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FBC Education Administrator Report

January 9, 2012

- A. Provided administrative support for FBC Education POC for November 21, 2011 meeting
- B. Drafted minutes for FBC Education POC November 21, 2011 meeting
- C. Prepared agenda for FBC Education POC meeting on January 18, 2012
- D. Inquiries from the public November 10, 2011 to January 9, 2012 as follows:

9 inquiries: 4 telephone; 4 email; 1 telephone and email

Category of inquirers:

2 Engineers	2 Contractors	1 Electrical Contractor
1 Interior Designer	1 Provider	1 Information on licensure as a Building Official
1 Member of the public		

Types of Inquiries:

- 1 Provider questions (Renewal of courses, course approval notification)
- 1 General Code course
- 4 Core Course
- 1 Construction lien law
- 1 Licensure
- 1 Manufactured housing

E. Date changes for 2012 Education POC Meetings – There is a need to change the posted dates for Education POC meetings to ensure sufficient time for preparing courses within the deadline for inclusion on the committee agenda. Please note the changes for 2012 as listed below:

<u>Current Dates</u>	<u>New Dates</u>	<u>FBC Plenary Session</u>
January 18 (Wed)	January 23 (Mon)	January 31 (Tue)
Mar. 21 (Wed)	March 26 (Mon)	April 3 (Tue)
May 30 (Wed)	June 4 (Mon)	June 12 (Tue)
July 25 (Wed)	July 30 (Mon)	August 7 (Tue)
September 27 (Thu)	October 1 (Mon)	October 9 (Tue)
November 19 (Mon)	No change (holiday)	December 4 (Tue)

E. FBC Education POC Agenda Item 7 for review and discussion of proposed draft changes for two course update/modification mechanisms commonly known as “reviewed, no change” or “self-affirmed” for updating or making a technical change to a course.

Below please find a draft revised from the last Education POC meeting. The portions with proposed changes that have NOT yet been reviewed by the Education POC are in bold.

Explanations for the new proposed changes:

- Subsection (3)(a): The proposed strike of "advanced" and subsequent POC approval of change to "advanced or other" is proposed to stay with current rule language because the POC is only reviewing advanced courses.

- Subsection (3)(d): The proposed changes in this subsection are technical to more accurately reflect the accreditation process.

- Subsection (3)(e): The new proposed changes in this subsection are technical to more accurately reflect the accreditation process.

Please note that the entire rule has been included here (but only subsection (3) has proposed changes). This is just for complete information.

9B-70.002 Commission Approval and Accreditation of Advanced Building Code Training Courses.

(1) Approval of Course Accreditors. The Commission shall approve persons to serve as accreditors of advanced training courses. Persons desiring to be accreditors shall apply using the Register Accreditor function and associated online screens, Form FBC-ED-001, effective September 10, 2010 adopted herein by reference and available from the Building Code Information System at www.floridabuilding.org/ce/ce_tporgapp_dtl1.aspx. Applications shall be accompanied by an application fee of \$100.00. Applications shall be approved by the Commission if the applicant has demonstrated five years of Florida Building Code expertise in the field for which approval is sought, or equivalent as specified below, or possesses an active license issued pursuant to Section 471.015, 481.213, or 481.311; Chapter 489, Part I or II, F.S.; or a standard certificate issued pursuant to Section 468.609, F.S. Accreditors approved by the Commission under prior versions of this rule are authorized to continue accreditation of building code courses. Equivalent expertise or proficiency under this provision shall include:

(a) A four year college degree or graduate degree in the field for which approval is sought;

(b) A letter verifying work experience in the field for which approval is sought from a person who supervised the applicant;

(c) A letter verifying employment and specific position of the applicant in the field for which approval is sought from the applicant's employer; or

(d) For an accreditor application submitted to accredit only accessibility courses, demonstrated proficiency acceptable to the Commission as a subject matter expert in the field of accessibility.

(2) Revocation of approval as an accreditor.

