

TEXT OF PROPOSED REGULATIONS

Current wording is indicated by regular type.
Proposed deletions are indicated by ~~strikeout~~.
Proposed additions are indicated by underline.

DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS
CHAPTER 3. PEST CONTROL OPERATIONS
SUBCHAPTER 1. LICENSING
ARTICLE 1. GENERAL LICENSE REQUIREMENTS

Amend section 6512 to read:

6512. Approval of Continuing Education Courses or Programs.

A continuing education sponsor shall be responsible for the following, including but not limited to, administering the continuing education course or program, the agenda and course or program content, attendance verification, and administrative recordkeeping found in section 6513.

(a) Requests for evaluation and approval of continuing education courses or programs must be made on the Continuing Education Approval Request Application form (DPR-PML-131, Rev. ~~4/13~~ 2/15), hereby incorporated by reference, and shall be submitted to the Director at least 30 days before the date of the course or program.

(1) Each continuing education approval request must include a \$45 fee and a comprehensive agenda that provides:

- (A) a description of the course or program,
- (B) the title of each session,
- (C) the main points of each session,
- (D) the start and end time, or for online and correspondence courses or programs the duration of each session,
- (E) the continuing education category requested for each session ("Pesticide Laws and Regulations," "Aerial Pest Control Equipment and Application Techniques," or "Other,") and
- (F) the name and affiliation of each speaker, if applicable.

(b) Continuing education courses or programs that occur over two or more days require a Continuing Education Approval Request Application form (DPR-PML-131, Rev. ~~4/13~~ 2/15), comprehensive agenda, and \$45 fee for each day if license and certificate holders have the option to attend different days and/or sessions of the course or program.

(c) Requests for approval of additional dates for continuing education courses or programs previously approved within the calendar year must be made on the Continuing Education Additional Course Date Request form (DPR-PML-132 Rev. ~~4/13~~ 2/15), hereby incorporated by reference, and shall be submitted to the Director at least 15 business days before the presentation of the course or program.

(d) Requests for approval of changes to continuing education courses or programs previously approved within the calendar year shall be submitted in writing to the Director before the course or program occurs, and must include:

- (1) the name of the course or program,

- (2) the date of the course or program,
- (3) the course identification code assigned by the Director, and
- (4) the changes to be made to the course or program.
- (e) The Director may approve any course or program submitted for evaluation, which meets the following criteria:

(1) The instruction must focus on pest management and pesticides including topics as specified in the Food and Agricultural Code section 11502.5 (plant health, organic and sustainable practices, water and air monitoring and residue mitigation, maximum residue levels, quarantine practices, and the on-farm storage of fumigants, all in the context of pesticides and pest management) and including but not limited to: California and federal pesticide laws and/or regulations, chemical formulations, labeling and label interpretation, application equipment, pests, identification of environmentally sensitive areas, endangered species, drift prevention, pesticide registration, integrated pest management, cultural practices, pesticide worker safety, surface and ground water protection, and biological control methods.

(2) Courses or programs that are not focused on California or federal pesticide laws and/or regulations, such as courses or programs about maximum residue levels, or the Business and Professions Code Division 3, Chapter 14 or Chapter 14.5, or the California Code of Regulations Title 16, Division 19, shall not qualify for pesticide laws and regulations hours, as specified in section 6511.

(3) The approved portion of a continuing education course or program must be at least one hour.

(f) Interactive Online and Narrated Online Continuing Education Courses or Programs.

(1) For the Director to consider approval of interactive online and narrated online courses or programs:

(A) a complete copy of the course or program must be submitted in an electronic format, such as compact disc (CD), universal serial bus (USB) flash drive, Web site address, or any other comparable electronic method; and

(B) the following criteria must be met:

1. courses or programs must be divided into distinct topics of no more than two hours, and for courses longer than two hours, each topic must end with review questions;

2. a final examination at the end of the course or program that reviews the approved material and the main points; and

3. a different version of the final examination each time a license or certificate holder retakes a failed final examination, if the sponsor provides a license or certificate holder with a re-examination option. Different versions of the final examination must be achieved by providing the license or certificate holder with new questions, or by shuffling the order of the final examination questions.

(2) The course or program sponsor must require that a license or certificate holder receive a score of 70 percent or greater on the final examination in order to receive continuing education credit.

(3) The final examination and review questions are approved at one minute of credit per question. Each hour of approved material may include up to twenty minutes of questions.

(g) Correspondence and Noninteractive (text-based) Online Continuing Education Courses or Programs.

(1) For the Director to consider approval of correspondence and noninteractive (text-based) online courses or programs:

(A) a complete copy of the course or program must be submitted; and

(B) the criteria specified in (f)(1)(B) and (f)(2-3) must be met.

(2) Each 200 words of a correspondence or noninteractive (text-based) online course or program will count as one minute of course or program time.

(h) The Director may request that more information about the content of the course or program be submitted before making the determination as to whether the course or program meets the criteria specified in (e), (f), and/or (g).

(i) The approval of a course or program pursuant to this section shall be valid for the calendar year in which the course or program would be presented.

NOTE: Authority cited: Sections 11456 and 11502.5, Food and Agricultural Code.

Reference: Section 11502.5, Food and Agricultural Code.