

1 A bill to be entitled
2 An act relating to the Education Savings Account
3 Program; creating s. 1002.385, F.S.; establishing the
4 program to provide a student account to pay for
5 specified educational expenses at a private school,
6 private virtual school, private tutoring program, or
7 public or private postsecondary institution or to
8 contribute to a college savings plan or make payment
9 for a prepaid college plan; providing definitions and
10 student eligibility requirements; providing parent and
11 student responsibilities; providing educational
12 institution eligibility and obligations; providing
13 Department of Education, Chief Financial Officer, and
14 financial institution obligations; providing
15 Commissioner of Education authority and obligations;
16 authorizing the release of personally identifiable
17 information; providing for the total amount of
18 payments; authorizing the Legislative Budget
19 Commission to transfer certain funds to the Florida
20 Education Finance Program; providing for
21 administration and rulemaking; providing requirements
22 for enrollment in the program for the 2013-2014 school
23 year; authorizing the State Board of Education and the
24 Chief Financial Officer to adopt emergency rules;
25 providing an effective date.

26
27 WHEREAS, the Legislature finds that the state has a duty to
28 provide for a high-quality education for all children residing

29 | in the state, and

30 | WHEREAS, the Legislature finds that the state has a duty to
31 | provide for the establishment, maintenance, and operation of
32 | institutions of higher learning, and

33 | WHEREAS, a high-quality education for children is
34 | facilitated by parental involvement in educational choices for
35 | their children, competition among schools and other learning
36 | environments, and the measurement and evaluation of student
37 | learning gains, and

38 | WHEREAS, the Legislature finds that competition between
39 | public schools and private schools will enhance the quality of
40 | education at public schools by encouraging innovation,
41 | flexibility, and efficiency, and

42 | WHEREAS, providing a child with an opportunity to attend a
43 | public school or providing funds to pay for private schooling or
44 | tutoring enables the child to access the high-quality education
45 | best suited for his or her specific needs, and

46 | WHEREAS, the Legislature finds that under the right to
47 | religious freedom in the State Constitution, the state may not
48 | prohibit a person from using private funds to pay the cost of
49 | private schooling or tutoring at an institution with a religious
50 | affiliation, NOW, THEREFORE,

51 |

52 | Be It Enacted by the Legislature of the State of Florida:

53 |

54 | Section 1. Section 1002.385, Florida Statutes, is created
55 | to read:

56 | 1002.385 Education Savings Account Program.—The Education

57 | Savings Account Program is established.

58 | (1) DEFINITIONS.—As used in this section, the term:

59 | (a) "Account" means an education savings account belonging
 60 | to a student who is participating, or who previously
 61 | participated, in the program. Funds in an account are private
 62 | funds.

63 | (b) "College savings plan" means a qualified tuition plan
 64 | under s. 529 of the Internal Revenue Code which allows the
 65 | establishment of an account for a beneficiary for the purpose of
 66 | paying the beneficiary's eligible college expenses.

67 | (c) "Department" means the Department of Education.

68 | (d) "Eligible private postsecondary institution" means a
 69 | private postsecondary institution that is a member of the
 70 | Independent Colleges and Universities of Florida and is located
 71 | in the state.

72 | (e) "Eligible private school" means a private school that
 73 | offers an education to students in any of grades kindergarten
 74 | through grade 12, is located in this state, and meets the
 75 | requirements in subsection (6).

76 | (f) "Financial institution" means an institution defined
 77 | in s. 655.005(1)(i).

78 | (g) "Program" means the Education Savings Account Program.

79 | (2) ELIGIBLE STUDENTS.—

80 | (a) A student is eligible to receive funds under the
 81 | program if the student resides in this state and:

82 | 1. Is eligible to enter kindergarten or first grade;

83 | 2. Is the sibling of a student who participates in the
 84 | program and who resides in the same household; or

85 3. Was counted as a full-time equivalent student during
 86 the previous state fiscal year for purposes of state per-student
 87 funding.

88 (b) A student remains eligible for the program until he or
 89 she graduates from high school or enrolls in a public school,
 90 charter school, or virtual instruction program, excluding the
 91 Florida Virtual School, which receives state funding as a result
 92 of the student's participation.