(a) Any accreditor shall have his/her approval status revoked for any of the following reasons:

1. Knowingly providing a fraudulent application to the Commission, when applying for accreditor status;

2. Suspension or revocation of a trade license submitted to the Commission as part of the initially approved accreditor application, which was not reported to the Commission at the time of suspension or revocation;

3. Failure to effectively and/or accurately accredit courses, specifically relating to the correctness of the course building code content references;

4. Failure to remove him/herself from any "conflict of interest" situations, such as accrediting courses in which the accreditor has a financial interest; or

5. Failure of the accreditor to cooperate with a Commission ordered investigation.

(b) The Commission may suspend the approval status of any accreditor based on any provision of paragraph (2)(a) of this rule, until such time as the accreditor demonstrates that the accreditor's status is currently in compliance with the requirements of this rule.

(c) The Commission shall initiate an investigation based on a written complaint submitted by any substantially affected party and containing substantial material evidence of a violation of this rule.

(d) The Commission shall clearly post the status of an investigation on its website, the Florida Building Codes Information System, www.floridabuilding.org.

(3) Training Provider Registration and Requirements.

(a) Training providers approved by the Department of Business and Professional Regulation who desire Commission approval and accreditation for advanced building code courses shall register with the Building Code Information System using the Register Training Provider function and associated

online screens, Form FBC-ED-002, effective September 10, 2010, adopted herein by reference and available from the Building Code Information System at www.floridabuilding.org/ce/ce_tporgapp_dtl1.aspx, and pay a registration fee of \$25.00.

(b) Registered training providers shall submit materials and information pertaining to courses for which Commission accreditation and approval is sought utilizing the Submit a Course Application function and associated online screens, Form FBCED 2003-03, effective September 10, 2010, adopted herein by reference and available from the Building Code Information System at www.floridabuilding.org.

(c) The provider shall select an approved accreditor and shall provide payment for services directly to the accreditor. The accreditor selected shall meet the criteria for independence identified in paragraph (d) and shall be listed with the expertise in the field for which approval is sought.

(d) Upon submittal by a training provider, the selected accreditor shall receive an e-mail notification from the Building Code Information System at www.floridabuilding.org and shall review the materials provided by the provider in accordance with the criteria identified herein. The accreditor shall complete the application by providing comments containing the results of the accreditor's review and approving or denying accreditation of the course updating the accreditation approval status on the Building Code Information System. An accreditor may not approve for accreditation a course application that is not complete and accurate as specified in subsection (4). The accreditor shall also provide a certification of independence that attests the person or entity does not have, nor does it intend to acquire or will acquire, a financial interest in the training provider seeking accreditation.

(e) The Building Code Information System www.floridabuilding.org shall assign an accreditation number to the application upon submittal. The application shall be accredited completely and placed in the "Pending FBC Action" file on the Building Code Information System at www.floridabuilding.org no later than 23 calendar days prior to the next scheduled meeting of the Florida Building Commission. ~~The Commission shall finalize t~~ **The accreditation process will be finalized utilizing the Building Code Information System at www.floridabuilding.org and notify the provider and accreditor will be notified within 3 business days of the Florida Building Commission's action on the applications.** If a provider has not taken any action on a submitted application in 180 days, the Commission may withdraw the application.

(f) On or before the effective date of changes to the Florida Building Code, providers shall ~~either designate on the Building Code Information System at www.floridabuilding.org that the course is not affected by the code changes or update the existing accredited courses affected by the code changes and submit for accreditation on~~ **the Building Code Information System at www.floridabuilding.org.** If ~~the course is not affected by the code changes, the course's status shall remain active.~~ The code version that initiated the update and reaccreditation process must be noted on the application. Accreditation of revisions to approved accredited courses shall be accomplished in the same manner as described in paragraphs (a) through (f) hereof, except ~~that~~ only the revision submitted shall be subject to review, ~~and t~~ **These courses shall be approved by the administrator of the education program subject to ratification by the Florida Building Commission.**

(g) If an approved accredited course ~~is not affected by the code change or~~ **requires revision to correct or update a reference, table, diagram, or quoted provision of code, law, or administrative rule, the training provider may submit the revised course and shall** complete Form FBC-ED-002, effective September 10, 2010, adopted herein by reference and available from the Building Code Information System at www.floridabuilding.org. **The code version must be noted on the application. If a correction or update is required, the training provider must list the exact change correction or update, the specific location of the change correction or update, and reason for the change in the course and affirm this is the only change correction or update to the course.** The ~~changes~~ **correction or update** to the course shall be approved by the administrator of the education program subject to ratification by the Florida Building Commission.

