



475304

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/14/2010	.	
	.	
	.	
	.	

---

---

The Committee on Governmental Oversight and Accountability  
(Fasano) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. College and Career Transition Assistance Act.—

(1) SHORT TITLE.—This section may be cited as the “College  
and Career Transition Assistance Act.”

(2) DEFINITIONS.—For the purposes of this section, the  
term:

(a) “Board” means the board of directors of the Florida  
Endowment Foundation for Florida’s Graduates.

(b) “Department” means the Department of Education.



475304

13           (c) "Endowment fund" means an account established within  
14 the Florida Endowment Foundation for Florida's Graduates to  
15 provide a continuing and growing source of revenue for efforts  
16 relating to the transition from school to work.

17           (d) "Foundation" means the Florida Endowment Foundation for  
18 Florida's Graduates.

19           (3) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds  
20 that it is in the best interest of the state to have a well-  
21 educated and skilled workforce in order to be competitive in a  
22 changing economy. It is the intent of the Legislature to ensure  
23 a skilled workforce by creating a formal program that  
24 facilitates the important transition from school to work and  
25 provide additional funding to achieve this goal. Therefore, the  
26 Legislature finds that it is:

27           (a) Important to increase each student's understanding of  
28 postsecondary educational opportunities and career and work-  
29 readiness skills.

30           (b) Appropriate to encourage individual and corporate  
31 support and involvement, as well as state support and  
32 involvement, to promote employment opportunities for Florida's  
33 students.

34           (4) SCHOOL-TO-WORK PROGRAMS.—Except as otherwise provided  
35 by law or by department rule, there is established a school-to-  
36 work program that shall be operated according to the process and  
37 outcome standards of the department's initiatives.

38           (a) A school-to-work program may be operated in any school  
39 district, Department of Juvenile Justice facility, or charter  
40 school.

41           (b) Participating organizations must be demographically



475304

42 balanced to include urban and rural schools and be comprised of  
43 schools in all geographic areas of the state. Each school that  
44 is selected to participate in a school-to-work program shall  
45 enter into a formal written agreement with the State Board of  
46 Education which, at a minimum, details the responsibilities of  
47 each party and the process and goals of the program.

48 (c) Each participating school, Department of Juvenile  
49 Justice facility, or charter school shall select and approve  
50 each student for participation in the school-to-work program  
51 based on a student's classification as an at-risk student.

52 (5) REVENUE FOR THE ENDOWMENT FUND.—

53 (a) An endowment fund is created as a long-term, stable,  
54 and growing source of revenue which shall be administered by the  
55 foundation pursuant to rules adopted by the department.

56 (b) The principal of the endowment fund shall consist of  
57 legislative appropriations and bequests, gifts, grants, or  
58 donations solicited from public or private sources by the  
59 foundation.

60 (c) The foundation shall invest and reinvest moneys from  
61 the principal of the endowment fund pursuant to ss. 215.44-  
62 215.53, Florida Statutes. Interest and investment income earned  
63 from moneys in the endowment fund shall be annually transmitted  
64 to the foundation, based upon a fiscal year beginning July 1 and  
65 ending June 30, and shall be used to provide for the following:

66 1. Planning, research, and policy development for issues  
67 related to school-to-work transition and publications and  
68 dissemination of such information as may serve the objectives of  
69 this section.

70 2. Promotion of initiatives for school-to-work transition.



475304

71           3. Funding of programs that engage in, contract for,  
72 foster, finance, or aid in job training and counseling for  
73 school-to-work transition research, education, or demonstration,  
74 or other related activities.

75           4. Funding of programs that engage in, contract for,  
76 foster, finance, or aid in activities designed to advance better  
77 public understanding and appreciation of the school-to-work  
78 transition.

79           (6) THE FLORIDA ENDOWMENT FOUNDATION FOR FLORIDA'S  
80 GRADUATES.—

81           (a) The Florida Endowment Foundation for Florida's  
82 Graduates is created, in support of the Department of Education,  
83 to encourage public and private support and enhance the  
84 transition of students from school to work. The foundation shall  
85 be registered, incorporated, organized, and operated in  
86 compliance with chapter 617, Florida Statutes. The foundation,  
87 under contract with the department, shall operate in the most  
88 open and accessible manner consistent with its public purpose.  
89 The Florida Endowment Foundation for Florida's Graduates and its  
90 boards and advisory committees or similar groups created by the  
91 foundation shall be subject to the provisions of chapter 119,  
92 Florida Statutes, relating to public records and those  
93 provisions of chapter 286, Florida Statutes, relating to public  
94 meetings and records.

95           (b) The Florida Endowment Foundation for Florida's  
96 Graduates shall be governed by a board of directors. The board  
97 of directors shall consist of 14 members as follows:

98           1. Three members, each of whom represents business and  
99 industry, appointed by the Governor.



475304

100           2. One member, who represents small business, appointed by  
101 the President of the Senate.

102           3. One member, who represents a high-wage or high-growth  
103 industry, appointed by the Speaker of the House of  
104 Representatives.

105           4. The Commissioner of Education or his or her designee.

106           5. The director of the Agency for Workforce Innovation or  
107 his or her designee.

108           6. The Secretary of Juvenile Justice or his or her  
109 designee.

110           7. The Chancellor of the Division of Florida Colleges or  
111 his or her designee.

112           8. The Chancellor of Career and Adult Education or his or  
113 her designee.

114           9. One member from the Florida Legislative Black Caucus.

