

By the Committee on Higher Education; and Senators Ring and Gaetz

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1 A bill to be entitled
2 An act relating to student financial assistance;
3 creating s. 1009.893, F.S.; creating the Sure Futures
4 Scholarship Program; providing purposes and goals for
5 the program; providing for the Board of Governors of
6 the State University System to administer the program;
7 providing definitions; establishing the Sure Futures
8 Advisory Board; providing membership and duties of the
9 advisory board; providing eligibility criteria for
10 participation in the program by students and sponsors;
11 providing procedures for application to the program
12 and selection of participants; requiring that sponsors
13 and students participating in the program enter into a
14 contract and specifying certain terms; providing
15 benefits and requirements for students selected to
16 participate in the program; authorizing sponsors to
17 establish terms of sponsorship and specify
18 universities at which a student may enroll to receive
19 sponsorship; providing requirements if a sponsor
20 terminates a scholar; requiring that a participating
21 student who graduates with an advanced degree remain
22 employed by his or her sponsor in this state for a
23 specified period; requiring that a sponsor make
24 specified monetary contributions for the program;
25 providing for implementation of the program based on
26 fees received; providing for state matching of
27 contributions; requiring the Board of Governors to
28 establish a central database; providing requirements
29 relating to scholarship loans; providing for repayment

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30 of a prorated portion of a scholarship loan if certain
31 obligations are not met; requiring that eligible
32 private colleges and universities make available
33 certain information regarding the program; encouraging
34 certain entities to promote participation in the
35 program; authorizing state universities or private
36 colleges and universities to provide grants or
37 waivers; providing an effective date.

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

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

43 1009.893 Sure Futures Scholarship Program.-

44 (1) The Sure Futures Scholarship Program is created for the
45 purpose of matching private-sector businesses that need
46 employees in Florida who have advanced degrees with students who
47 are seeking advanced degrees and employment. The goals of the
48 program are to provide for a more highly educated workforce in
49 Florida by offering students financial support to pursue
50 advanced degrees in identified areas of critical need and
51 guaranteed employment in Florida with the private-sector
52 businesses that enter into sponsorships in the program.

53 (2) The Sure Futures Scholarship Program shall be
54 administered by the Board of Governors of the State University
55 System. The Board of Governors may enter into an agreement with
56 a state university or the Department of Education to provide
57 operational and administrative services for the program,
58 including, but not limited to, processing applications,

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59 responding to sponsor letters of interest, disseminating
60 information about the program, facilitating student and sponsor
61 matches, managing contributions and state matching dollars, and
62 managing all components of the scholarship loan program.

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

64 (a) "Eligible graduate program" means a graduate program in
65 an area of critical need identified by the Board of Governors in
66 the board's most recent strategic plan and offered by a state
67 university or private college or university located in this
68 state which is accredited by the Commission on Colleges of the
69 Southern Association of Colleges and Schools or the Accrediting
70 Council for Independent Colleges and Schools. An area of
71 critical need includes, but is not limited to, education, health
72 professions, engineering, life sciences, and economic
73 development sectors yielding high-wage or high-demand jobs.

74 (b) "Sure Futures scholar" or "scholar" means a student who
75 has been admitted to an eligible graduate program and who has
76 applied for and been selected to participate in the Sure Futures
77 Scholarship Program.

78 (c) "Sure Futures sponsor" or "sponsor" means a
79 corporation, partnership, limited liability company, sole
80 proprietor, or other private-sector business entity that
81 provides financial support and guaranteed employment
82 opportunities in Florida pursuant to the provisions of this
83 section.

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

87 (b) The advisory board shall be comprised of the following

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88 members:

89 1. The Chancellor of the State University System or the
90 chancellor's designee.

91 2. Three representatives from state universities appointed
92 by the chancellor to 2-year terms.

93 3. Three representatives from businesses or industries
94 located in Florida appointed by the chancellor to 2-year terms.

95 4. Two graduate students who are Sure Futures Scholars from
96 a state university appointed by the chancellor to 1-year terms.

97 5. Three representatives from private universities
98 appointed by the Independent Colleges and Universities of
99 Florida.

100 6. Two graduate students who are Sure Futures Scholars
101 appointed by the Independent Colleges and Universities of
102 Florida.

