

21 NCAC 12B .0105 is adopted with changes as published in 34:22 NCR 2106-2112 as follows:

21 NCAC 12B .0105 INACTIVE STATUS

(a) Requests for inactive status as described in G.S. 87-10.2(h) shall be in writing and shall contain the following:

- (1) license name and number issued by the Board;
- (2) name(s) of qualifier(s);
- (3) if required, proof of active license status with the Board; and
- (4) certification that the individual submitting the request is authorized by the licensee to do so.

(b) If a licensee on inactive status fails to renew his or her license as of January 1 of the following year, the license shall become invalid in accordance with Article 1, Chapter 87 and the rules set forth in 21 NCAC 12A.

(c) A licensee on inactive status who wishes to return to active status shall submit a written request to the Board that contains the following information:

- (1) license name and number issued by the Board;
- (2) name(s) of qualifier(s) and the classifications in which they qualify;
- (3) application renewal fee and, if applicable, late fees as set out in G.S. 87-10(e) and [Rule -0304] in 21 NCAC 12A .0304; and
- (4) proof of completion of continuing education requirements as set forth in G.S. 87-10.2(h).

*History Note: Authority G.S. 87-1; 87-10; 87-10.2(h);
Temporary Adoption Eff. January 2, 2020; 2020;
Adopted Eff. September 1, 2020.*

21 NCAC 12B .0301 is adopted with changes as published in 34:22 NCR 2106-2112 as follows:

21 NCAC 12B .0301 COURSE REQUIREMENTS

(a) All continuing education courses shall:

- (1) cover subject matter related to the practice of general contracting and offer knowledge or skills that will enable general contractors to better serve consumers and the public interest;
- (2) offer two or four continuing education credit hours;
- (3) include materials for students that provide the information to be presented in the course; and
- (4) be taught only by an instructor who possesses education or experience in a field ~~directly~~ related to the course.

(b) Mandatory courses shall cover subject matter as established by the ~~Board,~~ Board, including statutes and rules applicable to general contracting, changes to the N.C. Building Codes, case studies of Board investigations, and relevant court decisions.

(c) Providers shall submit all elective courses to the Board for approval pursuant to Rule .0302 of this Subchapter.

(d) Providers shall obtain approval from the Board before making any changes in the content of a prior approved elective course. Requests for approval of changes shall be made in writing.

History Note: Authority G.S 87-10.2(b);

Temporary Adoption Eff. January 2, ~~2020~~, 2020;

Adopted Eff. September 1, 2020.

21 NCAC 12B .0302 is adopted with changes as published in 34:22 NCR 2106-2112 as follows:

21 NCAC 12B .0302 APPROVAL AND RENEWAL OF ELECTIVE COURSE

(a) Prior to obtaining the Board's written approval of a continuing education elective course, providers shall not offer, advertise, or otherwise represent that any continuing education elective course is, or may be, approved for continuing education credit in North Carolina.

(b) A provider seeking initial approval of a proposed elective course shall complete an application on a form available on the Board's website that requires the applicant to set forth the following:

- (1) title of the proposed elective course;
- (2) provider's legal name, address, and telephone number;
- (3) continuing education coordinator's name;
- (4) provider's ID number, if previously approved;
- (5) credit hours awarded for completing the course;
- (6) subject matter of the course as evidenced by course outlines, PowerPoint slides, videos, or other similar materials;
- (7) identity of the course content owner;
- (8) written permission of the course content owner, if other than the applicant;
- (9) identity of prospective instructors; and
- (10) signature of the provider or its legal designee.

(c) The application for initial approval shall be accompanied by a copy of the elective course guide, which shall include course objectives, learning objectives for each topic, a timed outline, instructional methods and aids to be employed, and all materials that will be provided to students.

(d) A provider seeking approval to offer an already approved elective course shall complete an application on a form available on the Board's website that requires the applicant to submit the following:

- (1) title of the elective course;
- (2) applicant's legal name, address, and telephone number;
- (3) applicant's continuing education coordinator's name;
- (4) applicant's continuing education provider code, if previously approved;
- (5) identity of the course content owner;
- (6) written permission of the course content owner, if other than the applicant;
- (7) identity of prospective instructors;
- (8) signature of the provider or its legal designee; and
- (9) certification that there have been no changes to the course materials since the course was last approved.

(e) If the course will be taught by any method other than live, in-person, in-class instruction, the provider shall, if requested, make the presentation available and accessible to the Board at no cost to the Board during the Board's

operating hours. In case of an internet-based course, the Board shall be provided access to the course at a date and time set by the Board and shall not be charged any fee for such access.

(f) All applications for approval and renewal of elective courses shall be accompanied by fees as required by 21 NCAC 12A .0304.

(g) Board approval of all continuing education elective courses shall expire on December 1 of each year.

(h) In order to obtain approval for an expired continuing education elective, a course provider shall submit an application for initial approval.

(i) Courses offered prior to Board approval shall not be eligible for continuing education credit.

History Note: Authority G.S. 87-10.2(b);

Temporary Adoption Eff. January 2, ~~2020~~ 2020;

Adopted Eff. September 1, 2020.

21 NCAC 12B .0303 is adopted with changes as published in 34:22 NCR 2106-2112 as follows:

21 NCAC 12B .0303 MANDATORY COURSE

(a) The Board shall annually develop a Mandatory course as described in G.S. 87-10.2(b) and shall provide instructional materials for use by providers.

(b) Only approved continuing education providers shall offer the Mandatory course to students. Only approved instructors pursuant to Rule .0401 of this Subchapter shall instruct the Mandatory course.

(c) Providers shall obtain written approval from the Board prior to offering, advertising, or otherwise representing that any Mandatory course is being offered for continuing education credit in North Carolina.

(d) A provider seeking approval to offer the Mandatory course shall submit an application form available on the Board's website that shall require the following:

(1) provider's legal name, address, telephone number, and website;

(2) continuing education coordinator's name;

(3) if applicable, provider's ID number assigned by the Board;

(4) if applicable, name and instructor ID number of prospective instructors; and

(5) signature of the applicant or its legal designee.

(e) A provider may obtain approval from the Board to offer the Mandatory course by requesting it on the application or renewal of the provider's approval.

(f) All supplemental materials distributed to Mandatory course attendees shall be developed solely by the Board or its designee. Such materials shall be distributed to each student taking the Mandatory course.

(g) Board approval to offer Mandatory courses shall expire annually on November 30 following issuance of approval. Providers shall apply for renewal of approval to offer Mandatory courses along with the renewal of provider approval required in Rule .0202 of this Subchapter.

(h) Course providers and instructors shall not deviate from or alter the Mandatory Course materials developed by the Board. A violation of this paragraph shall be grounds for withdrawal of Board approval or denial of a future application pursuant to 21 NCAC 12B .0203 and .0403. [All Mandatory course materials developed by the Board are the sole property of the Board and are subject to the protection of federal copyright laws. Violation of the Board's copyright with regard to these materials shall be grounds for disciplinary action or other action as permissible by law.]

History Note: Authority G.S. 87-10.2(c);

Temporary Adoption Eff. January 2, ~~2020~~, 2020;

Adopted Eff. September 1, 2020.