115           10. One member from the Florida Hispanic Legislative  
116 Caucus.

117           11. One member from the Commission on African-American  
118 Affairs.

119           12. One member from the State Commission on Hispanic  
120 Affairs.

121           (c) Each member shall have an interest in the transition of  
122 students from school to work and, if practicable, shall have:

123           1. Skills relating to work in a foundation or fundraising  
124 activities, financial consulting, investment banking, or other  
125 related experience; or

126           2. Experience in policymaking or executive-level positions  
127 or have distinguished themselves in the fields of education,  
128 business, or industry.



475304

129       (d) Vacancies for the members who are appointed shall be  
130 filled in the same manner as the original appointment. Such  
131 members shall be appointed for terms of 3 years or until  
132 resignation or removal for cause, except that members appointed  
133 to serve initial terms shall be appointed to staggered terms of  
134 1, 2, and 3 years, respectively.

135       (e) Appointive members are eligible for reappointment and  
136 may be removed for cause.

137       (f) A vacancy on the board of directors shall be filled for  
138 the remainder of the unexpired term.

139       (g) A chairperson shall be appointed from the membership  
140 for a term of 2 years and may be reappointed. However, the  
141 chairperson may not serve more than 6 consecutive years.

142       (h) Each member is accountable for the proper performance  
143 of his or her duties. Members may be removed from office for  
144 malfeasance, misfeasance, neglect of duty, incompetence, or the  
145 permanent inability to perform official duties or for pleading  
146 nolo contendere to, or being found guilty of, a crime.

147       (7) ORGANIZATION, POWERS, AND DUTIES.—Within the limits  
148 prescribed in this section:

149       (a) Upon appointment of its members, the board shall meet  
150 and organize. Thereafter, the board shall hold such meetings as  
151 are necessary to administer this section.

152       (b) The board may solicit and receive bequests, gifts,  
153 grants, donations, goods, and services. Any gift that is  
154 restricted as to its purpose may be used only for the purpose or  
155 purposes stated by the donor.

156       (c) The board may enter into contracts with the Federal  
157 Government, the state, local agencies, private entities, or



475304

158 individuals in order to carry out the purposes of this section.

159 (d) The board may identify, initiate, and fund programs to  
160 carry out the purposes of this section.

161 (e) The board may make gifts or grants to:

162 1. The state, or any political subdivision thereof, or any  
163 public agency of state or local government.

164 2. A corporation, trust, association, or foundation  
165 organized and operated exclusively for charitable, educational,  
166 or scientific purposes.

167 (f) The board may advertise and solicit applications for  
168 funding and shall evaluate applications and program proposals  
169 submitted to the board.

170 (g) The board shall monitor, review, and annually evaluate  
171 funded programs to determine whether funding should be  
172 continued, terminated, reduced, or increased.

173 (h) The board shall operate the programs to ensure that the  
174 goals of this section are met and shall recommend to the  
175 Department of Education the adoption of rules as may be  
176 necessary.

177 (i) The board may take such additional actions, including  
178 independently organizing and conducting hiring, as are deemed  
179 necessary and appropriate to administer the provisions of this  
180 section. An employment position with the foundation is not state  
181 employment.

182 (8) ANNUAL AUDIT.—The board shall cause to be conducted an  
183 annual audit of the foundation's financial accounts by an  
184 independent certified public accountant. The annual audit report  
185 shall be submitted to the Auditor General and the Department of  
186 Education for review. The Auditor General and the department may



475304

187 require and receive from the foundation, or from its independent  
188 auditor, any relevant detail or supplemental data.

189 (9) ASSESSMENT OF PROGRAM RESULTS.—The foundation shall  
190 assess the success of the programs by:

191 (a) Reviewing the program's activities and submitting a  
192 report to the Department of Education and the Legislature on or  
193 before August 1 of each year.

194 (b) Coordinating an ongoing longitudinal study of  
195 participants to determine the overall efficacy of the program.

196 (10) ANNUAL REPORT.—The board shall submit a report to the  
197 Governor, the President of the Senate, the Speaker of the House  
198 of Representatives, and the Commissioner of Education on or  
199 before January 1 of each year, which summarizes the performance  
200 of the endowment fund for the previous fiscal year and the  
201 foundation's fundraising activities and performance, and details  
202 those activities and programs supported by the earnings on the  
203 endowment principal or by bequests, gifts, grants, donations,  
204 and other valued goods and services received.

205 (11) RULES.—The Department of Education shall adopt rules  
206 to administer this section.

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

208  
209 ===== T I T L E A M E N D M E N T =====

210 And the title is amended as follows:

211 Delete everything before the enacting clause  
212 and insert:

213 A bill to be entitled  
214 An act relating to the College and Career Transition  
215 Assistance Act; providing a short title; providing





475304

216 definitions; providing legislative findings and  
217 intent; establishing a school-to-work program to be  
218 operated in any school, Department of Juvenile Justice  
219 facility, or charter school; providing requirements  
220 for participation in the program; creating an  
221 endowment fund within the Florida Endowment Foundation  
222 for Florida's Graduates; creating the Florida  
223 Endowment Foundation for Florida's Graduates;  
224 establishing a board of directors; providing for  
225 membership; providing terms; providing powers and  
226 duties; requiring an annual audit report; requiring  
227 that the board submit a report to the Governor, the  
228 Legislature, and the Commissioner of Education;  
229 requiring that the Department of Education adopt  
230 rules; providing an effective date.