

**RULES
OF
BOARD OF EXAMINERS FOR LAND SURVEYORS**

**CHAPTER 0820-05
CONTINUING EDUCATION**

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0820-05-.01 PURPOSE.

The Tennessee State Board of Examiners for Land Surveyors is authorized by *T.C.A. §§62-18-106(d)* (Acts 1991, Public Chapter 6), to establish continuing education requirements and standards for land surveyors. The purposes of this chapter are to prescribe the basic continuing education requirements for present and future registered land surveyors and to establish standards by which continuing education programs will be evaluated for the awarding of credit.

Authority: *T.C.A. §§ 62-18-105(d) and 62-18-106(d).* **Administrative History:** *Original rule filed October 28, 1993; effective January 11, 1994.*

0820-05-.02 DEFINITIONS.

- (1) "Active" means a registered land surveyor who has complied with the continuing education requirements prescribed herein.
- (2) "Board" means the Tennessee State Board of Examiners for Land Surveyors.
- (3) "Inactive" means a registered land surveyor who has obtained inactive status from the Board pursuant to Rule 0820-05-.06 and is not required to comply with the continuing education requirements prescribed herein. An inactive registrant may not engage in the practice of land surveying in the State of Tennessee.
- (4) "Professional Development Hour (PDH)" means an hour of continuing education found acceptable by the Board.
- (5) "Retired" means a registered land surveyor who has obtained retired status from the Board pursuant to TCA §62-18-128 and is not required to comply with the continuing education requirements prescribed herein. A retired registrant may not engage in the practice of land surveying in the State of Tennessee.
- (6) Ethics/Business-Related Course or Activity-A qualifying course or activity with content areas related to: (1) the awareness of ethical concerns and conflicts; (2) an enhanced familiarity with the codes of conduct; (3) an understanding of standards of practice or care; (4) project management and risk-assessment management; or (5) other similar topics aimed at maintaining, improving, or expanding the skills set and knowledge to the licensee's field and methods of practice.

(Rule 0820-05-.02, continued)

- (7) Continuing Education Unit (CEU)-Unit of credit customarily used for continuing education courses. One (1) continuing education unit equals ten (10) hours of class in an approved continuing education course.
- (8) College/Unit Semester/Quarter Hour-Credit for course in ABET-approved programs or other related college course approved in accordance with subsection E of this section.

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Amendment filed November 17, 2014; effective February 15, 2015.

0820-05-.03 BASIC REQUIREMENTS.

- (1) Every licensee is required to obtain the equivalent of thirty (30) PDH's per biennial renewal period. These PDH's may be obtained any time during the applicable renewal period. A minimum of two (2) PDH's shall be earned by successfully completing a course or activity that has content areas focused on surveying ethics and standards of practice. If a licensee exceeds the biennial requirement in any renewal period, a maximum of fifteen (15) PDH's may be carried forward to the subsequent renewal period. PDH's may be earned as follows:
 - (a) Successful completion of college courses;
 - (b) Successful completion of continuing education courses;
 - (c) Presenting or attending qualifying seminars, webinars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, or conferences;
 - (d) Teaching or instructing in 1 through 3 above;
 - (e) Authoring published papers, articles, books, or accepted licensing examination items;
 - (f) Active participation in professional or technical societies (limited to two (2) PDH's per organization and requires that the registrant serve as an officer and/or actively participate on a committee of that organization);
 - (g) Receiving a patent; or,
 - (h) Active participation in educational outreach activities pertaining to professional licensure or the surveying profession which involve grades K-12 or higher education students.
- (2) A registrant seeking biennial renewal of active registration must, as a prerequisite to renewal, submit satisfactory evidence to the Board of having obtained thirty (30) PDH's during the two (2) year period immediately preceding application for renewal (carryover hours, not exceeding fifteen (15) hours, from the next preceding renewal cycle may be included).
- (3) A new registrant is not required to satisfy the continuing education requirements prescribed in this chapter as a prerequisite for the initial one (1) year period of active registration; however, a new registrant is required to obtain continuing education requirements for application toward the second year of the initial licensing period, if initial licensure includes two (2) years.

