

TITLE 245 CHAPTER 15.
LICENSURE AND PRACTICE OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

SUBCHAPTER 11. CONTINUING EDUCATION

245:15-11-1. Definitions

The following words or terms, when used in this subchapter shall have the following meaning, unless the context clearly indicates otherwise:

"Dual licensee" means a person licensed as a Professional Engineer and Professional Land Surveyor.

"PDH" means a professional development hour of at least 50 minutes of instruction, as defined in this subchapter.

"Professional development hour" means a contact hour (nominal) of instruction or presentation; the common denominator for other units of credit.

"College Semester / Quarter Hour" means credit for course in an EAC/ETAC-ABET approved program, or engineering or surveying college program approved by the Board.

245:15-11-2. Continuing education committees

(a) The Board may establish continuing education committees consisting of at least three (3) members each, who are residents of this state. Each member of the committee shall have been engaged in the lawful practice of professional engineering or professional land surveying for at least ten (10) years, in responsible charge of engineering or land surveying projects for at least five (5) years, and be a licensed Professional Engineer or Professional Land Surveyor in this state.

(b) The continuing education committees shall have the following duties or others as assigned by the Board.

(1) Exercise general administration of the Rules in Subchapter 11 of Chapter 15 under the direction of the Board.

(2) Recommend to the Board revisions of the Rules in Subchapter 11 of Chapter 15.

(3) Perform audits of licensees as necessary to ensure continuing education requirements are met.

(4) Report annually on the activities and operation of committees to the Board.

(c) Members of these committees shall serve at the discretion of the Board.

(d) The travel expenses of members of the continuing education committees shall be paid by the Board as provided in the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. All travel by members of the committees shall be approved by the Chair of the Board, or the Executive Director, prior to the travel occurring.

245:15-11-3. Scope and exemptions

(a) Licensees shall be required to meet the continuing educational requirements for professional development in this subchapter as a condition for licensure renewal. Continuing education obtained by a licensee should maintain, improve or expand skills and knowledge obtained prior to initial licensure or to develop new and relevant skills and knowledge.

(b) A licensee may be exempt from the professional development educational requirements for one of the following reasons:

(1) New licensees by way of examination or comity shall be exempt for their first pro-rated renewal period and first two-year renewal period. PDH's earned during this exempt period may not be carried forward to the first non-exempt renewal period.

(2) A licensee who is deployed on active duty as a member of the Armed Forces of the United States, shall be exempt from obtaining the professional development hours required during that year when circumstances associated with military duty prevent obtaining training and a waiver request has been submitted to the Board; when the active-duty military member performs engineering and/or land surveying services respectively as part of his or her military duties as annotated in Defense Department Form 214 (DD 214), or when performing any other act typically required for renewal of the license. A licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a year shall be exempt from obtaining the PDH's required during the renewal period.

(3) A licensee experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the Board may be exempt. Supporting documentation must be furnished to the Board.

(4) A licensee who elects to choose Retired status at the time of renewal shall be exempt. In the event such person elects to return to active practice of professional engineering or professional land surveying, 30 PDH's must be earned before returning to active practice.

245:15-11-5. Requirements for Professional Engineers and Land Surveyors

(a) To demonstrate that a Professional Engineer and/or Professional Land Surveyor maintains an acceptable level of competency, a licensee must obtain thirty (30) professional development hours (PDH's) within a twenty-four month (biennial) renewal period. If a licensee exceeds the requirement in any biennial renewal period, a maximum of fifteen (15) PDH's may be carried forward into the subsequent biennial renewal period.

(b) A licensee may choose either the Board's standard continuing education requirement as detailed above, or comply with the calendar year reporting method, which is equivalent to fifteen (15) PDH's per calendar year, totaling thirty (30) PDH's per renewal period, with no allowable carryover. The Board shall adopt a conversion table allowing for different renewal periods within the calendar year.

(c) A Professional Land Surveyor or a dual licensee must earn at least two (2) PDH's covering the Oklahoma Minimum Standards for the Practice of Land Surveying per biennial renewal period, with no allowable carryover for this requirement. If the licensee is reporting using the calendar year reporting method, they must be able to provide proof of completion of the required two (2) PDH's every two (2) years if audited. This requirement shall commence with the completion of the licensee's first full two-year renewal period following the adoption of these administrative rules, unless exempt under one of the provisions listed in OAC 245:15-11-3(b).

