

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 requiring that sponsors and students participating in the
13 program enter into a contract and specifying certain
14 terms; providing benefits and requirements for students
15 selected to participate in the program; requiring that a
16 participating student who graduates with an advanced
17 degree remain employed by his or her sponsor in this state
18 for a specified period; providing that a prorated portion
19 of the scholarship shall convert to a scholarship loan if
20 certain obligations are not met; requiring that a sponsor
21 make specified monetary contributions for scholarships and
22 administrative costs of the program; providing for state
23 matching of funds; authorizing sponsors to establish terms
24 of sponsorship and specify universities at which a student
25 may enroll to receive sponsorship; providing requirements
26 if a sponsor terminates a scholarship employee; requiring
27 that the Department of Education annually establish the
28 amount necessary to cover certain costs; assigning

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

39

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

41

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

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

57 partnerships in the program.

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 this
62 state can play a vital role in ensuring that 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 that 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 foundation board 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 of Representatives, who
 129 shall serve a 2-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 2-year term as an ex-
 132 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 who 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 s. 1009.21 and who intends to pursue a
158 graduate 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 s. 1009.21 and who
161 intends to pursue a graduate degree program at a state
162 university.

163 4. Notwithstanding the provisions of this paragraph, a
164 scholar shall not be an existing employee of the sponsor with
165 whom he or she is matched.

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

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, including the degree and program and the university
173 or universities of interest. The foundation shall notify the
174 employer of the graduate programs, the state university or
175 universities at which the programs are offered, and the total
176 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
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 foundation to cover
233 administrative costs of the Sure Futures Graduate Scholarship
234 Program. Contributions shall be made in one lump-sum payment to
235 the foundation by a date specified in, and in accordance with,
236 guidelines prescribed by the foundation. Beginning July 1, 2009,
237 and continuing thereafter, such funds are eligible to be matched
238 by the state on a dollar-for-dollar basis to the extent funds
239 are appropriated by the Legislature for this purpose. A sponsor
240 may contribute to one or more scholarships and must offer
241 employment in Florida for each scholar to which the sponsor is
242 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 shall
255 not be reimbursed for any amount paid to the foundation as a
256 sponsor that is 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 a sponsor may make contributions pursuant to
273 this section. State universities shall provide information in
274 the manner and timeframe described by the department to enable
275 the department to comply with the provisions of this paragraph.

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, and procedures for
282 collection, settlement, and charging off of delinquent unpaid
283 and uncanceled scholarship loan notes. A scholarship loan must
284 be repaid within 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 a sponsor and
319 any matching funds provided by the state are not sufficient to
320 pay for the costs identified in paragraph (5)(e), the state
321 university that enrolls the 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.