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Repeal and new rule filed November 17, 2014; effective February 15, 2015.

0820-05-.04 CONVERSION TABLE.

- (1) Conversion of other units of credit to PDH's is as follows:
- (a) 1 college or unit semester hour 45 PDH
 - (b) 1 college or unit quarter hour..... 30 PDH
 - (c) 1 continuing education unit..... 10 PDH
 - (d) 1 hour of professional development in coursework, seminars, webinars or professional or technical presentations made at meetings, conventions or conferences..... 1 PDH
 - (e) Teaching any of (a) through (d) above PDH value times 2
Teaching credit shall only be valid for the first offering or presentation. Full-time faculty may not claim teaching credit associated with regular duties of employment.
 - (f) Publications:
 - (1) Each published peer-reviewed paper or book in the registrant's area of professional practice..... 10 PDH
 - (2) Each published paper or article, other than (f)(1) above, in the registrant's area of professional practice..... 5 PDH
 - (g) Active participation as an officer or committee member in professional and technical societies 2 PDH
 - (h) Each patent obtained..... 10 PDH
 - (i) 1 hour of outreach activities..... 1 PDH (not to exceed 3 PDH)

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Repeal and new rule filed November 17, 2014; effective February 15, 2015.

0820-05-.05 TYPES OF ACCEPTABLE CONTINUING EDUCATION.

- (1) Continuing education activities for which credit may be given by the board include college and university courses which are awarded continuing education units (CEU's), and those portions of technical meetings, seminars, webinars, tutorials, short courses and correspondence courses that are related to practice of land surveying.
- (2) The Board will grant credit for only such continuing education activities that satisfy the following criteria:
 - (a) There is clear purpose and objectivity for each activity;
 - (b) The content of each presentation is well organized and presented in a sequential manner;
 - (c) There is evidence of pre-planning which should include the opportunity for input by the target group to be served;

- (d) The presentation will be made by persons who are well-qualified by reason of education or experience; and,
 - (e) There is provision for individual participant registration which will include information required for record keeping and reporting.
- (3) The Board will grant no credit to a registrant for a course, technical meeting, seminar, webinar or tutorial repeated by the registrant within three (3) years (if credit was originally granted), unless, in the Board's opinion, there is a substantial change in the content of such course, technical meeting, seminar, webinar or tutorial of the complexity of the subject matter that warrants award of additional credit.
- (4) All activities submitted to the Board for continuing education credit are subject to approval by the Board.

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Amendment filed November 17, 2014; effective February 15, 2015.

0820-05-.06 INACTIVE AND RETIRED REGISTRANTS.

- (1) A registered land surveyor in good standing may request in writing to be placed on the Board's inactive or retired roll, thereby obtaining inactive or retired status.
- (2) An inactive or retired registrant will be permitted to retain that registrant's original certificate of registration by paying the fee for registration without submitting proof of complying with the continuing education requirements prescribed herein.
- (3) An inactive or retired registrant may not engage in the practice of land surveying in the State of Tennessee. Any practice or offer to practice land surveying in the State of Tennessee by an inactive or retired registrant shall constitute misconduct for the purpose of Tennessee Code Annotated, Section 62-18-116(a)(1)(B) (grounds for revocation or suspension of certificate by the Board.)

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Amendment filed November 17, 2014; effective February 15, 2015.

0820-05-.07 REINSTATEMENT TO ACTIVE REGISTRATION.

- (1) An inactive or retired registrant seeking to reinstate an inactive or retired registration of one (1) year or more must submit a request in writing to the Board with a fee of twenty-five dollars (\$25.00) and must satisfy one (1) of the following requirements:
- (a) Satisfaction of the biennial PDH requirement multiplied by the number of years of inactive or retired status up to a maximum of thirty (30) PDH's; or
 - (b) Successful completion of the Tennessee State Specific Land Surveying examination within one (1) year immediately prior to application for reinstatement.
- (2) An inactive or retired registrant seeking to reinstate an inactive or retired registration of less than two (2) years must meet the biennial PDH requirement.

