

61G17 BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS

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61G17-5.001 Continuing Education Requirements for Reactivation of Inactive License.

A license which has been inactive for more than one year may be reactivated upon application to the Department and demonstration to the Board by the licensee of having completed one (1) continuing education credit in surveying and mapping related courses or seminars per inactive month up to a maximum of forty-eight (48) continuing education credits which must be completed within one year prior to the date of application for reactivation. This education for licensure reactivation shall be related to the licensee's field of practice and shall include a minimum of six (6) hours of Minimum Technical Standards (MTS) continuing education credits and six (6) hours of laws and rules continuing education credits. Verification of the above-mentioned education shall be in the form of a continuing education course certificate of completion that complies with subsection 61G17-5.0043(2), F.A.C.

Specific Authority 472.019(2) FS. Law Implemented 455.271(9), 472.019(2) FS. History--New 10-29-80, Formerly 21HH-5.01, Amended 2-7-91, Formerly 21HH-5.001, Amended 3-28-94, 5-30-95, 10-13-97, 6-29-00, 6-22-03, 6-20-06, 1-29-07.

61G17-5.0031 Continuing Education Credit for Biennial Renewal.

Every person licensed pursuant to Chapter 472, Florida Statutes, must obtain at least twenty-four (24) continuing education credits per biennium. At least six (6) credits must be obtained by completing an approved provider's course or seminar on Florida's minimum technical standards, an approved provider's course or seminar on Florida's laws affecting the practice of surveying and mapping, or an approved provider's course combining the aforementioned subject matters.

(1) Continuing education credits may be obtained for:

(a) The completion of courses in surveying and mapping subjects at universities and colleges which are regionally accredited by an accrediting agency that is recognized by the United States Department of Education. Six (6) continuing education credits may be obtained for each semester hour or quarter hour equivalent thereof. A "course in a surveying and mapping subject" is a course such as: civil engineering, forestry, mathematics, photogrammetry, land law, physical sciences, basic surveying and mapping, route surveying, mapping, control

surveying, legal principles of boundaries, geodetic astronomy, subdivisions and cartography. An official transcript from the registrar of the academic institution shall be submitted to the Board office as documentation of course completion at least 45 days prior to the end of the biennium;

(b)1. The completion of courses or seminars offered by continuing education providers approved by the Board for the provision of continuing education credit hours. A list of such providers is available from the Board office upon request.

2. A licensee may obtain continuing education credits in the amount of the credits allowed for that course or seminar for his/her first presentation of such course or seminar presentation of such course or seminar;

(c) A licensee's attendance at a regularly scheduled meeting of the Board of Professional Surveyors and Mappers. Only two (2) continuing education credits will be allowed for each day of such attendance during the biennium. Licensees shall sign in with a Board designee immediately prior to each day of the Board meeting. Upon adjournment of each meeting day, licensees shall sign out and be provided with a certificate of completion from the Board.

(d)1. No more than six (6) continuing education credits shall be awarded to a licensee who has researched, written, and published a book, paper, article, or other scholarly work related to surveying and mapping. Continuing education credits shall be awarded only for the biennium in which the work is initially published and approved for credit.

2. The licensee shall submit the published work along with proof of publication to the Board's Continuing Education Committee, or its designee, for review and approval at least sixty (60) days prior to the expiration of the biennium for which the licensee seeks credits.

(e)1. A licensee's attendance at a local chapter, state or national professional association meeting whose primary purpose is to promote the profession of surveying and mapping. One-half (1/2) credit shall be awarded for attendance at a local chapter meeting and two (2) credits shall be awarded for attendance at a state or national professional association meeting during each biennium. No more than six (6) continuing education credits shall be awarded in one biennium for attendance at local chapter, state or national professional association meetings.

2. Licensees who attend national professional association meetings shall submit a dated letter on official stationery from the national association confirming the dates of the licensee's attendance to the Board's Continuing Education Committee, or its designee, for review and approval at least sixty (60) days prior to the expiration of the biennium for which the licensee seeks credits.

3. Licensees who attend local chapter and state professional association meetings shall submit a certificate of completion confirming the dates of the licensee's attendance to the Board's Continuing Education Committee, or its designee, for review and approval at least sixty (60) days prior to the expiration of the biennium for which the licensee seeks credits.

(2) No licensee may claim credit until after the credit has been earned by that licensee.

