

I. ADMINISTRATION AND GENERAL INFORMATION**A. Certification Purpose**

The purpose of the NPCAI's Recreation Installation Specialist Certification (RISC) is to provide a program to educate and test recreation installation professionals on the knowledge and skills necessary to perform specific work required of the recreation installation industry. These individuals must meet defined qualifications, and have a basic level of knowledge and experience in recreation installation to be identified to the public as a RISC Certified Individual.

B. Certification is Voluntary

Certification is individual and voluntary, except where required by regulations. NPCAI Certified Individuals are expected to act in compliance with the NPCAI Rules and Regulations.

C. Non-Discrimination

No individual shall be excluded from the opportunity to participate in the RISC certification or recertification program on the basis of ethnic origin, national origin, color, religion, sex, age, disability, physical ability, marital status or sexual orientation.

D. Confidentiality

All applications and other information submitted to NPCAI as part of the certification and recertification process shall be privileged and confidential except that NPCAI may reveal that an application has been made for the purpose of verifying (a) information submitted by the applicant, or (b) whether an individual is a RISC Certified Individual.

NPCAI is committed to protecting privacy in the certification and recertification process including privacy of examination results. The only individual with which exam results will be shared is the examinee, unless permission is granted through the application process. If a person applies or recertifies to be a RISC Certified Individual, NPCAI will collect personal information including but not limited to name, home and/or business address, email address, phone number, credit card information, place of employment, and position/title. NPCAI may also collect information about any disability for purposes of providing accommodations under the Americans with Disabilities Act (ADA). For verification and identification purposes when registering on-site at a RISC course, administrators on-site will ask to see government-issued photograph identification.

E. Certification Administration

All applications and other information submitted to NPCAI as part of the certification and recertification process shall be privileged and confidential except that NPCAI may reveal that an application has been made for the purpose of verifying (a) information submitted by the applicant, or (b) whether an individual is a RISC Certified Individual.

II. RISC CERTIFIED MINIMUM ELIGIBILITY REQUIREMENTS AND PROCEDURES**A. Minimum Eligibility Requirements for Certification**

To qualify for certification the applicant shall pay all required fees, comply with the application procedures, and adhere to all NPCAI requirements specified in the application. Applicants must also meet the minimum eligibility requirements.

All applicants must:

1. Be a minimum of 18 years of age.
2. Be employed by a company that can provide the following items:
 - i. Proof of insurance coverage (government entities excluded)
 - ii. Contractor's license for the states in which they operate
 - iii. Liability insurance (minimum \$1,000,000 aggregate)
 - iv. Worker's compensation insurance as required by law in the contractor's state(s) of operation
3. Not have been convicted of, or pled guilty or no contest to, a felony related to domestic violence or acts of violence against minors.
4. Comply with all NPCAI requirements and code of conduct.
5. Be in good standing with NPCAI and not have had RISC certification revoked.
6. Not have provided false information through the application process.
7. Submit to a criminal background check for felonies related to domestic violence or acts of violence against minors.

NPCAI may conduct further inquiries or require additional information from the applicant or other sources. NPCAI may reject any application based on the information it receives.

B. Successful Completion of RISC Course and Passing Certification Examination

The applicant shall attend the RISC course and shall make a satisfactory showing of competency in recreation installation by successfully passing an examination administered by NPCAI. Notification of examination results shall be emailed to the applicant within thirty (30) days.

C. Fees

All fees associated with certification shall be set up by NPCAI and are subject to change at any time.

Registration Fee

Each applicant shall submit a non-refundable registration fee along with the completed application form. No application will be processed until the registration fee has been paid. All unsuccessful applicants must re-pay the registration fee to become certified.

Criminal Background Check Fee

Each applicant will be required to submit a fee to a third-party company chosen by NPCAI to conduct a criminal background check. The amount may vary based upon the applicant's state of residence.

III. RECERTIFICATION MINIMUM ELIGIBILITY REQUIREMENTS AND PROCEDURES

Certification is granted on the date the examinee successfully passes the certification exam.

