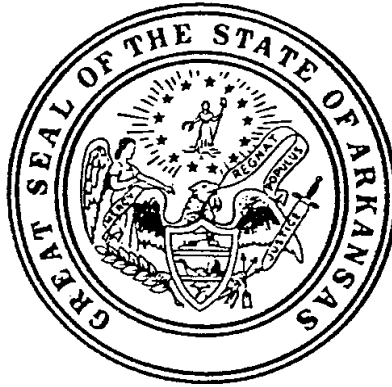


Rules
of the **Arkansas State**
Board of Registration for
Foresters



August 28, 2013

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RULES
OF THE
ARKANSAS STATE BOARD OF REGISTRATION FOR FORESTERS

I. General

- A. Definition: The “Board” means the Arkansas State Board of Registration for Foresters.
- B. Intent: These Rules supplement the Board’s enabling legislation, codified at A.C.A. § 17-31-101 *et seq.* These Rules govern the conduct of the business of the Board and shall be interpreted to establish orderly, equitable, and efficient procedures.
- C. Effective Date: These Rules are effective January 1, 2012 or, pursuant to A.C.A. § 25-15-204(e), 30 days after filing, whichever is later.
- D. Authority: The Arkansas General Assembly established the Board and prescribed its organization, duties, and powers. A.C.A. § 17-31-101 *et seq.*
- E. Compliance: The Board shall comply with the Administrative Procedure Act, codified at A.C.A. § 25-15-201 *et seq.* and with the Freedom of Information Act, codified at A.C.A. § 25-19-101 *et seq.*

II. Membership and Structure

- A. Members and Terms: A.C.A. §17-31-201(b) provides that the Board shall have six members appointed by the Governor. Members serve five-year terms.
- B. Officers: A.C.A. § 17-31-203(a) provides that the Board shall elect annually from its membership a Chair, a Vice Chair, and a Secretary. The Board will elect officers during the final business meeting of the fiscal year. The terms for officers begin July 1.

1. Chair

- a. The Chair shall call Board meetings.
- b. The Chair shall determine the schedule and agenda for Board meetings, except the Chair shall place items on the agenda at the request of three or more members.

- c. The Chair shall preside at Board meetings.
- d. The Chair may establish Committees and appoint members.
- e. The Chair shall authenticate by the Chair's signature all the approved acts, orders, and minutes of the Board.
- f. The Chair may represent the Board.

2. Vice Chair

- a. The Vice Chair shall become the acting Chair and temporarily shall assume the powers and duties of the Chair in the event of the absence or disability of the Chair.
- b. The acting Chair shall revert to the Vice Chair and the Chair shall resume the powers and duties of the office when the Chair is able.

3. Secretary

- a. The Secretary will record meeting minutes.

III. Committees

A. General

- 1. Committees shall review issues and recommend action to be taken by the Board.
- 2. A Committee shall meet as needed and as called by the Committee Chair.
- 3. The Committee Chair shall determine the agendas for Committee meetings, preside at Committee meetings, and report Committee recommendations to the Board.
- 4. The Committee Chair shall authenticate by the Chair's signature all the approved acts, orders, and minutes of the Committee.

IV. Meetings of the Board

- A. Quorum: A.C.A. § 17-31-203 provides that a quorum shall consist of not fewer than three members, and no action shall be official without at least three votes in accord.
- B. Regular Meetings: A.C.A. § 17-31-203(c) provides that the Board shall conduct at least two regular meetings each year.
- C. Procedures: In presiding at meetings, the Chair shall employ reasonable and efficient procedures.
- D. Voting: Except the Chair, each member shall be entitled to one vote on each matter coming before the Board. The Chair may vote whenever the Chair's vote will affect the result.

V. Public Information

The Board's Executive Director is responsible for the day-to-day affairs of the Board and is the custodian of the Board's records. The Board's office is at 3821 West Roosevelt Road, Little Rock, AR 72204. Please call the Executive Director at 501/296-1998 or visit the Board's website at www.arkansas.gov/abof for information, schedules, and forms.

