Secretary of State
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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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To become effective 4/6/10. Rulemaking Notice was published in the January, 2010 Oregon Bulletin.
Date upon filing or later — Month/Year

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RULE CAPTION

Current Professional Proficiency

RULEMAKING ACTION
List each rule number separately

FILED
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ARCHIVES DIVISION
SECRETARY OF STATE

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

ORS 671.125
Stat. Authority: ORS

Other Authority

ORS 671.080 & 671.125
Stats. Implemented: ORS

RULE SUMMARY

This rule amendment modifies the definition of current professional proficiency in order to hold all individual architects licensed in Oregon to the same standards for continuing professional education requirements.

Carol Moeller — Carol Moeller, Administrator — 4/6/10
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) 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)(a) or (3)(b) 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) Satisfying the requirements of OAR 806-010-0020 or 806-010-0035.

Stat. Auth.: ORS 671.125 Stats. Implemented: ORS 671.080 Hist.: AE 5, f. 12-22-64; AE 2-1978, f. & ef. 3-6-78; AE 1-1979, f. 5-31-79, ef. 6-1-79; AE 2-1980, f. & ef. 10-3-80; AE 1-1987, f. & ef. 3-30-87; AE 1-1996, f. 1-23-96, cert. ef. 2-1-96; AE 2-1997, f. & cert. ef. 9-24-97; BAE 1-1999, f. & cert. ef. 3-25-99; BAE 3-2000, f. & cert. ef. 7-24-00; BAE 4-2002, f. & cert. ef. 8-7-02; BAE 2-2004, f. & cert. ef. 3-2-04; BAE 7-2006.f. & cert. ef. 12-13-06

806-010-0145 - Continuing Professional Education

(1) **CPE Required to Practice**: In order to continue to practice architecture in Oregon, every person holding an active certificate of registration with this Board must submit a complete report of CPE as part of the renewal process as outlined in OAR 806-010-0090.

(2) **Purpose and Scope**: These rules provide for a CPE program to insure that all architects remain informed of those technical subjects necessary to safeguard the health, safety, and welfare of the public. These rules will apply to all architect certificate holders in Oregon.

(3) **Requirements**: To renew or reinstate registration, in addition to other requirements, an architect must have acquired CPE for each renewal period since the architect's last renewal, or be exempt from these CPE requirements.

(a) Within a two-year renewal cycle, a minimum of 24 CPE hours must be acquired in subjects that relate to safeguarding the health, safety, and welfare of the public.

(b) If an architect exceeds the CPE requirement in a renewal period, the architect may carry a maximum of 12 CPE hours forward into the next renewal period.

(c) Failure to comply with these requirements may result in non-renewal of the architect's registration, other disciplinary action, or both.

(4) **Initial Registration, Reissued Certificates, and during the**

Transition to two-year renewal cycles: Registrants who receive an initial or reissued certificate to practice architecture in Oregon will comply with the CPE requirements on a pro-rated basis, calculated at one CPE hour per month, including the month of issuance or reissuance, until June 30th of the renewal cycle end.

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

(a) A registered architect must complete and submit forms approved by the board certifying to the architect's having acquired the required CPE hours;

(b) An architect's submission may be selected for review by the board for verification of compliance with these requirements. The architect must maintain evidence of compliance for one renewal cycle beyond 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 CPE hours, the architect shall have six months from notice of disallowance to make up the deficiency by acquiring the required number of CPE hours and reporting evidence of the completion of such hours to the Board. Such CPE hours must 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) Acceptable CPE activities will be reported in a minimum of one hour segments. One CPE hour will 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 CPE requirements and/or file the required renewal report, properly and completely, including all required signatures and fees, shall result in non-renewal of an architect's certificate of registration or disciplinary action, or both, unless a complete renewal has been received by the Board prior to the deadline and the minimum CPE requirements have been met.

(f) In addition to allowed carryover hours, CPE must be acquired during the renewal cycle outlined in OAR 806-010-0090.

(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.

(h) CPE hours may be reported on a current Board renewal form or by submitting a transcript from the American Institute of Architects, Continuing Education Program, that document CPE credits were earned by the architect during the renewal period.

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

(a) CPE hours in attendance at short courses or seminars, in HSW subjects related to the practice of architecture and sponsored by colleges or universities.

(b) CPE hours in attendance at technical presentations in HSW subjects related to the practice of architecture 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 professional organizations.

(c) CPE hours acquired in structured self-study courses such as those sponsored by NCARB, AIA, or similar organizations, and dealing with HSW subjects related to the practice of architecture.

(d) A maximum of three CPE hours may be claimed as preparation time for each class hour spent teaching architectural courses or seminars in HSW subjects. College or University faculty may not claim CPE hours for teaching regular curriculum courses.

(e) CPE hours spent in architectural research in HSW subjects and has

been published or formally presented to the profession or public.

(f) Reading designated articles or completing structured coursework in HSW subjects found in architectural journals or on web sites 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.

(g) Taking and passing college or university credit courses in HSW subject matter and dealing with architectural subjects. Each semester hour of credit awarded by the college or university each term will equal 15 CPE hours. Each quarter hour of credit awarded by the college or university each term will equal 10 CPE hours;

(h) CPE hours spent in professional service to the public which draws upon the registrant's professional expertise on boards and commissions that are charged with the protection of the health, safety, and welfare of the public, such as: serving on councils or commissions, planning commissions, building code advisory boards, budget committees, parks commissions, or urban renewal boards or committees;

(7) **Activities Not Allowed**: The purpose of the CPE requirement for license renewal in Oregon is to require architects to obtain regular and continual education in subjects that relate to the health, safety, and welfare of the public during the course of their professional life. As such, the following CPE hours are not allowed:

(a) Time spent on the same CPE, even if obtained on different dates, may be used only once during a renewal period to meet the renewal/CPE requirements.

(b) Time spent in unstructured programs or self-directed study.

(c) Time spent on architectural educational tours of cities, buildings, or public places, unless there is a significant HSW component to the tour curriculum.

(d) Time spent as a mentor for a person enrolled in the IDP program.

(e) Time spent in any teaching program sharing professional skills, such as the Architects in Schools (AIS) program.

(8) **Exemptions**: A registered architect may be exempt from Oregon's CPE requirements if the architect submits acceptable documentation that for not less than 18 months of the current renewal cycle the architect has met one of the following exemption criteria:

(a) Has served honorably on active duty in the military service;

(b) 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.

[ED. NOTE: Schedules & Forms referenced are available from the agency.]

Stat. Auth.: ORS 671.125Stats. Implemented: ORS 671.125 & 671.080Hist.: BAE 1-2000, f. & cert. ef. 2-23-00; BAE 2-2000, f. & cert. ef. 7-24-00; BAE 3-2001, f. & cert. ef. 10-4-01; BAE 3-2002, f. 7-10-02 cert. ef. 7-15-02; BAE 4-2002, f. & cert. ef. 8-7-02; BAE 1-2003, f. & cert. ef. 1-15-03; BAE 5-2004, f. & cert. ef. 5-5-04; BAE 7-2006, f. & cert. ef. 12-13-06; BAE 2-2008, f. 3-7-08, cert. ef. 7-1-08