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CHAMBER ACTION

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|---------------|---|--------------|
| <u>Senate</u> | . | <u>House</u> |
| Comm: RCS     | . |              |
| 3/26/2008     | . |              |
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|               | . |              |

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1 The Committee on Higher Education (Ring) recommended the  
 2 following **amendment**:

**Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause  
6 and insert:

7 Section 1. Section 1009.893, Florida Statutes, is created  
8 to read:

9 1009.893 Sure Futures Postgraduate Scholarship  
 10 Program.--The "Sure Futures Postgraduate Scholarship Program" or  
 11 "Sure Futures Degreed Program" is created for the purpose of  
 12 establishing a scholarship program to match private-sector  
 13 businesses that need employees having advanced degrees with  
 14 students seeking advanced degrees and employment. The goals of  
 15 the program are to provide for a more highly educated workforce  
 16 by offering students greater academic and financial access to the  
 17 pursuit of advanced degrees in areas of critical need and to

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18 recruit and retain Florida's best and brightest graduate students  
19 by offering them comprehensive financial assistance for education  
20 pursuits and potential employment with the private-sector  
21 businesses that have indicated their willingness to enter into  
22 partnerships in the program.

23 Section 2. Section 1009.894, Florida Statutes, is created  
24 to read:

25 1009.894 The Sure Futures Foundation.--

26 (1) The Legislature finds that there exists in Florida a  
27 labor shortage of employees who have received postgraduate  
28 degrees in areas identified by the Board of Governors in its 10-  
29 year strategic plan. The Legislature further finds that there is  
30 a critical need for the state to ensure that this state's  
31 students have increased access to postgraduate education  
32 opportunities in the state, that businesses relocate or remain  
33 active in this state, thus contributing to the economic success  
34 and viability of this state, and that a qualified and highly  
35 educated workforce is available and willing to seek employment  
36 with such businesses. Further, both private and public  
37 universities in this state can play a vital role in ensuring that  
38 students are given incentives to remain in the Florida education  
39 system and seek postgraduate degrees by offering financial  
40 incentives and diversity in education programs that contribute to  
41 filling the critical needs of private businesses in Florida. The  
42 Legislature recognizes that the United States Armed Forces have  
43 been extremely successful for many decades in recruiting and  
44 retaining exceptional students through scholarships in the  
45 reserve officer training corps (ROTC) programs resulting in the  
46 requirement of a minimum 4-year service commitment from program  
47 graduates who are trained in and assigned to critical career



48 fields. Lastly, the Legislature desires to model a workforce-  
49 development program in this state which is similar to the proven  
50 armed forces ROTC programs in an effort to promote, recruit, and  
51 retain a qualified workforce to meet the demands of this state  
52 and its businesses.

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

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

58 (b) "Sure Futures sponsor" or "sponsor" means a  
59 corporation, partnership, limited liability company, sole  
60 proprietor, or other business entity participating in the Sure  
61 Futures Postgraduate Scholarship Program through scholarship  
62 endowment contributions and commitments to offering employment  
63 and entering into employment contracts with Sure Futures  
64 scholars.

65 (3) The "Sure Futures Foundation," hereinafter referred to  
66 as "foundation," is established and shall seek designation under  
67 s. 501(c)(3) of the Internal Revenue Code. The foundation shall  
68 be governed by the Sure Futures Foundation Board, which shall  
69 administer the Sure Futures Postgraduate Scholarship Program with  
70 guidance from the Board of Governors and the State Board of  
71 Education. Duties of the foundation board shall include, but not  
72 be limited to:

73 (a) Adoption of policies and procedures for implementation  
74 of the program, including approval of sponsors and the  
75 scholarship criteria of such sponsors.

76 (b) Establishment of a process for approval of printed and  
77 electronic materials, marketing, and advertising.

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78 (c) Establishment of a process and procedure for matching  
79 sponsors with scholars at the inception of the scholar's  
80 postgraduate curriculum.

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

83 (4) The board of the foundation shall be comprised of the  
84 following members:

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

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

88 (c) Four state university presidents selected by the State  
89 University Presidents' Association, who shall serve 2-year terms.

