

13843, (eff 1/5/24)

Readopt with amendment Fis 1201 and Fis 1202, effective 1-1-14 (Document #10479), to read as follows:

PART Fis 1201 HUNTER EDUCATION PROGRAM

Statutory Authority: RSA 206:10, I and RSA 214:23-b

Fis 1201.01 Course Required.

(a) For purposes of this part, “hunter education course” means a course that meets both the requirements of the basic hunter education program as provided for in RSA 214:23-a, I and the specialized bowhunter education program as provided for in RSA 214:23-a, II.

(b) All hunting or archery license applicants required to obtain a certificate of completion, under RSA 214:23-a, shall first successfully complete a hunter education course, in the classroom or online with a field day.

Fis 1201.02 Student Qualifications.

(a) A student shall be at least 12 years of age, on or before course completion, in order to receive the certificate awarded for successful completion of an in-person hunter education course.

(b) Those students 12 years of age and older shall have priority to attend a hunter education course, if class size restrictions exist.

(c) Instructors shall allow students of any age to attend a hunter education course, if the classroom size and facilities permit.

(d) Students not 12 years of age on or before the completion of the course shall not take the written exam.

(e) Students shall be at least 12 years of age, on or before course completion, to receive the certificate awarded for successful completion of the online hunter education course and required field day.

Fis 1201.03 Student Registration.

(a) Students shall register for a hunter education course or an online hunter education course and field day at the department website: <https://www.wildlife.nh.gov/hunting-nh/hunter-education>.

(b) To register for any hunter education course, each student, parent, or guardian shall establish an online account and provide the student’s full name, date of birth, gender, mailing address, legal address, if different, telephone number, and email address.

(c) After completing the online portion of the hunter education course and passing a pre-field day qualifying exam, online students shall receive an electronic field day voucher via email that includes a link to sign up for a field day. The field day voucher shall be given or shown electronically via phone to the chief instructor when attending the field day.

(c) Students who have no access to the internet may contact the chief instructor or the hunter education program office to find classes or to register.

(d) A parental approval form shall be downloaded, printed, signed by a parent or guardian if the student is under the age of 18, and brought to the in-person hunter education course or field day, for those students taking the online hunter education course.

(e) The “Hunter Education Parental Approval” form, Rev. 07/2023, shall be signed and dated.

Fis 1201.04 Course Requirements.

(a) The in-person hunter education course shall include a minimum of 12 hours and maximum of 18 hours of instruction, including the written and field examinations.

(b) The online hunter education course field day shall include no less than 4 hours and a maximum of 8 hours, including the written and field examinations.

(c) All hunter education courses shall meet the following criteria:

(1) Each student shall be given, or provided online access to, the hunter education student manual and the most recent fish and game hunting digest;

(2) The course shall consist of the following required subject areas:

- a. Introduction to hunter education;
- b. Hunter ethics and responsibility;
- c. Safe firearms handling and familiarization;
- d. Safe handling and familiarization of archery equipment;
- e. Bowhunting topics, to include judging distances and game recovery techniques;
- f. Introduction to other specialty hunting, including muzzleloading and crossbow;
- g. Wildlife management principles, including the North American model;
- h. Game identification and care;
- i. Outdoor safety, including basic first aid, survival, and map and compass;
- j. New Hampshire game laws and rules;
- k. Tree stand safety; and
- l. A description of the Wildlife Restoration Act;

(3) A live-firing experience using .22 caliber rimfire rifles shall be included, in addition to the required hours of instruction, except as provided in Fis 1201.05(h). BB guns or pellet rifles shall not be used except for live-fire exercises that have used such weapons prior to January 1, 2024;

(4) Only department trained and approved hunter education instructors shall teach or participate in hunter education courses, except guest instructors, who are specialists, may teach topics of concern such as injury prevention or hypothermia, provided they hold a license or certificate in the area they are teaching, such as a physician, nurse, E.M.T., or law enforcement officer; and

(5) At least 2 approved hunter education instructors, one of which shall be a chief instructor or assistant chief instructor, shall be present for any in-person instruction during the course.

