



## **Continuing Education Policies and Procedures**

### **1. AUTHORITY AND SCOPE**

The board, by rule, may establish or adopt, or both, education requirements and may approve, administer, or financially support, the program or programs providing residential construction education, pursuant to Ala. Code Sec. 34-14A-7(d). The Board shall adopt the administrative rules and regulations for continuing education set forth herein.

### **2. DEFINITIONS**

a. Continuing Education Committee: The continuing education committee shall be composed of three (3) members as appointed by the Board. The continuing education committee shall have the authority to make decisions on behalf of and make recommendations to the Board regarding all matters related to continuing education for licensees.

b. Continuing Education Course: A continuing education course is a training program that complies with the procedures, standards and minimum requirements established for continuing education and has been approved by the Board.

c. Continuing Education Credit: A continuing education credit is equal to a 50-minute credit hour of instruction.

d. Continuing Education Instructor: A continuing education instructor is an individual that complies with the procedures, standards and minimum requirements established for continuing education and who has submitted a training program to the Board for continuing education credit review and been approved by the board.

e. Continuing Education Provider: A continuing education provider is an institution or organization that complies with the procedures, standards and minimum requirements established for continuing education and who has submitted a training program to the Board for continuing education credit review and been approved by the Board.

### **3. CONTINUING EDUCATION COMMITTEE**

The Continuing Education Committee shall be a standing committee of the Board and authorized to meet as needed at the call of the committee chair or the Board chair, to review, assess, approve, or deny applications for educational providers, instructors and courses according to the general standards and minimum requirement set forth herein and within the Board's and committee's discretion. The committee shall consist of three (3) members of the Board and appointed by the full Board on an annual basis. Decisions and/or recommendations of the committee shall be presented to the full Board at scheduled Board meetings for the ratification of a provider, instructor, course or related education issue.

### **4. REQUIREMENTS FOR LICENSEES AND DESIGNATED QUALIFYING REPRESENTATIVES**

a. All active individual licensees and/or the designated qualifying representative (DQR) for a corporation, limited liability company, or partnership licensee, who is under the age of 60 shall obtain six (6) credit hours of continuing education taught by a Board approved provider or instructor each year in order to maintain an active license. If the DQR changes:

- The new DQR is not required to complete six (6) credit hours of continuing education if he/she recently satisfied the experience and ability requirement, or if he/she holds an active license and has completed continuing education for the current license.
- The new DQR is required to complete six (6) hours continuing education if he holds an inactive license.

b. All active licensees age 60 and over, on or before October 1, at the start of a license renewal period, shall be exempt from continuing education requirements, except for the following:

- An individual licensee and/or the designated qualifying representative for a corporation, limited liability company, or partnership licensee, who qualifies for the exemption, must apply for the exemption and provide proof of age.
- A licensee submitting a renewal application for the first renewal year after receiving initial license.
- A licensee submitting the first renewal application after reissuance of license that had been expired for

over three years.

c. **(1) Military Exemption:** Licensees who are an United States Armed Forces reservist or serve in the Army National Guard or Air Force National Guard, who were activated/deployed for a period of time exceeding ninety (90) consecutive days during a licensure year, shall be exempt from the continuing education requirement for one renewal period

**(2) Military Family Jobs Opportunity Act:** Any licensee who qualifies under the provisions of the Military Family Jobs Opportunity Act and the Board's administrative regulations, may be exempt from the continuing **education requirement during the first year of licensure.**

d. **Personal hardship:** Licensees requesting a personal hardship exemption as a result of a major catastrophic event resulting in destruction or damage to personal and/or business property, a major medical issue for individual or for family member that has resulted in preventing the licensee from work, shall make a written request for committee review and Board approval. Cases shall be considered on an individual basis. Further, upon determination by the continuing education committee that a major catastrophic event, natural or otherwise, has caused such widespread loss to personal and/or business property or caused significant economic hardship to licensees, it may recommend to the Board suspension of the continuing education requirement for all licensees for one renewal year.

e. **Licensee:** An individual licensee and/or the designated qualifying representative for a corporation, limited liability company, or partnership shall complete six (6) credit hours of instruction taught by a board approved provider or instructor. In order to renew a license, proof of compliance with the continuing education requirement shall be submitted by the continuing education provider and/or documented within the Board data systems and records for license compliance.

f. **Continuing Education Instructor:** Board approved continuing education instructors who are also individual licensees and/or the designated qualifying representative for a corporation, limited liability company, or partnership licensee may use their course instruction to satisfy the continuing education requirement. Instructors must provide the Board with evidence of what Board approved course(s) he or she taught, when course(s) were taught, and how many credit hours were taught. Instructors will receive credit for an individual course one time only.

g. **Inactive Licensee:** Licensees possessing an inactive license, including building officials, shall not be required to complete continuing education. However, an inactive individual or building official licensee must show proof of having completed six (6) credit hours of continuing education within two (2) calendar years prior to returning to or entering active status as an individual licensee or as the designated qualifying representative for a corporation, limited liability company, or partnership.

