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**4781-9-01 Continuing education general provisions; ~~fees for continuing education.~~**

(A) Generally.

- (1) Continuing education courses for manufactured homes installers and certified inspectors shall ~~assure~~ensure that licensees possess the knowledge, skills, and competence necessary to function as manufactured homes installers or certified inspectors in a manner that protects and serves the public interest. The knowledge or skills taught in any continuing education course shall enable the licensee or certified inspector to better serve manufactured homes consumers and shall be directly related to manufactured homes installation or inspection operations.
- (2) Any continuing education course that is conducted in Ohio or primarily for the benefit of Ohio licensees or inspectors, shall accurately and completely address any unique Ohio laws, codes, rules, customary practices, or approved methods, relevant to the subject matter being taught.
- (3) No continuing education course instructor shall instruct students in any manner or on any subject that contradicts any statute, court decision, administrative rule, or order that has been issued by the ~~commission~~division.
- (4) Continuing education may include any ~~commission~~division-approved classroom, independent, distance, or field study. A course that includes field coursework shall also include at least two continuing education credit units of home installation or inspection with hands-on, direct experience using all tools, customary practices, and approved methods, specifically relevant to the installation or inspection of manufactured homes, ~~and~~as well as instruction as to the safe use of such procedures and tools. To be considered for approval as a field safety course, at least two hours of continuing education units shall be devoted to field safety practices.
- (5) "Good cause" waivers or extensions.
  - (a) The ~~commission~~division may waive any portion of the continuing education hours requirements or the rules promulgated thereunder in cases of certified illness, disability, military service, foreign residence, or for good cause that prevents the attendance of approved continuing education courses by a person holding a license or certification pursuant to Chapter 4781. of the Revised Code or extend the time for the licensee or inspector to complete the required continuing education requirements if the licensee or inspector has substantially met the other renewal requirements as set forth in Chapter 4781. of the Revised Code and the rules promulgated thereunder. Continuing education waivers or extensions of time to complete the required continuing education requirements shall be determined by the ~~commission~~division or its designee on a case-by-case basis.
  - (b) If the ~~commission~~division grants an extension of time to complete the continuing education requirements and the license has expired, such license shall not be reissued until the licensee has completed the required continuing education requirements.
  - (c) For the purpose of this rule, "good cause" means any non-reoccurring facts or circumstances outside the control of the licensee or inspector that hindered or prevented the licensee from completing the

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required hours of continuing education for the renewal of the license or certification by the expiration of the license or certification.

- (6) Pursuant to Chapter 4781. of the Revised Code, if the continuing education requirements are not timely met by an individual on or before the expiration date set forth on the license or certification, the license or ~~certificate~~certification shall be suspended automatically without the taking of any action by the ~~commission~~division or its ~~executive director~~superintendent. Failure to reactivate the license or certification as provided in this rule shall result in automatic revocation of the license without the taking of any action by the ~~commission~~division or ~~executive director~~superintendent.

## (B) Courses qualifying for continuing education credit.

- (1) Credit shall be given only for courses that have been approved by the ~~commission~~division. Courses approved by the division for continuing education for installers shall also meet the continuing education requirements for certified manufactured home inspectors.

- (2) Notwithstanding paragraph (B)(1) of this rule, a licensee or inspector may request that the ~~commission~~division award continuing education credit for a course or related educational activity that has not been pre-approved by the ~~commission~~division. The licensee or inspector seeking such approval shall submit documentation to the ~~commission~~division consisting of all the required information set forth in paragraph (B)(2) of rule 4781-8-02 of the Administrative Code. The licensee or inspector seeking approval shall also submit a nonrefundable fee not to exceed fifty dollars for each course or related educational activity to be reviewed. The fee may be paid by check or money order made payable to the "Treasurer, State of Ohio," or by credit card. Any ~~online credit card~~ payment of fees may be subject to a convenience fee as charged to the division.

- (3) Continuing education hours obtained by individuals holding a license or certification pursuant to Chapter 4781. of the Revised Code and the rules promulgated thereunder may carry forward course credit from one year to another within the same renewal period.

