

- (2) “gross negligence” means the intentional or reckless failure to perform the registrant’s duties and responsibilities according to AS 08.48 or this chapter, resulting in
- (A) the life, health, or safety of a member of the public being placed in jeopardy of death or injury; or
 - (B) a person’s property being placed in jeopardy of loss or injury;
- (3) “incompetence” means lacking the ability, knowledge, skills, or professional judgment to discharge the professional duties of a registrant as required by law;
- (4) “misconduct” means the failure to perform a registrant’s responsibilities according to AS 08.48 and this chapter, if the failure does not constitute gross negligence.

Authority: AS 08.48.101 AS 08.48.111

**ARTICLE 4.
CONTINUING EDUCATION FOR PROFESSIONAL LAND SURVEYORS.**

Section

- 400. (Repealed)**
- 410. (Repealed)**
- 420. (Repealed)**
- 430. (Repealed)**
- 440. (Repealed)**
- 450. (Repealed)**

12 AAC 36.400. PURPOSE OF CONTINUING EDUCATION. Repealed 7/13/2011.

12 AAC 36.410. CONTINUING EDUCATION REQUIREMENTS. Repealed 7/13/2011.

12 AAC 36.420. COMPUTATION OF CONTINUING EDUCATION CREDIT. Repealed 7/13/2011.

12 AAC 36.430. EXEMPTIONS. Repealed 7/13/2011.

12 AAC 36.440. RECORD KEEPING AND REVIEW OF RECORDS. Repealed 7/13/2011.

12 AAC 36.450. DEFINITIONS. Repealed 7/13/2011.

Editor’s note: As of 7/13/2011, Register 199, the substance of former 12 AAC 36.400 – 12 AAC 36.450 appears in 12 AAC 36.500 – 12 AAC 36.550.

**ARTICLE 5.
CONTINUING EDUCATION FOR PROFESSIONAL ARCHITECTS,
ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS.**

Section

- 500. Purpose of continuing education**
- 510. Continuing education requirements**
- 520. Computation of continuing education credit**
- 530. Exemptions**
- 540. Record keeping and review of records**
- 550. Definitions**

12 AAC 36.500. PURPOSE OF CONTINUING EDUCATION. The purpose of the continuing education program is to maintain a continuing level of competency and standards for professional architects, engineers, land surveyors, and landscape architects, in order to promote the public health, safety, and welfare within this state.

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.510. CONTINUING EDUCATION REQUIREMENTS. (a) Unless exempted under 12 AAC 36.530, a registrant shall meet the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 as a condition of the renewal, reinstatement, or reactivation of the registrant’s registration.

(b) Unless exempted under 12 AAC 36.530, a registrant seeking renewal, reinstatement, or reactivation of the registrant’s registration shall submit, on a form provided by the department, a certification that the registrant has met the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550.

(c) To renew a professional architect, engineer, land surveyor, or landscape architect registration, a registrant shall obtain a minimum of 24 professional development hours during the 24 months immediately preceding that registration period.

(d) To reinstate a lapsed professional architect, engineer, land surveyor, or landscape architect registration, a registrant seeking reinstatement shall obtain a minimum of 24 professional development hours during the 24 months immediately preceding the application for reinstatement of the registrant's registration unless the registrant meets the requirements of 12 AAC 36.530(e) and obtains eight professional development hours during the 24 months immediately preceding the application for reinstatement of the registrant's registration, except as provided in AS 08.01.100(d).

(e) Repealed 10/15/2023.

(f) A professional architect, engineer, land surveyor, or landscape architect holding multiple registrations in the state is required to earn at least the minimum number of professional development hours of continuing education as those required for a single registration holder.

(g) Continuing education courses or activities are not pre-approved by the board, but must be in technical and professional subjects related to the scope of practice of the registrant.

(h) Repealed 10/15/2023.

(i) A registrant who also holds a registration as a professional architect, engineer, land surveyor, or landscape architect in another licensing jurisdiction may meet the requirements of 12 AAC 36.510 – 12 AAC 36.550 by establishing that the registrant has met the mandatory continuing education requirements for renewal of the professional architect, engineer, land surveyor, or landscape architect registration in the other licensing jurisdiction, if the mandatory continuing education requirements of the other jurisdiction are substantially similar to or exceed those of 12 AAC 36.510 – 12 AAC 36.550 at the time that continuing education credit is claimed.

