

SOLAR THERMAL SUB-COMMITTEE MEETING MINUTES
HEATING, PIPING, COOLING AND SHEET METAL WORK
EXAMINING BOARD

APRIL 20, 2010

The Solar Thermal Sub-Committee meeting was called to order at 9:40 a.m. in Room-119 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06106.

Members Present: Robert H. Barrieau, Unlimited Contractor, Acting Chairperson
Charles E. Appleby, Sr., Plumbing contractor
Frank J. Dacato, Plumbing Journeyperson

Members Absent: Thomas F. Casey, Jr., Unlimited Contractor
Philip Kent, Esquire, Public Member

Board Vacancies: None

Board Counsel Present: None

DCP Staff Present: Nelson Leon

Public Present: Carl H. Pember
William Lussier
Renee Philbrook
Nathan Greenleaf

Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division.
For information, call Richard M. Hurlburt, Director, at (860) 713-6135.

Agency Web site: www.ct.gov/dcp

SOLAR THERMAL CERTIFICATION

The solar thermal Sub-Committee voted unanimously to have all solar thermal certification course submittals come before them for review and approval, and accepted the following recommended draft guidelines for approving solar thermal certification course providers and instructors:

DEPARTMENT OF CONSUMER PROTECTION

SOLAR THERMAL CERTIFICATION COURSE STANDARDS

Education Program Standards For Twenty-Four Hour Solar Thermal Certification Course

(a) Definitions

As used in this section:

(1) "Commissioner" means the Commissioner of Consumer Protection;

(2) "Instructor" means:

(A) any person who holds a current, appropriate trade license issued by the Department of Consumer Protection, which trade license need not include the solar thermal certification within the first two years of the implementation of this regulation, and who has at least five years of practical experience in the appropriate trade, and who has been approved by the Commissioner with the advice of a quorum of the Solar Thermal Subcommittee; or

(B) a professional or teacher in a specified area of law or an appropriate trade, who has been approved by the Commissioner with the advice of a quorum of the Solar Thermal Subcommittee; and

(3) "Provider" means any accredited public or private school, or any trade union or trade association that regularly provides courses that meet the criteria as set forth in subsection (b) of this section;

(4) "Appropriate trade license" shall mean a type P-1, P-2, P-3, P-4, S-1, S-2, S-3 or S-4.

(b) Course Approval

(1) Each Provider intending to offer solar thermal certification courses shall submit a formal filing for each such course to the Commissioner for approval.

(2) The filing for each solar thermal certification course shall include, but not be limited to, the following:

(A) a course outline;

(B) a listing of all reference materials to be utilized;

(C) the names, addresses, license numbers, license types and qualifications of each Instructor; and

(D) the contact information for each Provider, including the Provider's complete legal name, primary place of business, telephone and facsimile numbers, website, and appropriate electronic mail address with the full name of the appropriate contact for Provider.

(3) All solar thermal certification course filings shall be submitted on an annual basis. Course approvals shall be valid for only one year from date of approval and are subject to re-approval by the Commissioner annually with the advice of the Solar Thermal Subcommittee.

(4) Each Provider shall obtain approval from the Commissioner for any changes to an approved solar thermal certification course prior to initiating such changes. The Commissioner may request that a Provider change the contents of an approved course if changes have been made to the statutes, regulations or other standards concerning the appropriate trade. At the discretion of the Commissioner, course approval may be withdrawn for a Provider's failure to comply with requested changes in a timely and reasonable manner.

(5) The content of solar thermal certification courses shall consist of applicable trade laws and best practices that are broad-based and essential to the role of a licensee as the licensee acts in the best interest of the consumer. Courses shall directly relate to trade principles and best practices of the applicable trade, and shall provide instruction that is also specific to this geographic region.

(6) The Commissioner shall not approve any solar thermal certification courses that include curriculum that promotes a particular solar thermal equipment manufacturer to the exclusion of other such manufacturers or regarding office and business skills such as typing, speed-reading, memory development, personal motivation, salesmanship, sales psychology, or for sales promotions or other meetings held in conjunction with the general business of a trade contractor.

(c) Notification of Course Offering; Course Locations.

(1) Each Provider conducting an approved solar thermal certification course shall provide adequate public notification prior to the scheduled date of each course; submit to the Commissioner a schedule of the dates, hours, and locations for each course to be offered. No courses shall commence or be advertised as approved, without prior written approval of the Commissioner. There shall be no change or alteration in any approved course without prior written notice and subsequent approval of the Commissioner. At the discretion of the Commissioner, course approval may be withdrawn for failure to comply with the provisions of this section.

(2) Each solar thermal certification course shall be conducted in a classroom-style facility and an environment which is adequate to implement the offering pertinent to the coursework or certification. No correspondence courses shall be permitted. No Provider shall use a classroom for a solar thermal certification course until an approval certificate has been issued by the local Fire Marshal indicating compliance for such use.

