

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 380
Department or Agency: Alabama Board of Registration for Foresters
Rule No.: 380-X-6-.04
Rule Title: Continuing Education
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? No

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Lea Anna Meadows
Lea Anna Meadows

Date

Friday, May 17, 2024

REC'D & FILED
MAY 20, 2024
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF REGISTRATION FOR FORESTERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Registration for Foresters

RULE NO. & TITLE: 380-X-6-.04 Continuing Education

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To amend the current rule 380 X 6 .04, Continuing Education, removing subdivision section No. 1 through No. 13 regarding the current established continuing education requirements for all Registered Foresters and replacing them with section No. 1 through No. 6. To meet the requirements of the governor's executive order 735.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested parties may submit data, views, or arguments concerning the proposed amendment to the Board in writing through the close of business on July 5, 2024, to Lea Anna Meadows, Executive Director, Alabama State Board of Registration for Foresters, 513 Madison Avenue, Montgomery, AL 36130; Phone 334-240-9301; Fax 334-240-9387; Email LeaAnna.Meadows@asbrf.alabama.gov

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, July 5, 2024

CONTACT PERSON AT AGENCY:

Lea Anna Meadows, Executive  
Director, Alabama State Board of  
Registration for Foresters, 513  
Madison Avenue, Montgomery, AL  
36130; Phone 334-240-9301; Fax  
334-240-9387; Email  
LeaAnna.Meadows@asbrf.alabama.gov

*Lea Anna Meadows*

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Lea Anna Meadows

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

Continuing Education.

~~(1)~~ (1) Continuing Forestry Education acceptable to the Board is required for license renewal. Each renewal requires an annual minimum of 10 CFE hours accrued from the prior two years at the license expiration date. A minimum of 5 CFE hours must be Category 1. A maximum of 5 ~~A registered forester will be required to have annually completed 10 hours of acceptable continuing education which can be taken during the two-year period immediately preceding the renewal date as a condition for license renewal. Classes taken more than two years prior to the renewal date may not be used. Credit for a class may only be used once.~~

~~(2)~~ ~~Acceptable continuing education credit hours can be carried over one year provided the hours have not been used to satisfy the previous year requirements.~~ CFE hours can be from categories 2 or 3. A forester that

~~(3)~~ ~~Registered foresters licensed for less than one year at the date of license expiration will not be required to complete any hours of continuing education prior to that first license expiration~~ is licensed for less than a full year does not submit CFE hours for the first license renewal.

(2) Unless otherwise defined for a particular activity, a CFE hour is a contact hour of actual instruction time (does not include introductions, breaks, travel times on tours, or other non-instruction time). A CFE activity is at least 1 hour, and the total activity or course time is rounded to the nearest one-half hour. A CFE credit hour is used once and any unused current year CFE hours can be rolled forward for the next year's needed CFE hours. ~~, but will be required~~

(3) Qualified CFE hours acceptable to the Board are as follows: ~~to have~~

(a) The ASBRF approves Category 1 CFE hours or accepts comparable Category 1 CFE activity hours from the Society of American Foresters, other state boards of registration or other professional forester organizations.

(b) The other categories of CFE's are approved as defined in each Category description.

(c) The instructors of CFE activities must be experts or competent practitioners in the subject matter being presented. Registered Foresters are uniquely qualified to design CFE activities including tours, courses and selection of instructors that meet CFE criteria and may be listed as "Name, R.F., Coordinator" on the agenda. ~~10 required~~

(d) The CFE activity/course agenda being submitted for Board approval includes general activity/course objective,

session topic descriptions, the session instructor title/ qualifications and session contact hours. Agendas are submitted at least two (2) weeks in advance of their needed approval.

~~(4) The forester submits the CFE credit hours hours of continuing education as of the second license expiration as a condition for license renewal.~~

~~(4) Registered foresters will report the continuing education credits to be applied to this requirement as a part of on the license renewal form and keeps documentation of CFE courses/ activities used for 2 years. The forester only submits the ten hours needed to meet CFE requirements of paragraph "1." above.~~

~~(5) The Board may audit a forester's submitted CFE credit hours and if so, the forester submits the CFE credit hour records for review. Documentation includes attendance records, activity/course objective and session agendas with topics, instructors, and type CFE hours claimed. For courses without attendance records the forester may document attendance by signing the agenda document indicating that they have attended. Documentation shall be retained by each licensee and shall include evidence of completion of each course or program, a description of the contents of each course or program, and verification~~

~~(6) There are three Categories of Continuing Forest Education (CFE) hours acceptable for Alabama Registered Forester continuing education.~~

~~(a) Category 1 includes organized coursework and activities directly related to the practice of forestry, or to the professional responsibility or ethical obligations of foresters. This category requires that continuing education the number of hours of each course or program; or, for other activities which meet the requirements, such documentation as to ascertain their completion. All registered foresters are subject to an annual Board of Registration audit of continuing education documentation.~~

