Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

12-13

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on 12/8/06 by the
Date prior to or same as filing date

Oregon Board of Architect Examiners — 806
Agency and Division — Administrative Rule Chapter Number

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BAE 7-2006

RULE CAPTION

Reinstatements, Residency, and Renewal Grace Periods

RULEMAKING ACTION
List each rule number separately

FILED
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ARCHIVES DIVISION
SECRETARY OF STATE

AMEND: OAR 806-010-0060 and OAR 806-010-0145

ORS 671.125
Stat. Authority: ORS

Other Authority

ORS 671.080 & ORS 671.125
Stats. Implemented: ORS

RULE SUMMARY

This rule clarifies which subsection applies for reinstatement from inactive status and when the inactive status begins. This rule also eliminates the residency requirement for being eligible for a waiver of continuing professional education (CPE) requirements for renewal and reinstatements.

Carol Halford — Carol Halford, Administrator — 12/13/06
Authorized Signer — Printed Name — Date

*With this original, file one photocopy of this certificate, one paper copy of rules listed in Rulemaking Actions, and one electronic copy of rules.
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806-010-0060 - Abandonment and Reinstatement of Practice

(1) **Inactive Status**. Unless otherwise provided by the Board, a licensee's certificate becomes inactive at the end of the grace periods, or on the 61st day following the renewal deadline date if registrant fails to meet renewal requirements as designated by statute or rule (including, but not limited to, failure to comply with the continuing professional education (CPE) program or failure to pay renewal fees or accrued penalties). A registrant may also request inactive status prior to the 61st day following the renewal deadline date. An inactive Oregon certificate prohibits an architect from practicing architecture in Oregon, as defined by statute and rule. An inactive Oregon certificate also prohibits use of the architect title in Oregon, as defined by statute and rule.

(2) The Board may reinstate an inactive licensee's certificate to practice architecture to active status from inactive status as provided in this rule.

(a) **Inactive for less than or equal to five years**. An inactive licensee whose certificate has been inactive in Oregon for less than, or equal to, five years may gain reinstatement to active status only after:

(A) Filing an application for reinstatement,

(B) Demonstrating current professional proficiency, as outlined under subsection (3)(a) or (3)(b) of this rule, and

(C) Paying the reinstatement fee (See Schedule of Actual Fees, OAR 806-010-0105).

(b) **Inactive over five years**. An individual who held a previously active license in Oregon whose license has been inactive for greater than five years, may gain reinstatement to active status only after:

(A) Filing a current reinstatement application,

(B) Payment of the reinstatement fee and the registration fee (See Schedule of Actual Fees, OAR 806-010-0105),

(C) Demonstration of current professional proficiency, as outlined under subsection (3)(b) or (3)(c) of this rule,

(D) Providing verification of meeting the National Council of Architect Registration Board (NCARB)'s seismic requirements, or the equivalent, as determined by this Board; and

(E) Passing a jurisprudence examination and oral interview by the Board.

(c) "**Architect Emeritus**". An Architect Emeritus seeking reinstatement of his or her Oregon registration that became inactive as an "Architect Emeritus" may gain reinstatement as follows:

(A) An Architect Emeritus in that status **for equal to or less than five years** may gain reinstatement to active status, at the discretion of the Board, only upon:

(i) Filing a reinstatement application;

(ii) Demonstration of current professional proficiency, as outlined in subsection (3) of this rule; and

(iii) Payment of the reinstatement fee.

(B) An Architect Emeritus in that status for **greater than five years** may gain reinstatement to active status only upon meeting the requirements listed in OAR 806-010-0060(2)(b).

(3) "**Current Professional Proficiency**". For purposes of this rule, current professional proficiency may be established by any one of the following:

(a) Submitting to the Board verifiable evidence of compliance with the aggregate continuing professional education (CPE) requirements for the reporting periods that the certificate was inactive in Oregon.

(b) Individuals registered in another jurisdiction that has a mandatory CPE requirement and is recognized by this Board may submit a copy of the certificate of architect registration, or equivalent documentation that demonstrates substantial compliance with Oregon's CPE requirements during the period that the individual's Oregon registration was inactive.

(c) Satisfying the requirements of OAR 806-010-0020 or 806-010-0035.

806-010-0145 - Continuing Professional Education

(1) Every person holding a certificate of registration, as provided for in ORS 671.010 to 671.220, who desires to continue to practice the profession in Oregon, shall annually, complete and submit documentation of continuing professional education as part of the annual renewal process (which covers the annual reporting period of July 1st through June 30th and is due by the close of business on July 1st of each year) per OAR 806-010-0090.

(2) **Purpose and Scope**:

(a) These rules provide for a continuing professional education program to insure that all architects remain informed of those technical subjects necessary to safeguard life, health, property, and promote the public welfare. These rules shall apply to all architect certificate holders in Oregon.

(b) Documentation submittal for continuing professional education shall begin with license renewals effective after June 30, 2000 (first submittal due with 2001 renewals). All architects will be required to show compliance with the education requirements as a condition for renewing registration.

(3) **Requirements**: To renew or reinstate registration, in addition to other requirements, an architect must have acquired continuing professional education for each 12-month period since the architect's last renewal of initial registration, as the case may be, or be exempt from these continuing professional education requirements as provided below. Failure to comply with these requirements may result in non-renewal of the architect's registration, or other disciplinary action or both.

(4) **License Period and Carryover Hours**: Within any 12-month license period, a minimum of 12 contact hours shall be acquired.

(a) Of those 12 hours, a minimum of 8 contact hours shall be public protection subjects, safeguarding life, health, property and promoting the public welfare, acquired in structured educational activities. All 12 hours may be acquired in such subjects and activities.

