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## FBC Education Administrator Report

May 23, 2012

- A. Provided administrative support for FBC Education POC for March 26, 2012 meeting
- B. Drafted minutes for FBC Education POC March 26, 2012 meeting
- C. Prepared agenda for FBC Education POC meeting on June 4, 2012
- D. Inquiries from the public March 16, 2012 to May 23, 2012 as follows:

26 inquiries; 7 telephone; 13 email; 6 telephone and email

### Category of inquirers:

1 Architect	20 Providers	2 Consumer
1 Contractor	1 Home inspector	1 Prospective contractor licensee

### Types of Inquiries:

3	Provider renewal
12	FBC course approval
6	BCIS access
1	Course availability
1	Home inspector license
1	Contractor exam preparation course
1	Product approval (windows)
1	Residential swimming pool code

**E. IMPORTANT NOTE: The rule number for the education rule has changed to: 61G20-6.002, Florida Administrative Code, as part of moving FBC to DBPR.**

### F. Proposed rule changes – continuing discussion

On May 18, 2012, a rule development workshop was held on the proposed changes to rule 61G20-6.002, Florida Administrative Code. No comment was made at the workshop. Below please find the text of the rule and the proposed changes. (The former rule number is 9B-70.002.)

61G20-6.002 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 Accrerator 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](http://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 accerator 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 accerator.

(a) Any accerator 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 accerator status;  
2. Suspension or revocation of a trade license submitted to the Commission as part of the initially approved accerator 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 accerator has a financial interest; or

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

(b) The Commission may suspend the approval status of any accerator based on any provision of paragraph (2)(a) of this rule, until such time as the accerator demonstrates that the accerator'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](http://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](http://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](http://www.floridabuilding.org).

(c) The provider shall select an approved accerator 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](http://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](http://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](http://www.floridabuilding.org) no later than 23 calendar days prior to the next scheduled meeting of the Florida Building Commission. ~~The Commission shall finalize~~ The accreditation process will be finalized utilizing the Building Code Information System at [www.floridabuilding.org](http://www.floridabuilding.org) and ~~notify~~ will be notified the provider and accreditor 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 but not complete 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~~ 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](http://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 to ~~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.*

G. Workgroup Discussion – A workgroup discussion was held on April 16, 2012. The topic for discussion: To provide interested parties in updated information on the process for application and approval of advanced codes courses and on the Building Code Information System (BCIS). To solicit questions, comments, and suggestions relating to the course application and approval process.

A copy of the hand-out and meeting summary is attached to this report.

H. Workgroup Discussion – A workgroup discussion will be held on May 30, 2012. The topic for discussion: To solicit input from FBC Training Providers and Accreditors relating to a recent change in law for submission of courses to DBPR licensing boards. The change was passed in House Bill 887 (now chapter 2012-72, Laws of Florida), and it takes effect October 1, 2012.

A copy of the hand-out is attached. A copy of the meeting summary will be provided with the next Education Administrator report.



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## Quick Guidelines on FBC Advanced Codes Course Application, Approval, or Revision

Note: This information relates only to advanced codes courses subject to review and approval by the Florida Building Commission (FBC)

### General Course Application Information

- The **new** administrative rule number is **61G20-6.002, Florida Administrative Code** (formerly 9B-70.002)
- Only "advanced" codes courses will be reviewed and approved by the Florida Building Commission
- Other CE codes courses require licensure board(s) review and approval
- For advanced codes courses, application must be made online at [www.floridabuilding.org](http://www.floridabuilding.org)
  - Must have a login with FBC to submit course applications (save password in a safe place)
  - This process is completely separate from any licensure board process
  - Advanced course application submitted generates a separate number in "123.0" format
  - First three numbers are course number and extension (.0, .1, etc.) is revision number
  - Advanced course review is performed by an accreditor
  - If accreditor approves, course goes to FBC Education POC, then FBC for approval
- Approved courses remain in effect until there is a change in the Florida Building Code

### Course Revision, Renewal, or Correction and Florida Building Code 3-Year Revision Cycle

- A change in the Florida Building Code requires affirmative action by the training provider:
  - Course reviewed, no change needed (course remains approved)\*
  - Course submitted for revision (revised portions subject to accreditation, administrative approval)
  - Course requires just one change (self-affirmation, administrative approval)
- Mechanisms for updating or revising a course may be used by providers at any time, possible reasons:
  - Licensure board course status is due to expire and FBC revision required by board
  - Course needs revision due to reason other than change in code (such as change in standard)
  - Course needs one correction/update

\* Upcoming proposed rule change will change this to self-affirmation, then administrative approval

### Accessing and Working in Building Code Information System (BCIS) and [www.floridabuilding.org](http://www.floridabuilding.org)

- Providers need to have a login and password before a course can be submitted or revised
- If a password is lost, it will take a minimum of 24 hours to obtain it, so please keep this handy
- Interaction on BCIS and with FBC is not communication with any licensure board (completely separate)
- Before you access BCIS or submit an inquiry (see contact information below), please collect and have ready the following information (at a minimum):
  - BCIS/FBC Login and password
  - Any course number(s) (FBC number is different from any each licensure board course number)
  - Code edition/version for the course or course application
  - Name of training provider and accreditor

If you have questions or need help with a course application or processing, please call 850-222-2772 or 850-222-1348 or e-mail [info@buildingasaferflorida.org](mailto:info@buildingasaferflorida.org)

April 16, 2012

## **QUARTERLY WORKGROUP MEETING SUMMARY**

April 16, 2012

2:00 pm – 4:00 pm

**Location:** Telephone Conference Call Number 800.356.8372

Access Code: 8854762#

**In Person Attendance:** AIA Florida, 104 East Jefferson Street, Tallahassee, FL

**Hosted By:** Building A Safer Florida (BASF)

**Subject:** To provide interested parties with updated information regarding the process for the application and approval of advanced building code courses and on the Building Code Information System (BCIS). Also, to solicit questions, comments, and suggestions related to the course application and approval process.