~~(5) Failure to comply with the provisions of this section will result in nonrenewal of the registered forester license. Registered foresters whose licenses have expired for nonrenewal are prohibited from identifying themselves as registered foresters and practicing professional forestry. contributes to the professional competency of a registered forester and is conducted by foresters or experts~~

~~(6) Responsibility for documenting the fulfillment of the continuing education requirements provided for in this section rests with the licensee, and the licensee must retain for a period of two years, from the date of license renewal, copies of~~

~~the evidence to support fulfillment of the requirements.~~in the subject matter. CFE credits

~~(7) Credit accrues at a rate of one hour for each hour of actual contact. This shall be known as a contact hour or clock hour. Travel time on tours or field sessions will not be included in calculating contact hours. For providers who measure continuing education activities in "Continuing Education Units (CEUs)," one CEU is defined as 10 contact hours of continuing education. Credit will not be allowed for any program which in its entirety, including question and answer periods, lasts less than sixty minutes. However, credit may be rounded down to the nearest whole or half hour, so long as it is at least one hour. Credit will not be given for time spent in introductory remarks, coffee and luncheon breaks, meals, or business meetings where no organized course work is presented.~~accrue at a rate of one hour for each hour of contact. For foresters preparing and

~~(8) There are six categories of continuing forestry education which cover the various activities for which credit may be granted.~~

~~(a) Category 1. Organized course work or activities in forestry or forestry related subject matter such as silviculture, mensuration, biometrics, economics, forest pest management, habitat management, watershed management, best management practices, genetics, urban forestry, forest policy, spatial technology, wood products, forest real estate, or professional ethics. Included are seminars, short courses, and workshops conducted or sponsored by public or private organizations, forest management related seminars and courses held by forest industry and public employers for their employees, as well as technical sessions of professional forestry society meetings or conferences. A Category 1 activity must satisfy all of the following conditions:~~presenting Category 1 CFE

- ~~1. It constitutes an organized program of learning (including a meeting, instruction (not a primary workshop occupation role) or symposium) which contributes directly to the professional competency of the registered forester.~~
- ~~2. It deals primarily with matter directly related to the practice of forestry or to the professional responsibility or ethical obligations of foresters.~~
- ~~3. It is conducted by foresters or individuals who have special education, training and experience by reason of which they can be considered experts in the subject matter of the program.~~
- ~~4. It is conducted in a setting physically suitable to the educational objectives.~~
- ~~5. The subject matter is applicable to foresters in general. (Activities may be approved where attendance is~~

~~limited to the members of a particular company, firm or governmental agency but only if the subject matter is broad enough to be of interest to foresters in general).~~

~~(b) Category 2. The development, preparation, and presentation of professional level forestry or forestry-related course work, in an instructional capacity such as described in Category 1, which require effort beyond the general scope of the individual's normal duties or job description. Credit accrues at the rate of two contact~~credit accrues at 2 hours for each hour of presentation.

~~(c) Category 3. Other organized course work or activities not specifically forestry or forestry-related but which are professionally enriching or directly benefiting the individual in his or her present position. Examples include general sessions of forestry or other professional meetings or course work in areas such as real estate, finance, appraisal, business management or computer science. A~~Category 1 content college course (not including courses taken in pursuit of a degree to qualify for licensing)

~~(d) Category 4. The preparation, writing and publication of forestry or forestry-related subject matter, which requires effort beyond the general scope of the individual's normal duties or job description. Credit accrues at the rate of 15 hours for each publication requiring technical review or~~accrue at a rate of 15 hours per course semester credit hour upon passing the course.

~~(b) Category 2 Includes published writing of forestry subject matter by foresters (not a primary occupation role) and accrues at 15 CFE hours for a technical reviewed publication and 5 CFE hours for a substantial audience news~~5 hours for an article or a series of articles of a substantial nature in magazines, newspapers, or similar publications.

~~(e) Category 5. Self-improvement in forestry or forestry-related subjects. Examples are attendance at meetings of state boards of forestry, forestry licensing committees, or tree improvement associations. This may not include the business or social portions of professional society meetings that do not qualify for Categories 1 or 2. Also included is self-improvement through publications or audio-visual presentations on technical forestry subjects. Independent study programs that are forestry related but do not qualify for Category 1 are included. Credit accrues at the rate of one hour for each hour of activity.~~publication. Also includes

~~(f) Category 6. Holding elected or appointed office or active committee assignment in forestry or allied professional organizations and on national, state or local boards as a representative of the forestry profession. Credit accrues at the rate of 5 hours per year~~holding

elected or appointed office or active committee assignment or boards in forestry or allied professional forestry organizations as a representative of the forestry profession and accrues at a rate of 5 hours per year. Self-improvement in forestry related subjects like attendance of state boards of forestry meetings and self-study accruing at 1 CFE credit hour per activity hour. There is no preapproval application required as the forester reports the CFE hours but should retain proof of hours and attendance records.