(d) A licensee shall only renew their license when they can truthfully certify that they have met the continuing education requirements of this subchapter and have proper proof of completion of the required PDH's to which they are certifying.

(e) PDH's may be earned by a licensee as follows:

(1) Successful completion of college courses.

(2) Successful completion of continuing education courses, short courses, tutorials, webinars and distance-education courses offered for independent study, or group study and through synchronous or asynchronous delivery methods such as live, correspondence, archival or the Internet;

(3) Attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, conferences, or educational institutions;

(4) Teaching or instructing in (1) through (3) of this subsection;

(5) Active participation in professional or technical societies serving the engineering or land surveying profession as defined in OAC 245:15-11-7(b) (2);

(6) Active participation in standards or code development technical committees, standards or code commissions, or licensing examination development committees;

(7) Developing professional licensure exams, or writing standards or developing code in an official capacity;

(8) Authoring published papers, articles, or books in the licensee's area(s) of competence;

(9) Authoring peer reviewed published professional or technical paper or book in the licensee's area(s) of competence; and

(10) Award of patents to the licensee or to licensee's employer when developed by the licensee.

(f) All such PDH's earned in activities as described in (e)(1) through (e)(10) of this section must be relevant to the practice of engineering and/or land surveying as applicable and may include technical, ethical or business content. Qualifying ethical or business courses or activities must contain 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 relevant to the licensee's field and methods of practice.

245:15-11-6. Criteria for continuing educational activities

(a) Continuing educational activities used to earn PDH's must meet the following criteria:

(1) There is a clear purpose and objective for each activity, which will maintain, improve or expand skills and knowledge obtained prior to initial licensure or to develop new and relevant skills and knowledge.

(2) The content of each presentation is well organized and presented in a sequential manner.

(3) There is evidence of preplanning which should include the opportunity for input by the target group to

be served.

(4) The presentation will be made by persons who are well qualified by education or experience.

(5) There is a provision for individual participant registration which will include information required for record keeping and reporting.

(b) The Board has final authority with respect to acceptability of courses, credit, PDH value for courses, and other methods of earning credit.

(1) Credit for college or community college approved courses will be based upon course credit established by the college.

(2) Credit for qualifying seminars and workshops meeting the criteria in 245:15-11-6(a) will be based on one PDH for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings or building code meetings will earn PDH's for the actual time of each program.

(3) Credit determination for activities referenced in 245:15-11-5(a)(7) and (a)(8) is the responsibility of the licensee (subject to review as required by the Board).

245:15-11-7. Conversion of units and determination of credits

(a) The conversion of other units of credit of continuing education to PDH's is as follows:

(1) One (1) college semester hour – 15 PDH's One (1) college quarter hour – 10 PDH's

(2) One (1) hour of technical or professional development in a continuing education course, short course, tutorial, webinar, or distance-education course - 1 PDH

(3) One (1) hour of attendance at a qualifying seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, conference or educational institution – 1 PDH

(4) For teaching or making presentations in (1) – (3) above - apply multiple of 2. Teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time or part-time faculty members unless the activity is outside the scope of the licensee's customary teaching responsibilities.

(5) Active participation in professional or technical societies serving the engineering or land surveying profession – 2 PDH's

(6) Active participation serving on standards or code development technical committees, standards or code commissions, or licensing examination development committees – 4 PDH's

(7) One (1) contact hour for developing professional licensure examinations, or writing standards or developing code in an official capacity – 1 PDH

(8) Each published paper, article, or book in the licensee's area of professional practice – 5 PDH's

(9) Each peer-reviewed published, professional or technical paper or book in the licensee's area(s) of competence -10 PDH's

(10) Each patent. – 10 PDH's

(b) Determination of Credit - The Board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

(1) Credit for college or community college approved courses will be based upon course credit established by the college.