Fis 1201.05 Successful Completion of the Hunter Education Course.

(a) For successful completion of the hunter education courses, students shall meet the criteria specified in this section.

(b) Student attendance shall be required as follows:

(1) Students shall attend the entire in-person hunter education course before being awarded a certificate of completion; or

(2) Online hunter education students shall complete the online course and attend in person the entire field day before being awarded a certificate of completion.

(c) Students shall pass a written examination, established by the department, with a minimum score of 80 percent.

(d) The written exams shall include questions on subjects covered in the basic course curriculum described in Fis 1201.04(c)(2).

(e) Students in either the in-person or online hunter education course shall pass a practical field examination as part of the hunter education course by successfully demonstrating:

- (1) The ability to identify firearms and types of ammunition;
- (2) The proper and safe handling of firearms;
- (3) The variety of proper carrying positions used while hunting;
- (4) Basic map and compass skills;
- (5) The ability to determine between safe and unsafe shooting scenarios; and
- (6) Distance judging.

(f) No firearms shall be loaded with live ammunition during the field examination.

(g) Students shall participate in a live-firing exercise with .22 caliber rimfire rifles in the in-person hunter education course or the field day portion of the online hunter education course. BB guns or pellet rifles shall not be used except for live-fire exercises that have used such weapons prior to January 1, 2024.

(h) Students in the in-person hunter education class or the online course field day who possess a learning or reading disability shall be given the written exam orally.

(i) If a student fails either the final written exam or the field examination, the instructor shall not issue a certificate of completion. The student shall retake the entire course.

(j) Disruptive students shall be cautioned with another adult or instructor present. Any student warned a third time, or who deliberately acts in an unsafe manner, shall not be certified and shall enroll in another course.

Fis 1201.06 Awarding the Certificate.

(a) Students successfully completing the course of instruction as required in Fis 1201.05 shall be issued a certificate of completion showing the student's name and date of certification and signed by the chief instructor.

(b) The certificate of completion shall also be signed by the student to demonstrate an agreement to:

- (1) Handle firearms or archery equipment so that it is always pointed in a safe direction;
- (2) Positively identify a target before shooting;
- (3) Never release the safety device, cock the firearm, or draw the bow until ready to shoot; and
- (4) Obey all hunting laws, rules, and regulations.

Fis 1201.07 Fees. Instructors teaching in-person hunter education courses or field days shall be permitted to charge a maximum fee of \$5.00 per student to cover incidental expenses related to the course, such as space rental, utilities, mailing, or copying, but such fee shall not be used towards education instruction or material provided by the department and shall not exceed the costs incurred by the instructor.

PART Fis 1202 HUNTER EDUCATION VOLUNTEER INSTRUCTORS

Fis 1202.01 Hunter Education Volunteer Instructors.

- (a) The executive director or designee shall train and approve persons to instruct hunter education courses.
- (b) Applicants for hunter education volunteer positions shall provide the information necessary for a national criminal background check and complete and submit an “Application for Volunteer Instructor Hunter Education Program”, Rev 10/22 and a department of safety criminal record release authorization form.
- (c) All applicants shall satisfy the following requirements before being approved as a volunteer instructor for the hunter education program:
 - (1) Applicants shall be at least 18 years old;
 - (2) Applicants shall hold a certificate of completion, specified in Fis 1201.06, or meet the provisions of RSA 214:23-a;
 - (3) Applicants shall be screened through a national criminal records check and a national sex offender registry check and shall not be approved as a hunter education volunteer instructor if the applicant:
 - a. Has any convictions or fish and game violations within the previous 5 years;
 - b. Has any felony conviction; or
 - c. Exhibits behavior during the training and approval process that the hunter education program coordinator determines would negatively impact the integrity of the hunter education program, including behaviors that would violate the department’s code of conduct or outbursts anger[;
 - (4) Applicants shall attend a minimum 5-hour new instructor training session given by the department;
 - (5) Applicants shall pass the written instructor's examination established by the department with a minimum score of 90 percent;
 - (6) Applicants shall read and sign the department’s education program policies and volunteer code of conduct form and the waiver of liability form;
 - (7) The “Waiver of Liability” form, Rev 07/2023:
 - a. Releases the department and the state from any and all liability for an injury a volunteer may sustain while participating in volunteer activities with the department;
 - b. Stipulates that a volunteer is not an employee and, as such, not covered for personal injury nor entitled to workers compensation;
 - c. Acknowledges the risks, hazards, and dangers associated with volunteer activities, and releases and holds the department harmless, for current and future generations, from all claims, demands, and actions that may arise as a result of injury, death, or property damage sustained by the volunteer;
 - d. Grants the volunteer indemnity under RSA 206:27-i. So long as the volunteer is under the supervision of a department employee and is actually performing assigned volunteer duties, they are protected from civil suits under RSA 99-D, provided no such suit arises from a criminal act of the volunteer;