Certification expires on December 31st following the third anniversary date on which the certification was granted. To be eligible for recertification, the Certified Individual shall meet the requirements specified as follows:

A. Minimum Eligibility Requirements for Recertification

To qualify for recertification, the applicant shall pay all required fees, comply with the application procedures, follow the instructions, and adhere to all NPCAI requirements specified in the application. The applicant must also meet the following minimum eligibility requirements.

All those applying for recertification must:

1. be employed by a company that can provide the following items:
 - i. Proof of insurance coverage (government entities excluded)
 - ii. Contractor's license for the states in which they operate
 - iii. Liability insurance (minimum \$1,000,000 aggregate)
 - iv. Worker's compensation insurance as required by law in the contractor's state(s)
2. attest to not having been convicted of, or pled guilty or no contest to, a felony related to domestic violence or acts of violence against minors.
3. comply with the NPCAI Requirements and Code of Conduct.
4. not have violated NPCAI policies, requirements, and rules & regulations.
5. be in good standing with NPCAI and not have had RISC certification revoked.
6. not have provided false information through the recertification process.

NPCAI may conduct further inquiries or require additional information from the applicant or other sources. NPCAI may reject any application based on the information it receives.

B. Continuing Education Units (CEUs).

1. The RISC Certified Individual shall, during the period since certification or most recent recertification, have participated in one of the following activities:
 - a. attend at least fifteen (15) hours of continuing education, or
 - b. re-take and successfully pass the RISC examination, or
 - c. participate in playground builds equal to or exceeding fifteen (15) hours, witnessed by RISC-curriculum instructors.
2. It is the responsibility of the RISC Certified Individual to maintain their personal continuing education unit records including a listing of the dates, title, description, and number of credit hours earned for all continuing education courses to satisfy this requirement, or a letter signed by a RISC-curriculum instructor validating hours building a playground.
3. The RISC Certified Individual must adhere to the CEU policy requirements.
4. NPCAI may conduct random audits of attendance or course completion certificates or validation letters for continuing education approval.

C. Recertification Procedures

1. **Recertification Time Line**
NPCAI must receive a properly completed application for recertification, and appropriate fees, at least thirty (30) days prior to the certification expiring or recertification shall be denied. In such cases, the individual must begin the certification process again. If the certification expiration date arrives and no recertification materials are received, the NPCAI website will be updated to remove the individual from the listing of RISC Certified Individuals. Applications for recertification will be accepted up to six months prior to the expiration date.
2. **Criminal Background Check**
Each recertificant must attest to not having committed any felonies during the previous three-year recertification period.

3. Recertification Fee

Each application for recertification shall be accompanied by a recertification fee. No recertification application may be processed until the recertification fee has been paid.

4. Application Protocol

- i. Application Forms - Application for recertification shall be made on forms provided by NPCAI.
- ii. Upon receipt of a completed application form, the NPCAI staff shall review the application to determine:
 - a. the application and all required forms have been properly completed and submitted,
 - b. the applicant meets the minimum eligibility requirements, and
 - c. the appropriate fees have been paid.

5. Notification of Recertification

Upon meeting the minimum eligibility requirements for recertification, the applicant shall receive notice of successful recertification.

IV. Complaint and Disciplinary Processes

A. Initiation of Complaint Process

Any person ("Complainant") may file a complaint with NPCAI to initiate disciplinary procedures against a RISC participant ("Certified Individual").

If information or allegations come to the attention of NPCAI that a Certified Individual may have violated one or more of the disciplinary criteria outlined in this document, and no Complaint is forthcoming from any person, then the NPCAI Chairman, in consultation with the Executive Director and General Counsel, may appoint an agent or agents to conduct an inquiry and fact finding to determine whether there is a reasonable basis to file a Complaint. The name of the agent will be kept confidential.

