

**ALBNL MANDATORY CONTINUING EDUCATION PROGRAM (CEP) ENFORCEMENT PROCESS**

**BACKGROUND**

- Cycle One of the mandatory Continuing Education Program (the “Program”) for License Holders was implemented in November 2003.
- For the purposes of this document, a Cycle is defined as a period (not less than one year) during which License Holders are required to obtain continuing education learning hours.
- The requirements for Cycles Eight, Nine, and Ten of the Program are outlined below but this enforcement process will also apply to all future Cycles, unless otherwise directed by the Board.

**Cycle Eight** Commenced July 1<sup>st</sup>, 2018: Due to the Covid Pandemic, the Cycle was extended and terminated on December 31<sup>st</sup>, 2020. Effective March 29, 2019 the learning hours were revised for CORE to 25 and for Self-Directed to 45. Carry Over: Due to current Covid-19 Pandemic no cap was placed on Carry Over hours.

**Cycle Nine** Commenced January 1<sup>st</sup> 2021: Will terminate on June 30<sup>th</sup>, 2022. Required CORE Learning Hours: 25, Required Self-Directed Learning Hours: 45. Carry Over to Cycle 10 will be limited to 8 CORE and 8 Self-Directed Learning Hours earned within the period of Cycle Nine for fully Licensed Architects and for Intern Architects it will be 50%.

**Cycle Ten** Commenced July 1, 2022: Will terminate on June 30<sup>th</sup>, 2024. Required CORE Learning Hours: 25, Required Self-Directed Learning Hours: 45. Carry Over to Cycle 11 will be limited to 8 CORE and 8 Self-Directed Learning Hours earned within the period of Cycle 10 for Licensed Architects and for Intern Architects reduced by 50%.

**CARRY OVER**

**Carry Over Learning Hours for License Holders**

Carry Over Learning Hours will be considered at the audit following the June 30<sup>th</sup> deadline at the end of each Cycle. License Holders deficient in mandatory Learning Hours for CORE and Self-Directed categories can use the six-month Grace Period to complete deficiencies, however, carry over learning hours will not be considered after the audit.

- If a License Holder has not complied with Cycle 10 of the Program by June 30<sup>th</sup>, 2024 they will have until December 31<sup>st</sup>, 2024 (the “Grace Period”) to complete any deficiencies required for compliance with this Cycle.
- The ALBNL may contact the License Holder/s periodically regarding their transcript status, if no Learning Hour activities have been posted, the License Holder/s will be advised of available Professional Learning opportunities; they will also be encouraged to comply prior to December 31<sup>st</sup>.

**ENFORCEMENT PROCESS**

If a License Holder has not complied with the requirements of a Cycle by the end of the six month’s Grace Period, the following process will be enforced.

1. ALBNL will not renew the license of the License Holder/s until they are compliant with the Program and with the requirements of this process.
2. The Name/s of the License Holder/s will be forwarded to the Board.
3. Notice will be forwarded to each License Holder/s advising of their non-compliance and the date when the Board will consider their failure to comply.
4. If a License Holder completes their outstanding Cycle requirements prior to the date, the Board will be advised, and their name will be withdrawn; the license will be renewed provided all other requirements for renewal have been satisfied.
5. If a License Holder has not been renewed, they must return their License Certificate and Seal to the ALBNL until they have complied with the requirements of the Cycle and their License has been reinstated and License Certificate been renewed or reinstated.

**ALBNL MANDATORY CONTINUING EDUCATION PROGRAM (CEP) ENFORCEMENT PROCESS**

6. If a License Holder’s License has not been renewed, that License Holder shall cease all work and assign their work to another License Holder to prevent or minimize any negative impact on a project or project’s progress and their 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 License Holders 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 License Holders 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 License Holder applying for Relief must provide a written letter addressed to the Board requesting relief from compliance with the requirements of a 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 License Holder from practicing architecture.
4. Confirmation that the License Holder 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 License Holder will be unable or was unable to practice during the Cycle, where possible, the estimated time that the License Holder will be unable to practice.
6. Where the License Holder 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 License Holder should confirm with the Board the length of their parental leave.

**A License Holder who holds a License Certificate shall**

1. Assign another License Holder as a locum to personally supervise and direct their 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 their practice.
2. Notify the Registrar of the name of the locum architect at the time that the ALBNL is notified of the License Holder’s disability or incapacity.
3. File with the Registrar a certificate in which the License Holder certified that they have not engaged, or will not engage, in the practice of architecture in the Province or will not hold or has not held them self out as engaging in the practice of architecture in the Province from the date of their incapacity or disability.

