

By the Committee on Education and Senator Horne

304-1856-98

1 A bill to be entitled
2 An act relating to job training; creating s.
3 446.609, F.S.; creating a school-to-work
4 program entitled "Jobs for Florida's
5 Graduates"; providing definitions and intent;
6 providing requirements for school and student
7 participation; creating an endowment fund and
8 providing for appropriations and gifts;
9 providing for the investment and deposit of
10 funds in an operating account; creating an
11 endowment foundation as a direct-support
12 organization; providing duties of the
13 foundation and a foundation board of directors;
14 providing for use of funds and startup funding;
15 requiring an annual audit and report; providing
16 for rules; requiring legislative review of the
17 program; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Section 446.609, Florida Statutes, is
22 created to read:

23 446.609 Jobs for Florida's Graduates.--

24 (1) SHORT TITLE.--This section may be cited as the
25 "Jobs for Florida's Graduates Act."

26 (2) DEFINITIONS.--For the purposes of this section:

27 (a) "Board" means the board of directors of the
28 Florida Endowment Foundation for Florida's Graduates.

29 (b) "Department" means the Department of Education.

30 (c) "Endowment fund" means an account established
31 within the Florida Endowment Foundation for Florida's

1 Graduates to provide a continuing and growing source of
2 revenue for school-to-work transition efforts.

3 (d) "Foundation" means the Florida Endowment
4 Foundation for Florida's Graduates.

5 (e) "Operating account" means an account established
6 under paragraph (8)(h) to carry out the purposes of this
7 section.

8 (3) LEGISLATIVE INTENT.--The Legislature recognizes
9 that it is in the best interest of the citizens of this state
10 that the state have a well-educated and skilled workforce to
11 be competitive in a changing economy. It is the intent of the
12 Legislature to meet the challenge of ensuring a skilled
13 workforce by creating a formal program to facilitate the
14 important school-to-work transition and to provide additional
15 funding to achieve this goal. Accordingly, the Legislature
16 finds and declares that:

17 (a) The purpose of this section is to broaden the
18 participation and funding potential for further significant
19 support for Florida students who are approaching the
20 transition from school to work.

21 (b) It is appropriate to encourage individual and
22 corporate support and involvement, as well as state support
23 and involvement, to promote employment opportunities for
24 Florida's students.

25 (4) PROGRAM.--There is created a school-to-work
26 program to be known as Jobs for Florida's Graduates which will
27 be associated with the Jobs for America's Graduates Program.

28 (a) During the first year of operation, the Jobs for
29 Florida's Graduates Program shall be operated in not less than
30 25 nor more than 50 high schools in the state to be chosen by
31 the board. The goal shall be to have a minimum of 300 high

1 schools participating in the program by the end of the
2 2000-2001 school year.

3 (b) The schools chosen to participate in the program
4 must represent a demographically balanced sample population
5 and include both rural and urban schools.

6 (c) Students shall be selected for participation in
7 the program based upon their being classified as 12th grade
8 at-risk students.

9 (5) REVENUE FOR THE ENDOWMENT FUND.--

10 (a) An endowment fund is created as a long-term,
11 stable, growing source of revenue to be administered by the
12 foundation in accordance with rules promulgated by the
13 department.

14 (b) The principal of the endowment fund shall consist
15 of legislative appropriations that are made to the endowment
16 fund and bequests, gifts, grants, and donations as may be
17 solicited from public or private sources by the foundation.

18 (c) The State Board of Administration shall invest and
19 reinvest moneys of the endowment fund principal in accordance
20 with the provisions of ss. 215.44-215.53. Interest and
21 investment income earned on the endowment fund principal shall
22 be annually transmitted to the foundation, based upon a fiscal
23 year which runs from July 1 through June 30, and shall be
24 deposited in the foundation's operating account for
25 distribution as provided in this section.

26 (6) THE FLORIDA ENDOWMENT FOUNDATION FOR FLORIDA'S
27 GRADUATES.--

28 (a) The Florida Endowment Foundation for Florida's
29 Graduates is created as a direct-support organization of the
30 Department of Education to encourage public and private
31 support to enhance school-to-work transition. As a

1 direct-support organization, the foundation shall operate
2 under contract with the department and shall be:

3 1. A Florida corporation not for profit which is
4 incorporated under the provisions of chapter 617 and approved
5 by the Department of State.

6 2. Organized and operated exclusively to do the
7 following: raise funds; submit requests and receive grants
8 from the Federal Government, the state, private foundations,
9 and individuals; receive, hold, and administer property; and
10 make expenditures to or for the benefit of school-to-work
11 transition programs approved by the board of directors of the
12 foundation.

13 (b) As a direct-support organization, the foundation
14 shall:

15 1. Develop articles of incorporation.

16 2. Create a board of directors appointed by the
17 Commissioner of Education.

18 3. Perform an annual financial and performance review
19 to determine if the foundation is operating in a manner
20 consistent with the goals of the Legislature in providing
21 assistance for school-to-work transitions.

22 4. Provide a mechanism for the reversion to the state
23 of moneys in the foundation and in any other funds and
24 accounts held in trust by the foundation if the foundation is
25 dissolved.

26 (7) BOARD OF DIRECTORS.--The foundation shall be
27 administered by a board of directors, as follows:

28 (a) The board shall consist of nine members who have
29 an interest in the school-to-work transition and who:
30
31

1 1. Have skills in foundation work or other fundraising
2 activities, financial consulting, or investment banking or
3 other related experience; or

4 2. Have experience in policymaking or management-level
5 positions or have otherwise distinguished themselves in the
6 field of business or industry.