(d) Minimum Solar Thermal Certification Hours and Requirements

(1) Commencing on and after May 1, 2010, eligible licensees, as a condition precedent to obtaining the solar thermal certification shall take and pass in accordance with the requirements of an approved solar thermal certification course at least twenty-four (24) credit hours of solar thermal certification coursework period prior to being permitted to sit for the solar thermal certificate examination. Acceptable curriculum requirements shall be published by the Commissioner and made available to prospective Instructors and Providers at least two months prior to the deadline to apply for approvals. The following areas of study, with an emphasis on recent changes or updates, shall be included in approved coursework:

(A) Licensing law and regulations applicable to solar thermal work or installations;

(B) the current State of Connecticut Building Codes and Standards applicable to solar thermal work or installations;

(C) safety-related instruction specific to solar thermal work or installations; and

(D) any areas recommended by the Commissioner or the Solar Thermal Sub-Committee.

(3) All solar thermal certification courses shall meet with the final approval of the Commissioner.

(4) Courses completed prior to approval by the Commissioner shall not qualify for the solar thermal certification or examination unless deemed equivalent by the solar thermal Sub-Committee.

(e) Advertising

All Providers advertising solar thermal certification courses shall comply with the following requirements:

(1) All advertising and notices shall not be deceptive or misleading and shall reveal significant facts, the concealment of which would mislead the public.

(2) Providers shall substantiate claims made in any advertisement upon request of the Commissioner. Course approval may be withdrawn for a Provider's failure to substantiate any such claims upon the Commissioner's request.

(3) All advertising and written or oral statements shall avoid the use of exaggerated or unproven claims or misrepresentations.

(4) No unfounded guarantee shall be offered. All notices shall clearly and conspicuously disclose the full nature of services offered.

(5) False or misleading claims as to tuition and other course costs are prohibited.

(6) Material containing testimonials shall be clearly limited to specified individuals, including their full name, license type and license number, and shall reflect only their own personal experiences.

(7) Providers and their agents shall not use the wording "Approved by the Commissioner" or other like wording. The following wording may be used: "This course meets the minimum requirements as set forth by the Commissioner of Consumer Protection." The type size for the wording of this statement shall be no larger than the smallest type size used in the advertisement.

(f) Records

(1) All Providers conducting approved solar thermal certification courses shall keep and retain complete records of student attendance and documentation of completion for a period of at least five (5) years after the completion of each course. Such records shall be available for inspection by the Commissioner. Upon satisfactory completion of any approved course, the Provider, as prescribed by the Commissioner, shall furnish an approved certificate of completion to the licensee student.

(2) The burden of proof of completion of the solar thermal certification course shall be upon the licensee. A licensee who applies for the solar thermal certification shall retain the certificate of completion for a period of at least five (5) years after the completion of the solar thermal certification course, provided that a licensee who fails to sit for or pass the certificate examination within one (1) year of completion of an approved solar thermal certification course shall be ineligible to retake the certificate examination until such time the applicant applies for and takes the licensure examination. A licensee shall, upon request of the Commissioner, and to satisfy the results of a random audit, make such certificates of completion available to the Commissioner, or a third party designated by the Commissioner, for purposes of verification.

(3) The Provider shall submit to the Commissioner the names, addresses, and license numbers of all persons who successfully complete an approved solar thermal certification course.

(g) Equivalent Education.

The Commissioner, with the advice of the appropriate Board, may consider and approve, on an individual basis, any other educational course taken by the licensee in lieu of approved courses. Any such course shall meet the standards established by the solar thermal Sub-Committee. Evidence of such courses must be enacted upon within 120 days from the date of submittal.

(h) Hardship.

(1) Upon appropriate showing of a bona fide health or other individual hardship, the Commissioner may consider an exception to the solar thermal certification requirements. A loss of income or business opportunity resulting from the lack of solar thermal certification is not a bona fide hardship.

(2) Requests for exceptions shall be submitted in writing and shall include an explanation and verification of the alleged hardship.

(i) Hearings on Denial of Approval of Instructor or Course

(1) Upon the refusal of the Commissioner to approve an Instructor or a solar thermal certification course, or upon the decision of the Commissioner to withdraw such approval, the Commissioner shall notify the Provider of the denial or withdrawal, and of the right to request a hearing within fifteen (15) days from the date of mailing of the notice.

(2) In the event said applicant requests a hearing within such fifteen (15) days, the Commissioner shall give notice of the grounds for refusal or withdrawal, and shall conduct a hearing in accordance with the provisions of chapter 54 of the Connecticut General Statutes concerning contested matters.

(j) Forms

Applications for Instructor and solar thermal certification course approval shall be made on forms prescribed by the Commissioner.

There being no further business, the meeting adjourned at 11:30 a.m.

Respectfully submitted,

Nelson Leon
Board Secretary