

1 A bill to be entitled
2 An act relating to student financial assistance; creating
3 s. 1009.893, F.S.; creating the Sure Futures Graduate
4 Scholarship Program; providing purposes and goals for the
5 program; creating s. 1009.894, F.S.; providing legislative
6 findings and definitions; establishing the Sure Futures
7 Foundation and a foundation board to administer the
8 program; providing membership and duties of the board;
9 providing eligibility criteria for participation in the
10 program by students and sponsors; providing procedures for
11 application to the program and selection of participants;
12 providing benefits and requirements for students selected
13 to participate in the program; requiring that a
14 participating student who graduates with an advanced
15 degree remain employed by his or her sponsor in this state
16 for a specified period; providing that a prorated portion
17 of the scholarship shall convert to a scholarship loan
18 under certain conditions; requiring that sponsors and
19 students participating in the program enter into a
20 contract and specifying certain terms; requiring that a
21 sponsor make specified monetary contributions for
22 scholarships and administrative costs of the program;
23 authorizing sponsors to establish terms of sponsorship and
24 specify specific universities at which a student must
25 enroll to receive sponsorship; providing requirements if a
26 sponsor terminates a scholarship employee; requiring that
27 the Department of Education annually establish the amount
28 necessary to cover certain costs; assigning administrative

29 authority over scholarship loans to the Office of Student
 30 Financial Assistance in the department; providing duties
 31 and responsibilities of the State Board of Education, the
 32 department, and recipients with respect to the scholarship
 33 loans and their repayment; requiring that state
 34 universities make available certain information regarding
 35 the program; encouraging certain entities promote
 36 participation in the program; requiring rulemaking;
 37 providing an appropriation; providing an effective date.

38

39 Be It Enacted by the Legislature of the State of Florida:

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41 Section 1. Section 1009.893, Florida Statutes, is created
 42 to read:

43 1009.893 Sure Futures Graduate Scholarship Program. --The
 44 Sure Futures Graduate Scholarship Program is created for the
 45 purpose of establishing a scholarship program to match private-
 46 sector businesses that need employees in Florida having advanced
 47 degrees with students seeking advanced degrees and employment.
 48 The goals of the program are to provide for a more highly
 49 educated workforce in Florida by offering students greater
 50 academic and financial access to the pursuit of advanced degrees
 51 in identified areas of critical need and to recruit and retain
 52 Florida's best and brightest graduate students by offering them
 53 comprehensive financial assistance to obtain advanced degrees
 54 and guaranteed employment in Florida with the private-sector
 55 businesses that have indicated their willingness to enter into
 56 partnerships in the program with provision for guaranteed jobs

57 in Florida.

58 Section 2. Section 1009.894, Florida Statutes, is created
59 to read:

60 1009.894 The Sure Futures Foundation.--

61 (1) The Legislature finds that public universities in
62 this state can play a vital role in assuring students are given
63 incentives to remain in the Florida education system and seek
64 graduate degrees by offering financial incentives and diversity
65 in education programs that contribute to filling the critical
66 needs of private businesses in Florida. The Legislature
67 recognizes that the United States Armed Forces have been
68 extremely successful for many decades in recruiting and
69 retaining exceptional students through scholarships in the
70 Reserve Officer Training Corps (ROTC) programs resulting in the
71 requirement of a minimum 4-year service commitment from program
72 graduates who are trained in and assigned to critical career
73 fields. Lastly, the Legislature desires to model a workforce-
74 development program in this state which is similar to the proven
75 Armed Forces ROTC programs in an effort to promote, recruit, and
76 retain a qualified workforce to meet the demands of this state
77 and its businesses.

78 (2) As used in this section, the term:

79 (a) "Sure Futures scholar" or "scholar" means a student
80 who is admitted into at least one graduate program in an area of
81 critical need identified by the Board of Governors in its most
82 recent 10-year strategic plan and who has applied and been
83 offered a Sure Futures Graduate Scholarship.