## **5. REPORTING PROCEDURES; FAILURE TO COMPLY; REINSTATEMENT**

a. The approved providers shall provide documentation to the Board and licensees of successful completion of course hours within five (5) business days of course completion.

b. Failure to comply with the continuing education requirements by November 30 may result in a fifty (\$50) dollar administrative late fee in addition to the renewal license fee.

c. Licensees providing false documentation to the Board may result in disciplinary action, and the Board may seek to impose penalties allowed by the Act to include revocation or suspension of the license, and an administrative fine of up to \$5,000 per violation.

d. Instructors and/or providers who fail to provide or provide false documentation to the Board and/or licensees may be subject to suspension and permanent removal from the list of Board approved instructors and providers.

e. A licensee may carry over up to six (6) hours of continuing education hours from one licensure period to the following licensure period.

## **6. SOURCES OF CONTINUING EDUCATION, CREDIT HOURS, REQUIRED COURSE HOURS AND ELECTIVE HOURS**

a. A list of approved continuing education providers, instructors and courses will be maintained on the Home Builders Licensure Board website: [hblb.alabama.gov](http://hblb.alabama.gov)

b. A continuing education credit is equal to a 50-minute credit hour of instruction. Credit course hours may be offered in one (1), two (2), three (3), four (4), or six (6) credit hour increments.

c. Licensees/designated qualifying representatives are required to complete at least two (2) credit hours each year of an approved course in at least one of the following areas specific to Alabama: contracts, business organizations and law, financial management, consumer/customer relations and management, State of Alabama Home Builders Licensure Law and Regulations and Risk Management: Avoiding Common Violations.

d. Remedial education courses ordered as a part of disciplinary action by the Board shall not count toward the required six (6) hours of continuing education.

## 7. REQUESTS FOR NON-TRADITIONAL APPROVAL

Licensees seeking credit for a non-traditional continuing education course must submit the written request and any required documentation to the board with the required \$50 fee to the Board for review and approval within the current year and prior to the renewal of the license for the following year. It is entirely within the Board's discretion to grant a non-traditional approval.

## 8. REQUIREMENTS FOR PROVIDERS AND INSTRUCTORS

a Institutions, organizations and individuals wishing to become an approved provider or instructor shall submit the required new application(s) and annual renewal applications to the Board for review. The Board's Continuing Education Committee will review the application and make its recommendation to the Board to approve or deny the application or request additional information from the applicant. The applicant will be informed in writing of the Board's decision. Only those institutions, organizations, and individuals that meet or exceed the established standards and minimum requirements will be approved to award continuing education credit. Application fees:

- **Provider: new - \$250 renewal - \$125**
- **Instructor: new - \$100 renewal - \$50**
- **Course: new - \$50 renewal - \$25**

- Example: Provider A is Big Utility Company. Big Utility Company has 9 instructors and 18 courses. Big Utility Company submits new applications for all. The total cost for the new provider, instructors and courses would be \$2,050.

- Example: Dr. John Smith teaches contracts at State Law School. Dr. Smith wants to teach a contracts course to licensees. Dr. Smith will submit an application to be approved as a provider, instructor and his contracts course. Total cost will be \$400.

b Providers shall submit a \$5 fee per every credit hour taught to licensees each time a roster of a completed course is submitted to the Board. The course title on the roster must match the course title approved by the Board.

c The Board may require prior teaching experience. Teaching experience may be either formal or informal. A college degree may or may not be required depending upon the course being taught. In lieu of a college degree, the Board may accept proof of competency such as appropriate certification related to the area of specialty.

d All provider, instructor or course applications submitted to the Board for review must be received by the Board at least 60 days prior to the first scheduled event where the applicant intends to provide approved continuing education content credit. All applications must be approved by the Continuing Education Committee and ratified by the Board.

e The Board may require all providers and instructors to attend a review and oversight session to ensure course curriculum and presentation is consistent with agency law, regulation and legal opinions.

f The Board may require providers and instructors who offer a course online to offer the course at least once a year in person in order to accommodate licensee needs and abilities to comply with continuing education requirements. All required continuing education course topics referenced in 6(c) may be offered in person or online. If offered online the course must include one of the following: live instructor available to answer questions during online presentation and/or webinar, access to instructor by phone during business hours, access to instructor by email, or other reasonable communication approved by Board staff.

g All fees established by the Board must be submitted with an application before the application may be processed. Fees are non-refundable.

h Upon approval of an application, each approved provider and/or instructor shall agree to conduct courses in accordance with the Boards requirements and shall indicate agreement by signing a continuing education provider/instructor agreement form provided by the Board.

i The Board may act as a provider and use qualified Board staff as instructors to provide specific and required classes relative to the Home Builders Licensure Board law and administrative regulations or other courses as needed.

## 9. REVOCATION OF APPROVAL

The Board shall have the authority to monitor approved courses, providers and instructors to determine compliance with the terms of the agreement and the rules and regulations of the Board. The Board may suspend, revoke or terminate the agreement with any approved continuing education provider or instructor if the Board determines that either has failed to comply with the terms of the agreement or the rules and regulations of the Board. All providers, instructors and courses shall be up to date relative to code, law, and regulations relevant to content covered.

