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TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

BAE 2-2020

CHAPTER 806
STATE BOARD OF ARCHITECT EXAMINERS

FILED
10/20/2020 10:09 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Temporary reduction of continuing education hour requirements for registrations that expire December 31, 2020.

EFFECTIVE DATE: 10/21/2020 THROUGH 03/02/2021

AGENCY APPROVED DATE: 10/16/2020

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NEED FOR THE RULE(S):

Registered architects are required to complete continuing education in order to be eligible to renew their registration. The COVID-19 (Coronavirus) Emergency has impacted the ability for the Board's constituents to obtain this continuing education training during this unprecedented time. In response to the COVID-19 global pandemic, the Board determined there was a need to provide a reduction in the number of continuing education hours (CE) required for registrations that expire December 31, 2020. Some registered architects have struggled to obtain their CE in the face of the pandemic while dealing with issues such as childcare, educational time commitments, and other challenges unique to the crisis. Registrants have indicated they would benefit from a reduction in the CE requirements.

JUSTIFICATION OF TEMPORARY FILING:

Failure to immediately amend this rule will result in registrants continuing to face the unique challenges and fatigue associated with completing the CE requirements during the pandemic. These consequences would be suffered by registrants who are scheduled to renew their registration from November 2020 to March 2021 and could have a disproportionately negative impact on low income registrants, especially those with young children and small business owners. Without the temporary rule, registrants may struggle to complete 24 CE hours by March 1, 2021. This temporary action will provide relief by reducing the CE requirements for registration renewal purposes and allow registrants to focus on other challenges they are facing in the midst of COVID-19.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

The Oregon State Board of Architect Examiners meeting minutes are available on the Board's website, www.osbae.com. The memo and meeting materials are available by submitting a records request to OSBAE. Also available on the Board's website are links to ORS Chapter 671 and OAR Chapter 806.

AMEND: 806-010-0145

RULE TITLE: Continuing Education

RULE SUMMARY: Temporary reduction in continuing education requirements.

RULE TEXT:

(1) In order to renew or reinstate an architect certificate of registration, the registrant must:

(a) Complete 24 hours of continuing education in health, safety, and welfare (HSW) within the two year registration period prior to renewal or reinstatement. Due to the COVID-19 (Coronavirus) Emergency, registered architects who are scheduled to renew their registration on December 31, 2020 must complete only 12 hours of continuing education in health, safety, and welfare (HSW) within the two year registration period prior to renewal.

(b) If the previous registration period was the individual's initial registration in Oregon, the continuing education will be considered satisfied.

(c) If the continuing education is obtained during the renewal grace period, the late continuing education fee in 806-010-0105(4)(b) will be required.

(2) A continuing education hour is defined as one continuous instructional hour (50 to 60 minutes of contact) spent in a structured educational activity.

(3) If the registrant completes two or more courses having substantially the same content during the continuing education cycle, the registrant will only receive continuing education credit for one of the courses.

(4) Making false statements or misrepresentations related to continuing education activities, or failure to comply with continuing education requirements, may result in disciplinary action.

(5) All continuing education must be in architectural health, safety and welfare (HSW) subjects, which 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:

(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) Occupant Comfort: air quality, lighting, acoustics, ergonomics.

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

(j) Preservation: historic, reuse, adaptation.

(6) Continuing education may be audited to verify compliance with these requirements. Evidence of compliance must be maintained by the architect for a minimum of two years from the most recent date of registration or registration renewal in Oregon. If selected for audit, the individual architect must provide evidence to substantiate completion of the continuing education requirements. Acceptable evidence of completion is a certificate or transcript that includes the name of the course provider, registrant's name, course title, completion date and HSW hours received.

(7) The following activities do not qualify for meeting the continuing education 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 health, safety and welfare (HSW) component to the tour curriculum.

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

(d) Time spent as a mentor.

(e) Time spent serving on a board or committee.

(8) An individual may be granted, at the discretion of the Board, full or partial exemption from the continuing education requirements if the individual submits acceptable documentation that one of the following exemption criteria has been met:

(a) Honorable active duty military service during the registration period;

(b) Medical hardship, which shall include health (certified by a medical doctor) or other good cause. The individual must provide any information requested by the Board to substantiate the hardship.

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

STATUTORY/OTHER AUTHORITY: ORS 671.125

STATUTES/OTHER IMPLEMENTED: ORS 671.080, ORS 671.125