- e. Grants the volunteer instructor liability insurance during the time when instruction is being furnished, per RSA 214:23-c;
- f. Establishes that the volunteer instructor is under the supervision of the hunter education program coordinator;
- g. Stipulates that the volunteer instructor will abide by all policies and procedures and follow the instructions of their designated supervisor(s); and
- h. Acknowledges that the volunteer's status may be terminated at any time, without cause.

(d) If the applicant fails the instructor exam, the applicant shall be notified and given the opportunity to retake the exam at headquarters within 30 days. If the exam is failed again, the applicant shall attend a second training session. Applicants failing the examination a third time shall not be eligible to be approved as a volunteer instructor.

(e) Upon completion of the requirements of Fis 1202.01(c), the executive director or designee shall approve the volunteer instructor to teach hunter education courses and that approval shall be valid for 2 years and shall expire December 31 at the end of the second calendar year unless the volunteer instructor meets the requirements of Fis 1202.02.

Fis 1202.02 Maintaining Hunter Education Volunteer Instructor Status.

(a) The hunter education program coordinator shall provide confirmation in writing to the volunteer hunter education instructor, every 2 years, of approval of continued volunteer instructor status if the following minimum requirements have been met:

- (1) The volunteer instructor shall teach or participate in at least 2 hunter education courses in the current 2-year approval period; and
- (2) The volunteer instructor shall attend a minimum of one instructor in-service training workshop during the current 2-year approval period or provide written documentation to the hunter education program coordinator of successful completion of professional development activities from a credible organization that contributes to the role and capabilities of a volunteer instructor.

(b) Volunteer instructors failing to meet the requirements of paragraph (a) above shall reapply as described in Fis 1202.01.

Fis 1202.03 Termination of Instructor Status.

(a) Upon written notice, hunter education volunteer instructor approval shall be revoked by the hunter education program coordinator for any of the following acts or omissions:

- (1) Failure to adhere to program policies and procedures;
- (2) Failure to maintain the minimum course requirements and standards;
- (3) Conviction of a felony, misdemeanor, or fish and game violation; or
- (4) Serious unethical or unsafe behavior as determined by the hunter education program coordinator, such as:
 - a. Using alcoholic beverages or illegal drugs before or during hunter education courses;
 - b. Physical or verbal abuse of students;
 - c. Reckless or careless handling of a firearm during a hunter education course;

- d. Wearing a handgun during the course, except for law enforcement officers; or
- e. Misrepresenting fish and game department policies and practices when in the role of a department volunteer instructor.

Fis 1202.04 Chief Instructors.

(a) A chief instructor shall be approved as a hunter education volunteer instructor and shall be responsible for all aspects of scheduling, organizing, facilitating, and coordinating team members in conducting classes, submitting course results, and requesting materials.

(b) Chief instructors shall be appointed by the hunter education coordinator of the fish and game department.

(c) Chief instructors shall be selected based on knowledge of subjects taught in the hunter education program, educational background, teaching experience with the hunter education program, and leadership qualities.

Fis 1202.05 Master Hunter Instructor Trainers.

(a) A master hunter instructor trainer (MHIT) shall be an approved hunter education volunteer instructor and shall be responsible for assisting the hunter education program coordinator of the fish and game department with recruitment, instructor evaluations, instructor training, requesting materials, and other duties as assigned.