(j) To reactivate a retired professional architect, engineer, land surveyor, or landscape architect registration, a professional architect, engineer, land surveyor, or landscape architect seeking reactivation must obtain 24 professional development hours during the 24 months immediately preceding the application for reactivation of the professional architect, engineer, land surveyor, or landscape architect registration unless the registrant meets the requirements of 12 AAC 36.530(e) and obtains eight professional development hours during the 24 months immediately preceding the application for reinstatement of the registrant's registration, except as provided in AS 08.01.100(d).

(k) If an applicant for renewal of an architect, engineer, land surveyor, or landscape architect registration fails to meet the continuing education requirements of (c) of this section on or before December 31 of the current biennium, the applicant may request an extension to complete the required professional development hours. This extension does not function as a license extension and the registrant cannot practice during this period. The applicant must

- (1) submit a completed application for biennial registration renewal on a form provided by the department;
 - (2) pay the biennial registration renewal and continuing education extension fees established in 12 AAC 02.110;
 - (3) complete the required professional development hours before the first January 31st of the new biennium;
- and
- (4) submit a continuing education audit form with documentation, acceptable to the board, showing completion of the required continuing education.

Authority: AS 08.48.071 AS 08.48.101 AS 08.48.341

12 AAC 36.520. COMPUTATION OF CONTINUING EDUCATION CREDIT. (a) The board has final authority with respect to the acceptance of courses, activities, credits, professional development hour values, and other methods of earning continuing education credits. Continuing education credit is computed as follows:

- (1) credit for college approved courses is based upon course credit established by the college and contingent upon receipt of a passing grade; for college approved courses,
 - (A) one unit of college semester credit equals 45 professional development hours;
 - (B) one unit of college quarter credit equals 30 professional development hours;
- (2) credit for qualifying courses or activities including seminars, in-house workshops, and other professional presentations is based on one professional development hour for each hour of attendance;
- (3) each hour of teaching equals two hours of credit for teaching under (1) and (2) of this subsection, full-time faculty may not claim teaching credit associated with the registrant's regular duties;
- (4) credit for published papers, articles, or books is
 - (A) based on one professional development hour for each hour of professional preparation of the paper, article, or book; and
 - (B) based on one professional development hour for each hour of technical or peer review of the paper, article, or book;
- (5) up to eight hours annually may be credited for participation in each professional and technical organization; credit may be claimed for a year of service as an officer or in active participation in a committee of the organization, based on one professional development hour for every two hours of service or participation in each organization;
- (6) up to 10 professional development hours may be credited for each patent awarded;

(7) up to eight professional development hours may be credited for successfully completing a course or activity that has content areas focusing on ethics or business-related activity, improving a registrant's business practice or operations, or advancing professionally related skills and practices as applicable to the practice of the registrant;

(8) up to one professional development hour may be credited for each hour of outreach activity the registrant completes;

(9) up to four hours annually may be credited for structured self-study in the subject for which the registrant holds a registration;

(10) not more than 12 professional development hours may be claimed on a single calendar day;

(11) fractions of hours are rounded down to the nearest half hour.

(b) Repealed 10/15/2023.

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.530. EXEMPTIONS. (a) A professional architect, engineer, land surveyor, or landscape architect is exempt from the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 for the first biennial registration renewal period following initial issuance of the professional architect, engineer, land surveyor, or landscape architect registration.

(b) A registrant is exempt from the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 for renewal of the professional architect, engineer, land surveyor, or landscape architect registration for the biennial registration period immediately following a period of service by the registrant on active duty in the armed forces of the United States exceeding 120 consecutive days within a 12-month period.

(c) A registrant who is in retired status under 12 AAC 36.115 is exempt from the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 during the time the registrant is retired, except that a retired registrant who wishes to return to active practice as a professional architect, engineer, land surveyor, or landscape architect must meet the requirements of 12 AAC 36.115, including continuing education requirements applicable under 12 AAC 36.510(j).

(d) A registrant may request an exemption from the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 by submitting a written request to the board that describes the reasons for the request and includes supporting documentation. If the board finds good cause, the board will grant an exemption under this subsection to a registrant who is experiencing a physical disability, serious illness, family emergency, or other extenuating circumstance.

(e) A professional architect, engineer, land surveyor, or landscape architect is partially exempt from the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550 if that individual has been registered as a professional architect, engineer, land surveyor, or landscape architect for a duration of 30 or more years in a NCEES, NCARB, or CLARB recognized jurisdiction. The individual must complete eight hours per biennial licensing period.