If the Chairman, Executive Director and General Counsel decide it is appropriate to file a Complaint, then this Complaint shall be processed in accordance with the disciplinary procedures outlined in this document. The person or persons who initiated/participated in the inquiry should not be part of the final appeal decision and would be asked to recuse themselves, if an appeal was made. Those same individuals will also not be asked to serve on the Industry Review Board (IRB) convened for the specific inquiry in which they were involved.

B. Content of the Complaint

A Complaint, which is to be submitted to the NPCAI Executive Director, must be in writing and must include: the name and pertinent contact information of the Complainant and the Certified Individual; an allegation of the existence of one or more of the disciplinary criteria set forth in this document; an adequate factual basis for the allegation(s); and any necessary documentation or other supporting materials or information.

C. Initial Review of Complaint

The NPCAI Executive Director, in consultation with the NPCAI Chairman and NPCAI General Counsel, will review the Complaint to determine if it includes the necessary elements identified in paragraph B herein. If the Executive Director determines that the Complaint does not conform to paragraph B herein, then, citing the specific deficiency or deficiencies, the Executive Director shall notify the Complainant that the Complaint will not be considered. The Complaint may re-file an amended Complaint, or may seek a review of the Executive Director's decision by the NPCAI Board of Trustees by notifying the Executive Director within fifteen (15) days of the date of the rejection letter. In addition, if a Complaint includes allegations of criminal conduct by a Certified Individual or conduct that is actionable against a Certified Individual in a court of law, the Executive Director, in consultation with the Chairman and General Counsel, may decline consideration and instead defer to the authority of an appropriate court of law, law enforcement agency, or other governmental investigatory or adjudicatory body. An outcome of such legal proceedings adverse to a Certified Individual may form the basis of a subsequent Complaint.

D. Industry Review Board (IRB)

Once a Complaint is determined to conform to the requirements of this section, the Executive Director will notify the NPCAI Chairman, who will appoint three individuals to an Industry Review Board (IRB) to address the Complaint. The names of the individuals appointed will be kept confidential and it will be ensured they do not have a conflict of interest regarding the Complaint filed against the Certified Individual. At least one appointee shall be a member of the NPCAI Board of Trustees at the time of appointment. The NPCAI Chairman shall also designate one of the IRB members to be Chair. The IRB will act by majority vote.

E. Notice and Response

Concurrent with notification of the Chairman, the Executive Director will also inform the Certified Individual, in writing via certified mail, a Complaint has been submitted; provide the Certified Individual with a copy of the Complaint, including all supporting materials, as well as a copy of these Rules and Regulations. The Response must be received by NPCAI within fifteen (15) business days from the date the certified return receipt is signed. Failure to respond in the timeframe noted may be deemed an admission to the allegations in the Complaint.

F. Handling of Complaint and Response

The IRB Chair will schedule at least one meeting, in person or via conference call, to review the Complaint and Response, if any. Additional meetings may be held as deemed necessary by the IRB. While the IRB may seek additional information in its discretion; it has no obligation to do so. The IRB is not an investigatory body and will generally render its decision based on the submissions of the Complainant and Certified Individual.

G. Decision of IRB

The IRB shall strive to render a decision on the Complaint within ninety (90) days of the submission of all documents by the Complainant and Certified Individual and shall notify the Complainant and Certified Individual of that decision. The written notification shall include an explanation of the basis for the decision. In most cases a decision of the IRB will be one of the following: the Certified Individual has engaged in prohibited conduct; the Certified Individual has not engaged in prohibited conduct; or there is insufficient evidence to determine whether or not

the Certified Individual has engaged in prohibited conduct. A finding of a prohibited conduct must include the IRB's decision as to any disciplinary action to be imposed including, but not limited to suspension and revocation.

The IRB shall use the preponderance of the evidence standard of proof in all its decisions made. Preponderance of the Evidence is defined as "evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not." The IRB may issue an Advisory Letter to the Certified Individual even though there is no finding of prohibited conduct. All correspondence related to the final decision of a IRB, which is of a non-disciplinary or disciplinary nature and placed in the permanent file of the Certified Individual, can be shared with future IRBs.