## 10. VIOLATION FOR OPERATING AS A NON-APPROVED PROVIDER

Any institution, organization or individual who acts as a provider or instructor of continuing education without being properly certified or who provides the Board with falsified information or documentation may be subject to having their provider or instructor status revoked and/or prevented from obtaining future approval as a provider or instructor. A provider or instructor with a revoked status may petition the Board for reinstatement; such petition must be accompanied by a filing fee as determined by the Board.



## **CONTINUING EDUCATION**

### **STANDARDS AND MINIMUM REQUIREMENTS**

The Board adopts by rule the following standards and minimum requirements for continuing education. Only those institutions, organizations or individuals that meet or exceed the following standards and minimum requirements will be approved to offer continuing education courses to license holders for continuing education credit.

#### **1. FACILITIES**

a. Instructional facilities must be adequate to effectively teach the course content. Classrooms or instructional areas must be adequately lighted, heated/cooled, void of distractions as much as possible, and properly equipped with the necessary tools to enhance learning. Classrooms or instructional areas must provide adequate seating to accommodate all participants. When applicable, reasonable accommodations must be made for persons with disabilities in accordance with the Americans with Disabilities Act.

b. When instruction is conducted in a shop or laboratory, the laboratory or shop areas must be properly and safely maintained and safety equipment such as safety glasses must be provided to all participants. Laboratory or shop areas should be adequately equipped with training equipment, mock-ups, or other live work projects relative to the course content.

c. Restroom facilities should be easily accessible and must accommodate both male and female participants.

d. Courses provided via self-study or other distance learning means must provide a detailed outline describing the learning environment.

#### **2. PROVIDERS AND INSTRUCTORS**

a. To qualify as an approved continuing education provider or instructor the following minimum requirements must be met:

- (1) Only courses approved by the Board and presented by approved providers or instructors shall be approved for continuing education credit.
- (2) Each provider or instructor shall maintain and submit to the Board a list of attendees, including the individual licensee's name or the designated qualifying representative's name for a corporate, limited liability company, or partnership licensee along with the valid active license number issued by the Board within 5 days of completion.
- (3) The provider or instructor shall provide each attendee with a certificate of completion within thirty (30) days after completion of the approved course.
- (4) Upon approval of the application, each provider or instructor shall agree to conduct courses in accordance with the board requirements and shall indicate agreement by signing a continuing education provider/instructor agreement form provided by the Board.

b. Each provider or instructor shall submit a new provider/instructor application along with the appropriate fee to the Board. Thereafter, each provider and instructor shall submit an annual renewal application with the appropriate fee to the Board. Each provider or instructor application shall include:

- (1) Name of the provider or instructor;
- (2) Contact information including physical address, telephone number, and email address;

- (3) Brief narrative describing the physical facility or facilities where course will be taught;
- (4) Type of instruction (on-line, instructor led or both);
- (5) Statement describing the area of specialty and prior teaching experience of the provider or instructor.
- (6) List and description of courses intended to offer including relevance to the construction industry.

c. A provider or instructors shall be considered for approval if they satisfy at least one of the following:

- (1) A “qualified individual” based on license classification and proven teaching experience;
- (2) A “qualified code enforcement official” with proven teaching experience;
- (3) Found by the Board to have professional or trade experience or other special qualifications qualifying him or her to teach continuing education courses.

d. A provider or instructor shall submit a new and separate course application along with the appropriate fee, for all course(s) to the Board. Thereafter, each provider or instructor shall submit an annual course renewal application with the appropriate fee to the Board. Each course application shall include the following:

- (1) Provider or Instructor’s Name
- (2) Provider or Instructor’s address, phone numbers and email address
- (3) Course syllabus containing:
  - a. Course title
  - b. Course description
  - c. Anticipated outcomes
  - d. List of resource materials or textbooks
  - e. Length of course
- (4) Contact Hours

e. Approved providers and instructors who advertise courses for continuing education credit must state on the advertisement as follows:

**“This course, (title of course), has been approved by the State of Alabama Home Builders Licensure Board for    hours of continuing education credit.”**

f. The content of continuing education courses must be related to the vocation of residential construction and must be designed to meet one of the following goals:

- (1) Allow the licensee/designated qualifying representative to enhance his or her knowledge and skills.
- (2) Provide opportunities for interdisciplinary learning.
- (3) Extend limit of profession capabilities and opportunities.
- (4) Facilitate personal contributions to the advancement of the profession.

g. Areas of instruction may include but are not limited to building or residential construction codes and standards; construction safety, state government law and regulations; land use, development, planning and zoning; estimating; business principles and practices, financial management and accounting, contracts, and customer /consumer relations management.

h. Courses submitted for the intent of advertising or promoting products will not be accepted. Specialized training on brand specific equipment will be considered only if all licensed contractors are allowed to attend and participate, and the intent of the course is not promotional in nature.

i. Credits for continuing education will be awarded only for courses that have been approved by the Board and taught by providers or instructors approved by the Board prior to offering the course for continuing education credit or non-traditionally approved.

j. All courses shall be awarded credit based on a 50-minute credit hour of instruction.