(h) A change to the delivery format of an approved accredited course must be submitted for accreditation.

(4) Course Content and Accreditor Review. Accreditors shall review courses submitted by registered providers to determine if the course accurately presents the technical and administrative responsibilities reflected in the current edition of the Florida Building Code, or future editions of the Code if the accreditor is reviewing a course revised to comply with an updated edition of the Florida Building Code in accordance with paragraph (3)(f) of this rule or Florida Statutes or rules related to the Florida Building Code. Accreditors shall not mutually accredit each others' courses. The accreditor shall determine if the course meets the following minimum criteria:

- (a) Course title and number. The word “advanced” and, if appropriate, “internet” shall be in the title;
 - (b) Hours of credit;
 - (c) Name, address, telephone number and e-mail address of the provider;
 - (d) Course description completely describing what the particular course is designed to address;
 - (e) Course/learning objectives;
 - (f) Course time allotments for course content;
 - (g) Course outline and instructional methods – detailed description of course content in sequence of how taught and methods used to teach that content. The following instructional methods are authorized, but are not limited to: exercises, quizzes, discussion groups, reading assignments, projects, simulations and presentations;
 - (h) Code edition to which the course relates;
 - (i) Course references cited in the outline;
 - (j) Method of course evaluations;
 - (k) A minimum of 50% of the actual training materials content shall be related to the Florida Building Code or Florida Statutes or rules related to the Florida Building Code;
 - (l) Course materials shall accurately reflect the Florida Building Code and other topics under the jurisdiction of the Florida Building Commission; and
 - (m) Course materials provided to the attendee shall be provided by the accreditor.
- (5) Course Accreditation by the Florida Building Commission. Accredited courses are to effectively and accurately address the technical and administrative responsibilities in the effective execution of the Florida Building Code or Florida Statutes or rules related to the Florida Building Code.
- (6) The Commission shall audit a minimum of 2% of all accredited courses. The courses selected for audit may not be those of only one provider or reviewed by only one accreditor. Any course submitted for accreditation or re-accreditation determined to not accurately reflect the current or adopted Florida Building Code edition; or Florida Statutes or rules related to the Florida Building Code shall be reported to the Commission for further action. All approved advanced building code courses must reflect the current or adopted Florida Building Code edition; or Florida Statutes or rules related to the Florida Building Code. Any courses accredited and determined by audit or any means to not accurately reflect the current or adopted Florida Building Code edition; or Florida Statutes or rules related to the Florida Building Code or accredited by an accreditor outside the approved areas of expertise shall have the accreditation revoked, the status of the course communicated to the respective licensing board or boards, and the provider will be required to file a new application for accreditation.
- (7) In the event the Commission identifies areas or topics of advanced building code education with an insufficient number of courses available through existing resources, the Commission shall report the areas or topics to the appropriate licensing board. If additional courses do not become available within six months of notification to the licensing board, upon a finding that the absence of course work in the identified subject area is detrimental to the effective administration and enforcement of the Florida Building Code, and funds are available in the Commission’s budget for course development, the Commission will develop a minimum of one (1) course that will be made available to training providers.

Rulemaking Authority 553.841(2) FS. Law Implemented 553.841 FS. History—New 6-8-05, Amended 4-30-07, 6-12-08, 3-4-09, 11-2-09, 1-9-11.

F. As of August 21, 2011, we have 198 training providers* and 12 accreditors

As of December 30, 2011, we have 371** approved courses (some are likely obsolete)

*Increase in this number (from 112 in November, 2010 may be, in part, based on how counted (system or manually)

** Up from 340 in August, 2011