

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

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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 scholarship loans and their repayment; requiring that  
34 state universities make available certain information  
35 regarding the program; encouraging certain entities to  
36 promote participation in the program; authorizing state  
37 universities to provide grants or waivers; requiring  
38 rulemaking; providing an appropriation; providing an  
39 effective date.

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

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

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

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57 private-sector businesses that have indicated their willingness  
58 to enter into partnerships in the program.

59 Section 2. Section 1009.894, Florida Statutes, is created  
60 to read:

61 1009.894 The Sure Futures Foundation.--

62 (1) The Legislature finds that public universities in this  
63 state can play a vital role in ensuring that students are given  
64 incentives to remain in the Florida education system and seek  
65 graduate degrees by offering financial incentives and diversity  
66 in education programs that contribute to filling the critical  
67 needs of private businesses in Florida. The Legislature  
68 recognizes that the United States Armed Forces have been  
69 extremely successful for many decades in recruiting and  
70 retaining exceptional students through scholarships in the  
71 Reserve Officer Training Corps (ROTC) programs with the  
72 requirement of a minimum 4-year service commitment from program  
73 graduates who are trained in and assigned to critical career  
74 fields. Therefore, the Legislature desires to model a workforce  
75 development program in this state that is similar to the proven  
76 Armed Forces ROTC programs in an effort to promote, recruit, and  
77 retain a qualified workforce to meet the demands of this state  
78 and its businesses.

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

80 (a) "Sure Futures scholar" or "scholar" means a student  
81 who is admitted into at least one graduate program in an area of  
82 critical need identified by the Board of Governors in its most  
83 recent 10-year strategic plan and who has applied and been  
84 offered a Sure Futures Graduate Scholarship.

85 (b) "Sure Futures sponsor" or "sponsor" means a  
86 corporation, partnership, limited liability company, sole  
87 proprietor, or other private-sector business entity  
88 participating in the Sure Futures Graduate Scholarship Program  
89 through supporting scholarships and providing employment  
90 opportunities for scholars pursuant to the provisions of this  
91 section.

92 (3) The Sure Futures Foundation is established and shall  
93 seek designation under s. 501(c)(3) of the Internal Revenue  
94 Code. The foundation shall be governed by the Sure Futures  
95 Foundation Board, which shall administer the Sure Futures  
96 Graduate Scholarship Program with guidance from the Board of  
97 Governors and the State Board of Education. Duties of the  
98 foundation board shall include, but not 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 and maintenance, when applicable, of the  
109 foundation's scholarship loans.

110 (4) The foundation board shall be comprised of the  
111 following nine members:

112 (a) The Commissioner of Education, or the commissioner's

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113 designee, as an ex officio member.

114 (b) The chair of the Board of Governors, or the chair's  
115 designee, as an ex officio member.

116 (c) Three members from the State University System, with  
117 at least one member being a state university president,  
118 appointed by the Governor, who shall serve 2-year terms.

119 (d) Three sponsors participating in the program,  
120 recommended by the Commissioner of Education and appointed by  
121 the Governor, who shall serve 2-year terms.

122 (e) One graduate student recommended by the Commissioner  
123 of Education and appointed by the Governor, who shall serve a 1-  
124 year term.

125

126 The foundation board members shall serve without compensation  
127 but are entitled to receive reimbursement for travel and per  
128 diem expenses incurred in the performance of their duties in  
129 accordance with s. 112.061. The foundation board may enter into  
130 an agreement with a state university, the Department of  
131 Education, or the Board of Governors to provide operational and  
132 administrative services to the foundation, including, but not  
133 limited to, processing student and scholar applications,  
134 responding to sponsor letters of interest, disseminating  
135 information about the program, managing contributions and  
136 matching state dollars, and facilitating student and sponsor  
137 matches.

138 (5) (a) The following students are eligible as candidates  
139 for a Sure Futures Graduate Scholarship and thereby eligible to  
140 obtain a list of sponsors and the graduate degree programs for

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141 which such sponsors are seeking candidates:

142 1. A student in his or her senior year who is an  
143 undergraduate student at a state university or a private college  
144 or university in the state and who intends to pursue a graduate  
145 degree program at a state university.

146 2. A student in his or her senior year who is an  
147 undergraduate student at an out-of-state college or university  
148 but who would otherwise qualify as a resident for tuition  
149 purposes pursuant to s. 1009.21 and who intends to pursue a  
150 graduate degree program at a state university.