(3) Licensees need not comply with continuing education requirements prior to the licensee's first licensure renewal.

(4) Licensees shall retain, and make available to the Department, the Board or their designees, upon request, continuing education course certificates of completion that comply with subsection 61G17-5.0043(2), F.A.C., for four (4) years following course completion.

Specific Authority 455.2124(2), 472.008, 472.018 FS. Law Implemented 455.2124(2), 455.2179, 472.018 FS. History—New 3-28-94, Amended 5-30-95, 9-21-98, 7-27-00, 6-22-03, 6-23-05, 6-20-06.

61G17-5.0032 Proof of Continuing Education Credit Earned.

The following documentation shall constitute proof of continuing education credit:

(1) An official transcript from the registrar of a university, college, junior college or community college documenting that the licensee has completed a course in a surveying and mapping subject. A "course in a surveying and mapping subject" is a course such as: civil engineering, forestry, mathematics, photogrammetry, land law, physical sciences, basic surveying and mapping, route surveying, mapping, control surveying, legal principles of boundaries, geodetic astronomy, subdivisions, and cartography;

(2) A certificate of completion or the transcript of a course or seminar offered by a continuing education provider approved by the Board;

(3) A program from the licensee's first presentation of a continuing education course or seminar offered by a provider approved by the Board;

(4) A written statement from the Board office documenting the licensee's attendance at a meeting of the Board. Minutes of meetings may be used by Board members to document their attendance;

(5) A copy of the initial publication of a surveying and mapping book, paper, or article that is published under the name of the licensee;

(6) A dated certificate or letter acknowledging membership on official stationery from a national or state professional association to the licensee specifying the dates of the licensee's membership;

(7) A dated certificate or letter of recognition on official stationery from a state or national professional association to the licensee confirming the licensee's office or chairmanship and the dates thereof;

(8) A dated letter on official stationery from a chapter of a state or national association confirming the dates of the licensee's attendance at a chapter meeting;

(9) A dated letter on official stationery from a state or national association to the licensee confirming the licensee's registration for attendance at a state or national meeting and the dates thereof, or a paid registration receipt from the state or national association.

Specific Authority 472.008, 472.018, 472.033 FS. Law Implemented 472.018, 472.033 FS. History—New 3-28-94, Amended 5-30-95, 10-13-97, 5-31-00.

61G17-5.0041 Board Approval of Continuing Education Providers.

(1) Applicants for continuing education provider status must meet the requirements of subsections (2) and (3) of this rule to demonstrate the education and/or the experience necessary to instruct professional surveyors and mappers in the conduct of their practice, and they must renew and be approved under this rule by May 31 st. of every odd-numbered year.

(2) To demonstrate the education and/or the experience necessary to instruct professional surveyors and mappers in the conduct of their practice for continuing education credit, an applicant for continuing education provider status must be either a vendor of equipment or software used in the practice of surveying and mapping, a regionally accredited educational institution, a commercial educator, a governmental agency, a state or national professional association whose primary purpose is to promote the profession of surveying and mapping, or a surveyor and mapper with a Florida license to practice surveying and mapping who is not under disciplinary restrictions pursuant to any order of the Board. In addition, the applicant must demonstrate particular education, experience or skill which sets the applicant apart from the surveyors and mappers whom the applicant proposes to instruct.

(3) To allow the Board to evaluate an initial application for continuing education provider status, the applicant must submit the following:

(a) The name, address and telephone number of the prospective provider;

(b) A description of the type of courses or seminars the provider expects to conduct for credit;

(c) The particular qualifications of the prospective provider to conduct the proposed courses or seminars, which qualifications set the applicant apart from the surveyors and mappers whom the applicant proposes to instruct;

(d) A sample certificate of completion for the course or seminar to be conducted by the applicant which certificate shall state the provider number and the course or seminar number assigned to the provider by the Board office for that course or seminar;

(e) A nonrefundable application fee of \$450;

(f) A renewal fee of \$250, which, upon request, will be refunded if the applicant is denied provider status.

(4) No surveyor and mapper may conduct continuing education courses or seminars for credit upon the surveyor and mapper's receipt of any disciplinary order from any professional regulatory board in any jurisdiction. Rather, the surveyor and mapper must notify the Board office within ten (10) days of the surveyor

and mapper's receipt of any such order.

