

6A-6.05732 Reimbursement for Workers' Compensation Insurance Premiums

(1) Definitions. In this rule, the following terms are defined as follows:

(a) "Department" means the Florida Department of Education;

(b) "Educational institution" means a district school board operated school under Section 1003.01, F.S., a charter school operated under Section 1002.33, F.S., a school district operated career center under Section 1001.44, F.S., a school district operated charter technical career center under Section 1002.34, F.S., or a Florida College System (FCS) institution under Section 1000.21, F.S.;

(c) "Employer" means the definition provided in Section 440.02(16), F.S., and includes a school district and a FCS institution that have students participating in unpaid work-based learning opportunities; and

(d) "Work-based learning opportunities" means the definition provided in Section 446.0915, F.S., and the standards set forth in Rule 6A-23.0042, F.A.C..

(2) Reimbursement for Workers' Compensation Premiums. An employer may apply to be reimbursed for an increase in the employer's workers compensation premiums attributable to including a student participating in a work-based learning opportunity under the employer's workers' compensation insurance.

(a) All requests for reimbursement must be submitted to the Department's Comptroller's Office at the following address: Florida Department of Education, Bureau of the Comptroller, 325 West Gaines Street, 914 Turlington Building, Tallahassee, Florida 32399-0400.

(b) At least forty-five (45) days before the deadline, the Department will annually notify school districts and FCS institutions of the deadline for submission of requests for reimbursements.

(c) Requests for reimbursements can include any period within a given fiscal year from July 1 through June 30 of the fiscal year and are limited to the fiscal year identified in the notice.

(d) The educational institution where the student is or was enrolled while participating in a work-based learning opportunity must submit requests for reimbursements on behalf of employers. The Department will not consider requests made directly from an employer, unless the educational institution is the employer.

(e) Requests for reimbursement must include the following information:

1. The total number of students participating in work-based learning opportunities with the employer;

2. The number of students who are participating in paid and unpaid work-based learning opportunities with the employer;

3. Confirmation that students were eighteen (18) years of age or younger during the time when participating in the work-based learning opportunity and for which reimbursement is sought;

4. A description of the method of determining the proportionate share of the employer's workers' compensation insurance attributable to student(s) in work-based learning opportunities;

5. The dollar amount sought to be reimbursed;

6. The employer's name, telephone number, email address and an identifying number, such as (FEIN number);

and

7. A statement by the employer agreeing to maintain documentation supporting the information described in paragraph (2)(e) for a minimum of five (5) years.

(3) Responsibility of Educational Institutions. The educational institutions where a student is enrolled in a work-based learning opportunity must adopt procedures for the following:

(a) Providing notice to employers of the opportunity to submit for reimbursement;

(b) Establishing deadlines for submission of requests to the educational institution;

(c) Reviewing requests by employers for compliance with the requirements of this rule and providing the opportunity for employers to provide supplemental or corrected information;

(d) Submitting requests that provide the information required by paragraph (2)(e) of this rule to the Department;

(e) Distributing reimbursements authorized by the Department to employers; and

(f) Designating a person at the institution to respond to inquiries about reimbursement by the Department and by employers.

(4) Reimbursement by the Department.

(a) The Department will review requests to ensure that each request includes the information required by this rule and that each request for reimbursement is limited to an increase in the employer's workers compensation premiums attributable to the inclusion of a student participating in a work-based learning opportunity, in the employer's workers compensation insurance.

(b) Should the amount requested for reimbursement exceed the total amount appropriated for this purpose, reimbursements will be prorated by the Department.

Rulemaking Authority 1001.02(1), (2)(n), 446.54 FS. Law Implemented 446.54 FS History – New -