84 (b) "Sure Futures sponsor" or "sponsor" means a

85 corporation, partnership, limited liability company, sole
 86 proprietor, or other private-sector business entity
 87 participating in the Sure Futures Graduate Scholarship Program
 88 through supporting scholarships and providing employment
 89 opportunities for scholars pursuant to the provisions of this
 90 section.

91 (3) The "Sure Futures Foundation," hereinafter referred to
 92 as "foundation," is established and shall seek designation under
 93 s. 501(c)(3) of the Internal Revenue Code. The foundation shall
 94 be governed by the Sure Futures Foundation Board, which shall
 95 administer the Sure Futures Graduate Scholarship Program with
 96 guidance from the Board of Governors and the State Board of
 97 Education. Duties of the foundation board shall include, but not
 98 be limited to:

99 (a) Adoption of policies and procedures for implementation
 100 of the program, including, but not limited to, an application
 101 and matching process for students, scholars and sponsors
 102 participating in the program.

103 (b) Adoption of policies and procedures for receiving,
 104 processing and managing contributions from sponsors and state
 105 matching dollars.

106 (c) Establishment of a process for approval of printed and
 107 electronic materials, marketing, and advertising.

108 (d) Establishment of a process and procedure for matching
 109 sponsors with scholars.

110 (e) Establishment and maintenance, when applicable, of the
 111 foundation's scholarship loans.

112 (4) The board of the foundation shall be comprised of the

113 following eleven members:

114 (a) The Commissioner of Education, or the Commissioner's
 115 designee, as an ex officio member.

116 (b) The chair of the Board of Governors, or the Chair's
 117 designee, as an ex officio member.

118 (c) Three members from the state university system, with
 119 at least one member being a State University President,
 120 appointed by the Governor, who shall serve 2-year terms.

121 (d) Three sponsors participating in the program,
 122 recommended by the Commissioner of Education and appointed by
 123 the Governor, who shall serve 2-year terms.

124 (e) One graduate student recommended by the Commissioner
 125 of Education and appointed by the Governor, who shall serve a 1-
 126 year term.

127 (f) One member of the Florida House of Representatives
 128 appointed by the Speaker of the House, who shall serve a two-
 129 year term as an ex-officio member.

130 (g) One member of the Florida Senate appointed by the
 131 President of the Senate, who shall serve a two-year term as an
 132 ex-officio member.

133
 134 The foundation board members shall serve without compensation,
 135 but are entitled to receive reimbursement for travel and per
 136 diem expenses incurred in the performance of their duties in
 137 accordance with s. 112.061. The foundation board may enter into
 138 an agreement with a state university, the Department of
 139 Education, or the Board of Governors to provide operational and
 140 administrative services to the foundation, including but not

141 limited to, processing student and scholar applications,
 142 responding to sponsor letters of interest, disseminating
 143 information about the program, managing contributions and
 144 matching state dollars, and facilitating student and sponsor
 145 matches.

146 (5) (a) The following students are eligible as candidates
 147 for a Sure Futures Graduate Scholarship and thereby eligible to
 148 obtain a list of sponsors and the graduate degree programs for
 149 which such sponsors are seeking candidates:

150 1. A student in his or her senior year who is an
 151 undergraduate student at a state university or a private college
 152 or university in the state and intends to pursue a graduate
 153 degree program at a state university.

154 2. A student in his or her senior year who is an
 155 undergraduate student at an out-of-state college or university
 156 but who would otherwise qualify as a resident for tuition
 157 purposes pursuant to 1009.21 and intends to pursue a graduate
 158 degree program at a state university.

159 3. A graduate of a college or university who qualifies as
 160 a resident for tuition purposes pursuant to 1009.21 and intends
 161 to pursue a graduate degree program at a state university.

162 4. Notwithstanding the provisions of this paragraph, a
 163 scholar shall not be an existing employee of the sponsor with
 164 whom they are matched.

165 (b) A student shall apply, using a standard application
 166 form, to the Sure Futures Foundation for a Sure Futures Graduate
 167 Scholarship.