103 7. One representative appointed by the Speaker of the
104 Florida House of Representatives.

105 8. One representative appointed by the President of the
106 Florida Senate.

107 (c) The advisory board shall:

108 1. Recommend policies and procedures for implementation and
109 operation of the program, including, but not limited to, an
110 application and matching process for students and employers
111 participating in the program.

112 2. Recommend policies and procedures for receiving,
113 processing, and managing program revenues, including
114 contributions from sponsors, repayments of scholarship loans,
115 and state matching dollars.

116 3. Recommend a process for approval of printed and

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117 electronic materials, marketing, and advertising.

118 (5) (a) A student is eligible to apply to the Sure Futures
119 Scholarship Program and receive a list of sponsors and the
120 graduate degree programs for which such sponsors are seeking
121 potential scholars if the student has been admitted as a degree-
122 seeking student in an eligible graduate program at a state
123 university or a private college or university in this state
124 which is accredited by the Commission on Colleges of the
125 Southern Association of Colleges and Schools or the Accrediting
126 Council for Independent Colleges and Schools and the student
127 qualifies as a resident for tuition purposes pursuant to s.
128 1009.21 or has received an undergraduate degree from a Florida
129 college or university.

130 (b) A student shall apply to the Board of Governors to
131 participate in the Sure Futures Scholarship Program using a
132 standard application form developed by the Board of Governors.

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

135 1. Be admitted as a degree-seeking student by an eligible
136 graduate program.

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

141 3. Not be an existing employee of the sponsor with whom the
142 student is matched.

143 (6) An employer interested in participating in the Sure
144 Futures Scholarship Program shall submit a letter of interest to
145 the Board of Governors. At a minimum, the letter shall indicate

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146 the level and subject matter of the degree program or programs
147 and the university or universities of interest to the employer.
148 The Board of Governors shall notify the employer of the graduate
149 programs that meet the interests of the employer, the eligible
150 state universities or private colleges or universities that
151 offer the programs, and the estimated costs of the programs.

152 (7) The Board of Governors shall review student
153 applications to match students and potential sponsors. The Board
154 of Governors shall notify each student applicant and potential
155 sponsor of the match or matches. Each potential sponsor is
156 responsible for interviewing the students and notifying the
157 Board of Governors of the student or students it wishes to
158 sponsor. The Board of Governors is responsible for determining
159 the final match of the sponsor and student. A match is not final
160 until the student has formally accepted an offer of admission to
161 an eligible graduate program that is acceptable to the potential
162 sponsor.

163 (8) (a) Once a match is finalized through the Board of
164 Governors, the student and the sponsor shall sign a contract
165 whereby the student agrees to a scholarship loan offered by the
166 sponsor, with a waiver-of-payment provision if a 4-year
167 employment obligation in Florida is completed, and the sponsor
168 agrees to provide a defined 4-year employment position in the
169 state.

170 (b) The contract signed by the sponsor and the scholar
171 shall clearly state the terms of the scholarship loan, the
172 sponsor's expectations for the scholar's performance, employment
173 requirements, and potential legal remedies if the terms and
174 conditions of the contract are not met. The contract shall

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175 provide for repayment of the scholarship loan in accordance with
176 the provisions of subsection (11) if the scholar is unable to
177 complete all of the obligations of the contract and shall also
178 provide for the matching of a scholar to an alternate sponsor if
179 the original sponsor is unable to complete all of the
180 obligations of the contract. The terms of such contract shall
181 include, as a condition of the scholar accepting a match with a
182 particular sponsor, provisions for noncompetition,
183 nonsolicitation, and nondisclosure, as required by the sponsor,
184 for up to 4 years following the scholar's completion of the
185 graduate degree requirements.

186 1. For each year that the scholar is enrolled full-time as
187 a graduate student, the scholarship loan shall cover tuition,
188 fees, and books for the degree program; health insurance with an
189 option for the scholar to purchase additional coverage for
190 dependents; and room and board based on the university dormitory
191 and meal plan rate.

192 2. A sponsor may establish terms of sponsorship, including,
193 but not limited to, the degree sought, the university or
194 universities in which a scholar may enroll, minimum grade point
195 average and course load, and requirements regarding internships
196 and extracurricular activities.

