

CHARTER
TEXAS FLOODPLAIN MANAGEMENT ASSOCIATION
CERTIFICATION OF PROFESSIONAL FLOODPLAIN MANAGERS PROGRAM



The Texas Floodplain Management Association (TFMA) hereby established and intends to operate a statewide program for certifying floodplain managers. Recognizing local, state and federal officials whose knowledge of floodplain



management and hazard mitigation requirements exceeds the minimum standards of the National Flood Insurance Program (NFIP).

I. OBJECTIVES OF CERTIFIED FLOODPLAIN MANAGERS PROGRAM

The Certified Floodplain Managers Program (CFM[®] Program) is hereby created by TFMA to raise and maintain the professional standards of those individuals who manage floodplains, wetlands, and watersheds within the State of Texas. The program is designed to certify competency with the basic principals of sound floodplain management as mandated and encouraged by the NFIP.

II. PROGRAM GOALS

The primary goal of the CFM[®] Program is improving the knowledge and abilities of floodplain managers in the State of Texas. Improving NFIP knowledge and capabilities within local governments and the floodplain management community will contribute substantially toward reducing the State's flood losses and ensure the protection and enhancement of natural floodplain values. This primary goal will be achieved over time through:

- A. Encouraging self-study, attendance at training sessions, and requiring testing to obtain certification;
- B. Requiring continuing education as a condition for certification renewal; and
- C. Encouraging city and county governments to require training and professional certification of local floodplain managers.

On a larger scale and in a longer time frame, a second major goal of the CFM[®] Program is to increase the prominence of floodplain management and hazard mitigation in decision-making by local and state officials and the general public. This goal will be achieved over time through:

- A. Improving the recognition of floodplain management and hazard mitigation as a specific discipline;
- B. Increasing the status of floodplain managers as knowledgeable professionals in a complex and important field; and
- C. Promoting certification to provide greater visibility of the profession.

III. ESTABLISHMENT OF THE CERTIFICATION COMMITTEE

The Certification Committee is hereby established as an on-going operating committee of TFMA.

A. MEMBERSHIP OF THE CERTIFICATION COMMITTEE

All members of the CERTIFICATION COMMITTEE shall be CFMs and shall include the following:

1. At least one board member of TFMA, who is appointed by the Board,
2. The State NFIP Coordinator, and
3. Three or more additional at-large members of TFMA, appointed by the Board.

B. ORGANIZATION, MEETINGS AND TERMS OF THE COMMITTEE

1. The Certification Committee Chair will be appointed by the TFMA President. Members of The Certification Committee will elect a Vice Chair and Secretary from within its membership.
 - a. The Chair of the Certification Committee shall preside at all committee meetings at which he or she is in attendance, and guide the Certification Committee in the performance of its duties as prescribed by the TFMA Board of Directors and/or the Certification Committee.
 - b. The Vice-Chair of the Certification Committee shall perform the duties of the Chair in the absence of the Chair. In case the office of Chair becomes vacant for any reason, the Vice-Chair will assume all duties until a successor is named.
 - c. The Secretary of the Certification Committee shall be responsible for taking minutes of all committee meetings and recording all decisions made by the committee members.
2. The Certification Committee shall meet at least once every year, usually during TFMA's Annual Conference. The Chair may call additional meetings when deemed necessary to carryout the responsibilities of the committee.
3. The membership of the committee shall change when the Board decides to replace current or retiring committee members.

C. RESPONSIBILITIES OF THE CERTIFICATION COMMITTEE

The Certification Committee shall be responsible for the following activities, subject to approval by the Board of Directors.

1. Report to the TFMA Board of Directors on meetings and decisions made by the Certification Committee.
2. Develop rules and regulations for operating the TFMA CFM[®] Program.
3. Develop program application forms and credentials required for professional certification.
4. Review and develop professional standards as basis for certification.
5. Develop renewal requirements.
6. Develop closed book testing procedures and a test to evaluate the applicant's knowledge of the National Flood Insurance Program; including, floodplain management and hazard mitigation.
7. Develop and evaluate opportunities for application and testing for the CFM[®] Program.
8. Establish the fees related to the CFM[®] Program that are collected by the TFMA Executive Office and/or TFMA Treasurer.
9. Review applications for approval or rejection for professional certification. The Certification Committee can delegate this responsibility to the TFMA Executive Office.
10. Grade closed book exams and evaluate testing requirements. The Certification Committee can delegate this responsibility to the TFMA Executive Office.
11. Send congratulatory letters and issue certificates to all applicants passing the closed book exam and meeting all other requirements for professional certification. The Certification Committee can delegate this responsibility to the TFMA Executive Office.
12. Establish continuing education requirements and review training for Continuing Education Credits (CECs). Evaluate non-TFMA programs, conferences and training sessions for credit under the Continuing Education requirements.
13. Develop advanced training and certification program(s), as needed
14. Other duties as assigned by the TFMA Board of Directors.
15. Ensure the CFM registered trademark given to the Association of State Floodplain Managers, Inc. (ASFPM) for the national CFM[®] Program is enforced within our CFM[®] Program.

