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4101:16-3-03 Continuing education - course approval.

(A) Continuing education course criteria:

- (1) The appropriate specialty sections shall approve a course of study or program of instruction offered for continuing education purposes within the curriculum pursuant to this rule only if the training agency has been approved by the administrative section and the training agency submits the nonrefundable fee as set forth in division (G)(1)(e) of section 4740.04 of the Revised Code and rule 4101:16-2-09 of the Administrative Code. No training agency may conduct the course of study or program of instruction for credit unless the administrative section has approved that training agency and the course has been approved by the appropriate specialty section;
- (2) An application for approval of a course of study or program of instruction for continuing education purposes by an approved training agency shall be submitted to the appropriate specialty section no later than the twentieth day of the month, unless the twentieth falls on a Saturday, Sunday or a holiday then such application shall be submitted no later than the next business day. If the training agency fails to submit its course application as set forth in this rule, the specialty sections may not consider such application at its next regular scheduled meeting. The training agency shall submit its application for a course approval not less than thirty days nor more than one year prior to the date of the course or program offering. No application for a course of study or program of instruction for continuing education shall be approved by the appropriate specialty section unless such course or program meets the curriculum as defined in this rule. The application shall be on forms prescribed and furnished by the appropriate specialty section;
- (3) ~~An application for a computer-based course of study or program of instruction shall not be approved by the specialty section unless such course or program is conducted in a proctored classroom setting and such application complies with paragraph (A)(4) of this rule. The appropriate section shall not approve an application for correspondence course of study or program of instruction for continuing education;~~ Online or computer-based courses:
 - ~~-(a) For purposes of this Chapter, "online or computer-based courses" means "any e-learning, online, electronic, computer-based, or similar course or program that is designed to teach or educate using electronic media of some form, typically employing the use of the internet." "Online or computer-based courses" shall not include VHS, DVD, or similar non-interactive media.~~
 - ~~-(b) Online or computer-based courses will only be approved in accordance with paragraph (A)(5) of this rule but shall not account for more than half of the continuing education hours required for license renewal for each class of contractors;~~
- (4) The appropriate specialty section when acting upon an application for approval of a course of study or program of instruction will consider but not be limited to the following criteria:
 - (a) The application shall contain the following:
 - (i) Name, address, email address, facsimile, and telephone number of the training agency;
 - (ii) The policy regarding attendance and the procedure used for record keeping of attendance;
 - (iii) The date(s), location and time that the course/program will be offered;

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- (iv) Name, address, email address, facsimile, telephone number, and occupation of proposed instructors;
 - (v) Resume of the proposed instructors detailing their experience and qualifications and the resume of any alternate proposed instructors;
 - (vi) The content of the course/program;
 - (a) Title of the course/program;
 - (b) Educational objective of the course/program;
 - (c) Textbooks and student materials prescribed;
 - (d) Outline or syllabus that contains a brief description of the course/program; and
 - (e) Duration of time of the course/program.
 - (vii) Sample of the proposed advertising or written notice;
 - (viii) Fee for course/program;
 - (ix) A description of the physical facility in which the course or program of instruction is offered, unless the course or program is online or computer-based; and
 - (x) Such other information as the appropriate specialty section may request.
- (b) The suitability of the physical settings of the programs offered by the training agency, unless the course or program is online or computer-based;
 - (c) Demonstrated adherence to specialty section rules, procedures, and standards; and
 - (d) The electronic and computer capacity of the training agency to provide the appropriate specialty section with attendance information, course information, and any other information the specialty section deems necessary to be received electronically.
- (5) The appropriate specialty section when acting upon an application for approval of a course of study or program of computer-based or online instruction will also consider the following criteria;
- (a) The application materials submitted pursuant to this rule;
 - (b) The course is designed to assure that participants are actively engaged in the instructional process while completing the course by utilizing techniques that require participant interaction with the computer program;
 - (c) If in each unit of instruction there is no activity from the participant after thirty minutes of instruction time, the course will shut down and the participant will have to begin from the beginning of the unit;
 - (d) The provider utilizes procedures that provide reasonable assurance of participant identity and that the participant receiving the continuing education credit for completing the course actually performed all of the work required to complete the course; and

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[-\(e\) The provider utilizes a clock or timer on each screen that accurately records the course completion time to insure course time equals the amount of continuing education credit hours received.](#)

- (B) Time limits - No course of study or program of instruction will be approved by the specialty sections of the board in which classroom instruction exceeds ten classroom hours of instruction in any one day.
- (C) Approval duration - The approval of a course of study or program of instruction shall be limited to one year. Provided that the training agency renews, or the administrative section approves the renewal of a training agency, then the approval of a course of study or program of instruction by that agency shall be valid for one year unless such training agency fails to renew or the administrative section does not approve the renewal of the training agency.
- (D) Instructor qualifications - Instructors, seminar and conference leaders, lecturers and others who present materials at a course or program must have five years of full time experience in a profession, trade, or technical occupation in the subject matter being taught. In addition, no continuing education course will be approved if an instructor of a proposed course is a local or state inspector and the instructor's participation would create a conflict of interest as opined by the Ohio ethics commission advisory opinion 98-005.
- (E) Upon approval of a course of the study or program of instruction by the appropriate specialty section, the section shall notify the training agency of the approval.
- (F) An instructor may receive continuing education credit for the number of unduplicated subject matter hours he instructs.
- (G) An approved training agency shall provide the appropriate specialty section with a roster of attendees of a provided course or program within fourteen business days of completion of the course or program. The roster shall be provided to the appropriate specialty section by a posting on the Ohio construction industry licensing board website in a manner and form prescribed by the appropriate specialty section or via any other means of electronic transmission that the appropriate specialty section deems appropriate. The posting shall contain any information the appropriate section deems appropriate.
- (H) An approved training agency shall notify the appropriate specialty section in writing, within fourteen business days of the date of the date of an approved course offering, of any cancellation, changes to the course date or any change in the time, or location of a course or program. If the training agency is proposing to change the content of a course or program or an approved instructor with an instructor that has not been approved for the course or program, the training agency shall comply with paragraph (K) of this rule before such course or program shall be offered.
- (I) Any member of the Ohio construction industry licensing board or their designees may attend a course or program being offered by an approved training agency in order to determine whether the course or program is being conducted in accordance to approved guidelines and procedures established in this rule.
- (J) Any training agency that fails to comply with this rule or rules 4101:16-3-02 and 4101:16-3-03 of the Administrative Code may be disapproved or not renewed. Any training agency that has been disapproved or not renewed may appeal the administrative section's decision pursuant to Chapter 119. of the Revised Code.
- (K) If the change to the approved course/program materially alters the contents of the course/program initially approved by the specialty section, or if an approved instructor(s) are not available to teach the course or program, the training agency shall not hold that course/program until the training agency receives approval for the changes from the appropriate specialty section.

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