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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/25/2009	.	
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The Committee on Higher Education (Smith) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

1009.893 Sure Futures Scholarship Program.

(1) The Sure Futures Scholarship Program is created for the
purpose of matching private-sector businesses that need



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12 employees in Florida who have advanced degrees with students who
13 are seeking advanced degrees and employment. The goals of the
14 program are to provide for a more highly educated workforce in
15 Florida by offering students financial support to pursue
16 advanced degrees in identified areas of critical need and
17 guaranteed employment in Florida with the private-sector
18 businesses that enter into sponsorships in the program.

19 (2) The Sure Futures Scholarship Program shall be
20 administered by the Board of Governors of the State University
21 System. The Board of Governors may enter into an agreement with
22 a state university or the Department of Education to provide
23 operational and administrative services for the program,
24 including, but not limited to, processing applications,
25 responding to sponsor letters of interest, disseminating
26 information about the program, facilitating student and sponsor
27 matches, managing contributions and state matching dollars, and
28 managing all components of the scholarship loan program.

29 (3) As used in this section, the term:

30 (a) "Eligible graduate program" means a graduate program in
31 an area of critical need identified by the Board of Governors in
32 the board's most recent strategic plan and offered by a state
33 university or private college or university located in this
34 state which is accredited by the Commission on Colleges of the
35 Southern Association of Colleges and Schools or the Accrediting
36 Council for Independent Colleges and Schools. An area of
37 critical need includes, but is not limited to, education, health
38 professions, engineering, life sciences, and economic
39 development sectors yielding high-wage or high-demand jobs.

40 (b) "Sure Futures scholar" or "scholar" means a student who



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41 has been admitted to an eligible graduate program and who has
42 applied for and been selected to participate in the Sure Futures
43 Scholarship Program.

44 (c) "Sure Futures sponsor" or "sponsor" means a
45 corporation, partnership, limited liability company, sole
46 proprietor, or other private-sector business entity that
47 provides financial support and guaranteed employment
48 opportunities in Florida pursuant to the provisions of this
49 section.

50 (4) (a) The Sure Futures Scholarship Advisory Board is
51 established to make recommendations to the Board of Governors
52 regarding the implementation and operation of the program.

53 (b) The advisory board shall be comprised of the following
54 members:

55 1. The Chancellor of the State University System or the
56 chancellor's designee.

57 2. Three representatives from state universities appointed
58 by the chancellor, who shall serve 2-year terms.

59 3. Three representatives from businesses or industries
60 located in Florida appointed by the chancellor, who shall serve
61 2-year terms.

62 4. Two graduate students who are Sure Futures Scholars from
63 a state university appointed by the chancellor, who shall serve
64 1-year terms.

65 5. Three representatives from private universities
66 appointed by the Independent Colleges and Universities of
67 Florida.

68 6. Two graduate students who are Sure Futures Scholars
69 appointed by the Independent Colleges and Universities of



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70 Florida.

71 7. One representative appointed by the Speaker of the
72 Florida House of Representatives.

73 8. One representative appointed by the President of the
74 Florida Senate.

75 (c) The advisory board shall:

76 1. Recommend policies and procedures for implementation and
77 operation of the program, including, but not limited to, an
78 application and matching process for students and employers
79 participating in the program.

80 2. Recommend policies and procedures for receiving,
81 processing, and managing program revenues, including
82 contributions from sponsors, repayments of scholarship loans,
83 and state matching dollars.

84 3. Recommend a process for approval of printed and
85 electronic materials, marketing, and advertising.

86 (5) (a) A student is eligible to apply to the Sure Futures
87 Scholarship Program and receive a list of sponsors and the
88 graduate degree programs for which such sponsors are seeking
89 potential scholars if the student has been admitted as a degree-
90 seeking student in an eligible graduate program at a state
91 university or a private college or university in this state
92 which is accredited by the Commission on Colleges of the
93 Southern Association of Colleges and Schools or the Accrediting
94 Council for Independent Colleges and Schools and the student
95 qualifies as a resident for tuition purposes pursuant to s.
96 1009.21 or has received an undergraduate degree from a Florida
97 college or university.

98 (b) A student shall apply to the Board of Governors to



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99 participate in the Sure Futures Scholarship Program using a
100 standard application form developed by the Board of Governors.

101 (c) To be eligible for selection as a Sure Futures Scholar,
102 a student must:

103 1. Be admitted as a degree-seeking student by an eligible
104 graduate program.

105 2. Be classified as a resident for tuition purposes
106 pursuant to s. 1009.21 at the time of initial enrollment in the
107 eligible graduate program or have obtained an undergraduate
108 degree from a Florida college or university.