151 3. A graduate of a college or university who qualifies as  
152 a resident for tuition purposes pursuant to s. 1009.21 and who  
153 intends to pursue a graduate degree program at a state  
154 university.

155  
156 A candidate may not be an existing employee of the sponsor with  
157 whom he or she is matched.

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

160 (c) An employer interested in participating in the Sure  
161 Futures Graduate Scholarship Program shall submit a letter of  
162 interest to the foundation. The letter of interest, at a  
163 minimum, shall indicate the interest of the business in becoming  
164 a sponsor, including the degree and program and the university  
165 or universities of interest. The foundation shall notify the  
166 employer of the graduate programs, the state university or  
167 universities at which the programs are offered, and the total  
168 cost of the program.

169        (d) The foundation shall review student applications to  
170 match students and potential sponsors. The foundation shall  
171 notify each student applicant and potential sponsor of the match  
172 or matches. Each potential sponsor is responsible for  
173 interviewing the students and notifying the foundation of the  
174 student or students it wishes to sponsor. The foundation is  
175 responsible for determining the final match of the sponsor and  
176 scholar.

177        (e) Once a match is finalized through the foundation, the  
178 student and the sponsor shall sign a contract whereby the  
179 scholar agrees to the scholarship loan offered by the sponsor,  
180 with a waiver-of-payment provision if a 4-year employment  
181 obligation is completed, and the sponsor agrees to provide a  
182 defined 4-year employment position in the state. For each year  
183 that the scholar is enrolled full-time as a graduate student,  
184 the scholarship shall cover tuition, fees, and books for the  
185 degree program; health insurance with an option for the scholar  
186 to purchase additional coverage to buy a family plan for  
187 dependents; and room and board based on the university dormitory  
188 and meal plan rate.

189        (f) A scholar must maintain a minimum grade point average  
190 as determined by the sponsor.

191        (g) If a scholar does not take a full load of coursework  
192 during a summer semester, the scholar may be required by the  
193 sponsor to participate in an internship program.

194        (h) Upon graduation, a scholar shall begin working for the  
195 sponsor and must remain employed in this state by the sponsor  
196 for a minimum of 4 years as stipulated in the contract.

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197 (i) If a scholar fails to maintain the required grade  
198 point average or the graduate terminates his or her employment  
199 before completing the 4-year obligation, a prorated portion of  
200 the scholarship shall convert to a scholarship loan administered  
201 by the Office of Student Financial Assistance in the Department  
202 of Education on behalf of the foundation, pursuant to subsection  
203 (8).

204 (j) The contract signed by the sponsor and the scholar  
205 shall clearly state the terms of the scholarship, the sponsor's  
206 expectations for the scholar's performance, employment  
207 requirements, and potential legal remedies if the terms and  
208 conditions of the contract are not met. The contract shall  
209 provide for the conversion of the scholarship to a scholarship  
210 loan under subsection (8) if the scholar is unable to complete  
211 all of the obligations of the contract and shall also provide  
212 for the matching of a scholar to an alternate sponsor if the  
213 original sponsor is unable to complete all of the obligations of  
214 the contract. The terms of such contract shall include, as a  
215 condition of the scholar accepting a match with a particular  
216 sponsor, provisions for noncompetition, nonsolicitation, and  
217 nondisclosure, as required by the sponsor, for up to 4 years  
218 following the scholar's completion of the graduate degree  
219 requirements.

220 (6) (a) A sponsor shall make a monetary contribution to the  
221 program of at least 50 percent of the total scholarship funds  
222 necessary for completion of an eligible degree program pursuant  
223 to this section from which it wishes to draw students, plus an  
224 additional 3 percent per year for the foundation to cover



225 administrative costs of the Sure Futures Graduate Scholarship  
226 Program. Contributions shall be made in one lump-sum payment to  
227 the foundation by a date specified in, and in accordance with,  
228 guidelines prescribed by the foundation. Beginning July 1, 2009,  
229 and continuing thereafter, such funds are eligible to be matched  
230 by the state on a dollar-for-dollar basis to the extent funds  
231 are appropriated by the Legislature for this purpose. A sponsor  
232 may contribute to one or more scholarships and must offer  
233 employment in Florida for each scholar to which the sponsor is  
234 matched for the 4-year contracted employment period.

235 (b) A sponsor may establish terms of sponsorship,  
236 including, but not limited to, the degree sought, minimum grade  
237 point average, and requirements regarding extracurricular  
238 activities.

