

not required at the time of such service, is evaluated by the OCMI and forwarded to the National Maritime Center for a determination of equivalence.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by USCG-2008-0906, 73 FR 56508, Sept. 29, 2008; USCG-2006-24371, 74 FR 11238, Mar. 16, 2009]

**§ 11.215 [Reserved]**

**§ 11.217 Examination procedures and denial of officer endorsements.**

(a)(1) The examinations for all deck and engineer unlimited officer endorsements are administered at periodic intervals. The examination fee set out in table 10.219(a) in §10.219 of this chapter must be paid before the applicant may take the first examination section. If an applicant fails three or more sections of the examination, a complete reexamination must be taken, but may be taken during any of the scheduled exam periods. On the subsequent exam, if the applicant again fails three or more sections, at least 3 months must lapse before another complete examination is attempted, and a new examination fee is required. If an applicant fails one or two sections of an examination, the applicant may be retested twice on these sections during the next 3 months. If the applicant does not successfully complete these sections within the 3 month period, complete reexamination must be taken after a lapse of at least 3 months from the date of the last retest, and a new examination fee is required. The 3 month retest period may be extended by the OCMI if the applicant presents discharges documenting sea time which prevented the taking of a retest during the 3 month period. The retest period may not be extended beyond 7 months from the initial examination.

(2) The scheduling of all other deck and engineer officer endorsement examinations will be at the discretion of the OCMI. The examination fee set out in table 10.219(a) in §10.219 of this chapter must be paid before the applicant may take the first examination section. In the event of a failure, the applicant may be retested twice whenever the examination can be rescheduled with the OCMI. The applicant must be examined in all of the unsatisfactory

sections of the preceding examination. If the applicant does not successfully complete all parts of the examination during a 3-month period from the initial test date, a complete reexamination must be taken after a lapse of at least 2 months from the date of the last retest, and a new examination fee is required.

(b) If the OCMI refuses to grant an applicant the endorsement for which applied due to failing to pass a required examination, the Coast Guard will provide the applicant a written statement setting forth the portions of the examination which must be retaken and the date by which the examination must be completed.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended at 54 FR 135, Jan. 4, 1989; CGD 91-002, 58 FR 15238, Mar. 19, 1993; CGD 94-029, 61 FR 47064, Sept. 6, 1996; USCG-1997-2799, 64 FR 42815, Aug. 5, 1999; USCG-2006-24371, 74 FR 11239, Mar. 16, 2009]

**§§ 11.219-11.223 [Reserved]**

**Subpart C—Training Schools with Approved Courses**

**§ 11.301 Applicability.**

This subpart prescribes the general requirements applicable to all approved courses which may be accepted in lieu of service experience or examination required by the Coast Guard, or which satisfy course completion requirements.

**§ 11.302 Course approval.**

(a) The Coast Guard approves courses satisfying regulatory requirements and those that substitute for a Coast Guard examination or a portion of a sea service requirement. The owner or operator of a training school desiring to have a course approved by the Coast Guard shall submit a written request to the Commanding Officer, National Maritime Center, NMC-42, 100 Forbes Drive, Martinsburg WV 25404, that contains:

(1) A list of the curriculum including a description of and the number of classroom hours required in each subject;

(2) A description of the facility and equipment;

### § 11.303

(3) A list of instructors including the experience, background, and the qualifications of each; and

(4) Specify the Coast Guard training requirements the course is intended to satisfy.

(b) The Coast Guard notifies each applicant in writing whether or not an approval is granted. If a request for approval is denied, the Coast Guard informs the applicant the reasons for the denial and describes what corrections are required for an approval.

(c) Unless sooner surrendered, suspended or withdrawn, an approval for a course at a training school that meets Coast Guard standards expires 24 months after the month in which it is issued, when the school closes, when the school gives notice that it will no longer offer the course, or on the date of any change in the ownership of the school for which it was issued, whichever occurs first.

(d) If the owner or operator of a training school desires to have a course approval renewed, they shall submit a written request to the address listed in paragraph (a) of this section. For the request to be approved, the Coast Guard must be satisfied that the content and quality of instruction remain satisfactory. Unless sooner surrendered, suspended or withdrawn, a renewal of the approval expires 60 months after the month it is issued, when the school closes, when the school gives notice that it will no longer offer the course, or on the date of any change in ownership of the school for which it is issued, whichever occurs first.

(e) *Suspension of approval.* If the Coast Guard determines that a specific course does not comply with the provisions of 46 CFR parts 10, 11, 12, 13 or 15, or the requirements specified in the course approval; or substantially deviates from the course curriculum package as submitted for approval; or if the course is being presented in a manner that is insufficient to achieve learning objectives; the cognizant OCMI may suspend the approval, may require the holder to surrender the certificate of approval, if any, and may direct the holder to cease claiming the course is Coast Guard approved. The Cognizant OCMI will notify the approval holder in

### 46 CFR Ch. I (10–1–11 Edition)

writing of its intention to suspend the approval and the reasons for suspension. If the approval holder fails to correct the reasons for suspension, the course will be suspended and the matter referred to the Commanding Officer, National Maritime Center. The Commanding Officer, National Maritime Center, will notify the approval holder that the specific course fails to meet applicable requirements, and explain how those deficiencies can be corrected. The Commanding Officer, National Maritime Center, may grant the approval holder up to 60 days in which to correct the deficiencies.

(f) *Withdrawal of approval.* (1) The Commanding Officer, National Maritime Center, may withdraw approval for any course when the approval holder fails to correct the deficiency(ies) of a suspended course within a time period allowed under paragraph (e) of this section.

(2) The Commanding Officer, National Maritime Center, may withdraw approval of any or all courses by an approval holder upon a determination that the approval holder has demonstrated a pattern or history of:

(i) Failing to comply with the applicable regulations or the requirements of course approvals;

(ii) Substantial deviations from their approved course curricula; or

(iii) Presenting courses in a manner that is insufficient to achieve learning objectives.

(g) *Appeals of suspension or withdrawal of approval.* Anyone directly affected by a decision to suspend or withdraw an approval may appeal the decision to the Commandant via the Commanding Officer, National Maritime Center, as provided in § 1.03–40 of this chapter.

[CGD 81–059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 95–072, 60 FR 50460, Sept. 29, 1995; USCG–1998–4442, 63 FR 52189, Sept. 30, 1998; USCG–1998–3824, 64 FR 4984, Feb. 2, 1999; USCG–2004–18884, 69 FR 58342, Sept. 30, 2004; USCG–2008–0906, 73 FR 56508, Sept. 29, 2008; USCG–2006–24371, 74 FR 11239, Mar. 16, 2009; USCG–2010–0759, 75 FR 60002, Sept. 29, 2010]

#### § 11.303 General standards.

Each school with an approved course must:

(a) Have a well maintained facility that accommodates the students in a