93 (3) INELIGIBLE STUDENTS.—A student may not participate in
 94 the program if he or she is:

95 (a) Enrolled in a school operating for the purpose of
 96 providing educational services to youth in a Department of
 97 Juvenile Justice commitment program;

98 (b) Participating in a virtual school, correspondence
 99 school, or distance learning program that receives state funding
 100 for the student's participation;

101 (c) Enrolled in the Florida School for the Deaf and the
 102 Blind; or

103 (d) Receiving an educational scholarship pursuant to this
 104 chapter.

105 (4) PARENT AND STUDENT OPTIONS.—

106 (a) A parent may direct the trustee of the funds in the
 107 student's account to use such funds, in whole or in combination,
 108 to:

109 1. Pay the tuition and fees for the child to attend an
 110 eligible private school;

111 2. Pay the tuition and fees for the child to attend an
 112 eligible private virtual school;

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113 3. Pay a private tutor or private tutoring program
114 qualified under s. 1002.43 for supplemental educational
115 services;

116 4. Pay the cost of tuition, books, or fees for the child
117 to enroll in a dual enrollment program at a public postsecondary
118 institution or at an eligible private postsecondary institution;

119 5. Contribute to the child's college savings plan; or

120 6. Make a payment toward the purchase of a contract under
121 the Stanley G. Tate Florida Prepaid College Program.

122 (b) Within 3 months after the child graduates from high
123 school or no longer participates in the program, a parent may
124 direct the trustee to donate any unspent funds in the account to
125 any institution identified in subparagraphs 1.-4. or to the
126 school district in which the child last resided before the
127 child's participation in the program terminated. If a parent
128 fails to identify an institution to which the trustee must
129 donate the funds, the trustee shall donate the funds to the
130 school district pursuant to this paragraph.

131 (5) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
132 PARTICIPATION.—

133 (a) A parent must annually apply to the department on
134 behalf of the child during the annual enrollment period. As part
135 of the enrollment, the parent must identify the educational
136 option chosen to meet the compulsory attendance requirements of
137 law whether through attendance at a private school or private
138 virtual school, enrollment in a home education program under s.
139 1002.41, or a private tutoring program under s. 1002.43.

140 (b)1. If a parent elects for the child to attend an

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141 eligible private school or private virtual school, the parent or
142 the child must:

143 a. Select an eligible private school or private virtual
144 school and apply for admission.

145 b. Inform the child's school district when the parent
146 withdraws the child to attend the private school or private
147 virtual school.

148 c. Remain in attendance in the selected school throughout
149 the school year unless excused by the school for illness or
150 other good cause.

151 d. Comply with the school's published policies.

152 e. Ensure that the child participating in the program
153 takes the nationally norm-referenced assessment tests
154 administered by the school which are required by the department.
155 The parent may also choose to have the child participate in a
156 statewide assessment pursuant to s. 1008.22. If the parent
157 requests that the child take a statewide assessment, the parent
158 is responsible for transporting the child to the testing site
159 designated by the school district.

160 f. Pay the balance of the school's tuition and fees in
161 excess of the funds in the child's account.

162 2. A parent who chooses to comply with the compulsory
163 attendance requirements by enrolling his or her child in a
164 private school or private virtual school may also choose to
165 enroll the child in a dual enrollment program through a public
166 postsecondary institution or an eligible private postsecondary
167 institution and use funds from the child's account for such
168 purposes. The parent and child must register or apply for

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169 admission during the institution's registration or application
170 period and are responsible for paying the balance of tuition and
171 fees that is not covered by the payments from the child's
172 account.

173 (c)1. If a parent elects for his or her child to
174 participate in a home education program, the parent and child
175 must comply with s. 1002.41.

176 2. A parent who chooses to comply with the compulsory
177 attendance requirements by enrolling his or her child in a home
178 education program may also choose to enroll the child in a dual
179 enrollment program through a public postsecondary institution or
180 an eligible private postsecondary institution and use funds from
181 the child's account for such purpose. The parent and child must
182 register or apply for admission during the institution's
183 registration or application period and are responsible for
184 paying the balance of tuition and fees that is not covered by
185 payments from the child's account.

186 (d)1. If a parent elects for the child to receive an
187 education from an eligible private tutor or private tutoring
188 program, the parent and the child must comply with this section.

