



ALBNL Continuing Education: Enforcement Process for Non-compliance with Mandatory Continuing Education Program:

- BACKGROUND:**
- The mandatory Continuing Education Program (the “Program”) for members of the NLAA was implemented in November 2003 with the commencement of Cycle One.
 - For the purposes of this document, a Cycle is defined as a period of time (not less than one year) during which members are required to obtain continuing education learning hours.
 - The requirements for Cycles One, Two, Three, Four, Five and Six of the Program are outlined below but this enforcement process will apply to all Cycles.

Cycle One: Commenced Nov.1st 2003: Terminated on Oct. 31st 2005
Required Points: 20 Professional Renewal Points (“PRP”)
40 Self-Directed Points (“SDP”)

Cycle Two: Commenced Nov.1st 2005: Terminated on Oct. 31st 2007
Required Points: 30 PRPs for Professional Renewal Points
40 SDPs for Self-Directed Points

Cycle Three: Commenced Nov. 1st 2007: Terminated on Oct. 31st 2009
In 2007 the RAIC Con Ed System for recording all learning credits was adopted.
Required Points: 20 Professional Learning Credits (CORE)
80 Self-Directed Learning Credits
Carry Over: Max. 10 – Professional Learning
Max. 20 – Self Directed Learning

Cycle Four: Commenced Nov. 1st 2009: Terminated on June 30th 2012
Required Points: 15 - CORE
55 - Self-Directed
Carry Over: Max. 10 - CORE
Max. 20 - Self Directed

Cycle Five: Commenced July 1st 2012: Terminated on June 30th 2014
Required Learning Hours: 15 – CORE/STRUCTURED
55 - Self-Directed/Unstructured

Carry Over: Max. 8 – CORE/STRUCTURED
Max. 8 - Self-Directed/Unstructured

Cycle Six: Commenced July 1st 2014: Terminated on June 30th 2016
Required 15 – CORE/STRUCTURED
Learning Hours: 55 - Self-Directed/Unstructured
Carry Over: Max. 8 – CORE/STRUCTURED
Max. 8 - Self-Directed/Unstructured

Cycle Seven: Commenced July 1st 2016: Will terminate on June 30th 2018
Required 15 – CORE/STRUCTURED
Learning Hours: 55 - Self-Directed/Unstructured
Carry Over: Max. 8 – CORE/STRUCTURED
Max. 8 - Self-Directed/Unstructured

CARRY OVER:

Carry Over Learning Hours:

Carry-over learning hours will only be considered at the audit following the June 30th deadline at the end of each cycle. Licensed members deficient in mandatory hours for CORE/STRUCTURED and Self-Directed/Unstructured categories can use the six month grace period to complete any deficiencies, however carryover learning hours will not be considered after the audit.

GRACE PERIOD:

Six Months Grace Period:

If a member has not complied with **Cycle Seven** of the Program by **June 30th 2018** (a “Non-Compliant member”), the member will have until **December 31st 2018** (the “Grace Period”) to complete any deficiencies required for compliance with this Cycle.

ALBNL will contact Non-Compliant members between July and August regarding their non-compliance and will advise these members of available Professional Learning opportunities and encourage them to comply prior to December 31st.

ENFORCEMENT PROCESS:

If a member has not complied with the requirements of (i) **Cycle Seven** by December 31st 2018, or (ii) any other two year Cycle by the end of the Cycle, generally June 30th of the final year Cycle, the following process will be enforced.

1. ALBNL will not renew the license of a Non-Compliant Member until the member is compliant with the Program and with the requirements of this process.
2. Names of Non-Compliant members will be forwarded to the Board.
3. Notice will be forwarded to each Non-Compliant Member advising of his or her non-compliance and the date when the Board will consider their failure to comply.

4. If a member completes his or her outstanding Cycle requirements prior to the date, the Board will be advised and the member's name withdrawn; the member's license will be renewed if all other requirements for renewal have been satisfied.
5. If a Non-Compliant Member's License has not been renewed, he or she must return their License Certificate and Seal to the ALBNL until he or she has complied with the requirements of the Cycle and their membership has been reinstated and License Certificate has been renewed or reinstated.
In the event that a member's License has not been renewed, the member shall
6. cease all work and assign his or her work to another License holder to prevent or minimize any negative impact on a project or project's progress and his or her client.

APPLICATION FOR RELIEF: Due to Medical, Compassionate, or Family Leave Circumstances:

Relief from the requirements of a Cycle may be granted, at the discretion of the ALBNL:

1. To members on compassionate grounds who are unable to complete the requirements for a Cycle and at the same time are unable to practice; and
2. To members responsible for personal supervision and direction of the practice of architecture on compassionate grounds who are unable to complete the requirements for a Cycle and at the same time are unable to practice.