VI. Registration

- A. Requirement: A person must be a "Registered Forester" to lawfully practice forestry in Arkansas. A.C.A. § 17-31-101, 301.
- B. Becoming Registered
 - 1. Review A.C.A § 17-31-302 to determine if you meet the statutory requirements for education and/or experience.
 - 2. Obtain an application form from the Board.
 - 3. Submit to the Board a completed application and a \$40 non-refundable application fee.
 - 4. Sign-up for the Registered Foresters exam, , and pass the exam. Subsequent exam fees will be \$30.
 - 5. Pay the \$30 registration fee.

C. Maintaining Registration

1. Registered Foresters must pay an annual renewal fee of \$30.
2. Registered Foresters must annually participate in continuing forestry education and must certify to the Board completion of at least the minimum requirement.

D. Reciprocal Registration: Reciprocity is governed by A.C.A §17-31-308.

VII. Continuing Education

- A. Except as set-out in paragraph D, every Registered Forester shall complete eight hours of approved continuing forestry education during each calendar year. Of those eight hours, at least one hour shall be forestry related ethics.
- B. A Registered Forester may carry-over to the next calendar year up to two hours of continuing forestry education.
- C. The continuing education requirement must be met through courses that have been approved by the Society of American Foresters or the Board.
- D. Waiver of Continuing Education Requirement
 1. For the causes set-out in A.C.A §17-31-307(d), the Executive Director may waive the continuing education requirement.
 2. The Executive Director's waiver must be ratified by the Board.

VIII. Complaints

A. Filing a Complaint

1. Any person, including members of the Board and the Executive Director, may file a complaint against an individual found in violation of A.C.A. § 17-31-101 *et seq.*
2. Complaints must be made in writing on forms authorized by the Board.
3. All complaints must be notarized and filed with the Executive Director.
4. The Executive Director will review each complaint for jurisdiction. Only those complaints within the Board's jurisdiction shall proceed through the complaint process.

B. Complaint Committee

1. The Chair shall select two members of the Board to serve on the Complaint Committee. Terms shall be for the duration of member's appointment.
2. The Executive Director is a non-voting member of the complaint committee.
3. The Complaint Committee shall assist the Executive Director, when needed, to establish jurisdiction.
4. The Complaint Committee shall review all complaint letters within the Board's jurisdiction and corresponding respondent letters. The committee shall make additional inquiries, contact outside sources, etc as needed to investigate the complaint.
5. The Complaint Committee shall make recommendations to the Board regarding complaint dismissal or specific charges to bring against the respondent.
6. Should an offer of settlement be made, the complaint committee shall review the offer and make a recommendation to the Board as to acceptance or denial.

C. Respondents

1. Respondents are those individuals who have a complaint brought against them.
2. Respondents shall be sent a certified letter stating that a complaint (within the Board's jurisdiction) has been filed against them. The letter shall contain a copy of the complaint filed and a respondent form. Respondents have two weeks from receipt of the letter to complete and return the respondent form.

D. Hearings

1. If the Board finds a complaint has probable cause, a notice shall be sent to the respondent stating the following:
 - a. Time, place, nature of the hearing
 - b. Board's legal authority and jurisdiction under which the hearing is held
 - c. Statement of facts and law asserted

- d. Possible actions/penalties to be assessed against respondent if allegations are proven.
 - e. If requested, the Board shall provide all documents as required by Arkansas Code §25-15-208.
- 2. Hearings will be made in accordance with Arkansas Code §25-15-208.
- 3. A final decision including statement of fact and conclusions of law shall be mailed to the respondent upon conclusion of the hearing.
- 4. Hearing transcriptions will only be made should the Board's decision be appealed for judicial review. Individuals requesting transcriptions from a hearing that has not been appealed must reimburse the agency all costs associated with the transcription.