

APA-1
07/04

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency Board of Registration for Foresters
Rule No. 380-x-6-.04
Rule Title: Continuing Education

_____ New Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? N/A

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? N/A

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? N/A

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Ricardo Johnson*
Date 12-11-15

APA-2
07/04

ALABAMA STATE BOARD OF REGISTRATION FOR FORESTERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Registration for Foresters

RULE NO. & TITLE: 380-X-6-.04, Continuing Education

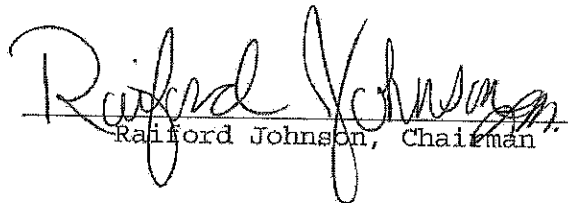
INTENDED ACTION: To Amend Rule

SUBSTANCE OF PROPOSED ACTION: The proposed amendment will include additional forestry and forestry re-lated subject matter categories for category 1 continuing education credits.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested parties may submit data, views, or arguments concerning the proposed amendment by mail or in person through the close of business on February 04, 2016. Persons wishing to submit data, views, or arguments orally should contact Lea Anna Meadows between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, excluding State holidays, at (334) 240-9301.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: February 04, 2016

CONTACT PERSON AT AGENCY: Lea Anna Meadows, Executive Director, Alabama State Board of Registration for Foresters, 513 Madison Avenue, Montgomery, AL 36130.


Raiford Johnson, Chairman

Continuing Education.

(1) A registered forester will be required to have annually completed 10 hours of acceptable continuing education which can be taken during the two-year period immediately preceding the renewal date as a condition for license renewal. Classes taken more than two years prior to the renewal date may not be used. Credit for a class may only be used once.

(2) Acceptable continuing education credit hours can be carried over one year provided the hours have not been used to satisfy the previous year requirements.

(3) Registered foresters licensed for less than one year at the date of license expiration will not be required to complete any hours of continuing education prior to that first license expiration, but will be required to have the 10 required hours of continuing education as of the second license expiration as a condition for license renewal.

(4) Registered foresters will report the continuing education credits to be applied to this requirement as a part of the license renewal form. Documentation shall be retained by each licensee and shall include evidence of completion of each course or program, a description of the contents of each course or program, and verification of the number of hours of each course or program; or, for other activities which meet the requirements, such documentation as to ascertain their completion. All registered foresters are subject to an annual Board of Registration audit of continuing education documentation.

(5) Failure to comply with the provisions of this section will result in nonrenewal of the registered forester license. Registered foresters whose licenses have expired for nonrenewal are prohibited from identifying themselves as registered foresters and practicing professional forestry.

(6) Responsibility for documenting the fulfillment of the continuing education requirements provided for in this section rests with the licensee, and the licensee must retain for a period of two years, from the date of license renewal, copies of the evidence to support fulfillment of the requirements.

(7) The Board may relax or suspend the requirements of continuing education for retirees or health of the licensee based on the licensee's specific case.

(8) Credit accrues at a rate of one hour for each hour of actual contact. This shall be known as a contact hour or clock hour. Travel time on tours or field sessions will not be included in calculating contact hours. For providers who measure continuing education activities in "Continuing Education Units (CEUs)," one CEU is defined as 10 contact hours of continuing education. Credit will not be allowed for any program which in its entirety, including question and answer periods, lasts less than sixty minutes. However, credit may be rounded down to the nearest whole or half hour, so long as it is at least one hour. Credit will not be given for time spent in introductory remarks, coffee and luncheon breaks, meals, or business meetings where no organized course work is presented.

(9) There are six categories of continuing forestry education which cover the various activities for which credit may be granted.

(a) Category 1. Organized course work or activities in forestry or forestry-related subject matter such as silviculture, mensuration, biometrics, economics, forest pest management, habitat management, watershed management, best management practices, genetics, urban forestry, forest policy, spatial technology, wood products, forest real estate, or professional ethics. Included are seminars, short courses, and workshops conducted or sponsored by public or private organizations, forest management related seminars and courses held by forest industry and public employers for their employees, as well as technical sessions of professional forestry society meetings or conferences. A Category 1 activity must satisfy all of the following conditions:

1. It constitutes an organized program of learning (including a meeting, workshop or symposium) which contributes directly to the professional competency of the registered forester.

2. It deals primarily with matter directly related to the practice of forestry or to the professional responsibility or ethical obligations of foresters.

3. It is conducted by foresters or individuals who have special education, training and experience by reason of

which they can be considered experts in the subject matter of the program.

4. It is conducted in a setting physically suitable to the educational objectives.

5. The subject matter is applicable to foresters in general. (Activities may be approved where attendance is limited to the members of a particular company, firm or governmental agency but only if the subject matter is broad enough to be of interest to foresters in general).

(b) Category 2. The development, preparation, and presentation of professional level forestry or forestry-related course work, in an instructional capacity such as described in Category 1, which require effort beyond the general scope of the individual's normal duties or job description. Credit accrues at the rate of two contact hours for each hour of presentation.