90 (d) Four sponsors participating in the program, recommended  
91 by the Commissioner of Education and selected by the Governor,  
92 who shall serve 2-year terms.

93 (e) One graduate student recommended by the Commissioner of  
94 Education and selected by the Governor, who shall serve a 1-year  
95 term.

96  
97 The Commissioner of Education, the chair of the Board of  
98 Governors, the university presidents, or any of the sponsors may  
99 designate a specific individual to represent him or her at  
100 foundation board meetings. The foundation board members shall  
101 serve without compensation, but are entitled to receive  
102 reimbursement for travel and per diem expenses incurred in the  
103 performance of their duties in accordance with s. 112.061. The  
104 Florida State University shall provide operational management and  
105 administrative support to the foundation.

106 (5) (a) The following students are eligible as candidates  
107 for a Sure Futures Postgraduate Scholarship and thereby eligible



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108 to obtain a list of sponsors and the graduate degree programs for  
109 which such sponsors are seeking candidates:

110 1. A student in his or her senior year who is an  
111 undergraduate student at a state university or a private college  
112 or university in the state.

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

117 3. A graduate of a state university or a private college or  
118 university in the state who, within 12 months of graduation,  
119 intends to pursue a graduate degree program at a state  
120 university.

121 (b) A student shall apply, using a standard application  
122 form, through the program to the Sure Futures Foundation for  
123 designated Sure-Futures-degreed programs at each state university  
124 to which the student has been admitted into a postgraduate  
125 program. A predetermined limit shall be established by the  
126 foundation board for the maximum number of applications a student  
127 may submit in a given scholarship cycle.

128 (c) After the initial candidate screening and interview  
129 phase, a student selected to be offered a Sure Futures  
130 Postgraduate Scholarship shall be matched by the Sure Futures  
131 Foundation with a sponsor. The student and the sponsor shall sign  
132 a contract whereby the student agrees to borrow scholarship funds  
133 through the program, with a waiver-of-payment provision if a 4-  
134 year employment obligation is completed, and the sponsor is  
135 required to provide a defined 4-year employment position in the  
136 state. For each year that the student is enrolled full-time as a  
137 graduate student, the scholarship shall cover tuition, fees, and



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138 books for the degree program; health insurance with an option for  
139 the scholar to purchase additional coverage to buy a family plan  
140 for dependents; and room and board based on the university  
141 dormitory and meal plan rate.

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

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

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

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

156 (h) The contract signed by the sponsor and the student  
157 shall clearly state the terms of the loan the company's  
158 expectations for the scholar's performance, employment  
159 requirements, and potential legal remedies if the terms and  
160 conditions of the contract are not met. The terms of such  
161 contract shall include as a condition of the scholar accepting a  
162 match with a particular sponsor noncompetition, nonsolicitation,  
163 and nondisclosure provisions as required by the sponsor for up to  
164 4 years following the scholar's completion of the postgraduate  
165 degree requirements.

166 (6) (a) A sponsor desiring new employees having advanced  
167 degrees shall make a monetary contribution to the program in



168 amounts equal to 50 percent of the total scholarship funds  
169 necessary for completion of an eligible degree program pursuant  
170 to this section from which it wishes to draw students, plus an  
171 additional 3 percent per year for the degree program for the Sure  
172 Future Foundation to cover administrative costs of the Sure  
173 Futures Postgraduate Scholarship Program. Contributions shall be  
174 made in one lump-sum payment before the student begins  
175 postgraduate coursework. Such funds shall be matched by the state  
176 under its matching program as provided in s. 1011.94(2) and  
177 (3)(b)5. A sponsor may contribute one or more scholarships, but  
178 must offer employment in Florida for each scholar to which the  
179 sponsor is matched for the 4-year contracted employment period.

180 (b) A sponsor may establish terms of sponsorship,  
181 including, but not limited to, the degree sought, minimum grade  
182 point average, and requirements regarding extracurricular  
183 activities.