D. RESPONSIBILITIES OF THE TFMA BOARD OF DIRECTORS

1. Overall responsibility for the CFM[®] Program.
2. Appoint/remove members of the Certification Committee.
3. Appoint and supervise a paid administrative staff to help complete the requirements of the Certification Committee as outlined in this charter. This administrative staff will be paid by TFMA with fees collected by the committee for new applications and certification renewals.
4. Promote and facilitate professional certification under CFM[®] Program.
5. Offer at least one opportunity per calendar year for TFMA members to make application and undergo testing under the CFM[®] Program.
6. Offer at least one opportunity per calendar year for CFMs to meet the continuing education requirements (Please note that 8 to 12 CECs can be earned annually with attendance to the TFMA Conferences.)
7. Assist the Association of State Floodplain Managers, Inc. with ongoing development of a national certification program for floodplain managers and ensure the CFM[®] registered trade mark owned by ASFPM for their CFM[®] Program is used properly within the state program.
8. Maintain and publish a directory of all current TFMA members who have become and/or maintained national CFM[®] certification. The membership search function on the TFMA website serves as a directory.
9. Promote the Code of Professional Conduct for all CFMs.

IV. DISCLAIMER LIABILITY

Professional certification is a peer review process administered by TFMA. Participation in the Certified Floodplain Manager[®] Program is strictly voluntary. The program is designed to establish education/ training opportunities and set experience criteria in the fields of floodplain management, hazard mitigation and the National Flood Insurance Program. These guidelines will be used to certify individuals interested in this type of certification.

The Texas Floodplain Management Association assumes no liability for any action or decision made by individual Certified Floodplain Managers during the normal course of performing their prescribed duties and responsibilities of managing development within the identified floodplains, as established by criteria of the NFIP or the State, and mandated by their respective employer or local government agency. Furthermore, any list of Certified Floodplain Managers should be used with care. The Texas Floodplain Management Association has not attempted to independently verify the information

submitted by certification applicants. We strongly recommend that anyone using the professional services of any listed individual or firm contact that individual, firm, or professional services directly and request they verify their references and credentials.

The Association of State Floodplain Managers accredits the TFMA CFM[®] Program, and as such, ASFPM, Inc. assumes no liability for any action or decision made by an individual CFM during the normal course of performing his prescribed duties and responsibilities of managing development within the identified floodplain as mentioned in the paragraph above. In the event that the Texas Certified Floodplain Manager Program would cease to exist, all Texas CFMs agree to relinquish their State Certification and not hold TFMA, ASFPM or any other organization or agency responsible for such program termination. TFMA will work with ASFPM to transfer CFM certification to their program. If the CFM Program is continued by another state organization or state agency, certification will be transferred to such organization or agency.

V. RULES AND POLICIES OF THE CFM[®] PROGRAM

The purpose of this section is to establish the application procedures and criteria for registration as a CFM[®] and to establish basic operating rules and procedures for implementing the CFM[®] Program.

A. PROGRAM REQUIREMENTS

The initial CFM designation will be granted upon successful completion of:

1. APPROVAL OF EXAM APPLICATION AND FEE,
2. PROOF OF CURRENT MEMBERSHIP WITH TFMA, AND
3. PASSING EXAM WITH A GRADE OF 70% OR HIGHER

B. EXAM APPLICATION

All applicants for certification must obtain the official TFMA CFM[®] Exam Application packet, make sure that it is complete, and submit it to the Certification Committee with the appropriate fee prior to taking the exam.

C. ELIGIBILITY

Any person who is a member in good standing of TFMA and meets the credentials and requirements as established by the Certification Committee is welcome to apply for professional certification under TFMA's CFM[®] Program. It is anticipated most applicants will be local floodplain managers; however, the program is open to individuals in the private sector, state and federal government employees, and other agencies or organizations dealing with floodplain management and other related disciplines.

D. APPLICANT CREDENTIALS

A successful applicant for the CFM[®] Program must meet the following minimum credentials:

1. Experience

All applicants must be a high school graduate or have completed a GED. The Certification Committee may waive the high school graduate/GED requirement after considering an applicant's other qualifications, experience, and training.