189 2. A parent who chooses to comply with the compulsory
190 attendance requirements through use of a private tutor or
191 private tutoring program may also choose to enroll his or her
192 child in a dual enrollment program through a public
193 postsecondary institution or an eligible private postsecondary
194 institution and use funds from the child's account for such
195 purpose. The parent and child must register or apply for
196 admission during the institution's registration or application

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197 period and are responsible for paying the balance of tuition and
198 fees that is not covered by payments from the child's account.

199 (e) If a parent elects to use any portion of his or her
200 child's account as payment for private tutoring through an
201 eligible supplemental educational services provider, the parent
202 is responsible for payments to the provider that are not covered
203 by the child's account.

204 (f) If a parent elects for the child to participate in
205 dual enrollment at a public postsecondary institution or an
206 eligible private postsecondary institution, the parent or the
207 child must:

208 1. Register or apply for admission during the
209 institution's registration or application period.

210 2. Inform the child's school district when the parent
211 withdraws the child to attend the postsecondary institution.

212 3. Remain in attendance in the postsecondary institution
213 throughout the school year unless excused by the institution for
214 illness or other good cause.

215 4. Comply with the institution's published policies.

216 5. Pay the balance of the postsecondary institution's
217 tuition and fees in excess of the funds in the child's account.

218 (g) If a parent elects to use any of the funds in the
219 child's account to make a contribution to a college savings
220 plan, the parent must comply with all federal and state laws
221 related to contributions to a college savings plan.

222 (h) If a parent elects to use any of the funds in the
223 child's account toward the purchase of a contract under the
224 Stanley G. Tate Florida Prepaid College Program, the parent must

225 comply with all rules and requirements of the program and is
 226 responsible for payments in excess of the funds in the account.

227
 228 A child may return to the public school system at any time, at
 229 which time quarterly payments to the child's account shall
 230 cease. The parent of a child who returns to the public school
 231 system is responsible for the payment of any outstanding balance
 232 owed to the private school, private virtual school, private
 233 tutor, private tutoring program, state postsecondary
 234 institution, or private postsecondary institution which is in
 235 excess of the funds in the account when payments to the account
 236 cease.

237 (6) EDUCATIONAL INSTITUTION ELIGIBILITY AND OBLIGATIONS.-

238 (a) A sectarian or nonsectarian private school is eligible
 239 to participate in the program if the school:

240 1. Is accredited by the Southern Association of Colleges
 241 and Schools or is eligible to participate in the Florida Tax
 242 Credit Scholarship Program or the John M. McKay Scholarships for
 243 Students with Disabilities Program.

244 2. Complies with rules adopted by the State Board of
 245 Education for participation in the program.

246 (b) A sectarian or nonsectarian private virtual school is
 247 eligible to participate in the program if the school:

248 1. Is approved by the department to participate in the
 249 school district virtual instruction program under s. 1002.45.

250 2. Complies with rules adopted by the State Board of
 251 Education for participation in the program.

252 (c) A private tutor or private tutoring program is

253 | eligible to participate in the program if the private tutor or
 254 | private tutoring program:

255 | 1. Is qualified under s. 1002.43.

256 | 2. Complies with rules adopted by the State Board of
 257 | Education for participation in the program.

258 | 3. Is a supplemental educational services provider under
 259 | the federal Elementary and Secondary Education Act.

260 | (d) Each public postsecondary institution is eligible to
 261 | participate in the program and must comply with rules adopted by
 262 | the State Board of Education for participation in the program.

263 | (e) A sectarian or nonsectarian private postsecondary
 264 | institution is eligible to participate in the program if the
 265 | institution is a member of the Independent Colleges and
 266 | Universities of Florida and complies with rules adopted by the
 267 | State Board of Education for participation in the program.

268 | (7) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
 269 | Education shall:

270 | (a) Establish an annual enrollment period and a process in
 271 | which a parent may apply to enroll his or her child in the
 272 | program. The enrollment period shall begin by January 1 and end
 273 | by March 1 before the school year in which funding for the
 274 | child's account is sought. All applications must be processed by
 275 | May 1 of each year.

276 | (b) Annually verify the eligibility of private schools,
 277 | private virtual schools, private tutors, private tutoring
 278 | programs, and postsecondary institutions to participate in the
 279 | program and publish a list of eligible schools, tutors, tutoring
 280 | programs, and postsecondary institutions.

281 (c) Annually, by March 15, submit to a participating
282 financial institution a list of eligible private schools,
283 private virtual schools, private tutors, private tutoring
284 programs, and private postsecondary institutions.