7 (b) The board members shall be appointed by the
8 Commissioner of Education.

9 (c) Board members shall serve for 3-year terms or
10 until resignation or removal for cause, except that members
11 appointed to serve initial terms shall be appointed for
12 staggered terms of 1, 2, and 3 years, respectively.

13 (d) In the event of a vacancy on the board caused by
14 an occurrence other than the expiration of a term, a new
15 member shall be appointed.

16 (e) Each member is accountable to the Commissioner of
17 Education for the proper performance of the duties of office.
18 The commissioner may remove any member from office for
19 malfeasance, misfeasance, neglect of duty, incompetence, or
20 permanent inability to perform official duties or for pleading
21 nolo contendere to, or being found guilty of, a crime.

22 (8) ORGANIZATION, POWERS, AND DUTIES.--Within the
23 limits prescribed in this section or by rule of the
24 department:

25 (a) Upon appointment, the board shall meet and
26 organize. Thereafter, the board shall hold such meetings as
27 are necessary to implement the provisions of this section and
28 shall conduct its business in accordance with rules
29 promulgated by the department.

30 (b) The board may solicit and receive bequests, gifts,
31 grants, donations, goods, and services. When gifts are

1 restricted as to purpose, they may be used only for the
2 purpose or purposes stated by the donor.

3 (c) The board may enter into contracts with the
4 Federal Government, state or local agencies, private entities,
5 or individuals to carry out the purposes of this section.

6 (d) The board may identify, initiate, and fund new
7 creative programs to carry out the purposes of this section.

8 (e) The board may make gifts or grants:

9 1. To the state, or any political subdivision thereof,
10 or any public agency of state or local government.

11 2. To a corporation, trust, association, or foundation
12 organized and operated exclusively for charitable,
13 educational, or scientific purposes.

14 3. To the department for purposes of program
15 recognition and marketing, public relations and education,
16 professional development, and technical assistance and
17 workshops for grant applicants and recipients and the business
18 community.

19 (f) The board may advertise and solicit applications
20 for funding and shall evaluate applications and program
21 proposals submitted thereto.

22 (g) The board shall monitor, review, and annually
23 evaluate funded programs to determine whether funding should
24 be continued, terminated, reduced, or increased.

25 (h) The board shall establish an operating account for
26 the deposit of funds to be used in carrying out the purposes
27 of this section.

28 (i) The board may take such additional actions,
29 including hiring of necessary staff, as are deemed necessary
30 and appropriate to administer this section, subject to rules
31 of the department.

1 (9) DISTRIBUTION OF EARNINGS ON ENDOWMENT FUND
2 PRINCIPAL.--The board shall use the moneys in the operating
3 account, by whatever means, to provide for:
4 (a) Planning, research, and policy development for
5 issues related to school-to-work transition and publications
6 and dissemination of such information as may serve the
7 objectives of this section.
8 (b) Promotion of initiatives for school-to-work
9 transition.
10 (c) Funding of programs which engage in, contract for,
11 foster, finance, or aid in job training and counseling for
12 school-to-work transition research, education, or
13 demonstration, or other related activities.
14 (d) Funding of programs which engage in, contract for,
15 foster, finance, or aid in activities designed to advance
16 better public understanding and appreciation of the
17 school-to-work transition.
18 (e) Funding of programs, property, or facilities which
19 aid, strengthen, and extend in any proper and useful manner
20 the objectives, work, services, and physical facilities of the
21 department, in accordance with the purposes of this section.
22 (10) STARTUP FUNDING.--Notwithstanding any provision
23 of this section to the contrary, in order to provide for first
24 year startup funds, \$250,000 of the money allocated during the
25 12-month period beginning July 1, 1998, shall not be available
26 for investment by the State Board of Administration, but shall
27 be transmitted quarterly to the foundation board and shall be
28 available to the foundation for the purposes set forth in this
29 section.
30 (11) ANNUAL AUDIT.--The board shall cause an annual
31 audit of the foundation's financial accounts to be conducted

1 by an independent certified public accountant in accordance
2 with rules adopted by the department. The annual audit report
3 shall be submitted to the Auditor General and the department
4 for review. The Auditor General and the department may
5 require and receive from the foundation, or from its
6 independent auditor, any relevant detail or supplemental data.

7 (12) ANNUAL REPORT.--The board shall issue a report to
8 the Governor, the President of the Senate, the Speaker of the
9 House of Representatives, and the Commissioner of Education by
10 March 1, 1999, and each year thereafter, summarizing the
11 performance of the endowment fund for the previous fiscal year
12 and the foundation's fundraising activities and performance
13 and detailing those activities and programs supported by the
14 earnings on the endowment principal or by bequests, gifts,
15 grants, donations, and other valued goods and services
16 received.

17 (13) RULES.--The department shall promulgate rules for
18 the implementation of this section.

19 Section 2. The Legislature shall conduct a review of
20 the Jobs for Florida's Graduates Program after the fifth year
21 of operation with recommendations for continuation, expansion,
22 or termination of the program.

23 Section 3. This act shall take effect July 1, 1998.

24
25 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
26 COMMITTEE SUBSTITUTE FOR
27 SB 1736

28 The Committee Substitute differs from SB 1736 in that
29 \$250,000, rather than 50 percent, of the money allocated for
30 the program during the 12-month period beginning on July 1,
31 1998 will be reserved for startup funding.