

By Senator Ring

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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; requiring that the Board of Governors of  
6           the State University System 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; specifying certain terms for such contract;  
15          providing benefits and requirements for students  
16          selected to participate in the program; authorizing  
17          sponsors to establish terms of sponsorship and specify  
18          state universities or private colleges or universities  
19          at which a student may enroll to receive sponsorship;  
20          providing requirements if a sponsor terminates a  
21          scholar; requiring that a participating student who  
22          graduates with an advanced degree remain employed by  
23          his or her sponsor in this state for a specified  
24          period; requiring that a sponsor make specified  
25          monetary contributions for the program; providing for  
26          implementation of the program based on fees received;  
27          providing for state matching funds; requiring that the  
28          Board of Governors establish a central database;  
29          providing requirements for scholarship loans;

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

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

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

44 1009.893 Sure Futures Scholarship Program.-

45 (1) Beginning with the 2011-2012 fiscal year, the Sure  
46 Futures Scholarship Program shall be created for the purpose of  
47 matching private-sector businesses that need employees in  
48 Florida who have advanced degrees with students who are seeking  
49 advanced degrees and employment. The goals of the program are to  
50 provide for a more highly educated workforce in Florida by  
51 offering students financial support to pursue advanced degrees  
52 in identified areas of critical need and guaranteed employment  
53 in Florida with the private-sector businesses that participate  
54 as sponsors in the program.

55 (2) The Board of Governors of the State University System  
56 shall administer the Sure Futures Scholarship Program. The Board  
57 of Governors may enter into an agreement with a state university  
58 or the Department of Education to provide operational and

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59 administrative services for the program, including, but not  
60 limited to, processing applications, responding to sponsor  
61 letters of interest, disseminating information about the  
62 program, facilitating student and sponsor matches, managing  
63 contributions and state matching dollars, and managing all  
64 components of the program.

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

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

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

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

84 (4) (a) The Sure Futures Scholarship Advisory Board shall be  
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 or  
98 colleges appointed by the Independent Colleges and Universities  
99 of 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 House  
104 of Representatives.

105 8. One representative appointed by the President of the  
106 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 the 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:

122 1. The student has been admitted as a degree-seeking  
123 student in an eligible graduate program at a state university or  
124 a private college or university in this state which is  
125 accredited by the Commission on Colleges of the Southern  
126 Association of Colleges and Schools or the Accrediting Council  
127 for Independent Colleges and Schools; and

128 2. The student qualifies as a resident for tuition purposes  
129 pursuant to s. 1009.21 or has received an undergraduate degree  
130 from a Florida college or university.

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

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

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

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

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

144 (6) An employer interested in participating in the Sure  
145 Futures Scholarship Program shall submit a letter of interest to

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

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

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

171 (b) The contract must:

- 172 1. Clearly state the terms of the scholarship loan.
- 173 2. Include the sponsor's expectations for the scholar's  
174 performance.

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175 3. Include the employment requirements.

176 4. Include the potential legal remedies if the terms and  
177 conditions of the contract are not met.

178 5. Provide for repayment of the scholarship loan in  
179 accordance with subsection (11) if the scholar is unable to  
180 complete all of the obligations of the contract.

181 6. Provide for the matching of a scholar to an alternate  
182 sponsor if the original sponsor is unable to complete all of the  
183 obligations of the contract.

184 7. As a condition of the scholar accepting a match with a  
185 particular sponsor, contain provisions for noncompetition,  
186 nonsolicitation, and nondisclosure for up to 4 years after the  
187 scholar completes the graduate degree requirements.

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

194 (d) A sponsor may establish terms of sponsorship,  
195 including, but not limited to, the degree sought, the state  
196 universities or private colleges or universities in which a  
197 scholar may enroll, minimum grade point average and course load,  
198 and requirements regarding internships and extracurricular  
199 activities.

200 (e) Upon graduation, a scholar shall begin working for the  
201 sponsor and must remain employed in this state by the sponsor  
202 for a minimum of 4 years as stipulated in the contract.

203 (f) If a sponsor terminates employment of a scholar without

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204 cause before the scholar completes the 4-year obligation, the  
205 scholar is not required to repay any portion of the scholarship  
206 loan and may be matched with another sponsor to complete the  
207 remaining 4-year contracted employment period. The sponsor and  
208 the scholar shall inform the Board of Governors of the  
209 termination. The sponsor may not be reimbursed for any amount  
210 paid to the Board of Governors which is made on behalf of the  
211 scholar.

212 (g) If a sponsor terminates the employment of a scholar for  
213 cause before the scholar completes the 4-year obligation, the  
214 scholar must repay a prorated portion of the scholarship loan in  
215 accordance with subsection (11). The sponsor and the scholar  
216 shall inform the Board of Governors of the termination.

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

229 (b) The Board of Governors shall use the first \$300,000 in  
230 sponsor administrative fees to pay start-up costs for  
231 implementing the Sure Futures Scholarship Program. The program  
232 shall be implemented to the extent that such fees are received



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233 by the Board of Governors. Beginning July 1, 2011, and  
234 thereafter, sponsor contributions, except for the administrative  
235 fee portion, are eligible to be matched by the state on a  
236 dollar-for-dollar basis to the extent funds are appropriated by  
237 the Legislature for such purpose. A sponsor may support one or  
238 more scholarship loans and must offer employment in Florida for  
239 each scholar with whom the sponsor is matched for the 4-year  
240 contracted employment period.

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

248 (11) The Board of Governors shall adopt by rule scholarship  
249 loan terms, repayment schedules, and procedures for the  
250 collection, settlement, and charging off of delinquent unpaid  
251 and uncanceled scholarship loan notes. A scholarship loan must  
252 be repaid within 10 years after the 4-year employment period  
253 ends.

254 (a) Credit for repayment of a scholarship loan shall be in  
255 an amount not to exceed 25 percent in loan principal plus  
256 applicable accrued interest for each full year of employment  
257 service.

258 (b) Unless the Sure Futures Scholar has received full  
259 credit for repayment, the scholar shall repay the unwaived  
260 portion of the scholarship plus accrued interest at 8 percent  
261 annually. The repayment must be deferred until the scholar has

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262 become entitled to a full waiver of payment or if the scholar is  
263 no longer eligible for the waiver of payment. If the scholar is  
264 no longer eligible for the waiver of payment, the amount owed  
265 shall be based on that portion of principal and accrued interest  
266 which was not credited under the waiver-of-payment repayment  
267 provisions in this section.

268 (c) Sure Futures Scholars may receive scholarship loan  
269 repayment credit when matched with another sponsor at any time  
270 during the scheduled repayment period. A scholar shall receive  
271 credit only for the remaining employment service provided for in  
272 the terms of the initial employment contract. Further, such  
273 repayment credit applies only to the current principal and  
274 accrued interest balance remaining at the time the repayment  
275 credit is earned. The scholar may not be reimbursed for previous  
276 cash payments of principal and interest.

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

286 (13) State agencies, local workforce boards, chambers of  
287 commerce, and Enterprise Florida, Inc., are strongly encouraged  
288 to promote participation in the program from potential sponsors  
289 and scholars.

290 (14) To the extent the funds contributed by a sponsor and

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291 any matching funds provided by the state are not sufficient to  
292 pay for the costs identified in paragraph (8) (c), the state  
293 university or private college or university that enrolls the  
294 scholar may provide the difference in cost through grants or  
295 waivers.

296 Section 2. This act shall take effect July 1, 2010.