

By the Committee on Higher Education; and Senator Ring

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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 Postgraduate
4 Scholarship Program; providing purposes and goals for the
5 program; creating s. 1009.894, F.S.; providing legislative
6 findings; providing definitions; establishing the Sure
7 Futures Foundation and a foundation board to administer
8 the program; providing for membership of the board;
9 providing duties of the board; providing eligibility
10 criteria for participation in the program by students and
11 sponsors; providing procedures for application to the
12 program; providing procedures for the selection of
13 participants; providing benefits provided to students
14 selected to participate in the program; providing
15 requirements for such students; 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 low-interest loan
20 under certain conditions; requiring that sponsors and
21 students participating in the program enter into a
22 contract; requiring that such contract contain certain
23 terms; requiring that a sponsor make a specified monetary
24 contribution for scholarships; requiring that a sponsor
25 make a specified additional contribution per year to cover
26 administrative costs of the program; authorizing sponsors
27 to establish terms of sponsorship and specify specific
28 universities at which a student must enroll to receive
29 sponsorship; relieving an employee for his or her

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

42
43 Be It Enacted by the Legislature of the State of Florida:

44
45 Section 1. Section 1009.893, Florida Statutes, is created
46 to read:

47 1009.893 Sure Futures Postgraduate Scholarship
48 Program.--The "Sure Futures Postgraduate Scholarship Program" or
49 "Sure Futures Degreed Program" is created for the purpose of
50 establishing a scholarship program to match private-sector
51 businesses that need employees having advanced degrees with
52 students seeking advanced degrees and employment. The goals of
53 the program are to provide for a more highly educated workforce
54 by offering students greater academic and financial access to the
55 pursuit of advanced degrees in areas of critical need and to
56 recruit and retain Florida's best and brightest graduate students
57 by offering them comprehensive financial assistance for education
58 pursuits and potential employment with the private-sector

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59 businesses that have indicated their willingness to enter into
60 partnerships in the program.

61 Section 2. Section 1009.894, Florida Statutes, is created
62 to read:

63 1009.894 The Sure Futures Foundation.--

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

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88 armed forces ROTC programs in an effort to promote, recruit, and
89 retain a qualified workforce to meet the demands of this state
90 and its businesses.

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

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

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

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

111 (a) Adoption of policies and procedures for implementation
112 of the program, including approval of sponsors and the
113 scholarship criteria of such sponsors.

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

116 (c) Establishment of a process and procedure for matching

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117 sponsors with scholars at the inception of the scholar's
118 postgraduate curriculum.

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

121 (4) The board of the foundation shall be comprised of the
122 following members:

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

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

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

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

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

134
135 The Commissioner of Education, the chair of the Board of
136 Governors, the university presidents, or any of the sponsors may
137 designate a specific individual to represent him or her at
138 foundation board meetings. The foundation board members shall
139 serve without compensation, but are entitled to receive
140 reimbursement for travel and per diem expenses incurred in the
141 performance of their duties in accordance with s. 112.061. The
142 Institute of Science and Public Affairs at Florida State
143 University as created in s. 1004.58, and operating as Florida
144 State University, shall provide operational management,
145 administrative, and support staff to the foundation.

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146 (5) (a) The following students are eligible as candidates
147 for a Sure Futures Postgraduate Scholarship and thereby eligible
148 to 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.

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

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

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

168 (c) After the initial candidate screening and interview
169 phase, a student selected to be offered a Sure Futures
170 Postgraduate Scholarship shall be matched by the Sure Futures
171 Foundation with a sponsor. The student and the sponsor shall sign
172 a contract whereby the student agrees to borrow scholarship funds
173 through the program, with a waiver-of-payment provision if a 4-
174 year employment obligation is completed, and the sponsor is

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

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

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

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

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

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

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204 4 years following the scholar's completion of the postgraduate
205 degree requirements.

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

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

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

227 (d) If a sponsor terminates a scholarship employee for
228 reasons other than malfeasance, misfeasance, or nonfeasance
229 before the employee completes the 4-year obligation, the employee
230 is not required to repay the scholarship. A sponsor is encouraged
231 to establish protocols to retain an employee before his or her
232 termination.

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

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

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

253 (9) State agencies, local workforce boards, chambers of
254 commerce, and Enterprise Florida, Inc., are strongly encouraged
255 to promote sponsor and student participation in the program.

256 (10) The Department of Education shall adopt rules
257 necessary to administer this section, including rules
258 establishing application forms.

259 Section 3. There is appropriated in the form of a non-
260 interest loan from nonrecurring general revenue a sum not to
261 exceed \$300,000 to the Sure Futures Foundation to pay for costs

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262 associated with establishing and administering the foundation and
263 the Sure Futures Postgraduate Scholarship Program. Such
264 appropriation shall be repaid by the foundation on or before
265 December 31, 2010.

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