(5) No provider may conduct a continuing education course or seminar for credit upon written notice that the Board, through its Executive Director, objects to the course or seminar. Rather, upon receipt of the objection, the provider may request to appear before the Continuing Education Committee of the Board to resolve the objection.

(6) No provider may allow a surveyor and mapper to conduct any course or seminar offered by the provider if that surveyor and mapper has been disciplined and has not been released from the terms of the final order in the disciplinary case. Upon receipt of notice that an instructor is under discipline, the provider shall, within seven (7) days, write to the Board office and confirm that the surveyor and mapper is no longer conducting any course or seminar offered by the provider. For the purpose of this subsection, a letter of guidance or a reprimand shall not constitute "under discipline."

(7) The Board and the Department retain the right and authority to audit and/or monitor programs and review records and course materials given by any provider approved pursuant to this rule. The Department shall rescind the provider status or reject individual programs given by a provider if the provider disseminates any false or misleading information in connection with the continuing education programs, or if the provider fails to conform to and abide by the rules of the Board.

Specific Authority 455.2179(4), 455.219, 472.008, 472.011(2), (3), (5), 472.018, 472.033 FS. Law Implemented 455.2179(3) 455.219, 472.011(2), (3), (5), (9), 472.018, 472.033 FS. History—New 3-28-94, Amended 5-30-95, 5-31-00, 8-18-03.

61G17-5.0043 Obligations of Continuing Education Providers.

To maintain status as a continuing education provider, the provider must:

(1) Require each licensee to complete the entire course or seminar in order to receive a certificate of completion for the course or seminar.

(2) Furnish each participant with an individual certificate of attendance that contains the licensee's name, the licensee's license number, the provider name, the provider number, the course name, the course number, date of course completion, and the continuing education category fulfilled by the course.

(3) Continuing education providers must provide their Florida Department of Business and Professional Regulation (DBPR) continuing education provider number on all course advertisements.

(4) Continuing education providers must identify in advertisements and on certificates of completion whether the offered continuing education course has been approved for general continuing education credit, laws and rules continuing education credit, minimum technical standards (MTS) continuing education credit, or a combination of MTS and laws and rules continuing education credit.

(5) An attendance record shall be maintained by the provider for four (4) years and shall be available for inspection by the Board, its designee, the Department, or the Department's designee.

(6) Providers must electronically provide to the Department a list of attendees taking a course within thirty (30) business days of the completion of the course. The list shall include the provider's name, the name and license number of the attendee, the date the course was completed, the course number and the total number of hours successfully completed.

(7) If the instructor is receiving credit as set forth in paragraph 61G17-5.0031(3)(c), F.A.C., the instructor shall be listed as an attendee with the same information required above.

(8) Providers shall maintain security of attendance records and certificates. For correspondence study courses, the provider must electronically supply the list of those individuals successfully completing the course by the 5th of the month following the calendar month in which the provider received documentation and was able to determine the successful completion of the course by the individual.

(9) Ensure that all promotional material for courses or seminars offered to professional surveyors and mappers for credit contain the course number and the provider number.

(10) Allow only one continuing education credit for each hour of classroom, audio or video instruction, an "hour of classroom, audio or video instruction" being no less or no more than sixty (60) minutes of instruction.

(11) Allow only one (1) continuing education credit for each "hour of correspondence study." The "hour of correspondence study" must be based on the average completion time of each course as established by the provider. For correspondence study, provide to each participating licensee a written exam. In order to complete the course, the licensee must receive a minimum grade of seventy percent (70%). If a licensee fails the exam, they will be permitted to take the exam again until a passing grade is achieved.

(12) Notify the Board within fourteen (14) days of any change in the address or telephone number of the provider.

(13) Allow the Department's and the Board's designee to have access to information concerning courses or seminars conducted by the provider for continuing education credit.

(14) Provide courses or seminars designed to enhance the education of surveyors and mappers in the practice of surveying and mapping.

(15) Discontinue any course or seminar objected to under subsection 61G17-5.0041(5), F.A.C.

(16) Discontinue allowing an instructor to conduct a course or seminar upon receipt of notice pursuant to subsection 61G17-5.0041(6), F.A.C., and provide timely confirmation of same as required by that rule.

(17) A course or seminar on minimum technical standards must focus on each minimum technical standard in Board rules and give examples of the practical application of each standard in the performance of a survey. A course or seminar on minimum technical standards does not focus on case law.