2. References

A reference from the applicant's current supervisor will be required as part of the application process. Self-employed applicants must submit written reference from an appropriate professional.

3. Training

Maintaining integrity of the program is essential to its success, and continued training of CFMs will help to maintain this desired integrity. The Certification Committee has developed criteria to determine the exact number of Continuing Education Credits (CEC) that are required to maintain certification under the TFMA CFM[®] Program. CECs can be obtained by attending workshops or conferences, completing approved Internet courses, home study courses administered through FEMA, and other training opportunities directly related to floodplain management or indirectly related disciplines.

VI. THE CFM EXAM

ANYONE NOT PRE-APPROVED BY THE CERTIFICATION COMMITTEE MAY NOT BE ALLOWED TO TAKE THE CFM EXAM.

All applicants, regardless of experience, must be TFMA members and score 70% or higher on the CFM exam, which measures basic management skills and comprehension of the principals of sound floodplain management, as established by criteria of the National Flood Insurance Program. All test results will be held in strict confidence. The TFMA will adopt the ASFPM Proctoring Procedures and a photo ID is required for pre-approved applicants to take the proctored exam. TFMA's Certification Committee will prepare the exam. The Certification Committee will assemble the pool of questions from which the exam questions for a specific level of certification are drawn. The Certification Committee will decide the level of difficulty and specific questions incorporated into the exam. The Certification Committee will also set the time limits for the exam and other arrangements for testing. Exams will be revised as deemed necessary by the Certification Committee.

Applicants who pass the exam with 70% or higher will be notified by letter and will receive a certificate which conveys to them the title of CFM®. TFMA may also send a letter describing the applicant's achievement to the applicant's supervisor.

Applicants who fail to pass the exam with 70% or higher will be so notified through written response from the Executive Office.

VII. CERTIFICATION

A. The following requirements pertain to the certification and renewal of floodplain managers under TFMA's CFM® Program:

1. Upon completion of the above requirements, and payment of appropriate fees, applicants will be awarded a certificate and be designated a CFM®. A pocket card will be issued. The certification will remain in effect until December 31 following the date of issuance. The certification year shall be from January 1 to December 31.
2. At the end of the initial and subsequent certification periods, each CFM must submit an application to TFMA for renewal. In November of each year, approximately 2 months prior to the renewal deadline of December 31, a reminder e-mail or letter discussing the CEC requirements and renewal process will be sent. This information will also be posted on the TFMA website. The application will be utilized to update each CFM's credentials and to document completion of the required CECs. A renewal fee must be included with the renewal application. When these conditions are met, a renewal card for the following calendar year (12 months) will be issued to the CFM.
3. CFMs who have not requested renewal by January 15 of the renewal year (15 days after their certification expires) will be notified by the Certification Committee via U.S. Postal certified mail to submit CEC documentation and late fees on or before February 28. The period January 1 through February 28 constitutes a 2-month grace period.
4. CFMS who have failed to respond to the renewal process will be decertified, and thereafter, be required to complete a new application package, pay the initial application fee, and take the CFM exam again in order to regain certification. Plus, a CFM who fails to renew under the renewal process will not be allowed to re-apply and take the exam for a period of 6 months following decertification. If special circumstances prevent timely renewal, the Certification Committee will consider a waiver of these requirements on an individual basis.
5. In the event an application for certification or renewal is denied, the applicant has the right to appeal the decision of the Certification Committee. Such appeals must follow the guidelines as described in Section X of the Charter.

6. A CFM may request a one-year extension to the renewal date when that CFM has been unable to complete the continuing education requirements because of special circumstances, including but not limited to active duty in the military, maternity leave, natural disaster, or other cause beyond the individual's or the employer's control. Changing jobs and lack of training funds are not grounds for an extension.
 7. Procedures to request an extension:
 - a. A request for extension must be submitted in writing to the TFMA Executive Office. The request must include a description of the special circumstances which justify the request.
 - b. The request will be reviewed and approved or denied by the TFMA Board of Directors.
 8. An extension will be granted only to provide more time for a CFM to earn the required CECs. The extension does not change the renewal periods or reduce the requirement or lessen the number of CECs needed for the current and subsequent renewal periods.
- B. The following requirements pertain to the decertification of floodplain managers under TFMA's CFM[®] Program.
1. A CFM may be decertified for failure to fulfill the requirements specified in Section VII.A.2 of the Charter by the renewal date.
 2. CFMs who have failed to respond to the renewal process will be decertified, and thereafter, be required to complete a new application package, pay the initial application fee, and take the CFM exam again in order to regain certification. Plus, a CFM who fails to renew under the renewal process will not be allowed to re-apply and take the exam for a period of 6 months following decertification. If special circumstances prevent timely renewal, the Certification Committee will consider a waiver of these requirements on an individual basis.
 3. A CFM may be decertified for unprofessional conduct if that CFM has:
 - a. Been convicted of a crime directly related to his or her professional duties;
 - b. Falsified, intentionally destroyed, or modified official records or documents relating to his or her professional duties, or otherwise knowingly provided misleading information related to his or her duties or floodplain management;
 - c. Received or solicited money or anything of value directly or indirectly that may be expected to influence his or her actions or judgment in a manner outside of commonly recognized floodplain management practices or values;