(2) Credit for activity in subsection (a)(5), active participation in professional and technical societies (limited to 2 PDH's per organization with a maximum of 4 PDH's per biennial renewal period or 2 PDH's per calendar year), requires that a licensee serve as an officer and/or actively participate in a committee of the organization. PDH's are not earned until the end of each year of service is complete. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students may count as active participation in a professional and technical society.

(3) Credit for activity in subsection (a)(6), active participation in standards or code development technical committees or standards or code commissions or licensing examination development committees is limited to 4 PDH's per organization with a maximum of 8 PDH's per biennial renewal period or 4 PDH's per calendar year. PDH's are not earned until the end of each year of service is complete.

(4) With the commencement of the licensees first full biennial renewal period following the adoption of these administrative rules, credit for approved activities which focus on other jurisdictional professional engineering or professional land surveying licensure laws, regulations, or minimum standards may be approved, but shall be limited to 2 PDH's per biennial renewal period or 1 PDH per calendar year.

245:15-11-8. Comity Out-of-Jurisdiction Resident

The continuing education requirements for Oklahoma will be satisfied when a non-resident fulfills the requirements for resident licensees outlined in 245:15-11-5.

245:15-11-9. Records – Audits

- (a) The responsibility of maintaining records to be used to support credits claimed is the responsibility of the licensee. Records required include, but are not limited to:
- (1) A log showing the title of the activity, sponsoring organization, date of the activity, and PDH credits earned.
 - (2) Attendance verification records in the form of completion certificates, or other approved documentation supporting evidence of attendance shall include the name of the licensee, title of the activity, sponsoring organization, date of the activity, and PDH's earned. Documentation which does not support evidence of actual attendance will not be accepted for audit purposes.
- (b) Records must be maintained for a period of five (5) years and copies may be requested by the Board for audit verification purposes.
- (c) Audits will be conducted annually by the Continuing Education Committee of the Board.

245:15-11-11. Disallowed credit; failure to comply

- (a) If a licensee is unable to certify completion of 30 PDH's per biennial renewal period, or 15 PDH's per calendar year by their expiration date, the license will not be renewed unless an exemption has been claimed and approved pursuant to OAC 245:15-11-3.
- (b) If the Board, or its designee, disallows claimed PDH's completed during the designated renewal period for audit, as activities that do not meet the criteria for continuing education activities, the licensee shall have 90 days after notification to substantiate the original claim or to complete new continuing education activities to meet the minimum requirement. Further, if verification is supplied for the submitted hours, but disallowed as not acceptable verification, the licensee shall have 90 days after notification to substantiate the original claim with acceptable verification, or complete new continuing education activities to meet the minimum requirement. The total number of days a licensee will be allowed to complete new continuing education activities or provide additional verification of claimed hours is 90 days from the date of notification.
- (c) Failure to comply with an audit occurs when a licensee is notified of an audit and they fail to supply a completed log form and verifications showing the required PDH's earned during the appropriate audit period, by the stated deadline, or a licensee submits false information to the Board in an attempt to renew a license. These acts are violations of Board Statutes and Rules and may lead to disciplinary action. Licensees who do not properly respond to the audit by the stated deadline, shall be in non-compliance with the audit and shall not be granted extra time to earn additional continuing education credit. If no verification of claimed PDH's is provided at the stated deadline for the audit, the licensee shall not be allowed 90 additional days to provide verification and they will have failed the audit, unless proof of hardship is provided in writing and approved by the Board or its designee.
- (d) If a licensee is audited for their continuing education requirements for their renewal period, the licensee shall not be allowed to retire their license to avoid complying with the audit or avoid disciplinary action if they incorrectly certified at the time of renewal that they had completed their continuing education requirements.

245:15-11-12. Re-licensure

A licensee may bring an inactive or retired license to active status by obtaining all delinquent PDH's. However, if the total number required to become current exceeds 30, then 30 shall be the maximum number required.

245:15-11-13. Dual Licensees

For an individual licensed both as an engineer and surveyor, the number of PDH's required shall remain 30 per biennial renewal period or 15 per calendar year, at least 1/3 of which shall be obtained in each profession. Dual licensees must comply with the provisions of OAC 245:15-11-5(c) regarding the Oklahoma Minimum Standards for the Practice of Land Surveying.