(18) All information or documentation, including electronic course rosters, submitted to the Department shall be submitted in a format acceptable to the Department. Failure to comply with time and form requirements will result in disciplinary action taken against the provider. No provider may reapply for continuing education provider status until at least two (2) years have elapsed since the entry of any final order against the provider.

(19) On-line/internet courses shall be treated as correspondence courses for continuing education purposes, as set forth in subsection (11) above.

Specific Authority 455.2178, 455.219, 472.008, 472.011, 472.018 FS. Law Implemented 455.2123, 472.018 FS. History--New 3-28-94, Amended 5-30-95, 7-27-00, 8-18-03, 8-18-04, 12-28-05, 1-29-07.

61G17-5.0044 Evaluations of Providers.

(1) The Board shall evaluate continuing education courses or seminars offered to professional surveyors and mappers for credit by:

(a) Observing such courses or seminars; and

(b) Reviewing the files of the provider to gain information about any course or seminar offered to professional surveyors and mappers for credit.

(2) The Board will not revoke the continuing education credit given to any professional surveyor and mapper for completion of any continuing education course or seminar about which the professional surveyor and mapper registers a complaint with the Board.

Specific Authority 472.008, 472.018 FS. Law Implemented 472.018 FS. History--New 3-28-94, Amended 5-30-95, 5-31-00, 8-18-03.

61G17-5.0045 Duration of Provider Status.

(1) Continuing education providers are approved only for the biennium during which they applied and must renew their provider status at the beginning of each biennium. The biennium for continuing education providers ends on May 31st of each odd-numbered year.

(2) Providers seeking renewal may continue to offer programs to licensees of the Board for credit until such time as expiration of provider status occurs or an order denying renewal of continuing education provider status is filed with the Agency clerk.

Specific Authority 472.008, 472.018 FS. Law Implemented 455.2179(1), 472.018 FS. History--New 3-28-94, Amended 5-30-95, 5-31-00, 6-22-03.

61G17-5.0051 Approval of Classes.

(1) Continuing education courses shall be valid for purposes of the continuing education requirement only if such courses have received prior approval from the Board. The Board shall approve a course as a continuing education course for the purpose of this rule when the following requirements are met:

(a) Written application for course approval shall be received by the Board prior to the date the course is offered, on BPR form SM-4758, entitled "Course Approval Application Form" incorporated herein by reference and effective 8-18-03, which copies may be obtained from the Board.

(b) The course provider shall submit to the Board the following: an application, a course outline which describes the course's content and subject matter, and a written statement that explains in detail how the course relates to the practice of surveying and mapping. If a proposed laws and rules continuing education course does not specifically cover Chapters 177 and 472, F.S., or Chapter 61G17, F.A.C., then the continuing education provider must provide the Board with a detailed written explanation as to how the proposed laws and rules continuing education course rationally relates to the practice of surveying and mapping.

(c) Continuing education courses must address surveying and mapping subjects. Such subjects shall include but are not limited to civil engineering, forestry mathematics, photogrammetry, land law, physical sciences, basic surveying and mapping, route surveying, mapping, control surveying, legal principles of boundaries, geodetic astronomy, subdivisions, cartography, managing surveying businesses and operations and any other subject matter that directly enhances the surveying and mapping profession.

(d) The course provider shall submit to the Board a sample continuing education course certificate of completion that complies with subsection 61G17-5.0043(2), F.A.C., that is given to each course participant if the participant completes the course.

(e) Instructor curriculum vitae demonstrating particular education, knowledge, experience or skill which sets the applicant apart from those he or she will instruct.

(2) Course approvals are valid for 24 months from the date of issuance. Providers must reapply for course approval within 90 days prior to the expiration of the 24 month period. Written application and course approval shall be in the same form as set forth in subsection (1) above.

(3) The Board shall be notified of any substantive changes made to approved courses during this period, which shall include instructor changes. Course approval shall be rescinded by the Board if such notification is not made or the changes fail to otherwise conform to this rule.

(4) Course approvals shall be automatically rescinded if the provider status expires or is rescinded by disciplinary action or otherwise.

Specific Authority 472.008, 472.018 FS. Law Implemented 472.018 FS. History--New 8-18-03, Amended 6-23-05, 12-28-05, 6-20-06.