285 (d) Notify a participating financial institution of
286 students who are approved to participate in the program. The
287 notice must be made annually by May 1 after the department
288 processes all applications to participate in the program.

289 (e) Establish a toll-free hotline that provides parents
290 and private schools with information about the program.

291 (f) Establish a process by which a person may notify the
292 department of any violation of laws or rules relating to
293 participation in the program. The department shall conduct an
294 inquiry of all signed, written, and legally sufficient
295 complaints that allege a violation of this section or make a
296 referral to the appropriate agency for an investigation. A
297 complaint is legally sufficient if it states ultimate facts
298 showing that this section or a rule adopted under this section
299 has been violated.

300 (g) Require participating private schools and private
301 virtual schools to annually certify compliance with the
302 requirements of the program. The certification must be made in a
303 sworn and notarized statement by the head of the private school.

304 (h) Compare the list of students participating in the
305 program with the public school enrollment lists to avoid
306 duplicate payments.

307 (i) Maintain a list of nationally norm-referenced tests
308 identified by the department which must be administered by a

309 participating private school or private virtual school to
310 students participating in the program. The tests must meet
311 industry standards of quality under rules of the State Board of
312 Education.

313 (j) Select an independent research organization, which may
314 be a public or private entity or university, to which
315 participating private schools and private virtual schools must
316 report the scores of participating students on the nationally
317 norm-referenced tests administered by the schools in grades 3
318 through 10.

319 1. The independent research organization must annually
320 issue a report to the department which includes:

321 a. The year-to-year learning gains of students in the
322 program.

323 b. To the extent possible, a comparison of the learning
324 gains of students in the program to the statewide learning gains
325 of public school students having backgrounds similar to those of
326 the students in the program. In order to minimize the costs and
327 time that the independent research organization requires for
328 analysis and evaluation, the department shall conduct analyses
329 of assessment data from matched students in public schools and
330 shall calculate learning gains of control groups using a
331 methodology outlined in the contract with the independent
332 research organization.

333 c. The aggregate year-to-year learning gains of students
334 in the program in each participating private school in which
335 there are at least 30 participating students having scores for
336 tests for 2 consecutive years at that private school.

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337 2. The sharing and reporting of the learning gains of
338 students pursuant to this paragraph must be in accordance with
339 s. 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy
340 Act, and shall be for the sole purpose of creating the annual
341 report required by subparagraph 1. The department and the
342 independent research organization shall preserve the
343 confidentiality of such information as required by law. The
344 organization may not disaggregate data in its annual report to a
345 level that will identify individual participating schools,
346 except as required under sub-subparagraph 1.c., or disclose the
347 academic level of individual students.

348 3. The department shall publish the annual report on its
349 website.

350 (1) Conduct random site visits to private schools, private
351 tutors, private tutoring programs, and private postsecondary
352 institutions participating in the program. During a site visit,
353 the department may conduct only activities to verify the
354 information reported by the schools concerning the enrollment
355 and attendance of students, the credentials of teachers, and the
356 results of criminal history record checks of teachers.

357 (m) Annually, by December 15, issue a report to the
358 Governor, the President of the Senate, and the Speaker of the
359 House of Representatives describing the implementation of
360 accountability mechanisms for the program; identifying any
361 violations of a law or rule governing the program concerning the
362 enrollment and attendance of students, the credentials of
363 teachers, or the background screening of teachers; and
364 describing the corrective actions taken by the department

365 relating to violations of a law or rule governing the program.

366 (8) CHIEF FINANCIAL OFFICER OBLIGATIONS.—The Chief
 367 Financial Officer shall:

368 (a) Process applications from financial institutions
 369 applying to participate in the program.

370 (b) Provide the identity and contact information for the
 371 selected financial institution to the department by March 1 of
 372 each year.

373 (c) Conduct or review a financial audit of the selected
 374 financial institution to ensure compliance with this section.

375 (d) Revoke the eligibility of the selected financial
 376 institution if the institution fails to comply with this section
 377 and select a replacement financial institution pursuant to
 378 paragraph (9) (a).

379 (e) Upon notice from the department, make payments to the
 380 accounts of participating students in four equal installments by
 381 September 1, November 1, February 1, and April 1.

