

By Senator Ring

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

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30 must enroll in order to receive sponsorship; relieving
31 an employee for his or her obligations under a
32 contract of sponsorship under certain conditions;
33 requiring that the Office of Student Financial
34 Assistance of the Department of Education establish a
35 database containing certain information; requiring
36 that the foundation establish a standard application
37 form; requiring that the Department of Education
38 annually establish the amount necessary to cover
39 certain costs; requiring that state universities make
40 available certain information regarding the program;
41 requiring that certain entities promote participation
42 in the program; requiring that the Department of
43 Education adopt rules; providing an appropriation;
44 providing an effective date.

45
46 Be It Enacted by the Legislature of the State of Florida:

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48 Section 1. Section 1009.893, Florida Statutes, is created
49 to read:

50 1009.893 Sure Futures Postgraduate Scholarship Program.—The
51 Sure Futures Postgraduate Scholarship Program is created for the
52 purpose of establishing a scholarship program to match private-
53 sector businesses that need employees having advanced degrees
54 with students seeking advanced degrees and employment. The goals
55 of the program are to provide for a more highly educated
56 workforce by offering students greater academic and financial
57 access to the pursuit of advanced degrees in areas of critical
58 need and to recruit and retain the state's best and brightest

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59 graduate students by offering them comprehensive financial
60 assistance for educational pursuits and potential employment
61 with the private-sector businesses that have indicated their
62 willingness to enter into partnerships in the program.

63 Section 2. Section 1009.894, Florida Statutes, is created
64 to read:

65 1009.894 The Sure Futures Foundation.-

66 (1) The Legislature finds that there exists in Florida a
67 labor shortage of employees who have received postgraduate
68 degrees in areas identified by the Board of Governors in its 10-
69 year strategic plan. The Legislature further finds that there is
70 a critical need for the state to ensure that this state's
71 students have increased access to postgraduate education
72 opportunities in the state; that businesses relocate or remain
73 active in this state, thus contributing to the economic success
74 and viability of this state; and that a qualified and highly
75 educated workforce is available and willing to seek employment
76 with such businesses. Further, public universities in this state
77 can play a vital role in ensuring that students are given
78 incentives to remain in the state education system and seek
79 postgraduate degrees by offering financial incentives and
80 diversity in education programs that contribute to filling the
81 critical needs of private businesses in Florida. The Legislature
82 recognizes that the United States Armed Forces have been
83 extremely successful for many decades in recruiting and
84 retaining exceptional students through scholarships in the
85 reserve officer training corps (ROTC) programs resulting in the
86 requirement of a minimum 4-year service commitment from program
87 graduates who are trained in and assigned to critical career

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88 fields. Lastly, the Legislature desires to establish a
89 workforce-development program in this state which is similar to
90 the proven Armed Forces ROTC programs in an effort to promote,
91 recruit, and retain a qualified workforce to meet the demands of
92 this state and its businesses.

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

94 (a) "Sure Futures scholar" or "scholar" means a student
95 admitted into at least one postgraduate program within the 16
96 identified areas of critical need identified by the Board of
97 Governors in its most recent 10-year strategic plan.

98 (b) "Sure Futures sponsor" or "sponsor" means a
99 corporation, partnership, limited liability company, sole
100 proprietor, or other business entity participating in the Sure
101 Futures Postgraduate Scholarship Program through scholarship
102 endowment contributions and commitments to offering employment
103 and entering into employment contracts with Sure Futures
104 scholars.

105 (3) The "Sure Futures Foundation," hereinafter referred to
106 as "foundation," is established and shall seek designation under
107 s. 501(c)(3) of the Internal Revenue Code. The foundation shall
108 be governed by the Sure Futures Foundation Board, which shall
109 administer the Sure Futures Postgraduate Scholarship Program
110 with guidance from the Board of Governors and the State Board of
111 Education. Duties of the foundation board include, but are not
112 limited to:

113 (a) Adoption of policies and procedures for implementing
114 the program, including approving sponsors and the scholarship
115 criteria of such sponsors.

116 (b) Establishment of a process for approving printed and

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117 electronic materials, marketing, and advertising.

118 (c) Establishment of a process and procedure for matching
119 sponsors with scholars at the inception of the scholar's
120 postgraduate program.

121 (d) Establishment and maintenance, when applicable, of the
122 foundation's student loans.

123 (4) The board of the foundation shall be comprised of:

124 (a) The Commissioner of Education, as an ex officio member.

125 (b) The chair of the Board of Governors, as an ex officio
126 member.

127 (c) Four state university presidents selected by the State
128 University Presidents' Association, who shall be appointed to 2-
129 year terms.

130 (d) Four sponsors participating in the program, recommended
131 by the Commissioner of Education and selected by the Governor,
132 who shall be appointed to 2-year terms.

133 (e) One graduate student recommended by the Commissioner of
134 Education and selected by the Governor, who shall be appointed
135 to a 1-year term.

136

137 The Commissioner of Education, the chair of the Board of
138 Governors, the university presidents, or any of the sponsors may
139 designate a specific individual to represent him or her at
140 foundation board meetings. The foundation board members shall
141 serve without compensation, but are entitled to reimbursement
142 for travel and per diem expenses incurred in the performance of
143 their duties in accordance with s. 112.061. The Institute of
144 Science and Public Affairs at Florida State University, as
145 created in s. 1004.58 and operating as Florida State University,

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146 shall provide operational management and administrative and
147 support staff to the foundation.

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

152 1. A student in his or her senior year who is an
153 undergraduate student at a state university or a private college
154 or university in the state.