**ALBNL MANDATORY CONTINUING EDUCATION PROGRAM (CEP) ENFORCEMENT PROCESS**

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 License Holder.
5. Provide confirmation of the length of time that the License Holder was or will be unable to practice during the Cycle and where possible, the estimated time that the License Holder 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 License Holder. If the License Holder is not practicing during their parental leave period, the leave period will be no longer than the maximum federal government parental leave benefit period, currently one year (the “maximum parental leave period”).

If the License Holder 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 License Holder in writing:

1. The request for relief from the Program requirements for the Cycle has been denied.
2. The License Holder may voluntarily surrender their license until such time that they are able to return to practice.
3. If the License Holder does not voluntarily surrender their license, the License Holder’s license will not be renewed until they have complied with the Program requirements of the Cycle, as the case may be.

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

1. The License Holder must comply with the requirements for the Cycle during which the maximum leave period has expired. Should the License Holder choose to surrender their license during the parental leave, the requirements for License Holders 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 License Holder to comply with paragraph 1 above.
  - Where the License Holder provides evidence of their disability or incapacity and the disability or incapacity overlaps license years, and the License Holder has not surrendered their license voluntarily, the Board may, in its discretion, declare that the License Holder is non-compliant and (i) may not renew their license or (ii) may accept an undertaking from the License Holder not to practice, or (iii) may impose terms, conditions or limitations on the License Holder with respect to their practice of architecture.
  - Where the License Holder has completed at least half of the requirements of a Cycle and substantiates their incapacity for the rest of the period of the Cycle, the requirements for the Cycle will be deemed completed by the License Holder.
  - Where the License Holder returns to practice within six months of the end of the Grace Period for the Cycle or within the second year of the Cycle, they must complete at least half of the requirements for that Cycle.

**ALBNL MANDATORY CONTINUING EDUCATION PROGRAM (CEP) ENFORCEMENT PROCESS**

- Where the License Holder returns to practice in the last six months of a two-year Cycle, they 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 License Holder who surrendered their 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 ALBNL Executive Director, Lynda Hayward-Kirkland, by email [albnl@albnl.com](mailto:albnl@albnl.com) or to the Registrar.

**LEARNING HOUR REQUIREMENTS FOR INDIVIDUALS APPLYING FOR OR FOR REINSTATEMENT OF A LICENSE**

**New License Holders**

- If an individual joins the ALBNL within the first six months of a Cycle, they must complete the entire Cycle requirements in full.
- 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, they 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 License Holder will not be required to complete the requirements for the Cycle, but they will be subject to the full Cycle requirements for the next Cycle.

**Reporting Learning Hours Retroactively**

New License Holders who are subject to the Program for the first time may report retroactively up to 12 months of learning activities on their individual transcript for the current Cycle. This applies only to first time participants in the Program.

**Reapplication for License**

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 1.A and Table 1.B to determine outstanding Learning Hour requirements) as well as any outstanding requirements for any previous Cycle.

**Table 1.A**

- If the individual left a Cycle between July 1<sup>st</sup> and December 31<sup>st</sup> (a six-month period) of the first year of a two-year Cycle, that individual is not required to complete any requirements for that Cycle prior to being eligible to apply or re-apply.
- If an individual left a Cycle between January 1<sup>st</sup> of the first year of a two-year Cycle and December 31<sup>st</sup> of the second year (a twelve-month period), that individual must complete half of the learning hour requirements for that Cycle prior to being eligible for re-application.
- If an individual left the License Holdership of the Board for any reason between January 1<sup>st</sup> and June 30<sup>th</sup> of the second year of a two-year Cycle, that individual is required to complete all the requirements for that Cycle before being eligible to apply or to re-apply.
- If an individual has completed the Cycle requirements, and their application or re-application has been approved, the License Holder will be required to complete the

**ALBNL MANDATORY CONTINUING EDUCATION PROGRAM (CEP) ENFORCEMENT PROCESS**

requirements for the Cycle during which their License Holdership was approved per Table 1.B.

**Table 1.B**

- If the individual’s License is renewed between July 1<sup>st</sup> and December 31<sup>st</sup> (a six-month period) of the first year of a two-year Cycle, that individual must complete the entire Cycle requirements.
- If the individual’s License is reinstated between January 1<sup>st</sup> of the first year of a two-year Cycle and December 31<sup>st</sup> of the second year of the Cycle (a twelve-Month period), that individual must complete half of the Cycle requirements.
- If the individual’s License is reinstated between January 1<sup>st</sup> and June 30<sup>th</sup> (a six-month period) of the second year of a two-year Cycle, that individual 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-License Holder for more than Three Years**

If an individual has not been a License Holder for more than three years and is applying for a License, that individual will be subject to the same continuing education requirements as a new License Holder. 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 License Holder, direct the applicant to undertake specific activities under the Program to ensure that the individual is current in the practice of Architecture in NL.