- d. Used his or her position in an illegal, dishonest, or unprofessional way to influence or gain a financial or other benefit, advantage or privilege for his or her benefit or for benefit of his or her immediate family or organization with which he or she is associated; or
 - e. Violated the Code of Professional Conduct.
4. Information on a CFM's unprofessional conduct must be submitted to the TFMA Executive Office in writing. No anonymous submittals will be accepted. If the President of TFMA determines that consideration of decertification may be warranted, the charges and all supporting documentation will be provided to the CFM by certified mail. The CFM shall have 30 days upon receipt thereof to respond in writing to the charges.
 5. If a CFM has not responded to the charges of unprofessional conduct by the specified deadline, the CFM will be decertified, and thereafter may not claim to be a "Certified Floodplain Manager" or use the ASFPM Registered Trademark CFM. The CFM will be required to complete a new application package, pay the initial application fee, and take the CFM exam again in order to regain certification; however, the CFM will not be allowed to re-apply for a minimum of one year following decertification.
 6. If the CFM does submit the appropriate papers by the deadline, the procedures as described in Section X of this Charter shall be followed.

C. REVIEW PANEL

If an application for certification or renewal is denied or a CFM challenges the basis for decertification, the person may appeal to the TFMA Board of Directors, according to the guidelines specified below. An appeal is a request for review of a decision by the TFMA Certification Committee. An appeal may be made only on the grounds that the decision was in conflict with this Charter. All actions related to unprofessional conduct or requests for renewal extensions shall be reviewed by TFMA Board of Directions before any action is taken by the Board.

VIII. CONTINUING EDUCATION CREDIT (CEC) REQUIREMENTS.

As stated in the above section, all CFMs must meet the continuing education requirements for renewal. The Certification Committee has determined how many credits of continuing education will be required. During the "first year" when an individual becomes certified as a CFM, the required number of continuing education credits (CECs) shall be six (6), if the CFM becomes certified prior to June 30. There are no "first year" CEC requirements for individuals that become certified after July 1. Beginning January 1 after an individual has become certified the annual CEC requirements are as follows:

The required number of continuing education credits shall be eight (8) CECs during the period from January 1 to December 31 of each year. A CFM can accumulate a maximum of 12 CECs in the calendar year and a maximum of four (4) CECs can be carried over into the following year to satisfy the minimum of eight (8) CECs for the calendar year. The Certification Committee defines continuing education credits as one (1) CEC per hour of instruction of **directly related** floodplain management subject as defined in the CEC document and on ASFPM's webpage www.floods.org. One half (0.5) CEC will be credited per hour of education/training related to **parallel or indirect** subject matter as defined in the CEC document.

The continuing education requirements can be met by attending TFMA's Annual Conference or other training programs offered by TFMA, the State of Texas, FEMA and/or Home Land Security, ASFPM, or other agencies and organizations approved by the Certification Committee or the Education Committee.

The Association of State Floodplain Managers (ASFPM) requirements for a nationally recognized CFM are the minimum requirements for the TFMA CFM[®] Program. If the CEC requirements for ASFPM exceed the TFMA CFM Program CEC requirements listed above, the ASFPM CEC requirements will become the TFMA CFM[®] Program requirements.

IX. NATIONAL ACCREDITATION & DISCLAIMER

Any person granted certification under this Texas CFM[®] Program after May of 2000, will be recognized by ASFPM as an accredited CFM[®]. This recognition shall be valid in all states except those with their own accredited program. States with their own accredited program will determine the conditions of reciprocity in that state.

In the event that the Texas Certified Floodplain Manager Program would cease to exist, all Texas CFMs agree to relinquish their State Certification and not hold TFMA, ASFPM or any other organization or agency responsible for such program termination. TFMA will work with ASFPM to transfer CFM certification to their program. If the CFM Program is continued by another state organization or state agency, certification will be transferred to such organization or agency.

