

By Senator Wise

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1 A bill to be entitled
2 An act relating to the College and Career Transition
3 Assistance Act; providing a short title; providing
4 definitions; providing legislative findings and
5 intent; establishing a school-to-work program to be
6 operated in any school, Department of Juvenile Justice
7 facility, or charter school; providing requirements
8 for participation in the program; creating an
9 endowment fund within the Florida Endowment Foundation
10 for Florida's Graduates; providing for the investment
11 and deposit of funds in the foundation's operating
12 account; creating the Florida Endowment Foundation for
13 Florida's Graduates as a direct-support organization;
14 establishing a board of directors to administer the
15 foundation; providing for membership; providing for ex
16 officio members of the board; providing terms;
17 providing powers and duties; providing for the
18 distribution of earnings on the endowment fund
19 principal; requiring an annual audit report; requiring
20 that the board submit a report to the Governor, the
21 Legislature, and the Commissioner of Education;
22 requiring that the Department of Education adopt
23 rules; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. College and Career Transition Assistance Act.—
28 (1) SHORT TITLE.—This section may be cited as the "College
29 and Career Transition Assistance Act."

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

32 (a) "Board" means the board of directors of the Florida
33 Endowment Foundation for Florida's Graduates.

34 (b) "Department" means the Department of Education.

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

39 (d) "Foundation" means the Florida Endowment Foundation for
40 Florida's Graduates.

41 (e) "Operating account" means an account established under
42 paragraph (8) (h) in order to carry out the purposes provided in
43 this section.

44 (3) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
45 that it is in the best interest of the state to have a well-
46 educated and skilled workforce in order to be competitive in a
47 changing economy. It is the intent of the Legislature to ensure
48 a skilled workforce by creating a formal program that
49 facilitates the important transition from school to work and
50 provide additional funding to achieve this goal. Therefore, the
51 Legislature finds that it is:

52 (a) Important to increase each student's understanding of
53 postsecondary educational opportunities and career and work-
54 readiness skills.

55 (b) Appropriate to encourage individual and corporate
56 support and involvement, as well as state support and
57 involvement, to promote employment opportunities for Florida's
58 students.

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

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

66 (b) Participating organizations must be demographically
67 balanced to include urban and rural schools and be comprised of
68 schools in all geographic areas of the state. Each school that
69 is selected to participate in a school-to-work program shall
70 enter into a formal written agreement with the State Board of
71 Education which, at a minimum, details the responsibilities of
72 each party and the process and goals of the program.

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

77 (5) REVENUE FOR THE ENDOWMENT FUND.—

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

81 (b) The principal of the endowment fund shall consist of
82 legislative appropriations and bequests, gifts, grants, or
83 donations solicited from public or private sources by the
84 foundation.

85 (c) The foundation shall invest and reinvest moneys from
86 the principal of the endowment fund pursuant to ss. 215.44-
87 215.53, Florida Statutes. Interest and investment income earned

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88 from moneys in the endowment fund shall be annually transmitted
89 to the foundation, based upon a fiscal year beginning July 1 and
90 ending June 30, and shall be deposited in the foundation's
91 operating account for distribution as provided in this section.

92 (6) THE FLORIDA ENDOWMENT FOUNDATION FOR FLORIDA'S
93 GRADUATES.—

94 (a) The Florida Endowment Foundation for Florida's
95 Graduates is created as a direct-support organization within the
96 Department of Education to encourage public and private support
97 and enhance the transition of students from school to work. As a
98 direct-support organization, the foundation shall operate under
99 contract with the department and shall be:

100 1. A Florida corporation, not for profit, incorporated
101 under chapter 617, Florida Statutes, and approved by the
102 Department of State.

103 2. Organized and operated exclusively to raise funds;
104 submit requests and receive grants from the Federal Government,
105 the state, private foundations, and individuals; receive, hold,
106 and administer property; and make expenditures to or for the
107 benefit of school-to-work transition programs approved by the
108 board of directors of the foundation.

109 (b) As a direct-support organization, the foundation shall:

110 1. Maintain articles of incorporation.

111 2. Maintain a board of directors recommended by the
112 Commissioner of Education and appointed by the Governor.

113 3. Maintain an external annual audit.

114 4. Provide a mechanism for the reversion to the state of
115 moneys in the foundation and in any other funds and accounts
116 held in trust by the foundation if the foundation is dissolved.

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117 (7) BOARD OF DIRECTORS.—The foundation shall be
118 administered by a board of directors, as follows:

119 (a) The board shall consist of 15 members, at least 9 of
120 whom must be from the private sector. The remaining members may
121 be from the public sector and must include representatives from
122 secondary education, vocational education, and job-training
123 programs. The chair may be from the private sector or the public
124 sector.

