

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 all district school board employees rather
6 than just to teachers and school
7 administrators; providing an effective date.

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

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

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

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

17 (a) "Employee" means any employee of a district school
18 board.

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

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

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

24 ~~(d) "Teaching duties" means the actual performance of~~
25 ~~duties required by a teacher's employment during his or her~~
26 ~~regularly scheduled working hours or irregular working hours~~
27 ~~as required or assigned by the employer.~~

28 ~~(e) "School administrator duties" means the actual~~
29 ~~performance of duties required by a school administrator's~~
30 ~~employment during his or her regularly scheduled working hours~~

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1 ~~or irregular working hours as required or assigned by the~~
2 ~~employer.~~

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

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

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

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

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

26 (a) The sum of \$75,000 shall be paid, whether secured
27 by insurance or not, to the beneficiary. The payment shall be
28 in addition to any other insurance, workers' compensation, or
29 pension benefits or other benefits that employee ~~teacher or~~
30 ~~school administrator~~ beneficiaries and dependents are entitled
31 to under state or federal statutes and shall be exempt from

1 the claims and demands of creditors of such employee teacher
2 ~~or school administrator~~, pursuant to s. 732.402(2)(d).

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

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

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

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

26
27 The district school board that employed the employee teacher
28 ~~or school administrator~~ who is killed shall pay the health
29 insurance premiums. The district school board shall report
30 annually to the Department of Education the amount of premiums
31 paid pursuant to this paragraph. The Department of Education

1 shall provide reimbursement to the district for the premium
2 payments.

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

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

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

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

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

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

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

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HOUSE SUMMARY

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11 Extends the benefits of the Barry Grunow Act to all
12 district school board employees rather than just teachers
13 and school administrators. See bill for details.

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