(c) Category 3. Other organized course work or activities not specifically forestry or forestry-related but which are professionally enriching or directly benefiting the individual in his or her present position. Examples include general sessions of forestry or other professional meetings or course work in areas such as real estate, finance, appraisal, business management or computer science.

(d) Category 4. The preparation, writing and publication of forestry or forestry-related subject matter, which requires effort beyond the general scope of the individual's normal duties or job description. Credit accrues at the rate of 15 hours for each publication requiring technical review or 5 hours for an article or a series of articles of a substantial nature in magazines, newspapers, or similar publications.

(e) Category 5. Self-improvement in forestry or forestry-related subjects. Examples are attendance at meetings of state boards of forestry, forestry licensing committees, or tree improvement associations. This may not include the business or social portions of professional society meetings that do not qualify for Categories 1 or 2. Also included is self-improvement through publications or audio-visual presentations on technical forestry subjects. Independent study programs that are forestry related but do not qualify for Category 1 are included. Credit accrues at the rate of one hour for each hour of activity.

(f) Category 6. Holding elected or appointed office or active committee assignment in forestry or allied professional organizations and on national, state or local boards as a representative of the forestry profession. Credit accrues at the rate of 5 hours per year for holding office, chairing an assignment or one active committee membership.

(10) Correspondence courses and independent study programs are permitted under categories 1 and 2, if the course provides for interaction between the participant and the course administrator. This usually takes the form of periodic examinations and must be documented; otherwise, correspondence courses may be counted under Category 5. Contact-hours are assigned on the basis of the credits granted by the sponsoring organization. If the organization uses a semester system, the number of credits is multiplied by 15; for a quarter system, the number of credits is multiplied by 10.

(11) University and college taught activities taken in pursuit of a degree may be counted as Category 1 so long as that degree is not being obtained to meet the minimum qualifications for registration as a registered forester. This will generally include graduate degrees and non-forestry degrees. Credits will be assigned as described above for correspondence courses.

(12) Minimum continuing education requirements for annual license renewal are a total of 10 contact hours of continuing education.

(a) A minimum of 5 contact hours must be in Category 1 or 2. However, the entire requirement may be met with hours in Category 1, only.

(b) A maximum of 5 contact hours may be claimed in categories 3 through 6.

(13) Continuing forestry education hours may be obtained from the following providers or through independent study, so long as they conform with the requirements set out above. Providers described in paragraphs a, b, c and d below will not require prior Board approval. Licensees documentation for providers in a, b, c and d should include the course outline and instructors names and qualifications.

(a) Professional Associations. Continuing forestry education hours may be obtained by participating in activities

sponsored by or approved by the Society of American Foresters or other professional associations. A properly authorized official of the professional organization shall certify the number of contact hours of educational content of each sponsored or approved activity.

(b) Educational Institutions. Continuing forestry education hours may be obtained by completing non-forestry degree or graduate level course work or by participating in continuing educational programs sponsored by or approved by educational institutions accredited by a regional body recognized by the Council of Post Secondary Accreditation. The educational institution shall certify the number of contact hours of educational content in each sponsored or approved program.

(c) Government Agencies. Continuing forestry education hours may be obtained by participating in inservice training, courses, or workshops sponsored by federal, state or local agencies. The provider shall certify the number of contact hours of educational content in each sponsored activity.

(d) Forest Industry. Continuing forestry education hours may be obtained by participating in in-house training, courses or workshops. The provider shall certify the number of contact hours of educational content in each sponsored activity.

(e) Board Approved Providers.

1. Continuing forestry education may be obtained by participating in activities sponsored by Board Approved Providers, so long as the provider was approved at the time the program was offered. Board Approved Providers may only offer programs in the topic areas for which they have been approved. The provider shall certify the number of contact hours of educational content in each continuing education activity.

2. In order to qualify for initial Board approval, to renew Board approval or to qualify for approval in additional topic areas, a provider must apply to the Board. The application must be received in the Board office prior to the date the course is to be given. The application must include the following:

(i) A description of the topic areas in which the provider plans to sponsor continuing education activities.

(ii) The names of all instructors currently offering continuing education activities, a description of the topic areas in which each instructor is qualified to teach along with a vita or other evidence demonstrating that each instructor is qualified in the identified topic area.

(iii) Program outlines, including instructors, objectives and schedules for all continuing education activities the provider has plans to present.

3. Board Approved Provider status shall expire four years from the date of approval and may be renewed by application to the Board. The Board retains the right to monitor continuing education programs sponsored by Board Approved Providers and will withdraw approval from providers who do not maintain the standards demonstrated in their application. Board Approved Providers shall notify the Board in writing of a change of address or of a decision to withdraw from Board Approved Provider status.

(14) Standards similar to those required for Category 1 providers are expected for Category 2 providers except that the professional societies will be other than forestry related. The Board will not approve any other providers but will accept Category 1 and 2 courses approved by other state licensing boards in the appropriate specialty areas.

Author: Aprille B. Cook

Statutory Authority: Code of Ala. 1975, §34-12-8(b).

History: Filed March 19, 1992. **Amended:** Filed August 9, 2006; effective September 13, 2006. **Amended:** Filed February 9, 2007; effective March 16, 2007.