125 (b) Each member shall have an interest in the transition of
126 students from school to work and, if practicable, shall have:

127 1. Skills relating to work in a foundation or fundraising
128 activities, financial consulting, investment banking, or other
129 related experience; or

130 2. Experience in policymaking or executive-level positions
131 or have distinguished themselves in the fields of education,
132 business, or industry.

133 (c) The Governor, the Commissioner of Education, the
134 director of the Agency for Workforce Innovation, the Secretary
135 of Juvenile Justice, the Secretary of Children and Family
136 Services, and the chairs of the legislative education
137 appropriations committees shall be ex officio members of board.

138 1. The chair shall be appointed for a term of 2 years and
139 may be reappointed. However, a chair may not serve more than 6
140 consecutive years.

141 2. Board members shall be appointed to serve 3-year terms
142 or until resignation or removal for cause, except that members
143 appointed to serve initial terms shall be appointed to staggered
144 terms of 1, 2, and 3 years, respectively.

145 (d) A new member shall be appointed if a vacancy occurs on

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146 the board because of an occurrence other than the expiration of
147 a term.

148 (e) Each member is accountable to the Commissioner of
149 Education for the proper performance of his or her duties. The
150 commissioner may remove any member from office for malfeasance,
151 misfeasance, neglect of duty, incompetence, or the permanent
152 inability to perform official duties or for pleading nolo
153 contendere to, or being found guilty of, a crime.

154 (8) ORGANIZATION, POWERS, AND DUTIES.—Within the limits
155 prescribed in this section or by department rule:

156 (a) Upon appointment of its members, the board shall meet
157 and organize. Thereafter, the board shall hold such meetings as
158 are necessary to administer this section and shall conduct its
159 business in accordance with rules adopted by the department.

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

164 (c) The board may enter into contracts with the Federal
165 Government, the state, local agencies, private entities, or
166 individuals in order to carry out the purposes of this section.

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

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

170 1. The state, or any political subdivision thereof, or any
171 public agency of state or local government.

172 2. A corporation, trust, association, or foundation
173 organized and operated exclusively for charitable, educational,
174 or scientific purposes.

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175 3. The Department of Education, for purposes of program
176 recognition and marketing, public relations and education,
177 professional development, and technical assistance and workshops
178 for grant applicants and recipients and the business community.

179 (f) The board may advertise and solicit applications for
180 funding and shall evaluate applications and program proposals
181 submitted to the board.

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

185 (h) The board shall establish an operating account for the
186 deposit of funds to be used in carrying out the purposes of this
187 section.

188 (i) The board shall operate the programs to ensure that the
189 goals of this section are met and shall recommend to the
190 Department of Education the adoption of rules as may be
191 necessary.

192 (j) The board may take such additional actions, including
193 independently organizing and conducting hiring, as are deemed
194 necessary and appropriate to administer the provisions of this
195 section. An employment position with the board is not state
196 employment.

197 (9) DISTRIBUTION OF EARNINGS ON ENDOWMENT FUND PRINCIPAL.—
198 The board shall use the moneys in the operating account, by
199 whatever means necessary, to provide for:

200 (a) Planning, research, and policy development for issues
201 related to school-to-work transition and publications and
202 dissemination of such information as may serve the objectives of
203 this section.

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204 (b) Promotion of initiatives for school-to-work transition.

205 (c) Funding of programs that engage in, contract for,
206 foster, finance, or aid in job training and counseling for
207 school-to-work transition research, education, or demonstration,
208 or other related activities.

209 (d) Funding of programs that engage in, contract for,
210 foster, finance, or aid in activities designed to advance better
211 public understanding and appreciation of the school-to-work
212 transition.

213 (10) ANNUAL AUDIT.—The board shall cause to be conducted an
214 annual audit of the foundation's financial accounts by an
215 independent certified public accountant in accordance with rules
216 adopted by the department. The annual audit report shall be
217 submitted to the Auditor General and the department for review.
218 The Auditor General and the department may require and receive
219 from the foundation, or from its independent auditor, any
220 relevant detail or supplemental data.

221 (11) ASSESSMENT OF PROGRAM RESULTS.—The success of the
222 programs shall be assessed as follows:

223 (a) The foundation shall review the program's activities
224 and submit a report to the Department of Education and the
225 Legislature on or before August 1 of each year.

226 (b) The foundation shall coordinate an ongoing longitudinal
227 study of participants to determine the overall efficacy of the
228 program.

229 (12) ANNUAL REPORT.—The board shall submit a report to the
230 Governor, the President of the Senate, the Speaker of the House
231 of Representatives, and the Commissioner of Education on or
232 before January 1 of each year, which summarizes the performance

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233 of the endowment fund for the previous fiscal year and the
234 foundation's fundraising activities and performance, and details
235 those activities and programs supported by the earnings on the
236 endowment principal or by bequests, gifts, grants, donations,
237 and other valued goods and services received.

238 (13) RULES.—The Department of Education shall adopt rules
239 to administer this section.

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