

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1552

SPONSOR: Education Committee and Senator Dawson-White

SUBJECT: School Enrollment/Swim Lessons

DATE: April 19, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill allows each school district to establish a policy to require a child to submit evidence of whether or not he or she has learned to swim. The documentation must be provided prior to enrollment in public school. The policy must include providing information to the parent or guardian at the time of enrollment on learn-to-swim programs available in the community. The bill provides that no civil liability will be incurred by any school district based on the new provisions of law. The new provision stands repealed on July 1, 2005, with a review prior to that date.

This bill creates s. 232.042, F.S., and provides an effective date (upon becoming a law).

II. Present Situation:

Current law (s. 232.0205, F.S.) requires each student to note information related to previous school expulsions, arrests resulting in a charge, and juvenile actions. The information must be noted at the time of initial registration for school and according to district school board procedure. Section 232.03, F.S., also requires the principal to require evidence that the child has attained the age at which he or she should be admitted.

Other provisions of law (ss. 232.0315 and 232.032, F.S.) require the submission of the following information at the time of enrollment: a certification of a school-entry health examination (performed within one year prior to enrollment); and certification of immunization for the prevention of communicable diseases for which immunization is required by the Department of Health. There is an exemption to the required health examination, upon written request of the child's parent or guardian on religious grounds. The law provides an exemption to the required immunizations for medical and religious reasons.

III. Effect of Proposed Changes:

The bill allows each school district to establish a policy to require a child to submit evidence of whether or not he or she has learned to swim. The documentation must be provided prior to enrollment in public school. The policy must include providing information at the time of enrollment on learn-to-swim programs available in the community to the parent or guardian of each child who has not learned to swim. The bill provides that no civil liability will be incurred by any school district based on the new provisions of law. The new provision stands repealed on July 1, 2005, with a review prior to that date.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Parents or guardians may incur costs related to the documentation of the child's ability to swim.

C. Government Sector Impact:

School districts may incur costs related to the distribution of information on programs, unless materials are donated by community organizations. The bill provides that no civil liability will be incurred by any school district based on the new provisions of law.

VI. Technical Deficiencies:

None.

VII. Related Issues:

According to the National Center for Injury Prevention and Control, 4,300 people drowned in 1995, and drownings ranked 7th in all injury-related causes of deaths. In 1995, the following states had the highest rates of drowning:

**States with the Highest Rates of Drowning
per 100,000 population (1995)**

STATE	RATE	NUMBER
Alaska	8.32	53
Hawaii	3.46	46
Louisiana	2.72	113
Mississippi	2.72	68
Montana	2.71	22
Florida	2.69	383
Idaho	2.59	26
Oregon	2.58	76
Nevada	2.41	34
South Carolina	2.36	85
National	1.68	4,350

Source: National Center for Health Statistics 1995 Mortality Data
Ranking based on age-adjusted rate

According to the Center, drowning is the second leading cause of injury-related death for children aged 1 through 19 years, accounting for 1,502 deaths in 1995. For children aged 0-4 years, drowning is the second leading cause of death. The Center also cited the U.S. Consumer Product Safety Commission's findings that most drownings occur in swimming pools.

There are a number of organizations that provide swimming instruction. The extent to which these organizations provide documentation of instruction is unknown.

VIII. Amendments:

None.