8-13

Secretary of State
Certificate and Order for Filing

PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on [7/31/12] by the

Date prior to or same as filing date

Oregon Board of Architect Examiners — 806

Agency and Division — Administrative Rules Chapter Number

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Rules Coordinator — Address — Telephone

to become effective [upon filing]. (Date upon filing or later) Rulemaking Notice was published in the [July 2012] (Month and Year) Oregon Bulletin.**

BAE 3-2012

RULE CAPTION

Architect Continuing Education Rules

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

806-010-0090, 0105, 0145

REPEAL:

RENUMBER:

AMEND & RENUMBER:

FILED
AUG 13 2012
ARCHIVES DIVISION
SECRETARY OF STATE

Stat. Auth.: **ORS 671.020, 671.125**

Other Auth.:

Stats. Implemented: ORS

RULE SUMMARY

Updates rules governing the requirements for continuing education for architects. Aligns Oregon requirements with national standards and practices and helps facilitate reciprocal licensing.

Authorized Signer — Jim Denno (Printed name) — 8/13/12 (Date)

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday. ARC 930-2005

806-010-0090 - Renewal of Architect Registration

(1) The renewal deadline for architect registration certificates is July 1st. Architect registration certificates issued by this Board ending in even numbers expire at the end of the established grace periods in ORS 671.080, on August 30th of even-numbered years. Certificates ending in odd-numbers expire on August 30th of odd-numbered years. To renew, registrants must:

(a) submit a current Board renewal form, fully completed and received in the Board office on or before July 1st of the year in which the license expires;

(b) pay all required renewal fees, including any applicable late fees, specified in OAR 806-010-0105; and

(c) provide any required evidence that the requirements for continuing education in OAR 806-010-0145 have been met.

(2) Registrants who fail to renew their registrations on or before July 1st of the year in which the registration expires will be considered to be delinquent. A delinquent registration may be renewed during the established grace periods by the Board's receipt of a complete renewal, as follows:

(a) not later than July 31st of the year in which the registration expires, including payment of the renewal fee and any applicable late CEH reporting fee; or

(b) after July 31st, but before August 30th of the year in which the registration expires, including payment of the renewal fee, the late renewal fee, and any applicable late CEH reporting fee.

(3) On August 30th following the renewal deadline, the certificate of the architect who fails to pay the renewal fee, any applicable late renewal or late CEH reporting fees, or fails to provide a complete renewal application form to the Board office shall become inactive in Oregon. Reinstatement to active status must be in accordance with the provisions of OAR 806-010-0060.

806-010-0105 – Fee Schedule

(1) Initial Registration:

(a) One year or less — $75;

(b) More than one year to two years — $150;

(2) Renewal — $200;

(a) Late Renewal — $100;

(b) Late CEH — $100;

(3) Examination Application Fee — $75;

(4) Reciprocal Application Fee — $100;

(5) Duplicate Wallet Card or Certificate — $25;

(6) Firm Registration — $100;

(7) Firm Renewal — $100;

(8) Reinstatement — $400;

(9) Miscellaneous:

(a) Labels, lists, or computer disk of licensees — $50;

(b) Copying charges:

(A) The first 5 pages — free;

(B) Additional pages — $0.25 per page.

806-010-0145 - Continuing Education

(1) **Required to Practice**:

(a) In order to continue to practice architecture in Oregon, every person holding an active certificate of registration with this Board must meet continuing education requirements as part of the renewal process outlined in OAR 806-010-0090.

(b) Failure to comply with all continuing education requirements will result in additional fees, non-renewal of the architect's registration, or other disciplinary action.

(c) A Continuing Education Hour (CEH) is one continuous instructional hour (50 to 60 minutes of contact) spent in structured educational activities intended to increase or update the architect's knowledge and competence in Health, Safety and Welfare subjects. If the provider of the structured educational activities prescribes a customary time for completion of such an activity, then such prescribed time shall, unless the Board finds the prescribed time to be unreasonable, be accepted as the architect's time for CEH purposes irrespective of actual time spent on the activity.

(2) **Purpose and Scope**: These rules establish CEH requirements to ensure that all architects remain informed of those technical subjects necessary to safeguard the health, safety, and welfare of the public. These rules apply to all architects in Oregon.

(3) **Requirements**:

(a) To renew or reinstate registration, in addition to other requirements, an architect must have acquired the minimum CEH during each two-year renewal cycle since the architect's last renewal, or be exempt

from these CEH requirements.

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

(c) Health, Safety and Welfare subjects are those technical and professional subjects deemed appropriate to safeguard the public and that are necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment, including but not limited to the following enumerated areas:

(A) Building Systems: structural, mechanical, electrical, plumbing, communications, security, fire protection;

(B) Construction Contract Administration: contracts, bidding, contract negotiations.

(C) Construction Documents: drawings, specifications, delivery methods;

(D) Design: urban planning, master planning, building design, site design, interiors, safety and security measures;

(E) Environmental: energy efficiency, sustainability, natural resources, natural hazards, hazardous materials, weatherproofing, insulation;

(F) Legal: laws, codes, zoning, regulations, standards, life safety, accessibility, ethics, insurance to protect owners and public;

(G) Materials and Methods: construction systems, products, finishes, furnishings, equipment;

(H) Pre-Design: land use analysis; programming, site selection, site and soils analysis, surveying;

(I) Preservation: historic, reuse, adaptation;

(4) **Initial Registration and Reissued Certificates**: An individual who receives an initial or reissued certificate to practice architecture in Oregon will comply with the CEH requirements on a pro-rated basis, calculated at one CEH per month, beginning with the first full month following the month of issuance or reissuance, through the end of the renewal cycle.

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

(a) An architect must complete and submit forms approved by the board certifying to the architect's having acquired the required CEH;

(b) An architect's submission may be selected for review by the board for verification of compliance with these requirements. Evidence of compliance must be maintained by the architect for four years from the date of completion of the CEH. If selected for CEH review by the Board, the architect must provide such evidence to verify attendance at reported CEH activities;

(c) If the board provides written notice that an architect has not met the CEH requirements, the architect shall have 60 days from such notice to complete the required number of CEH and pay the late CEH fee. Such CEH may not be used to meet the requirements of any subsequent renewal. Failure to pay the fee or complete required CEH shall subject the architect to disciplinary action.

(d) Acceptable CEH activities must be reported in a minimum of one-hour segments.

(e) Time spent on the same continuing education course, even if obtained on different dates, may be used only once during any renewal period to meet CEH requirements.

(f) CEH must be acquired during the two year renewal cycle.

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

(h) CEH 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 CEH earned by the architect during the two year renewal cycle.

(6) **Activities**: All CEH are required to be in structured activities in which at least 75% of an activity's content and instructional time must be devoted to health, safety, and welfare subjects related to the practice of architecture, including courses of study or other activities under the areas identified as health, safety, and welfare, as defined under OAR 806-010-0145(3), and provided by qualified individuals or organizations whether delivered by direct contact or distance learning methods.

(7) **Activities Not Allowed**: All architects are required to obtain continuing education in subjects that relate to the health, safety, and welfare of the public. The following continuing education activities do not qualify for meeting CEH requirements:

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

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

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

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

(8) **Exemptions**: An architect may be exempt from Oregon's CEH 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) Individual hardship, which shall include 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. Individual hardship exemption is granted at the sole discretion of the Board.