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Amendment filed November 17, 2014; effective February 15, 2015.

0820-05-.08 NONCOMPLIANCE.

Unless a request for inactive or retired status is made, any registrant failing to furnish the required continuing education form, properly completed and signed, shall not be granted renewal of registration by the Board and shall lose the right to practice land surveying in the State of Tennessee upon the expiration of registration.

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Amendment filed November 17, 2014; effective February 15, 2015.

0820-05-.09 HARDSHIPS AND EXEMPTIONS.

- (1) Notwithstanding any other provision of this Chapter to the contrary, the Board may exempt a registrant from complying with all or part of the continuing education requirements for a given year in the following cases:
 - (a) A registrant affected by physical disability, illness, or other extenuating circumstances as reviewed and approved by the Board; provided that adequate supporting documentation is furnished to the Board.
 - (b) A non-career military registrant serving on active duty in the armed forces of the United States for a period of one hundred twenty (120) consecutive days in a calendar year; provided that the adequate supporting documentation is furnished to the Board.
 - (c) Those who are sixty-five (65) years of age or older who also have twenty-five (25) or more years of active registration; provided that adequate supporting documentation is furnished to the Board. Registrants under this exemption must still obtain the two (2) PDH's relative to surveying ethics and standards of practice as provided by rule 0820-05-.03(1).

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Amendment filed November 17, 2014; effective February 15, 2015.

0820-05-.10 REPORTS AND RECORDS.

- (1) Each registrant shall report, on a form provided by the Board, the continuing education activities undertaken during the preceding renewal period.
- (2) The registrant shall maintain a file in which records of the activities are kept, including dates, subjects, duration of programs, printed program schedules, registration receipts or other proof of participation, and other appropriate documentation, for a period of three (3) years after the date of the program or activity.

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Amendment filed November 17, 2014; effective February 15, 2015.

0820-05-.11 SPONSORS.

Any sponsor that offers an organized continuing education program for which credit for the program will be requested shall keep a record or attendees at each session and shall furnish the Board a copy of the attendees within thirty (30) days of the conclusion of the program.

Authority: T.C.A. §§62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994.

0820-05-.12 APPROVAL OF PROGRAMS.

- (1) Approval of any program may be granted for a period of two (2) years from the date of approval to a sponsoring organization or individual if the following information is submitted to the Board:
 - (a) Instructors and their qualifications; and,
 - (b) Synopsis of course material.
- (2) No sponsor may provide any continuing education course(s) without prior approval from the Board.
- (3) Upon completion of the approved course the sponsor shall submit to the Board the record of attendees as provided in Rule 0820-05-.11 above and time, place and schedule of activities.

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Repeal and new rule filed November 17, 2014; effective February 15, 2015.

0820-05-.13 AUDITS.

The Board may conduct random audits of continuing education activities and registrants participation therein. Should deficiencies be discovered, registrants will be notified and have six (6) months to satisfy the deficiencies, except where such audits reveal fraudulent misrepresentations to have been made by a registrant.

Authority: §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994.

0820-05-.14 COMITY.

- (1) The Board will deem a registrant to have met the continuing education requirements provided herein if such registrant, when making submission of continuing education toward renewal of Tennessee registration, certifies in writing the following:
 - (a) The registrant resides in another state or territory which has been recognized by the Tennessee Board and shall satisfy all continuing education requirements for renewal in Tennessee.

Authority: T.C.A. §§ 62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994. Repeal and new rule filed November 17, 2014; effective February 15, 2015.

0820-05-.15 ADVISORY COMMITTEE.

The Board may appoint an advisory committee to assist the Board in evaluating continuing education programs to determine the allowable credit to be awarded.

Authority: T.C.A. §§62-18-105(d) and 62-18-106(d). **Administrative History:** Original rule filed October 28, 1993; effective January 11, 1994.