

By Representative Richardson

1 A bill to be entitled
2 An act relating to district school board
3 employees; amending s. 112.1915, F.S. ;
4 extending the benefits of the Barry Grunow Act
5 to certain district school board employees and
6 certain noninstructional personnel who provide
7 indirect services to students, in addition to
8 teachers and school administrators; providing
9 an exception to the act; providing an effective
10 date.

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

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14 Section 1. Section 112.1915, Florida Statutes, is
15 amended to read:

16 112.1915 District school board employees excluding
17 certain noncertified noninstructional personnel and contract
18 workers ~~Teachers and school administrators~~; death
19 benefits.--Any other provision of law to the contrary
20 notwithstanding:

21 (1) As used in this section, the term:

22 (a) "Employee" means a secretary, cafeteria worker,
23 janitor, school bus driver, or other employee of a district
24 school board but does not include a noncertified
25 noninstructional employee or a contract worker.

26 (b)(a) "Employer" means the district school board.

27 ~~(b) "Teacher" means any instructional staff personnel~~
28 ~~as described in s. 228.041(9).~~

29 ~~(c) "School administrator" means any school~~
30 ~~administrator as described in s. 228.041(10)(c).~~

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1 ~~(c)(d)~~ "Teaching Duties" means the actual performance
2 of duties required by an employee's ~~a teacher's~~ employment
3 during his or her regularly scheduled working hours or
4 irregular working hours as required or assigned by the
5 employer.

6 ~~(e)~~ "School administrator duties" means the actual
7 performance of duties required by a school administrator's
8 employment during his or her regularly scheduled working hours
9 or irregular working hours as required or assigned by the
10 employer.

11 ~~(d)(f)~~ "Beneficiary" means the person designated by
12 the employee ~~teacher or school administrator~~ in writing,
13 signed by the employee ~~teacher or school administrator~~ and
14 delivered to the employer during the employee's ~~teacher's or~~
15 ~~school administrator's~~ lifetime. If a beneficiary is not
16 designated, the beneficiary is the employee's ~~teacher's or~~
17 ~~school administrator's~~ estate.

18 (2) The benefits described in subsection (3) shall be
19 provided when an employee ~~a teacher or school administrator~~ is
20 killed or injured and dies as a result of an unlawful and
21 intentional act, provided that such killing or injury and
22 death is the result of an act of violence inflicted by another
23 person, and provided that:

24 (a) Such act is inflicted upon the employee ~~teacher or~~
25 ~~school administrator~~ while he or she is engaged in the
26 performance of the employee's ~~teaching duties or school~~
27 ~~administrator~~ duties; or

28 (b) The motivation for such act is related in whole or
29 in part to the fact that the individual is an employee of the
30 district school board ~~a teacher or school administrator~~.

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1 (3) If an employee ~~a teacher or school administrator~~
2 dies under the conditions in subsection (2), benefits shall be
3 provided as follows:

4 (a) The sum of \$75,000 shall be paid, whether secured
5 by insurance or not, to the beneficiary. The payment shall be
6 in addition to any other insurance, workers' compensation, or
7 pension benefits or other benefits that employee ~~teacher or~~
8 ~~school administrator~~ beneficiaries and dependents are entitled
9 to under state or federal statutes and shall be exempt from
10 the claims and demands of creditors of such employee ~~teacher~~
11 ~~or school administrator~~, pursuant to s. 732.402(2)(d).

12 (b) The sum of \$1,000 shall be paid, whether secured
13 by insurance or not, to the beneficiary toward the funeral and
14 burial expenses of such employee ~~teacher or school~~
15 ~~administrator~~. The payment shall be in addition to any
16 workers' compensation or pension benefits or other benefits
17 that employee ~~teacher or school administrator~~ beneficiaries
18 and dependents are entitled to under state or federal statutes
19 and shall be exempt from the claims and demands of creditors
20 of such employee ~~teacher or school administrator~~, pursuant to
21 s. 732.402(2)(d).

22 (c) Payment of the entire health insurance premium for
23 the school district's health insurance plan shall continue for
24 the employee's ~~teacher's or school administrator's~~ surviving
25 spouse until remarried, and for each dependent child of the
26 employee ~~teacher or school administrator~~ until the child
27 reaches the age of majority or until the end of the calendar
28 year in which the child reaches the age of 25 if:

29 1. At the time of the employee's ~~teacher's or school~~
30 ~~administrator's~~ death, the child is dependent upon the
31 employee ~~teacher or school administrator~~ for support; and

1 2. The surviving child continues to be dependent for
2 support, or the surviving child is a full-time or part-time
3 student and is dependent for support.

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5 The district school board that employed the employee teacher
6 ~~or school administrator~~ who is killed shall pay the health
7 insurance premiums. The district school board shall report
8 annually to the Department of Education the amount of premiums
9 paid pursuant to this paragraph. The Department of Education
10 shall provide reimbursement to the district for the premium
11 payments.

12 (d) Waiver of certain educational expenses which
13 children of the deceased employee teacher ~~or school~~
14 ~~administrator~~ incur while obtaining a vocational-technical
15 certificate or an undergraduate education shall be according
16 to conditions set forth in this paragraph. The amount waived
17 by the state shall be an amount equal to the cost of tuition
18 and matriculation and registration fees for a total of 120
19 credit hours at a university. The child may attend a state
20 vocational-technical school, a state community college, or a
21 state university. The child may attend any or all of the
22 institutions specified in this paragraph, on either a
23 full-time or part-time basis. The benefits provided under
24 this paragraph shall continue to the child until the child's
25 25th birthday.

26 1. Upon failure of any child benefited by the
27 provisions of this paragraph to comply with the ordinary and
28 minimum requirements of the institution attended, both as to
29 discipline and scholarship, the benefits shall be withdrawn as
30 to the child and no further moneys may be expended for the
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1 child's benefits so long as such failure or delinquency
2 continues.

3 2. A student who becomes eligible for benefits under
4 the provisions of this paragraph while enrolled in an
5 institution must be in good standing with the institution to
6 receive the benefits provided herein.

7 3. A child receiving benefits under this paragraph
8 must be enrolled according to the customary rules and
9 requirements of the institution attended.

10 (4) The State Board of Education shall adopt rules and
11 procedures necessary to implement the provisions of this
12 section, pursuant to ss. 120.536(1), ~~and 120.54,~~ and 120.541.

13 (5) State funding shall be provided annually in the
14 General Appropriations Act.

15 (6) The provisions of this section shall not apply
16 with respect to any act of terrorism.

17 Section 2. This act shall take effect July 1, 2002.

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20 HOUSE SUMMARY

21 Extends the benefits of the Barry Grunow Act to specified
22 district school board employees rather than just teachers
23 and school administrators. See bill for details.

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