155 2. A student in his or her senior year who is an
156 undergraduate student at an out-of-state college or university
157 but who would otherwise qualify as a resident for purposes of
158 in-state tuition if otherwise attending a state university.

159 3. A graduate of a state university or a private college or
160 university in the state who, within 12 months following
161 graduation, intends to pursue a graduate degree program at a
162 state university.

163 (b) A student shall apply, using a standard application
164 form, to the Sure Futures Foundation for designated Sure-
165 Futures-degreed programs at each state university to which the
166 student has been admitted into a postgraduate program. A
167 predetermined limit shall be established by the foundation board
168 for the maximum number of applications a student may submit in a
169 given scholarship cycle.

170 (c) After the initial candidate screening and interview
171 phase, a student selected to be offered a Sure Futures
172 Postgraduate Scholarship shall be matched by the Sure Futures
173 Foundation with a sponsor. The student and the sponsor shall
174 sign a contract whereby the student agrees to borrow scholarship

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175 funds through the program, with a waiver-of-payment provision if
176 a 4-year employment obligation is completed, and the sponsor
177 agrees to provide a defined 4-year employment position in the
178 state. For each year that the student is enrolled full time as a
179 graduate student, the scholarship shall cover tuition, fees, and
180 books for the degree program; health insurance with an option
181 for the scholar to purchase additional coverage through a family
182 plan for dependents; and room and board based on the university
183 dormitory and meal-plan rate.

184 (d) A student must maintain a minimum grade point average
185 as determined by the sponsor.

186 (e) If a student is unable to take a full load of
187 coursework during a summer semester, the student may be required
188 by the sponsor to participate in an internship program.

189 (f) Upon graduation with an advanced degree, a graduate
190 shall begin working for the sponsor and must remain employed in
191 this state by the sponsor for a minimum of 4 years as stipulated
192 in the contract.

193 (g) If a student fails to maintain the required grade point
194 average or the graduate terminates his or her employment before
195 completing the 4-year obligation, a prorated portion of the
196 scholarship shall convert to a low-interest loan administered by
197 the Sure Futures Foundation.

198 (h) The contract signed by the sponsor and the student must
199 clearly state the terms of the loan, the company's expectations
200 for the scholar's performance, employment requirements, and
201 potential legal remedies if the terms and conditions of the
202 contract are not met. The terms of such contract must include as
203 a condition of the scholar accepting a match with a particular

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204 sponsor noncompetition, nonsolicitation, and nondisclosure
205 provisions as required by the sponsor for up to 4 years
206 following the scholar's completion of the postgraduate degree
207 requirements.

208 (6) (a) A sponsor desiring new employees having advanced
209 degrees shall make a monetary contribution to the program in
210 amounts equal to 50 percent of the total scholarship funds
211 necessary for completing an eligible degree program pursuant to
212 this section from which it wishes to draw students, plus an
213 additional 3 percent per year for the degree program for the
214 Sure Future Foundation to cover administrative costs of the Sure
215 Futures Postgraduate Scholarship Program. Contributions shall be
216 made in one lump-sum payment before the student begins
217 postgraduate coursework. Such funds shall be matched by the
218 state under its matching program as provided in s. 1011.94(2)
219 and (3) (b)5. A sponsor may contribute one or more scholarships,
220 but must offer employment in Florida for each scholar to which
221 the sponsor is matched for the 4-year contracted employment
222 period.

223 (b) A sponsor may establish terms of sponsorship,
224 including, but not limited to, the degree sought, minimum grade
225 point average, and requirements regarding extracurricular
226 activities.

227 (c) A sponsor may select the state universities at which
228 students may enroll or it may allow its scholarships to be
229 available for study at any state university.

230 (d) If a sponsor terminates a scholarship employee for
231 reasons other than malfeasance, misfeasance, or nonfeasance
232 before the employee completes the 4-year obligation, the

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233 employee is not required to repay the scholarship. A sponsor is
234 encouraged to establish protocols to retain an employee before
235 his or her termination.

236 (7) (a) On behalf of the foundation, the Office of Student
237 Financial Assistance of the Department of Education shall
238 establish a central database of sponsors, the graduate degree
239 programs for which the sponsors are seeking candidates, and
240 student applicants and their profiles. For purposes of this
241 section, the foundation, in consultation with the office, shall
242 establish a standard application for use by all state
243 universities.

244 (b) On an annual basis, the Department of Education shall
245 establish the amount necessary to cover the costs for degree
246 programs for which sponsors may make contributions pursuant to
247 this section.

248 (8) Prepared documentation and electronic information
249 regarding the program shall be made available through the
250 appropriate office at each state university. As deemed
251 appropriate by its administration, a state university may
252 provide additional information or activities, such as providing
253 one-on-one discussions with advisors, conducting seminars on the
254 program, or working with companies in its service area to create
255 scholarships through the program.

256 (9) State agencies, local workforce boards, chambers of
257 commerce, and Enterprise Florida, Inc., are strongly encouraged
258 to promote participation in the program by sponsors and
259 students.

260 (10) The Department of Education shall adopt rules to
261 administer this section, including rules establishing

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262 application forms.

263 Section 3. There is appropriated in the form of a non-
264 interest loan from nonrecurring general revenue a sum not to
265 exceed \$300,000 to the Sure Futures Foundation to pay for costs
266 associated with establishing and administering the foundation
267 and the Sure Futures Postgraduate Scholarship Program. Such
268 appropriation shall be repaid by the foundation on or before
269 December 31, 2011.

270 Section 4. This act shall take effect July 1, 2009.