(c) Category 3 Other organized coursework or activities not specifically forestry-related but professionally enriching or directly benefiting the forester in their present job role. There is no preapproval application required as the forester reports the CFE hours but should retain proof of hours and attendance records. Credit accrues at a rate of 1 hour for each contact hour of instruction. For ~~for holding office, chairing an assignment or one active committee membership.~~

~~(9) Correspondence courses and independent study programs are permitted under categories 1 and 2, if the course provides for interaction between the participant and the course administrator. This usually takes the form of periodic examinations and must be documented; otherwise, correspondence courses may be counted under Category 5. Contact hours are assigned on the basis of the credits granted by the sponsoring organization. If the organization uses a semester system, the number of credits is multiplied by 15; for a quarter system, the number of credits is multiplied by 10.~~college courses fitting Category 3 description (not including courses

~~(10) University and college taught activities taken in pursuit of a degree may be counted as Category 1 so long as that degree is not being obtained to meet the minimum qualifications for registration as a registered forester. This will generally include graduate degrees and non-forestry degrees. Credits will be assigned as described above for correspondence courses.~~

~~(11) Minimum continuing education requirements for annual license renewal are a total of 10 contact hours of continuing education.~~

~~(a) A minimum of 5 contact hours must be in Category 1 or 2. However, the entire requirement may be met with hours in Category 1, only.~~

~~(b) A maximum of 5 contact hours may be claimed in categories 3 through 6.~~

~~(12) Continuing forestry education hours may be obtained from the following providers or through independent study, so long as they conform with the requirements set out above. Providers described in paragraphs a, b, c and d below will not require prior Board approval. Licensees documentation for providers in a, b, c and d should include the course outline and instructors' names and qualifications.~~

~~(a) Professional Associations. Continuing forestry education hours may be obtained by participating in activities sponsored by or approved by the Society of American Foresters or other professional associations. A properly authorized official of the professional organization shall certify the number of contact hours of educational content of each sponsored or approved activity.~~

~~(b) Educational Institutions. Continuing forestry education hours may be obtained by completing non-forestry degree or graduate level course work or by participating in continuing educational programs sponsored by or approved by educational institutions accredited by a regional body recognized by the Council of Post-Secondary Accreditation. The educational institution shall certify the number of contact hours of educational content in each sponsored or approved program.~~

~~(c) Government Agencies. Continuing forestry education hours may be obtained by participating in inservice training, courses, or workshops sponsored by federal, state or local agencies. The provider shall certify the number of contact hours of educational content in each sponsored activity.~~

~~(d) Forest Industry. Continuing forestry education hours may be obtained by participating in in-house training, courses or workshops. The provider shall certify the number of contact hours of educational content in each sponsored activity.~~

~~(e) Board Approved Providers.~~

~~1. Continuing forestry education may be obtained by participating in activities sponsored by Board Approved Providers, so long as the provider was approved at the time the program was offered. Board Approved Providers may only offer programs in the topic areas for which they have been approved. The provider shall certify the number of contact hours of educational content in each continuing education activity.~~

~~2. In order to qualify for initial Board approval, to renew Board approval or to qualify for approval in additional topic areas, a provider must apply to the Board. The application must be received in the Board office prior to the date the course is to be given. The application must include the following:~~  
to qualify for licensing) can be accrued at a rate of 15 hours per semester hour upon passing the course

~~(i) A description of the topic areas in which the provider plans to sponsor continuing education activities.~~

~~(ii) The names of all instructors currently offering continuing education activities, a description of the topic areas in which each instructor is qualified to teach along with a vita or other evidence demonstrating that each instructor is qualified in the identified topic area.~~

~~(iii) Program outlines, including instructors, objectives and schedules for all continuing education activities the provider has plans to present.~~

~~3. Board Approved Provider status shall expire four years from the date of approval and may be renewed by application to the Board. The Board retains the right to monitor continuing education programs sponsored by Board Approved Providers and will withdraw approval from providers who do not maintain the standards demonstrated in their application. Board Approved Providers shall notify the Board in writing of a change of address or of a decision to withdraw from Board Approved Provider status.~~

~~(13) Standards similar to those required for Category 1 providers are expected for Category 2 providers except that the professional societies will be other than forestry related. The Board will not approve any other providers but will accept Category 1 and 2 courses approved by other state licensing boards in the appropriate specialty areas.~~

**Author:** Aprille B. Cook

**Statutory Authority:** Code of Ala. 1975, §34-12-8(b).

**History:** Filed March 19, 1992. **Amended:** Filed August 9, 2006; effective September 13, 2006. **Amended:** Filed February 9, 2007; effective March 16, 2007. **Amended:** Filed May 6, 2016; effective June 20, 2016. **Amended:** Published May 28, 2021; effective July 12, 2021. **Amended:** Published 5/31 ; effective 7/05 .