

Readopt with amendment Fam 700, effective 4-3-18 (Document #12507, Interim), to read as follows:

CHAPTER Fam 700 CONTINUED STATUS OF CERTIFIED FAMILY MEDIATOR TRAINING PROGRAMS

PART Fam 701 APPLICATION PROCEDURES FOR RENEWED CERTIFICATION OF FAMILY MEDIATOR TRAINING PROGRAMS

Fam 701.01 Application Procedures for Renewal of Certification.

(a) A family mediator training program seeking renewal of certification shall complete and submit the application packet described in (b) below before the expiration date of the certification sought to be renewed.

(b) The completed application packet shall be:

- (1) A completed application form as further described in Fam 701.03;
- (2) The supporting materials specified by Fam 701.04; and
- (3) The application fee for renewal of certification set forth in Fam 304.01(d).

(c) The board shall not consider an application to renew the certification of a family mediator training program until the completed application packet has been received by the board's office.

(d) In accordance with RSA 328-C:5,V, if an applicant has made a timely and sufficient application for renewal of certification, its existing certification shall not expire until the board has taken final action on the application.

(e) In accordance with RSA 541-A:29,I, the board shall, within 30 days of the receipt by the board's office of the completed application packet described in (b) above, notify the applicant if the board requires additional information or material for the purpose of determining the applicant's qualifications for renewal of certification.

(f) Any notification provided under (e) above shall specify in writing the additional information or material that the applicant is required to submit.

(g) The board shall deny the application if the applicant does not submit the requested additional information or material within 45 days of the board's notification.

(h) The board shall approve or deny the application within 60 days of receiving the completed application packet and any additional information or material requested pursuant to (e) above.

(i) The board's denial shall be issued in a letter to the applicant stating:

- (1) The denial;
- (2) The reason for the denial; and

(3) The right of the applicant to challenge the denial by requesting a hearing within the applicable time period set forth in (j) below.

(j) An applicant wishing to challenge the board's denial of the application shall make a written request for a hearing of the challenge:

(1) Within 30 days of the date on the notice of denial; or

(2) If the applicant is an individual seeking to renew the certification of a family mediator training program and is on active military duty outside the United States, within 30 days of the applicant's return to the United States or release from military duty, whichever occurs later.

(k) If the board denies the application because of the failure of the applicant to comply with any eligibility requirements or requirements relating to the renewal procedure, the applicant shall not, until its certification has been reinstated:

(1) Represent that it is a certified family mediator training program; or

(2) Take any action or make any representation permitting the inference that it is a certified family mediator training program.

Fam 701.02 Duration of Certification. Renewed certification of a training program issued pursuant to this chapter shall be valid for a period of 3 years unless earlier terminated by the board for:

(a) Failure of the program to maintain the program components and standards described in Fam 604;

(b) Failure of the program to comply with the ongoing requirements set forth in Fam 706;

(c) Failure of the program to have as a director an individual meeting the requirements of Fam 604.09;

(d) Suspension of the family mediator certification of the director;

(e) Violation of Fam 500 by the director or members of the training staff;

(f) Fraud or deceit in obtaining or attempting to obtain certification; or

(g) Violation by the program, the director, or a member of the training staff of federal or state law prohibiting discrimination or other applicable federal or state law.

Fam 701.03 Application Form for Renewal of Certification.

(a) The certification renewal application form, "Training Program Application for Renewal of Certification", provided by the board shall:

(1) Be completed using a computer or legibly printed in ink; and

(2) Have all sections completed or designated as not applicable.

(b) The form shall require the following information to be provided by the individual applying for renewal of certification to operate a training program, or the representative of the business entity applying for such certification:

(1) Identification in the form of:

- a. The name of the individual or business entity;
- b. The business address, business telephone number, and website, if applicable, of the individual or business entity;
- c. The e-mail address for the individual or business entity, if there is one;
- d. If it is a business entity that seeks certification, the name of the representative, and the relationship of the representative making the application to the business entity seeking certification; and
- e. The business address, business telephone number, and website, if applicable, of such representative;

(2) Additional information to assist the board in determining eligibility for certification;

(3) The signature of the authorized signer below the following pre-printed statement:

“I certify that the information provided on this application form for renewal of certification and the materials provided to support the application are, to the best of the signer’s knowledge and belief, true, accurate, complete and unaltered. The signer acknowledges that, pursuant to RSA 641:3, the knowing making of a false statement on the application form is punishable as a misdemeanor. The signer also acknowledges that the provision of false information in the application is a basis for disciplinary action by the Board.”; and

(4) The date the signature is placed on the application form.