X. APPEALS PROCEDURE

Any appeal is a request for the TFMA Board of Directors to review a decision to grant or deny certification or renewal by the Certification Committee. The act of requesting an appeal is an acknowledgement that the findings of the Board of Directors in the appeal process are final and binding for all parties. An appeal may be made on the grounds that the decision was in conflict with the approval procedures or on other grounds to include, but not limited to:

1. Substantial errors were made in processing the material.
2. Committee's guidelines were not followed.

3. Candidate disagrees with evaluation and files an appeal.

A. Procedures for Initiating an Appeal

If an applicant wishes to appeal the decision of the Certification Committee, the applicant must request an appeal, in writing, within 60 calendar days of being notified of the Certification Committee's actions. The appeal and accompanying documentation should be sent to the attention of the President of the TFMA Board of Directors. The following materials are to be enclosed with the letter requesting an appeal:

1. A copy of the decision being appealed and any other pertinent documentation;
2. A written statement and supporting documentation clearly identifying and arguing the reasons for the appeal, including a list of possible witnesses corroborating the appellant's position; and
3. The appropriate fee. There is no fee for a request for a renewal extension or a review of a charge related to unprofessional conduct.

B. Procedure for Reviewing an Appeal

Upon receipt of a request for an appeal, the following actions will be taken:

1. The TFMA Board of Directors will acknowledge receipt of the materials in writing and indicate if additional materials are needed from the appellant. Such acknowledgement will occur within 60 days of the date of the postmark of the appeal request.
 - a. The TFMA Board of Directors, less those Board members that also serve on the Certification Committee, will investigate the appeal.
 - b. The TFMA Board of Directors (as modified above) will make its decision based on the review of the materials and an interview with the appellant, if warranted. This may be done by teleconference or in person. All expenses involved in facilitating such an interview will be borne by the appellant, regardless of the outcome of the appeal process.
 - c. After the TFMA Board of Directors (as modified above) reviews the materials and completes any interviews (within 60 days of the date of postmark of the appeal request), it shall render a decision to uphold or deny the appeal. In the event the appeal is upheld, i.e., the Certification Committee action is reversed, the appeal fee is refunded to the appellant. If the appeal is denied, i.e., Certification Committee action stands, the appeal fee will not be returned.
 - d. Within 60 days of receipt of all requested materials, TFMA Board of Directors (as modified) will prepare a summary report of its findings. The report will be sent to the appellant. The appellant will be advised that he or she has 30 days to supply any additional comments to the President of

TFMA Board of Directors before the TFMA Board of Directors takes action.

- e. Upon review of any additional information, the TFMA Board of Directors will make the final decision. The Certification Committee and the appellant will be notified by certified mail within 10 days of the TFMA Board of Directors decision.
- f. The decision of the TFMA Board of Directors (as modified) is binding.

XI. RECORD KEEPING

The TFMA Executive Office shall keep a record of all meetings, applications, certifications granted, certifications denied, and appeals. An annual report shall be made to the TFMA Board of Directors and a listing of CFMs shall be displayed at the TFMA annual conference and other meetings as directed by the Board. Individual test results and application materials will be kept confidential.

XII. SCHEDULE OF FEES

In order to cover the costs of administering the CFM[®] Program, fees will be collected for specific actions. All checks shall be made out to TFMA and shall be deposited in the TFMA account. The TFMA Board of Directors will establish fees for application, certification, exam, renewals, appeals, and late fees.

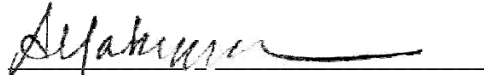
Additional fees may be established as the CFM[®] Program progresses and said fees do not cover expenses required to administer the program.

XIII. RECIPROCITY

TFMA will recognize and grant reciprocity only to individuals that are CFMs in good standing with the ASFPM-administered CFM[®] Program, or with an ASFPM State Chapter whose CFM[®] Program has been approved and accredited with ASFPM. Individuals can apply to TFMA for reciprocity by submitting a TFMA CFM Transfer Application.

XIV. BOARD APPROVAL

This charter of the Texas Floodplain Management Association Certified Floodplain Manager Program is hereby approved by the TFMA Board of Directors by vote taken on April 29, 2008, in League City, Texas.


TFMA President

April 29, 2008
Date


Certification Committee Chair

April 29, 2008
Date

Witness:


Signature

April 29, 2008
Date

James J. Mercier, P.E., CFM
Printed Name