109 3. Not be an existing employee of the sponsor with whom the
110 student is matched.

111 (6) An employer interested in participating in the Sure
112 Futures Scholarship Program shall submit a letter of interest to
113 the Board of Governors. At a minimum, the letter shall indicate
114 the level and subject matter of the degree program or programs
115 and the university or universities of interest to the employer.
116 The Board of Governors shall notify the employer of the graduate
117 programs that meet the interests of the employer, the eligible
118 state universities or private colleges or universities that
119 offer the programs, and the estimated costs of the programs.

120 (7) The Board of Governors shall review student
121 applications to match students and potential sponsors. The Board
122 of Governors shall notify each student applicant and potential
123 sponsor of the match or matches. Each potential sponsor is
124 responsible for interviewing the students and notifying the
125 Board of Governors of the student or students it wishes to
126 sponsor. The Board of Governors is responsible for determining
127 the final match of the sponsor and student. A match is not final



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128 until the student has formally accepted an offer of admission to
129 an eligible graduate program that is acceptable to the potential
130 sponsor.

131 (8)(a) Once a match is finalized through the Board of
132 Governors, the student and the sponsor shall sign a contract
133 whereby the student agrees to a scholarship loan offered by the
134 sponsor, with a waiver-of-payment provision if a 4-year
135 employment obligation in Florida is completed, and the sponsor
136 agrees to provide a defined 4-year employment position in the
137 state.

138 (b) The contract signed by the sponsor and the scholar
139 shall clearly state the terms of the scholarship loan, the
140 sponsor's expectations for the scholar's performance, employment
141 requirements, and potential legal remedies if the terms and
142 conditions of the contract are not met. The contract shall
143 provide for repayment of the scholarship loan in accordance with
144 the provisions of subsection (11) if the scholar is unable to
145 complete all of the obligations of the contract and shall also
146 provide for the matching of a scholar to an alternate sponsor if
147 the original sponsor is unable to complete all of the
148 obligations of the contract. The terms of such contract shall
149 include, as a condition of the scholar accepting a match with a
150 particular sponsor, provisions for noncompetition,
151 nonsolicitation, and nondisclosure, as required by the sponsor,
152 for up to 4 years following the scholar's completion of the
153 graduate degree requirements.

154 1. For each year that the scholar is enrolled full-time as
155 a graduate student, the scholarship loan shall cover tuition,
156 fees, and books for the degree program; health insurance with an



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157 option for the scholar to purchase additional coverage for
158 dependents; and room and board based on the university dormitory
159 and meal plan rate.

160 2. A sponsor may establish terms of sponsorship, including,
161 but not limited to, the degree sought, the university or
162 universities in which a scholar may enroll, minimum grade point
163 average and course load, and requirements regarding internships
164 and extracurricular activities.

165 3. Upon graduation, a scholar shall begin working for the
166 sponsor and must remain employed in this state by the sponsor
167 for a minimum of 4 years as stipulated in the contract.

168 4. If a sponsor terminates employment of a scholar without
169 cause before the scholar completes the 4-year obligation, the
170 scholar is not required to repay any portion of the scholarship
171 loan and may be matched with another sponsor to complete the
172 remaining 4-year contracted employment period. The sponsor and
173 the scholar shall inform the Board of Governors of the
174 termination. The sponsor shall not be reimbursed for any amount
175 paid to the Board of Governors as a sponsor that is made on
176 behalf of the scholar.

177 5. If a sponsor terminates employment of a scholar with
178 cause before the scholar completes the 4-year obligation, the
179 scholar is required to repay a prorated portion of the
180 scholarship loan in accordance with the provisions of subsection
181 (11). The sponsor and the scholar shall inform the Board of
182 Governors of the termination.

183 (9) (a) A sponsor shall make an initial monetary
184 contribution to the Board of Governors of at least 50 percent of
185 the total funds necessary to cover the costs identified in



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186 subparagraph (8) (b)1. for the duration of the degree program
187 from which the sponsor wishes to draw students, plus an
188 additional monetary contribution per year to the Board of
189 Governors to cover administrative costs of the Sure Futures
190 Scholarship Program to be computed based on a pro-rata share of
191 the cost of one scholarship divided by the total number of
192 scholarships offered. Contributions shall be made to the Board
193 of Governors by a date specified in, and in accordance with,
194 guidelines prescribed by the Board of Governors.

