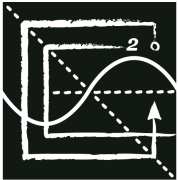


CONTINUING PROFESSIONAL COMPETENCY GUIDELINES

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NCEES



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INTRODUCTION

NCEES has prepared this manual to provide guidelines for jurisdictions that have or are planning to have continuing professional competency (CPC) requirements for licensure renewal. The official position of NCEES concerning CPC is provided in the NCEES *Manual of Policy and Position Statements* in Position Statement 10, Continuing Professional Competency.

This manual was developed to assist jurisdictions in preparing rules, requirements, and instructions that will establish generally accepted standards to facilitate the earning and reporting of CPC credits when relicensing. In addition, it is designed to assist jurisdictions in their dealings with licensees and suppliers of CPC activities. It is intended to assist in explaining requirements, criteria, and processes.

This manual was prepared within NCEES by its Committee on Uniform Procedures and Legislative Guidelines with assistance from the Committee on Member Board Administrators and the Continuing Professional Competency Task Force. It is maintained by the Committee on Education. In addition, acknowledgment and credit are due to those jurisdictions that pioneered the early adoption of CPC for surveyors and engineers. Much of their work was incorporated into this manual or influenced its direction.

SECTION 1: NCEES MODEL LAW

NCEES *Model Law* 120.60, Board Powers, authorizes CPC by stating, “The board shall have the power and authority to require a demonstration of continuing professional competency of professional engineers and professional surveyors as a condition of renewal or relicensure.”

This paragraph empowers a board to require CPC for relicensing and enables the board to specify CPC requirements that its licensees must meet. This wording does not mandate but, rather, permits CPC for relicensing when a board so elects. It is also highly desirable to encourage this or similar wording in the law so that the board can specify the requirements in its administrative rules. As outlined in the Introduction above, comity and uniformity of requirements for CPC among jurisdictions are very desirable. This wording of a jurisdiction’s law would permit its board to effect those provisions.

SECTION 2: NCEES MODEL RULES

For each jurisdiction that adopts mandatory CPC for relicensing, the administrative rule provides the fundamental framework of the requirements its licensees must meet. As increasing numbers of jurisdictions implement CPC, the importance of uniformity of the administrative rule among jurisdictions becomes more urgent. If each jurisdiction requires a different variation of the rule, then multiple-jurisdiction licensees must keep track of what opportunities are acceptable in each jurisdiction and maintain separate logs of activities. When this is combined with the various periods of renewal among the jurisdictions (such as annual or biennial, various months in which renewal is effected, and even various months depending upon the licensee’s last name), then the requirement of keeping up with what each jurisdiction accepts could become a difficult and burdensome chore for multijurisdictional licensees.

NCEES therefore recommends careful consideration of the administrative rule for CPC that may be adopted and urges all jurisdictions to remain as consistent with the NCEES *Model Rules* as possible. See *Model Rules* 240.30, Continuing Professional Competency.

SECTION 3: CRITERIA FOR ACTIVITIES

The law and the rules adopted in jurisdictions that have CPC requirements are the definitive documents that govern what licensees must do to meet periodic relicensing requirements. These documents, however, are succinctly written and do not cover rationale or give examples that explain and illustrate in-depth what is expected of the licensee.

This section supplements these sources of information and gives a more complete explanation of the intent of the rule. This information may be useful to the following: licensing boards considering the adoption of rules, forms, or instructions; licensees who are attempting to meet the requirements; suppliers or sponsors of CPC activities; and employers of licensees considering becoming sponsors of qualifying in-house CPC activities.

Credit Criteria for All Qualifying CPC Activities

The primary purpose of licensing professional engineers and professional surveyors is to safeguard the public from unqualified or unethical practitioners. The requirement for CPC is also intended to safeguard the public by reinforcing the need for lifelong learning in order to stay current with changing technology, equipment, procedures,

processes, tools, and established standards. The rule that specifies qualifying CPC activities was designed to provide flexibility in selecting among a broad range of subjects that are intended to strengthen or maintain competency in technical, managerial (business), or ethical fields.

Attributes of quality CPC activities are provided in the appendix.

Licenses are encouraged to select meaningful CPC activities that will be of benefit to practice in their chosen fields. The *Model Rules* provides a definition of course/activity as follows:

“Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee’s field of practice. Regular duties are not considered qualified activities.”

