

266 CMR 5.00: CONTINUING EDUCATION

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5.01: Continuing Education Requirements

(1) Licensed Home Inspectors and Associate Home Inspectors are required, as a condition of license renewal, to complete a minimum of 12 Continuing Educational Hours per renewal cycle. A renewal cycle consists of the 24 months prior to each renewal date (For lapsed, expired, suspended, revoked or surrendered licenses, *see* 266 CMR 3.02: *Procedures for Renewal of a License and Renewal of a Lapsed/Expired License* and 3.03: *Procedures for Reinstatement of a License, which has been Revoked, Suspended, Surrendered, or Placed on Probation*).

(2) Registrants whose license is issued during the 24-month cycle shall have their Continuing Educational Hours prorated based on one hour per two months from the date of issue to the date of renewal.

(3) Only those continuing education activities, which are completed during the renewal cycle, will be acceptable as qualifying continuing education activities for that period.

(4) At least four hours of the required continuing education activities shall be dedicated to the 266 CMR regulations including the standards of practice and at least one hour shall be dedicated to professional ethics for each renewal cycle.

(5) Instructors of courses, workshops, or seminars shall be credited one hour for each continuing education activity hour taught by the instructor.

(6) All Continuing Educational Hours set forth in 266 CMR 5.00 are subject to approval by the Board.

5.02: Verification/Approval of Continuing Education Activities

(1) At the time of license renewal, each Registrant is required to submit to the Board a signed statement on a form provided by the Board attesting under the pains and penalty of perjury that he or she has satisfied of the Continuing Education requirements for that renewal period.

(2) For each Continuing Educational Hour earned by participation in a Continuing Education Program, the Registrant must be able to provide documentation of the following:

- (a) The title of the program or course.
- (b) The number of hours spent in the program or course.
- (c) The name of the Board recognized entity or the academic institution that sponsored the program or course.
- (d) The date and location that the programs, courses, workshops, or seminars were given.

(3) The Board may audit a Registrant's compliance with the Board's Continuing Education requirement.

(4) Upon request of the Board, a Registrant must provide the documentation set forth in 266 CMR 5.02(1) through (4) for two prior licensure renewal/continuing education periods.

(5) Continuing Educational Hours, which do not meet the requirements of 266 CMR 5.00, may be rejected in part or in whole by the Board.

(6) The Board may reject any incomplete or inaccurate documentation of continuing education in part or in whole.

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(7) The Board may require a Registrant who has not met the continuing education requirement to renew his or her license to appear before the Board, take an examination, complete additional continuing education, or practice under supervision prior to renewing his or her license.

(8) Failure to complete or provide required documentation of completion of continuing education requirements may result in non-renewal of a license or disciplinary action.

5.03: Waivers of Continuing Education Requirements

(1) The Board may waive the continuing education requirement for any Registrant who, for reasons of health, disability, out of state military service, or undue hardship, cannot meet the requirements.

(2) An application for a waiver shall be submitted to the Board on a form provided by the Board.

(3) Waivers of continuing education requirements shall be effective for no more than one year, beginning the day after the license expires.

(4) A Registrant may apply for three consecutive waivers.

5.04: Appeals on Continuing Education Matters

Any individual who wishes to appeal the decision of the Board regarding continuing education matters must submit a letter of appeal to the Board within 21 days of the receipt of the Board's decision. The applicant must supply the Board with any requested additional data and may be asked to appear before the Board. The Board reserves the right, upon request of Registrant, to allow the Registrant to practice home inspecting during the Board's appeals process.

5.05: Approval of Providers' for Education Programs and Activities

(1) Approval of Providers' for Education Programs and Activities.

(a) The Board shall recognize, as Providers for approved Continuing Educational Hours and Educational Training Hours coursework, schools approved by the Massachusetts Department of Education without the necessity of the provider submitting an application, appearing before the Board and submitting the course curriculum and/or the instructors name and *vitae*. The coursework content must directly relate to the science of Home Inspection. Further, the Board may accept the number of credit hours indicated on the certificate<sup>1</sup> provided by the school, to the named individual.