(b) The MHIT applicant shall submit a complete and accurate application for the position and shall be appointed by the hunter education coordinator based on knowledge of subjects taught in the hunter education program, educational background, teaching experience with the hunter education program, and leadership qualities.

(c) Each applicant for MHIT shall submit a "Master Hunter Instructor Trainer Application" form, Rev 02-28-2006, which includes the following information:

- (1) The applicant's name, address, and date of birth;
- (2) The names of any clubs or organizations to which the applicant belongs or with which he or she is affiliated;
- (3) The applicant's experience as a chief instructor for the hunter education program, if applicable;
- (4) Any skills, knowledge, education, or experience possessed by the applicant and believed relevant to the position;
- (5) A statement of residency in another state and timeframe of such;
- (6) A statement of any fish and game violations in any state and relevant explanation(s);
- (7) A statement of any misdemeanors or felonies in any state and relevant explanation(s);
- (8) Personal references from at least 2 individuals; and
- (9) An acknowledgment that the volunteer instructor:
 - a. Will support the hunter education program policies and accept the responsibilities of an MHIT;

- b. Is obligated to participate in at least one new instructor training course per year to retain their instructor status;
- c. Has not misrepresented any information on the MHIT application and any discovered misrepresentation may result in the termination of their services; and
- d. Consents to an initial as well as recurring investigations by the Bureau of Criminal Records.

(d) The hunter education program coordinator shall appoint a MHIT whenever a need for assistance is identified.

(e) Each MHIT shall meet the minimum requirement of having served as chief or assistant chief instructor for at least 3 hunter education courses or a minimum of 5 years as a hunter education volunteer instructor.

(f) A MHIT may schedule courses and request materials.

(g) A MHIT shall assist with one audit or one new instructor training annually, in addition to the hunter education volunteer instructor requirements described in Fis 1202.02.

Fis 1202.06 Range Requirements. Hunter education volunteer instructors shall ensure compliance with the following shooting range requirements:

- (a) Eye and ear protection shall be worn by all participants;
- (b) Safety instructions and range commands shall be given to all students;
- (c) Students not actively participating in the firing sequence shall be located and supervised behind a prearranged safety zone or observer line;
- (d) Students shall not be given any reloaded or hand-loaded ammunition;
- (e) Students shall not bring personal firearms to the live-fire or field day portions of a hunter education course;
- (f) Students shall only load and fire with a command from the instructor; and
- (g) Students shall engage the firearm's safety device immediately after firing.

Fis 1202.07 Record Keeping.

(a) At the conclusion of each course, all instructors shall input and submit the instructor hours and mileage into the online event manager, through the department's website at <https://nh-events-admin.s3licensing.com/Staff/Login>.

(b) At the end of the hunter education course, the chief or assistant chief instructor shall report, within 5 days, the following information using the online event manager for each student:

- (1) An indication of whether the student successfully completed the course;
- (2) The reason for any unsuccessful course completion; and
- (3) All information about walk-in students, as specified in Fis 1201.03(b).

(c) Course instructional materials, such as manuals and booklets, may be retained, provided the chief instructor maintains an inventory of items on hand for use when requesting future course supplies.

Fis 1202.08 Tree Stand Use by Students. Students shall not climb into any tree stand used during the hunter education course for demonstrations, unless the tree stand is positioned no more than one foot above the ground.

Fis 1202.09 Classroom or Field Accident Notification.

(a) In the event of an accident during the course, the chief instructor shall notify the hunter education program coordinator within 24 hours or during the first state work day following the accident.

(b) Any unintentional discharge of a firearm, personal injury, or property damage shall be reported in writing by the chief instructor to the hunter education program coordinator within 24 hours or during the first state working day after the accident.

APPENDIX

Rule	Specific State Statute the Rule Implements
Fis 1201.01 – 1201.07	RSA 206:10, I; RSA 214:23-b
Fis 1202.01 – 1202.09	RSA 206:10, I; RSA 214:23-b