~~(4) (4) Continuing education hours for inspectors and installers may be obtained from commission approved continuing education courses for up to, but not exceeding, one half of the total commission required continuing education hours. The inspector and installer must submit a copy of the course attendance certificate which indicates the date the course was attended, the name of the attendee, the number of continuing education credit hours, and a check for five dollars per credit hour plus five dollars per credit hour for an administrative fee. A check or money order, or payment by credit card shall be made payable to "Treasurer—State of Ohio." Any on line payment made by credit card may be subject to a convenience fee. The continuing education course must be attended during the period of the inspector or installer current license period.~~

## ~~(C) (C) Fees for continuing education.~~

- ~~(1) (1) The sponsor of an approved continuing education course may establish the amount of the fee to be charged to students taking the course. The established fee shall be an all-inclusive fee, and no separate or additional fee may be charged to students for providing course materials, providing course completion certificates, reporting course completion to the commission, or for recouping similar routine~~

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~~administrative expenses. The total amount of any fees to be charged shall be conspicuously noted in any advertising or promotional materials for the course.~~

~~(D)~~ (D) Class enrollment; facility requirements.

~~(1) (1) All continuing education courses shall be open to licensees or inspectors on a first come, first served basis. The sponsor of a course that has a bona fide educational or experience prerequisite may refuse admission to a licensee or inspector who does not satisfy the prerequisite.~~

~~(2) (2) A classroom in which a course is provided shall:~~

~~(a) (a) Accommodate all enrolled students;~~

~~(b) (b) Be equipped with student desks, worktables with chairs, or other seating arrangement which provides a surface whereby each student can sit and write, except if the course is conducted in a field setting;~~

~~(c) (c) Have sufficient light, heat, cooling, and ventilation, except if a course is conducted in a field setting;~~

~~(d) (d) Have a public address system such that all students can hear the instructor clearly, if needed;~~

~~(e) (e) Provide a direct, unobstructed line of sight from each student to the instructor and all teaching aids; and~~

~~(f) (f) Be free of distractions that would disrupt class sessions.~~

~~(3) (3) No class shall exceed sixty students without prior approval of the commission.~~

(C) A prospective training agency shall obtain written approval from the division before the training agency may offer, conduct, advertise, or otherwise represent that the course is or may be approved by the division for continuing education credit in Ohio.

(D) Prospective training agencies for manufactured home installers and inspectors shall submit a completed application form with the following information:

(1) Name, address, email address, facsimile, and telephone number of the training agency;

(2) Name, address, email address, facsimile, and telephone number of the owner(s) of the training agency;

(3) Information on whether the owner of the training agency is a local or state inspector and whether the owner's participation would create a conflict of interest as opined by the Ohio ethics commission advisory opinion 98-005;

(4) A description of the purpose of the agency;

~~(6)~~ (5) Policy regarding attendance and procedure for record keeping of attendance;

~~(7)~~ (6) Acknowledgment that the training agency will adhere to the division's rules, procedures, and standards; and

~~(8)~~ (7) Any other information that the division deems necessary.

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- (E) The division shall maintain a current listing of all approved training agencies that provide continuing education for manufactured home installers.
- (F) The division or its designee shall notify the training agency of its approval or disapproval of the training agency's application within sixty business days after receipt of the application. A training agency is approved for a period of one year.
- (G) An approved training agency shall pay the annual fees required pursuant to rule 4781-9-05. Such fees shall be submitted to the division with the attendance reports.
- (H) A training agency shall file its renewal application for approval not more than sixty days nor less than thirty days prior to the expiration of the previous approval.
- (I) No training agency shall advertise or otherwise notify any licensee that a course of study or program of instruction has been approved by the division until such course or program has been approved.
- (J) Any training agency that fails to comply with this rule or rules 4781-9-02 to 4781-9-06 of the Administrative Code may have its approval revoked or not renewed. Any training agency that has been revoked or not renewed may appeal the decision pursuant to Chapter 119. of the Revised Code.
- ~~(E)~~ (K) Accommodations for students with disabilities.
- (1) ~~Course sponsors~~ Training agencies shall comply with the "Americans with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C. 12101, or other laws requiring ~~sponsors~~ training agencies to accommodate persons with disabilities.