(b) The Board shall recognize, as Providers for approved Continuing Educational Hours and Educational Training Hours coursework, societies and trainers (including unions) approved by the Massachusetts Boards Registration for architects, engineers, electricians, plumbers and gas fitters, home inspectors, sanitarians without the necessity of the providers submitting an application, appearing before the Board and submitting the course curriculum and/or the instructors name and *vitae*. Further, the Board shall accept the number of credit hours indicated on the certificate, provided by the society and/or trainers, to the named individual, as Continuing Educational Hours.

(c) The Board shall recognize, as Providers, for approved Continuing Educational Hours and Educational Training Hours coursework, all training facilities approved by the political subdivisions of the Commonwealth of Massachusetts without application, appearance before the Board, submission of the course curriculum and/or the instructors name and *vitae*. Further, the Board shall accept the number of credit hours indicated on the certificate, provided by the facility and/or trainers, to the named individual, as Continuing Educational Hours.

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<sup>1</sup> A three hour credit course from a recognized college and/or university that meets three times a week (three hours per week) for 15 weeks will be credited with 45 hours of continuing education credits; a four hour credit course meeting four times per week (four hours per week) for 15 weeks will be credited with 60 hours of continuing education credits.

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- (2) The Board may recognize any person as an Individual Educational Provider.
  - (a) In order to become an Individual Educational Provider the applicant must:
    1. Appear before the Board.
    2. Submit an application on a form approved by the Board.
    3. Submit Course information as described in 266 CMR 5.05(2)(b)1.a..
    4. Be approved by the Board.
  - (b) Responsibilities of the Individual Educational Provider:
    1. Submit the course information including:
      - a. Name, date, and location of continuing education course work.
      - b. Detailed description of the course content.
      - c. Description of the educational objectives.
      - d. Description of each instructor's education, training, and experience background.
      - e. Continuing education hours offered for completing the course.
    2. Take attendance prior to and at the end of the seminar or course, and maintain a record of those in attendance for the current licensing cycle.
    3. Issue a certificate of attendance which includes at minimum the title of the program or course, the number of hours spent in the program or course, the name of the Board recognized entity or the academic institution that sponsored the program or course, the dates and location of the program, course, workshop, or seminar given.
    4. Individual Educational Provider shall Report any change in the course content or instructor to the Board prior to commencement of the course.

5.06: Educational Programs

- (1) General Requirements.
  - (a) No educational program course shall be approved for more than six hours in any one increment. However, if the course, seminar, *etc.* is broken down into increments of less than six hours each, the Board may approve the entire total even though the total exceeds six hours.
  - (b) At the discretion of the Board, may approve Educational Training and Continuing Educational Training Hours and/or courses retroactively.
  - (c) The Board shall revoke the approval of any Education Program for failure of the Provider to comply with the provisions of 266 CMR 5.06.
- (2) Educational Hours for the Associate Home Inspector Training Program. For a program to be eligible for approval for Educational Training Hours the course content shall directly relate to the subject matter specified in 266 CMR 4.01: *Educational Training Hours.*
  - (a) The educational objectives shall include the fundamental knowledge needed to complete a Home Inspection.
  - (b) The course work must include, as a minimum, the number of hours and topics prescribed in 266 CMR 4.01: *Educational Training Hours.*
- (3) Continuing Education Programs for Home Inspectors and Associate Home Inspectors. For a program to be eligible for approval for Continuing Educational Hours the course content and educational objectives shall directly relate to the inspection of homes and/or commercial buildings. The course work must include one or more of the following topics relating to the science of home inspection:
  - (a) Procedures and practices used in the inspections of residential and commercial buildings.
  - (b) Technical aspects of home and commercial construction.
  - (c) Plumbing, electrical, heating, building code interpretation (enforcement and review), structural, and architectural subjects.
  - (d) Federal and state statutes, regulations, and rules.
  - (e) Business-related and business-law related courses including ethics.
  - (f) 266 CMR regulations and standards.

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- (g) Technical Report writing.
- (h) Environmental Hazards.
- (i) Other as approved by the Board.

REGULATORY AUTHORITY

266 CMR 5.00: M.G.L. c. 13, § 96 and c.112, §§ 221 through 225.