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

200 4. If a sponsor terminates employment of a scholar without
201 cause before the scholar completes the 4-year obligation, the
202 scholar is not required to repay any portion of the scholarship
203 loan and may be matched with another sponsor to complete the

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204 remaining 4-year contracted employment period. The sponsor and
205 the scholar shall inform the Board of Governors of the
206 termination. The sponsor shall not be reimbursed for any amount
207 paid to the Board of Governors as a sponsor that is made on
208 behalf of the scholar.

209 5. If a sponsor terminates employment of a scholar with
210 cause before the scholar completes the 4-year obligation, the
211 scholar is required to repay a prorated portion of the
212 scholarship loan in accordance with the provisions of subsection
213 (11). The sponsor and the scholar shall inform the Board of
214 Governors of the termination.

215 (9) (a) A sponsor shall make an initial monetary
216 contribution to the Board of Governors of at least 50 percent of
217 the total funds necessary to cover the costs identified in
218 subparagraph (8) (b) 1. for the duration of the degree program
219 from which the sponsor wishes to draw students, plus an
220 additional monetary contribution per year to the Board of
221 Governors to cover administrative costs of the Sure Futures
222 Scholarship Program to be computed based on a pro-rata share of
223 the cost of one scholarship divided by the total number of
224 scholarships offered. Contributions shall be made to the Board
225 of Governors by a date specified in, and in accordance with,
226 guidelines prescribed by the Board of Governors.

227 (b) The first \$300,000 in sponsor administrative fees shall
228 be used by the Board of Governors to pay start-up costs for
229 implementing the Sure Futures Scholarship Program. The program
230 shall be implemented to the extent that such fees are received
231 by the Board of Governors. Beginning July 1, 2009, and
232 continuing thereafter, sponsor contributions, except for the

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233 administrative fee portion, are eligible to be matched by the
234 state on a dollar-for-dollar basis to the extent funds are
235 appropriated by the Legislature for this purpose. A sponsor may
236 support one or more scholarship loans and must offer employment
237 in Florida for each scholar with whom the sponsor is matched for
238 the 4-year contracted employment period.

239 (10) The Board of Governors shall establish and maintain a
240 central database with current information on student applicants
241 and their profiles, sponsors, the graduate degree programs for
242 which the sponsors are seeking scholars, the state universities
243 that offer such programs, and the costs of such programs for
244 purposes of determining the sponsor support required.

245 (11) The Board of Governors shall adopt by rule scholarship
246 loan terms, repayment schedules, and procedures for collection,
247 settlement, and charging off of delinquent unpaid and uncanceled
248 scholarship loan notes. A scholarship loan must be repaid within
249 10 years.

250 (a) Credit for repayment of a scholarship loan shall be in
251 an amount not to exceed 25 percent in loan principal plus
252 applicable accrued interest for each full year of employment
253 service.

254 (b) Unless the Sure Futures scholar has received full
255 credit for repayment, the scholar is responsible for repaying
256 the unwaived portion of the Sure Futures scholarship loan plus
257 accrued interest at 8 percent annually. The repayment shall be
258 deferred until the scholar has either become entitled to a full
259 waiver-of-payment or the scholar is no longer eligible for the
260 waiver-of-payment, in which event the amount owed will be based
261 on that portion of principal and accrued interest that was not

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262 credited under the waiver-of-payment repayment provisions in
263 this section.

264 (c) Sure Futures scholars may receive scholarship loan
265 repayment credit when matched with another sponsor at any time
266 during the scheduled repayment period. The scholar shall receive
267 credit only for the remaining employment service provided for in
268 the terms of the initial employment contract. Further, such
269 repayment credit shall be applicable only to the current
270 principal and accrued interest balance that remains at the time
271 the repayment credit is earned. No scholar shall be reimbursed
272 for previous cash payments of principal and interest.

273 (12) Prepared documentation and electronic information
274 regarding the program shall be made available through the
275 appropriate office at each eligible private college or
276 university. As deemed appropriate by its administration, an
277 eligible private college or university may provide additional
278 information or activities, such as providing one-on-one
279 discussions with advisors, conducting seminars on the program,
280 or working with companies in its service area to create
281 scholarships through the program.

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

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

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