

**PROPOSED REGULATION OF THE  
STATE BOARD OF LANDSCAPE ARCHITECTURE**

**LCB FILE NO. R083-18I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 04/24/2018**

**Proposed Regulation for Continuing Education to be added to NAC623A  
Authority granted pursuant to NRS623A.215**

**NAC 623A.XXX General requirements; approval by Board. (NRS 623A.215)**

1. To renew a certificate of registration, the registrant must complete at least 8 continuing education units annually. The continuing education units must include:

(a) Not more than 4 continuing education units in self-directed educational activities pursuant to;

2. Continuing education may be completed in any jurisdiction and at any location.

3. All courses of instruction, continuing education units and contact hours must be approved by the Board.

4. Continuing education units in self-directed educational activities or structured educational activities required by paragraphs (a) of subsection 1 may only be earned in activities that are not part of the regular day-to-day business activities of the registrant.

5. The Board may approve one-half of a continuing education unit for a partial contact hour of not less than 25 minutes of learning or instruction.

6. If a licensee completes more than the required number of contact hours of continuing education during the one-year renewal cycle, up to four (4) contact hours of the excess may be carried over to the next one-year renewal cycle. No education received prior to the license being granted may be carried forward to apply towards the continuing education required after the license is granted.

**NAC 623A. XXX Self-directed educational activities.**

1. As used in this section, unless the context otherwise requires, "self-directed educational activity" means an educational activity which primarily consists of a registrant engaging in an activity concerning a subject relating to public health, safety and welfare which is not systematically presented by another person, including the study of such subjects.

**NAC 623A.xxx Structured educational activities.**

1. The structured educational activities in which a registrant may earn the continuing education units required as approved by the board, include, without limitation:

(a) Attendance at a meeting, convention or conference;

(b) Attendance at an in-house program sponsored by a corporation or other organization;

(c) Successful completion of a course sponsored by a college or university; and

(d) Successful completion of a seminar, tutorial, short course, Internet course or correspondence course.

2. To receive credit for a structured educational activity, a registrant must have received documentation of completion of the structured educational activity from the sponsor of the activity.

3. The Board may require a detailed synopsis or report concerning any continuing education units claimed by a registrant for a structured educational activity.

4. Not more than 4 continuing education units earned by a registrant in educational activities in a one-year renewal cycle may be carried forward and applied to the requirements for continuing education applicable to the next following calendar year.

5. As used in this section, unless the context otherwise requires, “structured educational activity” means an educational activity in which the teaching methodology consists primarily of the systematic presentation of technical and professional subjects by a person or group of persons qualified by professional, practical or academic experience to conduct the educational activity.

**NAC 623A.xxx Subjects of study.** All continuing education units claimed by a registrant for self-directed educational activities and structured educational activities must encompass the study of relevant technical and professional subjects directly relating to topics involving the public health, safety, and welfare of landscape architecture practice and the ethical standards of landscape architectural practice including but not limited to; safeguarding of life, health, the environment, and property and promoting the public welfare.

**NAC 623A.xxx Exemptions.**

1. A registrant holding an initial certificate of registration issued by the Board, is exempt from the requirements for continuing education for the year in which the certificate of registration was issued and the next following year.

2. A registrant who serves on active duty in the Armed Forces of the United States for a period of more than 120 consecutive days during a calendar year is exempt from the requirements for continuing education for that calendar year.

3. The Board may exempt a registrant from the requirements for continuing education if the registrant cannot meet the requirements because of illness, physical disability or undue hardship, as determined by the Board based on documentation provided by the registrant before the date of expiration of the certificate of registration.

**NAC 623A.xxx Retention of certain records by registrant.**

1. Each registrant who claims credit for continuing education units earned during a fiscal year shall retain records sufficient to support the continuing education units claimed for not less than 3 years after the date of renewal of his or her certificate of registration. The records must include any continuing education units that the registrant has carried forward.

2. The records that must be retained by a registrant include, without limitation:

(a) A log, on a form prescribed by the Board, which shows the type of activity claimed, sponsoring organization, location, duration, name of the instructor or speaker, and continuing education units earned;

(b) Verification of attendance, in the form of a certificate of completion, signed attendance receipt, paid receipt, copy of a list of all persons who attended the activity signed by the person in charge of the activity, or other documentation supporting evidence of attendance; or

(c) Records as maintained by professional repositories which are approved by the Board, including, without limitation, the American Institute of Architects and the National Council for Interior Design Qualification.

**NAC 623.xxx Audits by Board.**

1. The Board may perform random audits of registrants to ensure compliance with the requirements for continuing education.

2. If the Board chooses to conduct an audit of a registrant, the Board will notify the registrant of its decision to conduct an audit. The registrant shall provide to the Board detailed information and documentation concerning the continuing education units claimed. Falsification of documentation concerning continuing education is grounds for disciplinary action.

**NAC 623.xxx Submission of proof to Board; violation.**

1. Each registrant shall, on or before June 30 of each calendar year, submit to the Board proof of the continuing education units claimed for that calendar year, together with the application for the renewal of registration.

2. If a registrant violates the provisions of subsection 1, the application for renewal must include the appropriate fee set forth in NAC 623A.170 for the late renewal of a certificate of registration.

**NAC 623A.xxx Noncompliance with requirements.** Failure of a registrant to complete the requirements for continuing education or satisfy the annual requirement for reporting continuing education units to the Board is grounds for the nonrenewal of his or her certificate of registration.

**NAC 623A.xxx Board denial**

If the Board disapproves the submitted continuing education report in whole or part, the registrant will be so notified and will be granted a period of time specified by the Board to correct the deficiencies noted.

**NAC623A.xxx Appeal**

In the event of denial, in whole or part, of any application for approval of credit for continuing education activity, the registrant shall have the right within 30 days after the date of notification of the denial by mail, to request a hearing by the Board. The decision of the Board shall be final.