In the remainder of this section, all references to CPC activities or credits assume that such activities or credits are qualifying as described above. Examples of typical qualifying and non-qualifying activities are listed later in this section.

Professional Development Hours

The term “professional development hour” (PDH) is defined as a contact hour (nominal) of instruction or presentation. The PDH is the common denominator for other units of credit. Experience in jurisdictions having CPC requirements reveals that a number of erroneous interpretations concerning this definition of a PDH can occur.

For example, consider a 1-day seminar that begins at 8:00 a.m. and ends at 5:00 p.m. with a 1-hour break for lunch. The *Model Rules* intends that a maximum of 8 PDHs can be earned for this seminar. But the question invariably arises, What about a morning and afternoon break of 20 minutes each? The general understanding is that short-term breaks are permissible as long as a minimum of 50 minutes of presentation/participation per hour is undertaken. If there are no breaks or if breaks of less than 10 minutes per hour are included, no additional time may be claimed. Seminar presenters may attempt to take the number of elapsed minutes (such as 8 hours times 60 minutes) and then divide by 50 to arrive at the PDHs for which the seminar is advertised. This would result in over 9 PDHs in an 8-hour period, which is not permitted. The general rule is that PDHs cannot exceed the actual contact clock hours.

The *Model Rules* is silent about how to handle fractions of hours. It is recommended that PDHs be rounded and reported to the nearest half hour and that no activity of under a half hour be accepted as qualifying for PDH credit. For example, a qualifying activity of 50 minutes would be reported as 1 PDH, and an activity of 40 minutes would be reported as a half PDH.

PDH Carryover

If a jurisdiction accepts PDH carryover and if a licensee exceeds the annual requirement in any renewal period, a maximum of 15 PDHs may be carried forward into the next renewal period. The question arises of whether a licensee who earns, for example, 55 PDHs in a 2-year period can carry forward 25 into the next biennial period. The answer is no. The intent of the rule is to permit a carryover of only 15 PDHs into the subsequent renewal period regardless of whether the next renewal period is 1 year or 2 years.

Continuing Education Units

The continuing education unit (CEU) is a nationally recognized and uniform unit of measure for continuing education and training. Because 1 CEU is awarded for each 10 contact hours of instruction, it logically follows that 1 CEU is equivalent to 10 PDHs. For the purpose of CPC activity for professional engineers and professional surveyors, the CEU must further meet the requirements as defined below for course/activity.

When a sponsor of qualifying CPC activities fully follows the requirements of the International Association for Continuing Education and Training (IACET) in awarding CEUs, all requirements for PDHs will be met. However, boards and licensees should be aware that some organizations advertise CEU credit without having met all requirements of IACET. In addition, it is reported that, on occasion, some organizations report 1 CEU of credit for each contact hour of instruction. If this is known to be the case, action should be taken to prevent over-reporting of PDHs earned.

Semester/Quarter Hour Credit for Courses

The allowance for college/university qualifying courses is as follows:

- 1 semester hour 45 PDHs
- 1 quarter hour 30 PDHs

To qualify for this credit, a course must be offered regularly and testing with a passing grade must be required. The courses should be taken from a college/university or program that holds appropriate accreditation. One semester hour generally consists of 15 class meetings of 50 or 55 minutes duration. It is assumed that generally twice as much study time is required as class contact time, thus equating to 45 PDHs. Similarly, a quarter-hour qualifying course meets 10 times, and therefore 30 PDHs are allowed. Auditing courses does not require testing, so only the actual class contact hours are allowed.

On occasion, educational institutions may offer a 1-day seminar and award fractional quarter-hour credit (such as half of a quarter hour). These courses do not qualify on the quarter-hour basis since they are not part of the regular curriculum of the educational institution, do not require testing, and have no provision for additional out-of-class study requirements. For courses such as these, only actual contact time should be allowed for PDH credit.

Teaching Credits

Teaching of qualifying courses, seminars, or tutorials earns PDHs for the instructor at twice that of the students. However, it is not intended that repetitive teaching of the same course will earn any credit. Teaching credit is valid only for the first offering or presentation. Full-time faculty may not claim teaching credit associated with their regular duties.

Credit for Published Papers, Articles, or Books

The author must have his or her work published before credit can be claimed. It is recognized that often many more hours are spent authoring a publication; however, the PDH credit is established at 10 PDHs for each peer-reviewed paper or book in the licensee’s area of professional practice and 5 PDHs for all other published papers or articles in the licensee’s area of professional practice.