A Member Applying for Relief must Provide a written letter addressed to the Board requesting relief from compliance with the requirements of a particular Cycle of the program and include the following with the letter:

1. The reason for non-compliance based upon health, parental or family reasons, or other compassionate grounds.
2. Supporting documentation that may include a doctor's certificate or letter confirming the existence of a medical condition that would prevent compliance, or an application for family leave or disability benefits.
3. Confirmation of the start date of any disability or incapacity preventing the member from practicing architecture.
4. Confirmation that the member is or was unable to practice during the period of disability or incapacity with supporting documentation including confirmation of Employment Insurance or disability benefits.
5. Confirmation of the length of time that the member will be unable or was unable to practice during the Cycle, where possible, the estimated time that the member will be unable to practice.
6. Where the member is not practicing during a parental leave period, that leave period is considered to be a one year period consistent with the maximum

federal government benefit period. The member should confirm with the Board the length of his or her parental leave.

A Member who holds a License Certificate shall:

1. Assign another member as a locum to personally supervise and direct his or her practice during the period when the architect responsible for the personal supervision and direction of the practice is incapacitated or unable to practice, or to supervise and direct his or her practice.
2. Notify the Registrar of the name of the locum architect at the time that the ALBNL is notified of the member's disability or incapacity.
3. File with the Registrar a certificate in which the holder certified that he or she has not engaged, or will not engage, in the practice of architecture in the Province of NL or will not hold or has not held himself or herself out as engaging in the practice of architecture in the Province of NL from the date of his or her incapacity or disability.
4. Provide evidence to the Registrar with respect to any Continuing Education requirements of the Cycle that meet the requirements of the Program, prior to the date of disability or incapacity of the member.
5. Provide confirmation of the length of time that the member was, or will be unable to practice during the Cycle and where possible, the estimated time that the member will be unable to practice.
6. Confirm the maximum parental leave period permitted and advise the ALBNL of the period of parental leave to be taken by the member. If the member is not practicing during his or her parental leave period, the leave period will be considered to be no longer than the maximum federal government parental leave benefit period, currently one year (the "maximum parental leave period").

If the member is unable to establish the medical or compassionate grounds required for relief from the requirements of a Cycle, the following shall be communicated to the member in writing:

1. The request for relief from the Program requirements for the Cycle has been denied.
2. The member may voluntarily surrender his or her license until such time that he or she is able to return to practice.
3. If the member does not voluntarily surrender his or her license that the member's license will not be renewed until he or she has complied with the Program requirements of the Cycle, as the case may be.

Where the member has decided to take, or has decided to extend after written notice to the Board, his or her parental leave beyond the maximum federal parental leave, the following options shall be communicated to the member in writing:

1. The member must comply with the requirements for the Cycle during which the maximum leave period has expired.

Should the member choose to surrender his or her license during his or her parental leave, the requirements for members seeking re-application or re-instatement will apply.

2. If the decision to take or extend parental leave beyond the maximum parental leave period is for medical reasons due to the health of the parent or the child, the Board, in its discretion and, with appropriate supporting documentation, may waive the requirement for the member to comply with paragraph 1 above.

Where the member provides evidence of his or her disability or incapacity and the disability or incapacity overlaps license years, and the member has not surrendered his or her license voluntarily, the Board may, in its discretion, declare that the member is non-compliant and (i) may not renew the member's license or (ii) may accept an undertaking from the member not to practice, or (iii) may impose terms, conditions or limitations on the member or holder of a license with respect to his or her practice of architecture.

Where the member has completed at least half of the requirements of a Cycle and substantiates his or her incapacity for the rest of the period of the Cycle, the requirements for the Cycle will be deemed completed by the member.

Where the member returns to practice within six months of the end of the Grace Period for the Cycle (also the start of the second year of the Cycle), he or she must complete at least half of the requirements for that Cycle.

Where the member returns to practice in the last six months of a two-year Cycle, he or she will not be required to comply with the requirements for that Cycle but will be subject to the full requirements for the next Cycle.

Any member who surrendered his or her license or whose license was not renewed due to non-compliance with the Program will be subject to the policy on "ALBNL Con Ed: Continuing Education Credit Requirements for Individuals Applying for, or applying for re-instatement of a license" set out in this document.

Questions related to the Relief Policy should be directed to Lynda Hayward, ALBNL Administrative Director by email albnl@albnl.com or to the Registrar.