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

187 (d) If a sponsor terminates a scholarship employee for  
188 reasons other than malfeasance, misfeasance, or nonfeasance  
189 before the employee completes the 4-year obligation, the employee  
190 is not required to repay the scholarship. A sponsor is encouraged  
191 to establish protocols to retain an employee before his or her  
192 termination.

193 (7) (a) On behalf of the foundation, the Office of Student  
194 Financial Assistance of the Department of Education shall  
195 establish a central database of sponsors, the graduate degree  
196 programs for which the sponsors are seeking candidates, and  
197 student applicants and their profiles. For purposes of this



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198 section, the foundation, in consultation with the office, shall  
199 establish a standard application for use by all state  
200 universities.

201 (b) On an annual basis, the Department of Education shall  
202 establish the amount necessary to cover the costs for degree  
203 programs for which sponsors may make contributions and receive  
204 tax credits pursuant to this section.

205 (8) Prepared documentation and electronic information  
206 regarding the program shall be made available through the  
207 appropriate office at each state university. As deemed  
208 appropriate by its administration, a state university may provide  
209 additional information or activities, such as providing one-on-  
210 one discussions with advisors, conducting seminars on the  
211 program, or working with companies in its service area to create  
212 scholarships through the program.

213 (9) State agencies, local workforce boards, chambers of  
214 commerce, and Enterprise Florida, Inc., shall promote sponsor and  
215 student participation in the program.

216 (10) The Department of Education shall adopt rules  
217 necessary to administer this section, including rules  
218 establishing application forms.

219 Section 3. There is appropriated in the form of a non-  
220 interest loan from nonrecurring general revenue a sum not to  
221 exceed \$300,000 to the Sure Futures Foundation to pay for costs  
222 associated with establishing and administering the foundation and  
223 the Sure Futures Postgraduate Scholarship Program. Such  
224 appropriation shall be repaid by the foundation on or before  
225 December 31, 2010.

226 Section 4. This act shall take effect July 1, 2008.  
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228 ===== T I T L E A M E N D M E N T =====

229 And the title is amended as follows:

230 Delete everything before the enacting clause  
231 and insert:

232 A bill to be entitled

233 An act relating to student financial assistance; creating  
234 s. 1009.893, F.S.; creating the Sure Futures Postgraduate  
235 Scholarship Program; providing purposes and goals for the  
236 program; creating s. 1009.894, F.S.; providing legislative  
237 findings; providing definitions; establishing the Sure  
238 Futures Foundation and a foundation board to administer  
239 the program; providing for membership of the board;  
240 providing duties of the board; providing eligibility  
241 criteria for participation in the program by students and  
242 sponsors; providing procedures for application to the  
243 program; providing procedures for the selection of  
244 participants; providing benefits provided to students  
245 selected to participate in the program; providing  
246 requirements for such students; requiring that a  
247 participating student who graduates with an advanced  
248 degree remain employed by his or her sponsor in this state  
249 for a specified period; providing that a prorated portion  
250 of the scholarship shall convert to a low-interest loan  
251 under certain conditions; requiring that sponsors and  
252 students participating in the program enter into a  
253 contract; requiring that such contract contain certain  
254 terms; requiring that a sponsor make a specified monetary  
255 contribution for scholarships; requiring that a sponsor  
256 make a specified additional contribution per year to cover  
257 administrative costs of the program; authorizing sponsors



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258 | to establish terms of sponsorship and specify specific  
259 | universities at which a student must enroll to receive  
260 | sponsorship; relieving an employee for his or her  
261 | obligations under a contract of sponsorship under certain  
262 | conditions; requiring that the Office of Student Financial  
263 | Assistance of the Department of Education establish a  
264 | database containing certain information; requiring that  
265 | the foundation establish a standard application form;  
266 | requiring that the Department of Education annually  
267 | establish the amount necessary to cover certain costs;  
268 | requiring that state universities make available certain  
269 | information regarding the program; requiring that certain  
270 | entities promote participation in the program; requiring  
271 | that the Department of Education adopt rules; providing an  
272 | appropriation; providing an effective date.