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TO: District Career and Technical Education Directors
District Technical College Directors
Florida College System Workforce Administrators
School District Finance Officers

FROM: Henry Mack, Senior Chancellor
Suzanne Pridgeon, Deputy Commissioner, Finance and Operations

DATE: March 7, 2022

SUBJECT: **New State Board of Education Rules for Work-Based Learning Standards and Workers' Compensation Insurance Premium Reimbursement**

Work-based learning is an evidence-based educational best practice and an essential strategy in our attempt to become number one in the nation for workforce education. This memorandum provides an overview of two proposed rules prompted by laws enacted during the 2021 Legislative Session. One rule aims to reduce a financial barrier to the expansion of work-based learning; the other rule aims to ensure the quality, safety and efficacy for work-based learning in Florida. Both rules are pending approval by the State Board of Education at the March 30, 2022 meeting.

Details are shared below regarding a technical assistance webinar to be hosted by the Florida Department of Education (department) in April on implementation of the rules.

Rule 6A-6.05732, F.A.C., Overview of the Reimbursement for Workers' Compensation Insurance Premiums

On June 28, 2021, Governor DeSantis signed CS/CS/SB 366 creating [Section 446.54, Florida Statutes \(F.S.\)](#), which provides for reimbursement for workers' compensation (WC) insurance premiums. As part of the statute, the Florida Legislature appropriated \$2 million dollars to reimburse employers of students 18 years of age or younger for the costs of WC insurance premiums for students participating in both paid and unpaid work-based learning (WBL) opportunities through Florida school districts and Florida College System (FCS) institutions.

An important note is that section 446.54, F.S., considers the school district or FCS institution the employer of students who are 18 years old and younger and are providing unpaid services under a WBL opportunity provided by the school district or FCS institution. Therefore, the school district or FCS institution will need to cover the unpaid students under their district or institution

workers' compensation insurance and then apply to be reimbursed for the premiums associated with doing so.

All requests for reimbursement of WC insurance premiums, including those made by private and public sector businesses providing paid WBL opportunities, will flow through the school districts and FSC institutions in which the students are enrolled. Requests for reimbursement will be submitted at one time to the department at the end of the fiscal year for the costs incurred during the entire fiscal year.

Notification of the application processes and timelines for all employers including businesses, school districts and FCS institutions will announced under separate cover. Finance officers are asked to share this information with their local agencies' risk management staff.

Rule 6A-23.0042, F.A.C., Overview of the Work-Based Learning Standards

[Section 446.0915, Florida Statutes \(F.S.\)](#) set forth for the first time a statutory definition of work-based learning, defined criteria to be met through work-based learning opportunities, and, finally, gave authority to the State Board of Education to define the “uniform minimum standards and guidelines for determining student eligibility, obligations of employers, and the requirements of institutions that offer work-based learning opportunities.”

With the help of a long list of stakeholders representing business, education, and special populations, the department has developed this rule to define quality, ensure safety, and delegate authority to educational institutions to implement work-based learning across a wide variety of programs and circumstances. Key aspects of the rule include:

- Defining the components of a Training Agreement and a Work-Based Learning Reflection;
- Delegating authority to educational institutions to establish policies and procedures related to employer supervisor background checks;
- Requiring that students have medical injury and illness coverage related to the work-based learning opportunity;
- Establishing protocol for reporting injuries, illness, and allegations of harassment and discrimination to the parents or legal guardians of minors;
- Integrating work-based learning into the Perkins Comprehensive Local Needs Assessment process; and
- Reporting key work-based learning data to the department.

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Technical Assistance Webinar

[Click here to register for a webinar on Tuesday, April 5, 2022, at 2 p.m. EST](#), which will provide details and implementation guidance on the two work-based learning rules considered by the State Board of Education at the March 2022 meeting. An FAQ and other supporting documentation will be released along with the webinar.

Much More to Come for WBL!

Currently, the department is actively creating a manual, guidance, templates, and webinars to support the implementation of WBL opportunities. Staff are also preparing instructions and associated technical assistance for the submission of requests for reimbursement of WC insurance premiums. Additionally, the department is pursuing a statewide, online work-based learning coordination system to better connect classrooms and businesses in Florida. We are working hard to raise the standard for work-based learning and to help meet that standard at every step of the way.

Please contact Lee Chipps-Walton at Lee.Chipps-Walton@fldoe.org or 850-245-0911 regarding these aforementioned rules and any other aspect of work-based learning. Questions regarding the reimbursement of WC insurance premiums may be directed to Martha K. Asbury at Martha.asbury2@fldoe.org.

We appreciate all you do for students and look forward to working with you to implement these exciting enhancements to WBL opportunities in Florida.

HM/SP/lcw

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