382 (9) OBLIGATIONS OF FINANCIAL INSTITUTIONS.—

383 (a) The Chief Financial Officer shall create a request for
 384 proposal for the purpose of selecting a financial institution to
 385 aid in the administration of the program. The Chief Financial
 386 Officer shall select the financial institution from institutions
 387 that agree to:

388 1. Serve as a trustee of the funds in a student's account.

389 2. Limit fees imposed on each account to 3 percent or less
 390 of each payment made from an account.

391 3. Make timely quarterly payments directly to the eligible
 392 private school, private virtual school, private tutor, private

393 tutoring program, or eligible private postsecondary institution
394 selected by the parent. The amount of the quarterly payment to
395 the educational institution or program may not exceed:

396 a. The amount of the state quarterly payment to the
397 financial institution, less the financial institution's fees.

398 b. The reported tuition and fee schedule provided to the
399 department for the educational institution or program.

400 4. Make timely quarterly payments directly to a public
401 postsecondary institution selected by the parent for the payment
402 of books, tuition, and fees charged for a student's
403 participation in a dual enrollment program. The amount of the
404 quarterly payment to the educational institution may not exceed:

405 a. The amount of the state quarterly payment to the
406 financial institution, less the financial institution's fees.

407 b. The full cost of books, tuition, and fees charged for
408 the student's participation in the dual enrollment program.

409 5. Make timely quarterly payments directly to the selected
410 college savings plan or the Stanley G. Tate Florida Prepaid
411 College Program. The amount of such quarterly payment may not
412 exceed the amount of the state quarterly payment to the
413 financial institution, less the financial institution's fees.

414 6. Notify the department by February 1, July 1, September
415 1, and December 1 of the students who have accounts with the
416 institution under this section.

417 (b) A participating financial institution must annually
418 notify the Chief Financial Officer of its intent to continue
419 participating in, or withdraw from, the program. The length of
420 the contract with the financial institution shall not exceed 5

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421 years, and the financial institution must provide at least 365
422 days' notice to the Chief Financial Officer and to the parents
423 of students having an account at the institution before it may
424 withdraw from the program. The institution must also transfer
425 each account to the successor financial institution selected by
426 the Chief Financial Officer pursuant to paragraph (a).

427 (10) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

428 (a)1. The Commissioner of Education shall deny, suspend,
429 or revoke the participation of a private school, private virtual
430 school, private tutor, or private tutoring program in the
431 program if the commissioner determines that the school, tutor,
432 or tutoring program has failed to comply with this section or
433 rules of the State Board of Education adopted under this
434 section. However, if the noncompliance is correctable within a
435 reasonable amount of time and the health, safety, or welfare of
436 the students is not threatened, the commissioner may issue a
437 notice of noncompliance that shall provide the school, tutor, or
438 tutoring program with a timeframe within which to show evidence
439 of compliance before action may be taken to suspend or revoke
440 participation in the program.

441 2. The commissioner may deny, suspend, or revoke a private
442 school's participation in the program if the commissioner
443 determines that an owner or operator of the private school is
444 operating or has operated an educational institution in this
445 state or another state in a manner that is contrary to the
446 health, safety, or welfare of the public. In making this
447 determination, the commissioner may consider factors, including,
448 but not limited to, acts or omissions by the owner or operator

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449 which led to a previous denial or revocation of participation in
450 an education scholarship program or an education savings account
451 program; an owner's or operator's failure to reimburse a
452 student's account for funds improperly received or retained by a
453 school; imposition of a previous criminal or civil
454 administrative sanction related to an owner's or operator's
455 management or operation of an educational institution; or the
456 existence of other types of criminal proceedings in which the
457 owner or operator was found guilty of, regardless of
458 adjudication, or entered a plea of nolo contendere or guilty to,
459 any offense involving fraud, deceit, dishonesty, or moral
460 turpitude.

461 (b) The commissioner's determination to deny, suspend, or
462 revoke a private school's participation in the program is
463 subject to the following:

464 1. The department must notify the private school of the
465 proposed action in writing by certified mail and regular mail to
466 the private school's address of record with the department. The
467 notice shall state the reasons for the proposed action and
468 notice of the timelines and procedures set forth in this
469 paragraph.

470 2. The private school that is adversely affected by the
471 proposed action has 15 days after receipt of the notice of
472 proposed action to file with the clerk of the department a
473 request for a proceeding pursuant to ss. 120.569 and 120.57. If
474 the private school is entitled to a hearing under s. 120.57(1),
475 the department shall forward the request to the Division of
476 Administrative Hearings.