Active Participation in Professional and Technical Societies

This item in the rule is intended to encourage licensees to participate fully in appropriate technical and professional societies. Contact with one’s peers at such meetings is considered one way of staying abreast of current topics, issues, technical developments, ethical situations, and learning opportunities. This is considered a vital part of CPC, and thus 2 PDHs can be earned per organization if the licensee is an officer or committee member who actively participates within the organization or committee. (Credit of 4 PDHs in one organization cannot be claimed if a licensee is both an officer and a committee member.) The technical and professional societies include engineering and surveying societies such as the American Society of Civil Engineers, IEEE-USA, and the National Society of Professional Surveyors but do not include civic or trade organizations.

Per the *Model Rules*, credit for qualifying seminars and workshops will be based on 1 PDH for each hour of attendance. Attendance at qualifying programs presented at professional or technical society meetings will earn PDHs for the actual time of each program.

This provision applies to all licensees, not just to officers or committee members. Programs must be educational in nature, relevant to the practice of engineering or surveying, and meet all requirements of qualification. Programs at technical or professional societies might be presented on topics that do not qualify or by speakers or presenters who are not well prepared. Such programs should not be claimed for PDH credit.

Patents

Credit for 10 PDHs can be claimed after a patent is issued and the inventor submits details to the board. The invention must be related to engineering or surveying professions.

Outreach Activities

To qualify for credit, the activity must focus on helping students in K–12 or higher education understand the importance of professional licensure or on discussing and promoting the surveying/engineering professions as a career choice. Credit of 1 PDH is earned for each contact hour of activity. A maximum of 3 PDHs can be claimed for outreach activities each year.

Qualifying and Nonqualifying Activities

The following examples are given to further clarify the definition of qualifying and nonqualifying activities:

Typical Qualifying Activities

Refer to the *Model Rules* for a list of qualifying activities.

Typical Nonqualifying Activities

- Regular employment
- Real estate licensing courses
- Personal, estate, or financial planning
- Self-study
- Personal self-improvement
- Service club meetings or activities
- Equipment demonstrations or trade show displays
- Topics not relevant to engineering or surveying professions
- Enrollment without attendance at courses, seminars, etc.
- Repetitive attendance at or teaching of the same course
- Attending committee meetings or general business meetings of any organization
- Conversational language courses for personal use

Determination of Qualifying Activities

The question most frequently asked by licensees is how they can know what is acceptable to the board. Many are looking for assurance that efforts spent will qualify for PDH credit. With the broad range of opportunities for earning PDH credits, most boards have elected to widely distribute information on the requirement of what is and is not acceptable and leave it up to the licensee to ensure that the activity qualifies. This permits the widest range of opportunity to earn PDH credit. Some jurisdictions do preapprove courses for surveyors and/or engineers; others approve sponsors of CPC activities.

Dual Licensees

The requirement of 15 PDHs per year is the same for single or dual licensees. In other words, a dual licensee is not required to obtain more than 15 PDHs because of dual licensure. However, the *Model Rules* specifies that a minimum of one-third of the required PDH credits must be earned in each profession.

Recordkeeping

As stated in the *Model Rules*, the requirement to maintain adequate records is the responsibility of the licensee. Licensing boards may conduct audits of licensees for verification purposes. Licensing boards should clearly state in their statutes and instructions that licensees are responsible for obtaining the requisite documentation from the CPC provider at the time of attendance in order to verify the licensee's participation and completion of the CPC course or activity in case the licensee is selected for audit. The *Model Rules* states that records required include but are not limited to the following:

- "A log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDHs earned." This is intended to require specific information on each CPC activity where PDH credit is claimed. For example, it is not acceptable to simply state, "Attending educational activities at ABC Company." Specific information on each activity is required. The log permits the proper reporting of the CPC activities at the time of renewal.
- "Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance." The general rule is that the licensee must have sufficient verification for credits claimed. Certainly, those activities that are of a longer duration (such as over an hour) should have verification. On occasion, it is recognized that short activities, such as a meeting of a technical or professional society, might include a 30-minute speaker and verification was not provided in the meeting. This should be an unlikely exception.
- Licensees may use the NCEES CPC Tracking system to log courses, upload documentation (certificates, verification of attendance, etc.), list learning objectives, compare to the NCEES CPC Standard, and track real-time against jurisdictional requirements.