168 (c) An employer interested in participating in the Sure

169 Futures Graduate Scholarship Program shall submit a letter of
 170 interest to the foundation. The letter of interest, at a
 171 minimum, shall indicate the interest of the business in becoming
 172 a sponsor to the foundation, including the degree and program
 173 and the university or universities of interest. The foundation
 174 shall notify the employer of the graduate programs, the state
 175 university or universities at which the programs are offered,
 176 and the total cost of the program.

177 (d) The foundation shall review student applications to
 178 match students and potential sponsors. The foundation shall
 179 notify each student applicant and potential sponsor of the match
 180 or matches. Each potential sponsor is responsible for the
 181 interviewing the students and notifying the foundation of the
 182 student or students it wishes to sponsor. The foundation is
 183 responsible for determining the final match of the sponsor and
 184 scholar.

185 (e) Once a match is finalized through the foundation, the
 186 student and the sponsor shall sign a contract whereby the
 187 scholar agrees to the scholarship loan offered by the sponsor,
 188 with a waiver-of-payment provision if a 4-year employment
 189 obligation is completed, and the sponsor is required to provide
 190 a defined 4-year employment position in the state. For each year
 191 that the scholar is enrolled full-time as a graduate student,
 192 the scholarship shall cover tuition, fees, and books for the
 193 degree program; health insurance with an option for the scholar
 194 to purchase additional coverage to buy a family plan for
 195 dependents; and room and board based on the university dormitory
 196 and meal plan rate.

197 (f) A scholar must maintain a minimum grade point average
 198 as determined by the sponsor.

199 (g) If a scholar does not take a full load of coursework
 200 during a summer semester, the scholar may be required by the
 201 sponsor to participate in an internship program.

202 (h) Upon graduation a scholar shall begin working for the
 203 sponsor and must remain employed in this state by the sponsor
 204 for a minimum of 4 years as stipulated in the contract.

205 (i) If a scholar fails to maintain the required grade
 206 point average or the graduate terminates his or her employment
 207 before completing the 4-year obligation, a prorated portion of
 208 the scholarship shall convert to a scholarship loan administered
 209 by the Office of Student Financial Assistance in the Department
 210 of Education on behalf of the foundation, pursuant to subsection
 211 (8).

212 (j) The contract signed by the sponsor and the scholar
 213 shall clearly state the terms of the scholarship, the sponsor's
 214 expectations for the scholar's performance, employment
 215 requirements, and potential legal remedies if the terms and
 216 conditions of the contract are not met. The contract shall
 217 provide for the conversion of the scholarship to a scholarship
 218 loan under subsection (8) if the scholar is unable to complete
 219 all of the obligations of the contract and shall also provide
 220 for the matching of a scholar to an alternate sponsor if the
 221 original sponsor is unable to complete all of the obligations of
 222 the contract. The terms of such contract shall include as a
 223 condition of the scholar accepting a match with a particular
 224 sponsor provisions for noncompetition, nonsolicitation, and

225 nondisclosure, as required by the sponsor, for up to 4 years
 226 following the scholar's completion of the graduate degree
 227 requirements.

228 (6) (a) A sponsor shall make a monetary contribution to the
 229 program of at least 50 percent of the total scholarship funds
 230 necessary for completion of an eligible degree program pursuant
 231 to this section from which it wishes to draw students, plus an
 232 additional 3 percent per year for the Sure Future Foundation to
 233 cover administrative costs of the Sure Futures Graduate
 234 Scholarship Program. Contributions shall be made in one lump-sum
 235 payment to the foundation by a date specified and in accordance
 236 with guidelines specified by the foundation. Beginning July 1,
 237 2009, and continuing thereafter, such funds are eligible to be
 238 matched by the state on a dollar for dollar basis to the extent
 239 funds are appropriated by the Legislature for this purpose. A
 240 sponsor may contribute to one or more scholarships and must
 241 offer employment in Florida for each scholar to which the
 242 sponsor is matched for the 4-year contracted employment period.

243 (b) A sponsor may establish terms of sponsorship,
 244 including, but not limited to, the degree sought, minimum grade
 245 point average, and requirements regarding extracurricular
 246 activities.

247 (c) A sponsor may select the state universities at which
 248 scholars may enroll or it may allow its scholarships to be
 249 available for study at any state university.