H. Non-Disciplinary and Disciplinary Actions

The following represent non-disciplinary and disciplinary actions associated with decisions herein of the IRB or the NPCAI Executive Committee:

Non-Disciplinary Action is presented in the form of an Advisory Letter. This constitutes written communication from the IRB notifying the Certified Individual that the conduct, while not warranting discipline, may result in future disciplinary action if not modified or eliminated. An Advisory Letter is not disciplinary action and there is no appeal of an Advisory Letter by the Certified Individual. The Advisory Letter will be placed in the permanent file of the Certified Individual and shared with future IRBs. The Certified Individual may respond in writing to the Advisory Letter. Any such correspondence will be included in the permanent file.

Disciplinary Action may be taken in the form of either suspension or revocation.

Suspension means written disciplinary action finding the Certified Individual has engaged in prohibited conduct and violated one or more disciplinary criteria contained in these Rules and Regulations. The period of time for suspension will be set by the IRB and will not exceed one (1) year. The NPCAI Executive Committee may suspend a certification pending a decision by the IRB and/or pending the final decision of any appeal. Upon completion of the suspension period, the Certified Individual must make a written request to NPCAI to be reinstated as a RISC Certified Individual within forty-five (45) days after the end of the suspension period. If the Certified Individual's recertification period has expired during the suspension, the Certified Individual shall apply for recertification within the 45-day period, pay the applicable fees, and comply with continuing education hours and all requirements of the recertification process. Failure to request reinstatement and complete any required recertification requirements within forty-five (45) days from the end of the suspension period will require Certified Individual to complete a new certification application, sit for the RISC course, and take the examination to be certified.

Revocation means written disciplinary action from the IRB finding the Certified Individual has engaged in prohibited conduct and violated one or more criteria contained in these Rules and Regulations, resulting in removal by the IRB of the Certified Individual's Certification.

I. Appeal Process

Except as otherwise noted in these Rules and Regulations, the Certified Individual may appeal the decision of the IRB by submitting a written notice with the NPCAI Executive Director within thirty (30) days of the date of the IRB's decision. Either the IRB or the NPCAI Board of Trustees may postpone implementation of the disciplinary action, if any, imposed by the IRB until after disposition of the appeal. An Appeals Board, consisting of three (3) members of the NPCAI Board of Trustees who hold no conflict of interest in the complaint or with the Certified Individual, will be appointed by the NPCAI Chairman.

1. Requesting an Appeal

The Certified Individual shall request an appeal by clearly and concisely stating the reasons upon which the Certified Individual seeks a dismissal, modification or remand of the decision of the IRB. No new evidence may be brought to the Appeals Board for consideration. The burden of proof is on the Certified Individual to show that the decision of the IRB is clearly erroneous.

2. Actions of the Appeals Board

The decision of the Appeals Board may be to affirm the IRB decision, dismiss the Complaint, modify the IRB decision or discipline, or remand the case back to the IRB. The Appeals Board shall seek to issue its ruling within ninety (90) days of receipt of the appeal. The decision of the Appeals Board shall be final and binding on NPCAI and the Certified Individual.

J. Publication

NPCAI may publicize the nature, existence, or preliminary or final result of any disciplinary proceeding or action at any stage, if deemed by NPCAI to be in the best interests of NPCAI, the Certification Program, or any segment of the general public. Any disciplinary action taken, including suspension or revocation, will be published on the NPCAI website indefinitely. NPCAI shall not publicize non-disciplinary action.

K. Correspondence

All correspondence and notices herein between NPCAI and both the Complainant and Certified Individual should be made by email or certified mail.

V. The Official Address for All Correspondence

The official address for all correspondence is: NPCAI, 2207 Forest Hills Drive, Harrisburg, PA 17112.

VI. Use of Acronym

Except as restricted by applicable law, an individual holding a current certification from NPCAI shall use the initials "RISC" following their name in all written communications.

VII. Amendment Procedures

These rules and regulations may be amended only by a majority vote of the NPCAI Board of Trustees.