(c) The signature shall constitute:

- (1) A certification that the information provided on the application form for renewal of certification and the materials provided to support the application are, to the best of the signer's knowledge and belief, true, accurate, complete, and unaltered; and
- (2) The acknowledgement that, pursuant to RSA 641:3, knowingly making a false statement on the application form for renewal of certification is punishable as a misdemeanor.

Fam 701.04 Supporting Materials. An applicant for renewal of certification shall submit the following materials to support the application:

(a) An agenda as described in Fam 604.05(e) if there have been any changes in the program since the agenda was last submitted to the board;

(b) A separate strategy sheet as described in Fam 604.05(f) for each of the types of knowledge and skills listed in Fam 604.04 if there have been revisions in strategy since such sheets were last submitted to the board;

(c) For all role-play scenarios used by the program which have been revised since the relevant information was last submitted to the board, a statement describing how each is incorporated into the training agenda and program schedule;

(d) The student manual described in Fam 604.07 if it has been revised since it was last submitted to the board;

(e) For the director, if the director has changed since the information was last submitted to the board, and for each trainer not previously identified to the board, the following information, as applicable, on a “Staff Information: Trainer” form, a “Staff Information: NH Law Specialist” form or a “Staff Information: Domestic Violence Specialist” form:

(1) His or her family mediator certification number; and

(2) A statement describing:

a. Which portions of the training he or she will present; and

b. His or her qualifications to present such portions;

(f) To show completion of the continuing education required by Fam 604.09(d) and Fam 604.10(d), a certificate issued by the course provider for each course taken by the director and each course taken by each trainer, showing:

(1) The name of the course provider;

(2) Whether participation was through attendance at a live presentation;

(3) The topic(s) covered by the course; and

(4) The date and number of hours of the course;

(g) For the director, if the director has changed since the information was last submitted to the board, the following information on a “Staff Information: Director” form:

(1) Documentation of the 50 hours of experience as a presenter required by Fam 604.09(b) in the form of:

a. The brochure(s) describing the workshop(s), seminar(s), or course(s) at which presentations were made;

b. One or more certificates issued by the event provider(s) showing:

1. The name of the provider(s) of the event(s);

2. Whether the presentation(s) was live or otherwise;

3. The topic(s) covered; and
 4. The date and number of hours of the event(s); and
 - c. The evaluation forms completed to show the students' evaluations of the event(s) and the presenter; and
- (2) Documentation of the 350 hours of face-to-face mediation in at least 30 family cases required by Fam 604.09(c) in the form of a list of the family cases with the names redacted, showing for each case:
- a. Its starting and ending dates;
 - b. The type of case; and
 - c. The total number of hours expended;
- (h) For each member of the training staff whose information has not yet been submitted to the board:
- (1) Documentation of the 50 hours of experience as a presenter required by Fam 604.10(b) in the form of:
- a. At least 10 evaluation forms completed by those taking the 40-hour core mediation training; or
 - b. At least 20 evaluation forms completed by those attending the continuing education presentations; and
- (2) Documentation of at least 250 hours of face-to-face mediation in at least 20 family cases within the last 3 years required by Fam 604.10(c), in the form of a list of the family cases with the names redacted, showing for each case:
- a. Its starting and ending dates;
 - b. The type of case; and
 - c. The total number of hours expended; and
- (i) For the director, if the director has changed since the information was last submitted to the board, and any trainer whose information has not yet been submitted to the board and who presents 20 or more hours of the basic course described in Fam 604.02, documentation of completion of the continuing education requirements stated in Fam 703, in the form of:
- (1) Transcripts issued by the course provider(s); or
 - (2) Certificates issued by the course provider(s) for each course taken, showing:
 - a. The name of the course provider;

- b. Whether participation was through attendance at a live presentation;
- c. The topic(s) covered by the course; and
- d. The date and number of hours of the course.