250 (d) If a sponsor terminates a scholarship employee without
 251 cause before the employee completes the 4-year obligation, the
 252 employee is not required to repay any portion of the scholarship

253 and may be matched with another sponsor to complete the
 254 remaining 4-year contracted employment period. The sponsor will
 255 not be reimbursed in any amount paid to the foundation as a
 256 sponsor made on behalf of the scholar.

257 (e) If a sponsor terminates a scholarship employee with
 258 cause before the employee completes the 4-year obligation, the
 259 employee is required to repay a prorated portion of the
 260 scholarship in the form of a scholarship loan under subsection
 261 (8).

262 (7) (a) On behalf of the foundation, the Office of Student
 263 Financial Assistance in the Department of Education shall
 264 establish a central database of sponsors, the graduate degree
 265 programs for which the sponsors are seeking scholars, and
 266 student applicants and their profiles. For purposes of this
 267 section, the foundation, in consultation with the office, shall
 268 establish a standard application for use by all state
 269 universities.

270 (b) On an annual basis, the Department of Education shall
 271 establish the amount necessary to cover the costs for degree
 272 programs for which the sponsor may make contributions pursuant
 273 to this section. State universities shall provide information
 274 to comply with the provisions of this paragraph in the manner
 275 and timeframe described by the department.

276 (8) (a) On behalf of the foundation, the Office of Student
 277 Financial Assistance in the Department of Education through the
 278 Florida Student Scholarship Grant Programs has the authority to
 279 administer the scholarship loans pursuant to this section.

280 (b) The State Board of Education shall adopt by rule

281 scholarship loan terms, repayment schedules, collection,
 282 settlement, and charging off of delinquent unpaid and uncanceled
 283 scholarship loan notes. A scholarship loan must be repaid within
 284 10 years.

285 (c) The rate of interest and other charges shall be set by
 286 the Department of Education.

287 1. Credit for repayment of a scholarship loan shall be in
 288 an amount not to exceed 25 percent in loan principal plus
 289 applicable accrued interest for each full year of employment
 290 service.

291 2. A scholarship loan recipient is responsible for
 292 repaying the scholarship loan plus accrued interest at the rate
 293 of interest established pursuant to this section.

294 3. Scholarship loan recipients may receive loan repayment
 295 credit when matched with another sponsor at any time during the
 296 scheduled repayment period. The scholar shall receive credit
 297 only for the remaining employment service provided for in the
 298 terms of the initial employment contract. Further, such
 299 repayment credit shall be applicable only to the current
 300 principal and accrued interest balance that remains at the time
 301 the repayment credit is earned. No scholarship loan recipient
 302 shall be reimbursed for previous cash payments of principal and
 303 interest.

304 (9) Prepared documentation and electronic information
 305 regarding the program shall be made available through the
 306 appropriate office at each state university. As deemed
 307 appropriate by its administration, a state university may
 308 provide additional information or activities, such as providing

309 one-on-one discussions with advisors, conducting seminars on the
310 program, or working with companies in its service area to create
311 scholarships through the program.

312 (10) State agencies, local workforce boards, chambers of
313 commerce, and Enterprise Florida, Inc., are strongly encouraged
314 to promote sponsor and scholar participation in the program.

315 (11) The State Board of Education shall adopt rules
316 pursuant to ss. 120.536(1) and 120.54 necessary to administer
317 this section, including rules establishing application forms.

318 (12) To the extent the funds contributed by the sponsor
319 and any matching funds provided by the state are not sufficient
320 to pay for the costs identified in (5)(e), the state university
321 that enrolls the Sure Futures scholar may provide the difference
322 in cost through grants or waivers.

323 Section 3. There is appropriated in the form of a
324 noninterest loan from nonrecurring general revenue a sum not to
325 exceed \$300,000 to the Sure Futures Foundation to pay for costs
326 associated with establishing and administering the foundation
327 and the Sure Futures Graduate Scholarship Program. Such
328 appropriation shall be repaid by the foundation on or before
329 December 31, 2010.

330 Section 4. This act shall take effect July 1, 2008.