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477 3. Upon receipt of a request referred pursuant to this
478 paragraph, the director of the Division of Administrative
479 Hearings shall expedite the hearing and assign an administrative
480 law judge who shall commence a hearing within 30 days after the
481 receipt of the formal written request from the department and
482 enter a recommended order within 30 days after the hearing or
483 within 30 days after receipt of the hearing transcript,
484 whichever is later. Each party may submit written exceptions to
485 the recommended order within 10 days after the recommended order
486 is entered. The department shall enter a final order within 30
487 days after the entry of the recommended order. The provisions of
488 this subparagraph may be waived upon stipulation by all parties.

489 (c) The commissioner may order a participating financial
490 institution to suspend payment of funds from accounts to a
491 private school if the commissioner finds that probable cause of
492 any of the following exists:

493 1. An imminent threat to the health, safety, or welfare of
494 a student.

495 2. Fraudulent activity on the part of the private school.

496
497 The commissioner's order suspending payment pursuant to this
498 paragraph may be appealed pursuant to the same procedures and
499 timelines as the notice of proposed action set forth in
500 paragraph (b).

501 (11) AUTHORIZED RELEASE OF PERSONALLY IDENTIFIABLE
502 INFORMATION.—Notwithstanding s. 1002.22, in incidents of alleged
503 fraudulent activity relating to participation in the program,
504 the Office of Inspector General of the department may release

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505 personally identifiable records or reports of students to the
506 following persons or organizations:

507 (a) A court of competent jurisdiction in compliance with
508 an order of that court or the attorney of record in accordance
509 with a lawfully issued subpoena, consistent with the Family
510 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

511 (b) A person or entity authorized by a court of competent
512 jurisdiction in compliance with an order of that court or the
513 attorney of record in accordance with a lawfully issued
514 subpoena, consistent with the Family Educational Rights and
515 Privacy Act, 20 U.S.C. s. 1232g.

516 (c) A person, entity, or authority issuing a subpoena for
517 law enforcement purposes if the court or other issuing agency
518 has ordered that the existence or the contents of the subpoena
519 or the information furnished in response to the subpoena not be
520 disclosed, consistent with the Family Educational Rights and
521 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

522 (12) EDUCATION SAVINGS ACCOUNT AMOUNT.—The total amount of
523 payments to a participating student's account for a single
524 school year shall be equal to a percentage of the base student
525 allocation under the Florida Education Finance Program
526 multiplied by the appropriate cost factor for the educational
527 program that would have been provided for the student in the
528 district school to which he or she was assigned, multiplied by
529 the district cost differential plus the per-student share of
530 instructional materials funds and other categorical funds as
531 provided in the General Appropriations Act.

532 (13) LEGISLATIVE BUDGET COMMISSION.—Each quarter, the

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533 Legislative Budget Commission may transfer to the Florida
534 Education Finance Program any funds appropriated for the
535 Education Savings Account Program in excess of amounts required
536 to fully fund the accounts of all participating students.

537 (14) ADMINISTRATION; RULES.—

538 (a) The department and the Department of Financial
539 Services shall develop a cooperative agreement to assist in the
540 administration of this section.

541 (b) The State Board of Education shall adopt rules
542 necessary for the department and the Commissioner of Education
543 to administer this section, including rules relating to the
544 establishment of the enrollment period, enrollment forms, and
545 reporting requirements for financial institutions and schools.

546 (c) The Chief Financial Officer shall adopt rules
547 necessary to administer this section, including rules relating
548 to the eligibility and auditing of participating financial
549 institutions.

550 Section 2. Enrollment for the 2013-2014 school year.—

551 (1) Notwithstanding s. 1002.385(7), Florida Statutes, the
552 enrollment period to participate in the Education Savings
553 Account Program for the 2013-2014 school year is July 1 through
554 July 31, 2013. The number of students who may participate is
555 limited to the number of participants specified in the General
556 Appropriations Act.

557 (2) (a) The State Board of Education may adopt emergency
558 rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes,
559 to enable the Department of Education and the Commissioner of
560 Education to implement this section.

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561 | (b) The Chief Financial Officer may adopt emergency rules
562 | pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to
563 | implement this section.

564 | Section 3. This act shall take effect upon becoming a law.