PART Fam 702 ELIGIBILITY FOR RENEWED CERTIFICATION OF FAMILY MEDIATOR TRAINING PROGRAMS

Fam 702.01 Eligibility Requirements. The board shall renew the certification of a family mediator training program if:

- (a) The program has complied with the application procedures set forth in Fam 701.01(a) and (b);
- (b) The program maintains the program components and standards described in Fam 604;
- (c) The program has, since the date of the certification being renewed, complied with the ongoing requirements of Fam 706;
- (d) The program has not engaged in any misconduct described in RSA 328-C:7, III(a), (j), (k), or (l);
- (e) The program's director:
 - (1) Has met the continuing education requirements of Fam 703; and
 - (2) Has not engaged in any misconduct described in RSA 328-C:7, III(a) through (i), or (l); and
- (f) Members of the program's training staff, if any:
 - (1) Have met the continuing education requirements of Fam 703 if the requirements are applicable to them; and
 - (2) Have not engaged in any misconduct described in RSA 328-C:7, III(a) through (i), or (l).

PART Fam 703 CONTINUING EDUCATION FOR THE DIRECTOR AND THE TRAINING STAFF

Fam 703.01 Continuing Education Requirements for the Director and Certain Members of the Training Staff.

- (a) The director and any trainer presenting 20 or more hours of the training comprising the basic course shall complete at least 3 hours each calendar year of continuing education in one of the following topics:
 - (1) Advanced mediation; or
 - (2) Teaching the adult student.

(b) Such continuing education shall be provided by an entity other than the training program seeking renewal of certification.

(c) Continuing education in teaching the adult student shall be through a graduate, undergraduate, or extension course given by any educational institution accredited by:

- (1) The Middle States Association of Colleges and Schools;
- (2) The New England Association of Schools and Colleges;
- (3) The North Central Association of Colleges and Schools;
- (4) The Northwest Commission on Colleges and Universities;
- (5) The Southern Association of Colleges and Schools; or
- (6) The Western Association of Schools and Colleges.

PART Fam 704 REINSTATEMENT OF CERTIFICATION - Reserved

PART Fam 705 REVOCATION, SUSPENSION, AND OTHER SANCTIONS - Reserved

PART Fam 706 ONGOING REQUIREMENTS

Fam 706.01 Obligation to Keep Information Current. A certified training program shall advise the board promptly of changes in the following information:

- (a) The training program's full name;
- (b) The training program's mailing address(es);
- (c) The training program's business telephone number(s) and fax number(s);
- (d) The hours at which the director of the training program can be reached;
- (e) The training program's e-mail address, if the program has one;
- (f) The name of the authorized signer;
- (g) The names and qualifications of the director, trainers, and specialists; and
- (h) Updated information or revised documents whenever there is a change in the category of information or in the documents submitted at the time of application for certification.

Fam 706.02 Obligation to Report Trainings Given. Within 30 days of the completion of each training given, the director shall file a report with the board showing:

- (a) The name and address of the training program;

- (b) The name of the training;
- (c) Which component(s) of those listed in Fam 604.02 was addressed by the training;
- (d) The beginning and ending dates of the training;
- (e) The total number of hours of the training;
- (f) The names of the trainers;
- (g) The names of the specialists, if any; and
- (h) The names of the attending students.

Fam 706.03 Annual Reports. Each training program shall make an annual report to the board:

and (a) Submitted by January 31 of the calendar year immediately following the year reported upon;

(b) Including:

- (1) For each basic course as described in Fam 604.02 offered during the previous calendar year:
 - a. Its name or title; and
 - b. Its beginning and ending dates;
- (2) For each basic course planned to be offered during January, February or March of the year in which the report is submitted:
 - a. Its name or title of the training; and
 - b. Its beginning and ending dates; and
- (3) Documentation of the director's and the trainers' having met the continuing education requirements of Fam 404.01 if during the year reported upon they were required to renew their certification as family mediators, in the form of one or more certificates showing:
 - a. The name of the course provider;
 - b. Whether the participation was as a teacher or a student;
 - c. Whether participation was through attendance at a live presentation;
 - d. The topic(s) covered by the course; and
 - e. The beginning and ending dates of the course and the total number of hours of the course.

Appendix

RULE	STATUTE IMPLEMENTED
Fam 701.01	RSA 328-C:8, I(a); RSA 541-A:16, I(b)
Fam 701.02	RSA 328-C:5, IV; RSA 328-C:8, I(a); RSA 541-A:16, I(b)
Fam 701.03	RSA 328-C:8, I(b)
Fam 701.04	RSA 328-C:8, I(b)
Fam 702.01	RSA 328-C:4-a, III; RSA 328-C:8, I(a)
Fam 703.01	RSA 328-C:4-a, IV; RSA 328-C:8, I(e)
Fam 706.01	RSA 328-C:8, I(j)
Fam 706.02	RSA 328-C:8, I(j)
Fam 706.03	RSA 328-C:8, I(j)