239 (c) A sponsor may select the state universities at which  
240 scholars may enroll or it may allow its scholarships to be  
241 available for study at any state university.

242 (d) If a sponsor terminates a scholarship employee without  
243 cause before the employee completes the 4-year obligation, the  
244 employee is not required to repay any portion of the scholarship  
245 and may be matched with another sponsor to complete the  
246 remaining 4-year contracted employment period. The sponsor shall  
247 not be reimbursed for any amount paid to the foundation as a  
248 sponsor that is made on behalf of the scholar.

249 (e) If a sponsor terminates a scholarship employee with  
250 cause before the employee completes the 4-year obligation, the  
251 employee is required to repay a prorated portion of the  
252 scholarship in the form of a scholarship loan under subsection

253 (8).

254 (7) (a) On behalf of the foundation, the Office of Student  
 255 Financial Assistance in the Department of Education shall  
 256 establish a central database of sponsors, the graduate degree  
 257 programs for which the sponsors are seeking scholars, and  
 258 student applicants and their profiles. For purposes of this  
 259 section, the foundation, in consultation with the office, shall  
 260 establish a standard application for use by all state  
 261 universities.

262 (b) On an annual basis, the Department of Education shall  
 263 establish the amount necessary to cover the costs for degree  
 264 programs for which a sponsor may make contributions pursuant to  
 265 this section. State universities shall provide information in  
 266 the manner and timeframe described by the department to enable  
 267 the department to comply with the provisions of this paragraph.

268 (8) (a) On behalf of the foundation, the Office of Student  
 269 Financial Assistance in the Department of Education through the  
 270 Florida Student Scholarship Grant Programs has the authority to  
 271 administer the scholarship loans pursuant to this section.

272 (b) The State Board of Education shall adopt by rule  
 273 scholarship loan terms, repayment schedules, and procedures for  
 274 collection, settlement, and charging off of delinquent unpaid  
 275 and uncanceled scholarship loan notes. A scholarship loan must  
 276 be repaid within 10 years.

277 (c) The rate of interest and other charges shall be set by  
 278 the Department of Education.

279 1. Credit for repayment of a scholarship loan shall be in  
 280 an amount not to exceed 25 percent in loan principal plus

281 applicable accrued interest for each full year of employment  
282 service.

283 2. A scholarship loan recipient is responsible for  
284 repaying the scholarship loan plus accrued interest at the rate  
285 of interest established pursuant to this section.

286 3. Scholarship loan recipients may receive loan repayment  
287 credit when matched with another sponsor at any time during the  
288 scheduled repayment period. The scholar shall receive credit  
289 only for the remaining employment service provided for in the  
290 terms of the initial employment contract. Further, such  
291 repayment credit shall be applicable only to the current  
292 principal and accrued interest balance that remains at the time  
293 the repayment credit is earned. No scholarship loan recipient  
294 shall be reimbursed for previous cash payments of principal and  
295 interest.

296 (9) Prepared documentation and electronic information  
297 regarding the program shall be made available through the  
298 appropriate office at each state university. As deemed  
299 appropriate by its administration, a state university may  
300 provide additional information or activities, such as providing  
301 one-on-one discussions with advisors, conducting seminars on the  
302 program, or working with companies in its service area to create  
303 scholarships through the program.

304 (10) State agencies, local workforce boards, chambers of  
305 commerce, and Enterprise Florida, Inc., are strongly encouraged  
306 to promote sponsor and scholar participation in the program.

307 (11) To the extent the funds contributed by a sponsor and  
308 any matching funds provided by the state are not sufficient to

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309 pay for the costs identified in paragraph (5) (e), the state  
310 university that enrolls the scholar may provide the difference  
311 in cost through grants or waivers.

312 (12) The State Board of Education shall adopt rules  
313 pursuant to ss. 120.536(1) and 120.54 necessary to administer  
314 this section, including rules establishing application forms.

315 Section 3. There is appropriated in the form of a  
316 noninterest loan from nonrecurring general revenue a sum not to  
317 exceed \$300,000 to the Sure Futures Foundation to pay for costs  
318 associated with establishing and administering the foundation  
319 and the Sure Futures Graduate Scholarship Program. Such  
320 appropriation shall be repaid by the foundation on or before  
321 December 31, 2010.

322 Section 4. This act shall take effect July 1, 2009.