195 (b) The first \$300,000 in sponsor administrative fees shall
196 be used by the Board of Governors to pay start-up costs for
197 implementing the Sure Futures Scholarship Program. The program
198 shall be implemented to the extent that such fees are received
199 by the Board of Governors. Beginning July 1, 2009, and
200 continuing thereafter, sponsor contributions, except for the
201 administrative fee portion, are eligible to be matched by the
202 state on a dollar-for-dollar basis to the extent funds are
203 appropriated by the Legislature for this purpose. A sponsor may
204 support one or more scholarship loans and must offer employment
205 in Florida for each scholar with whom the sponsor is matched for
206 the 4-year contracted employment period.

207 (10) The Board of Governors shall establish and maintain a
208 central database with current information on student applicants
209 and their profiles, sponsors, the graduate degree programs for
210 which the sponsors are seeking scholars, the state universities
211 that offer such programs, and the costs of such programs for
212 purposes of determining the sponsor support required.

213 (11) The Board of Governors shall adopt by rule scholarship
214 loan terms, repayment schedules, and procedures for collection,



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215 settlement, and charging off of delinquent unpaid and uncanceled
216 scholarship loan notes. A scholarship loan must be repaid within
217 10 years.

218 (a) Credit for repayment of a scholarship loan shall be in
219 an amount not to exceed 25 percent in loan principal plus
220 applicable accrued interest for each full year of employment
221 service.

222 (b) Unless the Sure Futures scholar has received full
223 credit for repayment, the scholar is responsible for repaying
224 the unwaived portion of the Sure Futures scholarship loan plus
225 accrued interest at 8 percent annually. The repayment shall be
226 deferred until the scholar has either become entitled to a full
227 waiver-of-payment or the scholar is no longer eligible for the
228 waiver-of-payment, in which event the amount owed will be based
229 on that portion of principal and accrued interest that was not
230 credited under the waiver-of-payment repayment provisions in
231 this section.

232 (c) Sure Futures scholars may receive scholarship loan
233 repayment credit when matched with another sponsor at any time
234 during the scheduled repayment period. The scholar shall receive
235 credit only for the remaining employment service provided for in
236 the terms of the initial employment contract. Further, such
237 repayment credit shall be applicable only to the current
238 principal and accrued interest balance that remains at the time
239 the repayment credit is earned. No scholar shall be reimbursed
240 for previous cash payments of principal and interest.

241 (12) Prepared documentation and electronic information
242 regarding the program shall be made available through the
243 appropriate office at each eligible private college or



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244 university. As deemed appropriate by its administration, an
245 eligible private college or university may provide additional
246 information or activities, such as providing one-on-one
247 discussions with advisors, conducting seminars on the program,
248 or working with companies in its service area to create
249 scholarships through the program.

250 (13) State agencies, local workforce boards, chambers of
251 commerce, and Enterprise Florida, Inc., are strongly encouraged
252 to promote sponsor and scholar participation in the program.

253 (14) To the extent the funds contributed by a sponsor and
254 any matching funds provided by the state are not sufficient to
255 pay for the costs identified in subparagraph (8)(b)1., the state
256 university or private college or university eligible pursuant to
257 this act that enrolls the scholar may provide the difference in
258 cost through grants or waivers.

259 Section 2. This act shall take effect July 1, 2009.

260

261 ===== T I T L E A M E N D M E N T =====

262 And the title is amended as follows:

263 Delete everything before the enacting clause
264 and insert:

265 A bill to be entitled
266 An act relating to student financial assistance;
267 creating s. 1009.893, F.S.; creating the Sure Futures
268 Scholarship Program; providing purposes and goals for
269 the program; providing for the Board of Governors of
270 the State University System to administer the program;
271 providing definitions; establishing the Sure Futures
272 Advisory Board; providing membership and duties of the



273 advisory board; providing eligibility criteria for
274 participation in the program by students and sponsors;
275 providing procedures for application to the program
276 and selection of participants; requiring that sponsors
277 and students participating in the program enter into a
278 contract and specifying certain terms; providing
279 benefits and requirements for students selected to
280 participate in the program; authorizing sponsors to
281 establish terms of sponsorship and specify
282 universities at which a student may enroll to receive
283 sponsorship; providing requirements if a sponsor
284 terminates a scholar; requiring that a participating
285 student who graduates with an advanced degree remain
286 employed by his or her sponsor in this state for a
287 specified period; requiring that a sponsor make
288 specified monetary contributions for the program;
289 providing for implementation of the program based on
290 fees received; providing for state matching of
291 contributions; requiring the Board of Governors to
292 establish a central database; providing requirements
293 relating to scholarship loans; providing for repayment
294 of a prorated portion of a scholarship loan if certain
295 obligations are not met; requiring that eligible
296 private colleges and universities make available
297 certain information regarding the program; encouraging
298 certain entities to promote participation in the
299 program; authorizing state universities or private
300 colleges and universities to provide grants or
301 waivers; providing an effective date.