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.540. RECORD KEEPING AND REVIEW OF RECORDS. (a) A professional architect, engineer, land surveyor, or landscape architect shall maintain records that may be used to verify professional development hours claimed under 12 AAC 36.510 – 12 AAC 36.550. These required records include

(1) a log showing the course or activity claimed, the sponsoring organization, the duration of the course or activity, the activity title and description of content; and

(2) a board-approved continuing education structured report for publishing, teaching, presenting, active participation in professional and technical societies, in-house programs, patents, outreach activities, and structured self-study.

(b) Records required under (a) of this section must include sufficient detail to permit verification during an audit, and must be maintained for at least four years from the date that the course or activity was completed.

(c) The board may request at any time that a registrant provide proof of compliance with the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550. A registrant must provide a copy of the records required under (a) of this section to the board not later than 30 days after receipt of a request for the records.

(d) Audits of compliance of registrant continuing education requirements will be conducted in accordance with 12 AAC 02.960.

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.550. DEFINITIONS. In 12 AAC 36.500 – 12 AAC 36.550, unless the context requires otherwise,

(1) "college" includes a community college and a university;

(2) "continuing education unit" means a unit of credit customarily used for continuing education courses; for purposes of this paragraph, one continuing education unit equals 10 contact hours in an approved continuing education course;

(3) repealed 10/15/2023;

- (4) repealed 10/15/2023;
- (5) "professional development hour" means not less than 50 minutes of instruction or presentation in a continuing education course or activity that meets the requirements of 12 AAC 36.510;
- (6) "ethics or business-related course or activity" means a qualifying course or activity with content areas related to
 - (A) awareness of ethical concerns and conflicts;
 - (B) familiarity with the codes of conduct;
 - (C) understanding of standards of practice;
 - (D) project management and risk-management; or
 - (E) other similar topics aimed at maintaining, improving, or expanding the skills set and knowledge relevant to the registrant's field and methods of practice;
- (7) "outreach activity" includes active participation in educational outreach activities pertaining to professional licensure or the architecture, engineering, land surveying, or landscape architecture professions that involve K - 12 or higher education students;
- (8) "qualifying course or activity"
 - (A) means a course or activity
 - (i) with a clear purpose and objective; and
 - (ii) that will maintain, improve, or expand the skills and knowledge relevant to the registrant's field of practice;
 - (B) does not include regular duties;
- (9) "structured self-study" means time spent engaging in self-guided professional development.

Authority: AS 08.48.101 AS 08.48.341

ARTICLE 6. GENERAL PROVISIONS.

Section

- 900. Current address**
- 910. Board member absences**
- 920. Board bylaws**
- 990. Definitions**

12 AAC 36.900. CURRENT ADDRESS. A registrant shall maintain a current, valid mailing address on file with the division at all times. The latest mailing address on file for an active, inactive, or lapsed registration or certificate is the appropriate address for official communications, notifications, and service of legal process.

Authority: AS 08.48.101

12 AAC 36.910. BOARD MEMBER ABSENCES. (a) The board may recommend to the governor that a member be removed from the board if that member has three or more unexcused absences from regularly scheduled board meetings in a 24-month period.

(b) Before the close of each regularly scheduled board meeting, the board will determine whether a member's absence from that meeting is excused or unexcused. An absence will be considered excused if it is pre-approved by the chair of the board or due to an emergency.

Authority: AS 08.01.020 AS 08.48.041 AS 08.48.101

12 AAC 36.920. BOARD BYLAWS. The board will conduct its meetings and activities under the bylaws established by the board in the pamphlet entitled "*Bylaws*," dated May 2014, adopted by reference.

Authority: AS 08.48.101

Editor's note: The pamphlet entitled "*Bylaws*" adopted by reference in 12 AAC 36.920 may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, State Board of Registration for Architects, Engineers, and Land Surveyors, State Office Building, 9th Floor, 333 Willoughby Avenue, Juneau, Alaska 99801; phone (907) 465-1676.

12 AAC 36.990. DEFINITIONS. (a) For the purposes of this chapter and AS 08.48, unless the context requires otherwise

- (1) "advanced courses" means courses in institutes of higher learning beyond the second academic year;
- (2) "board" means the State Board of Registration for Architects, Engineers, and Land Surveyors;