

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

302-2146-03

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A bill to be entitled  
An act relating to district school board  
employees; amending s. 112.1915, F.S.; revising  
definitions; extending special death benefits  
to certain district school board employees;  
amending a state funding provision; providing  
an effective date.

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

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

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

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

(a) "Beneficiary" means the person designated by the  
employee in a writing signed by the employee and delivered to  
the employer during the employee's lifetime. If a beneficiary  
is not designated, the beneficiary is the employee's estate.

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

~~(b) "Teacher" means any instructional staff personnel  
as described in s. 1012.01(2).~~

~~(c) "School administrator" means any school  
administrator as described in s. 1012.01(3).~~

(b)(d) "Teaching\_Duties" means the employee's actual  
performance of duties required by his or her a teacher's  
employment during his or her regularly scheduled working hours  
or irregular working hours as required or assigned by the  
employer.

1           (c) "Employee" means a district school board employee,  
2 but does not include an independent contractor or a person who  
3 is employed by an entity other than the district school board  
4 to provide services to a district school board pursuant to  
5 contract.

6           (d) "Employer" means the district school board.

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

12           ~~(f) "Beneficiary" means the person designated by the~~  
13 ~~teacher or school administrator in writing, signed by the~~  
14 ~~teacher or school administrator and delivered to the employer~~  
15 ~~during the teacher's or school administrator's lifetime. If a~~  
16 ~~beneficiary is not designated, the beneficiary is the~~  
17 ~~teacher's or 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 his or her 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 ~~a~~  
30 ~~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 the employee's ~~teacher~~  
8 ~~or school administrator~~ beneficiaries and dependents are  
9 entitled to under state or federal statutes and shall be  
10 exempt from the claims and demands of creditors of such  
11 employee ~~teacher or school administrator~~, pursuant to s.  
12 732.402(2)(d).

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

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

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

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

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

15           (d) Waiver of certain educational expenses that ~~which~~  
16 children of the deceased employee ~~teacher or school~~  
17 ~~administrator~~ incur while obtaining a vocational-technical  
18 certificate or an undergraduate education shall be according  
19 to conditions set forth in this paragraph. The amount waived  
20 by the state shall be an amount equal to the cost of tuition  
21 and matriculation and registration fees for a total of 120  
22 credit hours at a university. The child may attend a state  
23 vocational-technical school, a state community college, or a  
24 state university. The child may attend any or all of the  
25 institutions specified in this paragraph, on either a  
26 full-time or part-time basis. The benefits provided under  
27 this paragraph shall continue to the child until the child's  
28 25th birthday.

29           1. Upon failure of any child benefited by the  
30 provisions of this paragraph to comply with the ordinary and  
31 minimum requirements of the institution attended, both as to

1 discipline and scholarship, the benefits shall be withdrawn as  
2 to the child and no further moneys may be expended for the  
3 child's benefits so long as such failure or delinquency  
4 continues.

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

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

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

15           (5) State funding shall be as provided annually in the  
16 General Appropriations Act.

17           Section 2. This act shall take effect July 1, 2003.

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19                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
20                                           COMMITTEE SUBSTITUTE FOR  
21                                                   Senate Bill 1484

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22 Amends s. 112.1915, F.S., to extend death benefits to  
23 specified district school board employees, rather than  
24 creating a new section of law. Defines two new terms,  
25 "Employees" and "Duties." Strikes definitions for "teacher"  
26 and "school administrator." Makes conforming changes  
27 throughout section. Provides that funding shall be "as"  
28 provided annually in the General Appropriations Act.

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