE**

**RFQ #072823CE**

**LEGAL NOTICE OF REQUEST FOR QUALIFICATION FOR CONTINUING**

**CIVIL ENGINEERING SERVICES**

**PUBLIC ANNOUNCEMENT FOLLOWING PROCEDURES OF THE CONSULTANT'S COMPETITIVE NEGOTIATION ACT, CHAPTER 287.055, LAWS OF FLORIDA**

The Board of Trustees of New College of Florida (NCF) announces that continuing Professional Services will be required from qualified civil engineering design firms registered in the State of Florida.

Continuing civil engineering design services are required to support the Office of Facilities, Planning and Construction with the maintenance and development of the campus buildings and associated infrastructure. Works are anticipated to include stormwater management, infrastructure surveys, and site improvements associated with renovations, alterations, new construction up to four (4) million dollar construction value. The period of the contract will be for an initial term of one (1) year. This is renewable annually for up to two (2) additional years at the College's discretion.



Applicants for the position of consultant civil engineer must apply in writing for consideration.

Interested civil engineering firms must submit the information required by the Request for Qualification (RFQ) application packet. Submissions shall include details of the firm’s abilities and previous experience with respect to State funded projects, projects in education institutions and for facilities similar to those found on the campus of New College in Florida. Also required is a synopsis of the firm’s qualifications and resumes of key personnel in accordance with Standard Federal Form 330.

Request for Qualification for Civil Engineering Services, RFQ #072823CE, may be viewed and downloaded from the College’s Facilities Management web Page: <https://www.ncf.edu/about/departments-and-offices/facilities-planning-and-construction/>. Interested parties may also receive additional information, or request a copy of the RFQ document via e-mail only to [lranker@NCF.edu](mailto:lranker@NCF.edu).

Written questions regarding this RFQ must be submitted no later than 5 days prior to the RFQ due date. All questions and responses will only be posted to the NCF Facilities Web-Page listed above not less than 2 days prior to the RFQ due date.

Deliver six (6) copies of the printed and completed Statement of Qualification to New College of Florida, Office of Facilities, Planning & Construction, 5800 Bay Shore Road, Sarasota, FL 34243-2109. Deliver to Attention: Itza Frisco, AVP, Facilities, no later than August 16, 2023 at 3:00 p.m. No electronic submittals will be accepted. The College will not be responsible for any delays in delivery nor for any costs associated with the preparation.

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Any addenda to the RFQ will be available on the College’s Facilities Management web page noted above two (2) days before the noted submission date.

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## Section XII Miscellaneous

### DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Tuesday, July 25, 2023 and 3:00 p.m., Monday, July 31, 2023.

Rule No.	File Date	Effective Date
60GGER23-1	7/27/2023	7/27/2023
64B1-4.001	7/31/2023	8/20/2023
65E-5.280	7/25/2023	8/14/2023
65G-2.001	7/28/2023	8/17/2023
65G-2.018	7/28/2023	8/17/2023
65G-13.001	7/28/2023	8/17/2023
65G-13.008	7/28/2023	8/17/2023
69N-121.003	7/26/2023	8/15/2023
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
Rule No.	File Date	Effective Date
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

DEPARTMENT OF STATE

Division of Library and Information Services  
 STATE AID TO LIBRARIES GRANT PROGRAM  
 APPLICATIONS  
 STATE AID TO LIBRARIES GRANT PROGRAM  
 APPLICATIONS

Applications for the FY2023-24 State Aid to Libraries Grant program must be submitted online using the Department of State Grants System. The deadline for application submission is 5:00 p.m., Eastern on October 1, 2023.

All project activities must be in strict accordance with all applicable state laws. Grant activities that do not demonstrate compliance with state laws will not be funded.

Guidelines for State Aid to Libraries applications are available on the Florida Department of State’s Division of Library and Information Services website. You may also request guidelines from Thomas Peña by email at thomas.pena@dofl.com, by phone at (850)245-6620, by fax at (850)245-6643 or by mail at:

Thomas Peña, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Drinking Water State Revolving Fund (DWSRF) Program  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE (FCEN)  
 City of Marianna

The Florida Department of Environmental Protection (DEP) has determined that the City of Marianna’s project, located in Jackson County, for rehabilitation of two wells, replacement of existing water meters with radio read meters and installing an automated flushing system is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$683,320. The project may qualify for a DWSRF loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed projects that are postmarked or delivered at the address below within 30 days of this notice. A copy of the FCEN can be obtained by writing: Gregg Caro, DEP, 3900 Commonwealth Blvd., MS 3505, Tallahassee, Florida 32399-3000, or calling (850)245-2982 or emailing Gregg.Caro@FloridaDEP.gov

Section XIII  
 Index to Rules Filed During Preceding  
 Week

INDEX TO RULES FILED BETWEEN  
 JULY 24, 2023 AND JULY 28, 2023

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF MANAGEMENT SERVICES**

**Florida Digital Service**

60GGER23-1 7/27/2023 7/27/2023 49/147

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

61G1-12.001 7/24/2023 8/13/2023 49/122

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Mental Health Program**

65E-5.280 7/25/2023 8/14/2023 49/66 49/115

**Agency for Persons with Disabilities**

65G-13.001 7/28/2023 8/17/2023 49/103

65G-13.008 7/28/2023 8/17/2023 49/103

65G-2.001 7/28/2023 8/17/2023 49/103

65G-2.018 7/28/2023 8/17/2023 49/103

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR Administration**

69N-121.003 7/26/2023 8/15/2023 49/103

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

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

40C-4.091 3/31/23 \*\*/\*\*/\*\*\*\* 49/31 49/47

40C-41.043 3/31/23 \*\*/\*\*/\*\*\*\* 49/31 49/47

**South Florida Water Management District**

40E-4.091 6/26/23 \*\*/\*\*/\*\*\*\* 49/78

**DEPARTMENT OF MANAGEMENT SERVICES**

**E911 Board**

60FF1-5.009 7/21/16 \*\*/\*\*/\*\*\*\* 42/105

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-330.010 4/28/23 \*\*/\*\*/\*\*\*\* 49/38 49/58  
62-330.050 4/28/23 \*\*/\*\*/\*\*\*\* 49/38 49/58  
62-330.055 4/28/23 \*\*/\*\*/\*\*\*\* 49/38  
62-330.301 4/28/23 \*\*/\*\*/\*\*\*\* 49/38  
62-330.310 4/28/23 \*\*/\*\*/\*\*\*\* 49/38  
62-330.311 4/28/23 \*\*/\*\*/\*\*\*\* 49/38 49/58  
62-330.350 4/28/23 \*\*/\*\*/\*\*\*\* 49/38  
62-330.405 4/28/23 \*\*/\*\*/\*\*\*\* 49/38 49/58

**DEPARTMENT OF HEALTH**

**Board of Medicine**

64B8-10.003 12/9/15 \*\*/\*\*/\*\*\*\* 39/95 41/49

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

65C-9.004 3/31/22 \*\*/\*\*/\*\*\*\* 48/28

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

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