SECTION 4: CONSIDERATIONS FOR LICENSING BOARDS

The laws and rules of a jurisdiction are the authoritative requirements concerning CPC. Two other areas are particularly challenging—qualifying for exemptions and handling of PDH credits for multijurisdictional licensees.

The *Model Rules* provides exemptions from CPC requirements for those in their first renewal period; for those on temporary active duty in the armed forces of the United States for a period exceeding 120 consecutive days; for disability, illness, or other extenuating circumstances; and for retirees. For disability, illness, and other extenuating circumstances, exemption is normally permitted for one year only. The general rule is that if someone can work, then he or she should be required to meet the CPC requirements.

Applicants for renewal in many jurisdictions should be aware that some jurisdictions renew annually while others renew biennially. This may require the applicant to earn PDH credits spread over two years during the biennial period in order to have more current PDHs for jurisdictions renewing annually.

SECTION 5: NCEES CPC Standard

The NCEES CPC Standard is simply 15 PDHs per calendar year and includes no carryover of PDHs from one year to the next. This strengthens CPC requirements through annual compliance. However, according to *Model Rules*, a licensee could always choose to meet a jurisdiction's specific requirements, including carryover.

SECTION 6: AUDIT PROCEDURES AND GUIDELINES

Auditing a percentage of CPC reporting forms is an essential requirement to ensure compliance with CPC requirements. Although most licensees will attempt to meet the requirements of the rule with a good-faith effort, there is a need for auditing to verify that the law and rules are being met and to identify any communication problems between a board and its licensees.

Official audits should be conducted after each renewal period. The licensees can be selected by generating random license numbers or by other random processes. In addition, the board should audit individuals who are the subject of an active investigation, renewed late, or are reinstating a lapsed license. Each selected licensee is asked to furnish evidence of attendance at the listed activities.

The board should determine a manageable percentage of licensees to audit, keeping in mind that instances of noncompliance may lengthen the time needed for the audit process due to further investigation and the possibility of disciplinary hearings.

Individuals selected for audit should be initially notified by email or regular U.S. mail and given 30 days to respond. After the response period has expired, a second notice should be sent via certified or registered mail so that delivery to the licensee can be verified.

If the individual selected for audit fails to respond to the second notice, the board should initiate action in accordance with its laws and rules.

Individuals selected for audit should be required to submit to the board a CPC summary report from the NCEES CPC Tracking system or a board's approved form summarizing the individual's CPC courses and activities during the reporting period and include supporting documentation. Supporting documentation should include a certificate of completion from the provider listing the following information:

- Instructor's/provider's name
- Instructor's credentials listed
- Description of course or activity
- Location and duration documented
- Number of hours earned

Submissions should be reviewed by board staff, an audit committee, board members, or others designated by the board to ensure compliance with the board's CPC requirements. Individuals selected for audit should be notified of their compliance with the audit. For individuals who made a good-faith effort to complete the CPC requirement but whose coursework or activity was determined by the board to not meet the CPC requirement, the jurisdictions may provide a grace period for the individual to complete the deficient coursework or activity within a set amount of time (generally 30–90 days) without penalty.

Disciplinary actions resulting from a failure to complete the CPC requirement should be posted on the NCEES Enforcement Exchange.

APPENDIX: ATTRIBUTES OF QUALITY CPC

Continuing professional competency (CPC) activities should have the following attributes:

- Have a clear purpose with stated and relevant learning objectives* provided to the learner
- Be current, technically accurate, and effectively designed
- Be reviewed periodically and updated as necessary, as well as show a development or revision date
- Preferably provide an opportunity for engagement between the learner and teacher, or assess the learning outcomes during the course or at the end of the course
- Be earned at a rate of no more than 8 PDHs in a 24-hour period
- Be developed by individuals qualified in the subject matter
- Be delivered by individuals qualified in the subject matter

In addition:

- Credit hours should not exceed the effort or time required to complete the activity.
- The activities should not solely promote or market a particular company's products or services during the educational content of the activity.

* A learning objective is a statement of what students will be able to do when they have completed instruction.

A learning objective has three major components:

- A description of what the student will be able to do
- The conditions under which the student will perform the task
- The criteria for evaluating student performance

Clearly defined learning objectives are useful for instructors, course developers, and students (learners). Instructors and course developers need defined learning objectives to design course content and to have a basis by which success is measured. Because learning objectives should be stated before learners begin, the objectives provide the learner the means to organize their efforts toward accomplishing the objective brought forth.



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