**CON ED
LEARNING HOUR**

New Members:

**REQUIREMENTS
FOR
INDIVIDUALS
APPLYING FOR,
OR FOR
REINSTATEMENT
OF A LICENSE**

If an individual joins the ALBNL within the first six months of a Cycle, the member must complete the entire Cycle requirements.

If an individual joins the ALBNL after the first six months of a two year Cycle but prior to the end of the first six months of the second year of the two year Cycle, the new members must complete half of the Cycle requirements.

If an individual joins the ALBNL during the last six months of the second year of a two-year Cycle, the member will not be required to complete the requirements for the Cycle but he or she will be subject to the full Cycle requirements for the next Cycle.

Reporting Learning Hours Retroactively:

New members who are subject to the Program for the first time may report retroactively twelve learning activities within the twelve month period preceding membership. This does not mean that members can carry learning hours forward from one Cycle to the next. This applies only to first time participants in the Program.

Reapplication for membership:

In order to be eligible to re-apply for or to apply for re-instatement of a license, the individual must complete all requirements for the last Cycle during which that individual held a License (refer to Table A and Table B to determine outstanding learning hour requirements) as well as any outstanding requirements for any previous Cycle.

Table A:

If the individual left a Cycle between July 1st and December 31st (a six month period) of the first year of a two-year Cycle, he or she is not required to complete any requirements for that particular Cycle prior to being eligible to apply or re-apply.

If an individual left a Cycle between January 1st of the first year of a two-year Cycle and December 31st of the second year (a twelve month period), he or she must complete half of the learning hour requirements for that Cycle prior to being eligible for re-application.

If an individual left the membership of the Board for any reason between January 1st and June 30th of the second year of a two-year Cycle, he or she is required to complete all of the requirements for that Cycle before being eligible to apply or to re-apply.

If an individual has completed the Cycle requirements, and his or her application or-re-application has been approved, the member will be required to complete the following requirements for the Cycle during which their membership was approved.

Table B:

If the individual's License is renewed between July 1st and December 31st (a six month period) of the first year of a two-year Cycle, he or she must complete the entire Cycle requirements.

If the individual's License is reinstated between January 1st of the first year of a two-year Cycle and December 31st of the second year of the Cycle (a twelve Month period), he or she must complete half of the Cycle requirements.

If the individual's License is reinstated between January 1st and June 30th (a six month period) of the second year of a two-year Cycle, he or she will not be required to accumulate any continuing education learning hours for the Cycle but will be required to complete the full Cycle requirements for the next Cycle.

Non-Member for more than Three Years:

If an individual has not been a member for more than three years and is submitting an application for a License, he or she will be subject to the same continuing education requirements as a new member. The applicant, if reinstated, will not have to complete the requirements for any Cycle that concluded prior to the three-year period. The ALBNL may, however, in its discretion, when considering an application from a former member, direct the applicant to undertake specific activities under the Program in order to ensure that the individual is current in the practice of Architecture in NL.

Member Under Suspension:

Prior to reinstating a member's License that has been suspended, he or she was a member (refer to the tables to determine outstanding requirements) as well as the outstanding requirements for any previous Cycle, and any additional education requirements a directed by Council.

Table A:

If the suspension of a member's license between July 1st and December 31st (a six month period) of the first year of a two-year Cycle, he or she is not required to complete any requirements for that particular Cycle prior to being eligible for reinstatement.

If the suspension of a member's License between January 1st of the first year of a two-year Cycle and December 31st of the second year (a twelve month period), he or she must complete half of the learning hour requirements for that Cycle prior to being eligible for reinstatement.

If the suspension of a member's license took effect between January 1st and June 30th of the second year of a two-year Cycle, he or she is required to complete all of the requirements for that Cycle before being eligible for reinstatement.

If the suspended member has completed his or her outstanding Cycle requirements and has been reinstated as a member and his or her license has been reinstated, he or she will be subject to the following continued education requirements for the Cycle during which reinstatement occurred or the suspension was lifted.

Table B:

If the suspension of a member is lifted or his or her reinstatement occurs between July 1st to December 31st (a six month period) of the first year of a two-year Cycle, he or she must complete the entire Cycle requirements.

If the suspension of a member is lifted or his or her reinstatement occurs between January 1st of the first year of the two-year Cycle and December 31st of the second year of the Cycle (a twelve month period) he or she must complete half of the Cycle requirements.

If the suspension of a member is lifted or his or her reinstatement occurs between January 1st and June 30th (a six month period) of the second year of a two-year Cycle, he or she will not be required to complete the Cycle requirements but will be subject to the full cycle requirements for the next Cycle.