### **Attendees Announced**

Cam Fentriss (Moderator) (BASF)

Eileen Johnson (AIA)

Michael Clark (BASF)

Vicki Long (AIA)

Doug Harvey (BOAF)

Bernice Ryder-Smit (Fla. Pool & Spa Ass)

Bob Neely (Alarm Ass. Of Fla.)

Jesse Cappiello (FRACCA)

John Farinelli (JC Code & Construc.)

Patrick ?

John Travers (Versatile Industries)

### **Meeting Summary**

Cam Fentriss (Moderator – BASF) welcomed everyone and asked if they had received the handout provided as an attachment to the emailed meeting notice (See attachment).

Cam then asked for comments regarding the information provided in the handout. A participant asked about the significance behind the FBC Education Rule number changing from 9B-7.002 to 61G20-6.002. Cam stated that rule numbers change when the hosting agency of the rule changes---in this case DCA to DBPR.

Cam then described the emails that were sent to both accreditors and providers regarding the status of courses after the 2010 Building Code went into effect on March 15, 2012. The first email was sent February 8, 2012, describing actions to be taken (if needed) to keep advanced courses current. The second email was sent on March 16, 2012, reminding everyone again, what actions to take to keep courses current, and to reiterate the fact that if no action(s) were taken prior to March 15, 2012, that any course not current with the 2010 building code---would be considered inactive.

A participant asked Cam to describe the role that BASF plays during the review and approval of advanced courses. Cam explained that BASF, as the Education Administrator, conducts a general review of the course materials to make sure that administratively, everything is in order. At that point, the Education POC then conducts the technical review of the materials to ensure their accuracy against the current code version. The POC then recommends approval/non-approval/deferment for each course to the FBC. The Building Commission can then do their own review, if they choose to do so, or simply accept the POC's recommendations.

A participant asked about the format requirement when a course application is uploaded in the BCIS. Cam stated that it needs to be in a PDF format.

A participant asked Cam to explain what "self affirm" meant. Cam explained that a provider may choose the course action of "self affirm" (within the BCIS) if a course was not affected by a new code version, or if only one minor change was needed, such as to correct or update a reference. She stated that the exact rule language regarding "self affirmation" can be found in 61G20-6.002 (3) (g) F.A.C.

Cam noted to the attendees that the differences between the FBC course approval process and DBPR's licensure board's course approval process is described in the Education Administrator's Report, as part of the March Education POC Minutes. These minutes are located at the BCIS web site. She also reminded everyone that HB 887 was passed in the last legislative session, which allows DBPR to approve courses, rather than the individual licensure boards---becoming effective on October 1, 2012.

Cam asked for other questions, comments, or suggestions. None were given and the meeting was adjourned.



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## Informal Workgroup Discussion – Changes in Law for DBPR Continuing Education Course Processing

**Date: Wednesday, May 30, 2012**

**Time: 2:00 p.m. to 4:00 p.m.**

Location: Telephone conference call number 800-356-8372 Access code 8854762#  
To attend in person: AIA Florida, 104 East Jefferson Street, Tallahassee, Florida

Subject: To solicit input from FBC Training Providers and Accreditors relating to a recent change in law for submission of courses to DBPR licensing boards. The change was passed in House Bill 887 (now chapter 2012-72, Laws of Florida), and it takes effect October 1, 2012.

**This does NOT affect submission and processing of advanced codes courses through the FBC Building Code Information System (BCIS).** The change in law applies only to courses submitted for licensure board approval.

As FBC training providers and accreditors who have experience submitting advanced codes courses electronically and having these courses reviewed by accreditors, your perspective on submission, review, and approval of courses is valuable in considering questions and issues that are relevant to implementation of the changes for processing courses for licensing board approval. This discussion is an opportunity to express your thoughts. We will compile your thoughts, suggestions, and questions and provide these to DBPR. Please know that DBPR may schedule one or more meetings with training providers as they get closer to implementation of the changes.

Here are the changes made to the law:

455.2179 Continuing education provider and course approval; cease and desist orders.—

(1) If a board, or the department if there is no board, requires completion of continuing education as a requirement for renewal of a license, the board, or the department if there is no board, shall approve the providers and courses for ~~of~~ the continuing education. Notwithstanding this subsection or any other provision of law, the department may approve continuing education providers or courses even if there is a board. If the department determines that an application for a continuing education provider or course requires expert review or should be denied, the department shall forward the application to the appropriate board for review and approval or denial. The approval of continuing education providers and courses must be for a specified period of time, not to exceed 4 years. An approval that does not include such a time limitation may remain in effect pursuant to the applicable practice act or the rules adopted under the applicable practice act. Notwithstanding this subsection or any other provision of law, only the department may determine the contents of any documents submitted for approval of a continuing education provider or course.

Some possible topics for discussion:

- Do you think the FBC accreditation system is beneficial for course review? If yes, why and how.
- Do you think the FBC accreditation system saves time in processing course applications?
- Do you think it is beneficial to submit course applications electronically? If yes, why and how.

May 30, 2012