

By the Committee on Governmental Oversight and Productivity;  
and Senator Mitchell

302-1803-02

1                                   A bill to be entitled  
 2           An act relating to school district employees;  
 3           amending s. 112.1915, F.S.; extending the  
 4           benefits of the Barry Grunow Act to specified  
 5           school district employees; providing an  
 6           effective date.

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

10           Section 1. Section 112.1915, Florida Statutes, is  
 11 amended to read:

12           112.1915 Specified school district employees ~~Teachers~~  
 13 ~~and school administrators~~; death benefits.--Any other  
 14 provision of law to the contrary notwithstanding:

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

16           (a) "Employee" means any educational support employee  
 17 as defined in s. 228.041(38), but does not include any  
 18 individual under contract with an entity that provides  
 19 services to the school district.

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

21           (c)~~(b)~~ "Teacher" means any instructional ~~staff~~  
 22 personnel as defined ~~described~~ in s. 228.041(9).

23           (d)~~(c)~~ "School administrator" means any school  
 24 administrator as described in s. 228.041(10)(c).

25           (e)~~(d)~~ "Teaching Duties" means the actual performance  
 26 of duties required by an employee's, a teacher's, or a school  
 27 administrator's employment during his or her regularly  
 28 scheduled working hours or irregular working hours as required  
 29 or assigned by the employer.

30           ~~(e) "School administrator duties" means the actual~~  
 31 ~~performance of duties required by a school administrator's~~

1 ~~employment during his or her regularly scheduled working hours~~  
2 ~~or irregular working hours as required or assigned by the~~  
3 ~~employer.~~

4 (f) "Beneficiary" means the person designated by the  
5 employee, teacher, or school administrator in writing, signed  
6 by the employee, teacher, or school administrator and  
7 delivered to the employer during the employee's, teacher's, or  
8 school administrator's lifetime. If a beneficiary is not  
9 designated, the beneficiary is the employee's, teacher's, or  
10 school administrator's estate.

11 (2) The benefits described in subsection (3) shall be  
12 provided when an employee, a teacher, or a school  
13 administrator is killed or injured and dies as a result of an  
14 unlawful and intentional act, provided that such killing or  
15 injury and death is the result of an act of violence inflicted  
16 by another person, and provided that:

17 (a) Such act is inflicted upon the employee, teacher,  
18 or school administrator while he or she is engaged in the  
19 performance of his or her teaching duties or school  
20 ~~administrator~~ duties; or

21 (b) The motivation for such act is related in whole or  
22 in part to the fact that the individual is an employee, a  
23 teacher, or a school administrator.

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

27 (a) The sum of \$75,000 shall be paid, whether secured  
28 by insurance or not, to the beneficiary. The payment shall be  
29 in addition to any other insurance, workers' compensation, or  
30 pension benefits or other benefits that employee's, teacher's,  
31 or school administrator's ~~teacher or school administrator~~

1 beneficiaries and dependents are entitled to under state or  
2 federal statutes and shall be exempt from the claims and  
3 demands of creditors of such employee,teacher,or school  
4 administrator, pursuant to s. 732.402(2)(d).

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

16 (c) Payment of the entire health insurance premium for  
17 the school district's health insurance plan shall continue for  
18 the employee's,teacher's,or school administrator's surviving  
19 spouse until remarried, and for each dependent child of the  
20 employee,teacher,or school administrator until the child  
21 reaches the age of majority or until the end of the calendar  
22 year in which the child reaches the age of 25 if:

23 1. At the time of the employee's,teacher's,or school  
24 administrator's death, the child is dependent upon the  
25 employee,teacher,or school administrator for support; and

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

29  
30 The district school board that employed the employee,teacher,  
31 or school administrator who is killed shall pay the health

1 insurance premiums. The district school board shall report  
2 annually to the Department of Education the amount of premiums  
3 paid pursuant to this paragraph. The Department of Education  
4 shall provide reimbursement to the district for the premium  
5 payments.

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

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

27 2. A student who becomes eligible for benefits under  
28 the provisions of this paragraph while enrolled in an  
29 institution must be in good standing with the institution to  
30 receive the benefits provided herein.

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

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

7           (5) State funding shall be provided annually in the  
8 General Appropriations Act.

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

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11                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
12   COMMITTEE SUBSTITUTE FOR  
13   Senate Bill 422

14 The Committee Substitute expands coverage of the Barry Grunow  
15 Act to include instructional support employees defined in s.  
16 228.041(38), F.S. and disclaims coverage for employees of  
17 contract providers.  
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