(b) If an architect exceeds the continuing professional education requirement in a renewal period, the architect may carry a maximum of 12 contact hours forward into the subsequent renewal period. A minimum of 12 contact hours, including the 8 hours of public protection subjects and the allowed carryover hours, shall be obtained and reported annually.

(5) **Reporting and Record Keeping**:

(a) A registered architect shall complete and submit forms approved by the board certifying to the architect's having acquired the required continuing professional education hours.

(b) Architect's submission may be selected for review by the board for verification of compliance with these requirements. Evidence of compliance shall be maintained by the architect for two years after the period for which the form was submitted. If selected for the CPE review by the Board, the applicant must provide such evidence to verify attendance at reported CPE activities.

(c) If the board disallows any continuing professional education hours, the architect shall have six months from notice of disallowance to make up the deficiency by acquiring the required number of contact hours and reporting evidence of the completion of such hours

to the Board. Such contact hours shall not again be used for any subsequent renewal. No such allowance will be made if the board finds following notice and hearing that the architect willfully disregarded these requirements.

(d) One continuing professional education hour shall represent a minimum of 50 minutes of actual course time. No credit will be allowed for introductory remarks, meals, breaks, or administration matters related to courses of study.

(e) Failure to fulfill the continuing professional education requirements and/or file the required annual report, properly and completely, including all required signatures, shall result in non-renewal of an architect's certificate of registration or disciplinary action, or both, unless the completed renewal has been resubmitted and received by the Board prior to the deadline and the minimum CPE requirements have been met.

(f) Continuing professional education shall be acquired during the 12 months immediately preceding the license renewal period, with the exception of the allowed hours carried forward from the previous renewal period (as allowed under OAR 806-010-0145(4)) and the hours allowed during the grace period (as allowed under OAR 806-010-0090 and 806-010-0105).

(g) Any false statements or misrepresentations with respect to course attendance or any other aspect of continuing professional educational activity shall subject the architect to license revocation or other disciplinary action.

(6) **Initial Registration**: An architect, registered in Oregon for less than 12 months from date of initial registration, shall not be required to report continuing professional education hours at the first registration renewal. An architect registered in Oregon for at least 12 months, shall be required to report 12 contact hours, which includes a minimum of 8 hours in public protection subjects, earned in the 12 months preceding the first renewal.

(7) **Activities**: The following suggested list may be used by all registrants in determining the types of activities, which may fulfill continuing professional education requirements. (Refer to section (5) for reporting and record keeping procedures.)

(a) Contact hours in attendance at short courses or seminars, dealing with architectural subjects and sponsored by colleges or universities.

(b) Contact hours in attendance at technical presentations on architectural subjects which are held in conjunction with conventions or at seminars related to materials use and function. Such presentations as those sponsored by the American Institute of Architects, Construction Specifications Institute, Construction Products Manufacturers Council or similar organizations devoted to architectural education may qualify.

(c) Contact hours in attendance at short courses or seminars, relating to business practice or new technology and offered by colleges, universities, professional organizations or system suppliers.

(d) Contact hours acquired in self-study courses such as those sponsored by the National Council of Architectural Registration Boards, American Institute of Architects or similar organizations.

(e) Three preparation hours for each class hour spent teaching architectural courses or seminars. College or University faculty may not claim credit for teaching regular curriculum courses.

(f) Contact hours spent in architectural research, which is published or formally presented to the profession or public.

(g) Reading designated articles in Architectural Record and on Architecturalrecord.com, or similar professional journals, and receiving a certificate of completion issued by the provider. The professional journal articles dated before two years prior to the date of testing will not be allowed as acceptable CPE. The Board will allow continuing professional education (CPE) credit for renewal for no more than 8 hours of CPE each renewal period for professional journal articles meeting this criteria.

(h) College or University credit courses dealing with architectural subjects or business practice. Each semester hour shall equal 15 contact hours. Each quarter hour shall equal 10 contact hours.

(i) Contact hours spent in professional service to the public which draws upon the registrant's professional expertise on boards and commissions, such as: serving on planning commissions, building code advisory boards, urban renewal boards, or code study committees.

(j) Contact hours spent in educational tours of architecturally significant buildings, where the tour is sponsored by a college, university or professional organization.

(k) A maximum of 2 contact hours in health, safety, and welfare subjects annually may be claimed for serving as a mentor or sponsor for the Intern Development Program (IDP).

(l) A maximum of 2 contact hours in practice-related subjects annually may be claimed for participation in a teaching program sharing professional skills, such as the Architects in Schools (AIS) Program.

(8) **Activities Not Allowed**: The purpose of the CPE requirement is to require architects to obtain regular and continual education during the course of their professional life. As such, contact hours spent on the same CPE, even if obtained on different dates, may be used only once during a renewal period to meet the annual renewal/CPE requirements.

(9) **Exemptions**: A registered architect shall be deemed to have complied with the foregoing continuing professional education (CPE) requirements if the architect submits acceptable documentation that for not less than 10 months of the preceding one year period of registration, the architect has met one of the following exemption criteria:

(a) Has served honorably on active duty in the military service (exceeding ninety consecutive days).

(b) Is actively registered as an architect in another jurisdiction, recognized by this Board, that has a mandatory continuing professional education requirement for renewal of an architect registration.

(c) Is a government employee working as an architect and assigned to duty outside the United States.

(d) Special Exemption -- The board shall have authority to make exceptions for reasons of individual hardship, including health (certified by a medical doctor) or other good cause. The architect must provide any information requested by the Board to assist in substantiating hardship cases. This exemption is granted at the sole discretion of the Board.