**License Holder Under Suspension**

Refer to the tables 2.A and 2.B below to determine outstanding requirements regarding any additional education requirements as directed by the ALBNL.

**Table 2.A**

- If the suspension of a License Holder’s license took effect between July 1<sup>st</sup> and December 31<sup>st</sup> (a six-month period) of the first year of a two-year Cycle, that License Holder is not required to complete any requirements for that Cycle prior to being eligible for reinstatement.
- If the suspension of a License Holder’s License took effect between January 1<sup>st</sup> of the first year of a two-year Cycle and December 31<sup>st</sup> of the second year (a twelve-month period), that License Holder must complete half of the learning hour requirements for the Cycle prior to being eligible for reinstatement.
- If the suspension of a License Holder’s license took effect between January 1<sup>st</sup> and June 30<sup>th</sup> of the second year of a two-year Cycle, that License Holder is required to complete all the requirements for the Cycle before being eligible for reinstatement.
- If the suspended License Holder has completed their outstanding Cycle requirements and has been reinstated as a License Holder and their license has been reinstated, that License Holder will be subject to the continuing education requirements for the Cycle during which reinstatement occurred or the suspension was lifted per Table 2.B.

**Table 2.B**

**ALBNL MANDATORY CONTINUING EDUCATION PROGRAM (CEP) ENFORCEMENT PROCESS**

- If the suspension of a License Holder is lifted or their reinstatement occurs July 1<sup>st</sup> to December 31<sup>st</sup> (a six-month period) of the first year of a two-year Cycle, that License Holder must complete the entire Cycle requirements.
- If the suspension of a License Holder is lifted or their reinstatement occurs between January 1<sup>st</sup> of the first year of the two-year Cycle and December 31<sup>st</sup> of the second year of the Cycle (a twelve-month period) that License Holder must complete half of the Cycle requirements.
- If the suspension of a License Holder is lifted or their reinstatement occurs between January 1<sup>st</sup> and June 30<sup>th</sup> (a six-month period) of the second year of a two-year Cycle, that License Holder will not be required to complete the Cycle requirements but will be subject to the full cycle requirements for the next Cycle.

**INTERN ARCHITECTS AND CONTINUING EDUCATION**

- As part of membership, Intern Architects, must complete 50% of the CORE requirements and 50% of the Self-Directed requirements of the ALBNL’s mandatory CEP.
- All learning activities must be in the categories of learning as noted in the ALBNL mandatory CEP and any noted maximum number of hours per category also apply.
- Intern Architects who are deemed deficient at the end of a Cycle will be subject to a fee in accordance with the ALBNL CEP enforcement process.
- Carry Over to Cycle 11 will be limited to 4 CORE and 4 Self-Directed Learning Hours earned within the period of Cycle 10 for Intern Architects. This represents one half of the amount issued to Licensed Architects.

**CARRY OVER**

**Carry Over Learning Hours for Intern Architects**

Carry Over Learning Hours will be considered at the audit following the June 30<sup>th</sup> deadline at the end of each Cycle. Intern Architects deficient in mandatory Learning Hours for CORE and Self-Directed categories can use the six-month Grace Period to complete deficiencies, however, carry over learning hours will not be considered after the audit.

- If an Intern Architect has not complied with Cycle 10 of the Program by June 30<sup>th</sup>, 2022 they will have until December 31<sup>st</sup>, 2022 (the “Grace Period”) to complete any deficiencies required for compliance with this Cycle.
- The ALBNL may contact the Intern/s periodically regarding their transcript status, if no Learning Hour activities have been posted, the Intern Architect/s will be advised of available Professional Learning opportunities; they will also be encouraged to comply prior to December 31<sup>st</sup>.

**FEE STRUCTURE FINE FOR CON ED DEFICIENCIES AT THE CLOSE OF EACH CYCLE**

The adopted fee structure for implementing surcharges to individuals who are deemed deficient (*not having completed the posting of the minimum total amount of qualifying CORE and Self-Directed Learning Hour activities required at the close of Cycle end*) for a full licensed Architect is based on the sum of the ALBNL fee and NLAA fee and for an Intern Architect it is based on the NLAA Intern Architect fee which is fifty percent of the full NLAA fee and is effective on the first day of each new Cycle. Fee Structure:

- Immediate fee of 25%.
- After 45 days, additional 25%.
- Subsequent non-compliances (i.e., deemed non-compliant on any cycle after the initial non-compliance cycle) immediately assessed a \$500 fine in addition to the previous fees above.



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**ALBNL MANDATORY CONTINUING EDUCATION PROGRAM (CEP) ENFORCEMENT PROCESS**

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