

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ARCHITECTS – GENERAL RULES

Filed with the secretary of state on February 20, 2020

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the board of architects by section 308 of the occupational code, 1980 PA 299, MCL 339.308; and on the director of the department of licensing and regulatory affairs by sections 205 and 2009 of the occupational code, 1980 PA 299, MCL 339.205 and 339.2009; and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 339.15101, R 339.15201, R 339.15202, R 339.15204, R 339.15401, R 339.15501, R 339.15502, and R 339.15506 of the Michigan Administrative Code are amended, R 339.15304 and R 339.15404 are added, and R 339.15301, R 339.15402, R 339.15403, R 339.15502a, R 339.15503, R 339.15504, and R 339.15507 are rescinded, as follows:

PART 1. GENERAL PROVISIONS

R 339.15101 Definitions.

Rule 101. (1) As used in these rules:

(a) "Act" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.

(b) "Continuing education" means an instructional course or activity in an approved health, safety, and welfare subject that is designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.

(c) "Course" means any qualifying activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation are not considered activities, except for employer compensated continuing education activities.

(d) "Department" means the department of licensing and regulatory affairs.

(e) "Distance learning" means any of the following:

(i) Courses where an instructor and a licensee may be apart and instruction takes place through online or electronic media.

(ii) Courses, which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.

(iii) Monographs, which are distant learning courses that examine or investigate current and emerging topics in architecture and which can be in the form of an online quiz or test offered by a sponsor that may not require an instructor.

(f) Health, Safety, and Welfare (HSW) subjects” means technical and professional subjects related to the practice of architecture that safeguard the public and that include the continuing education subjects approved under R 339.15506.

(g) “Sponsor” means a person who represents to the public that any of its courses fulfill the requirements of section 2009 of the act for continuing education.

(2) Terms defined in the act have the same meanings when used in these rules.

PART 2. EDUCATION, EXPERIENCE, AND EXAMINATION STANDARDS

R 339.15201 Educational requirement; adoption by reference of educational standard.

Rule 201. (1) An applicant for an architect license shall submit 1 of the following to satisfy the educational requirements under the act:

(a) Transcripts verifying that he or she received a first professional degree from an architectural program that is accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB).

(b) An evaluation report from the Education Evaluation Services for Architects-National Council of Architectural Registration Boards (EESA-NCARB) that states the applicant for architect licensure has met the NCARB Education Standard established in the NCARB Education Guidelines.

(c) A credentials evaluation provided by a current member of the National Association of Credential Evaluation Services (NACES) that verifies the applicant for architect licensure received a degree that satisfies all of the categories, subject areas, and semester credit hour requirements established under the NCARB Education Standard adopted by reference under subrule (2) this rule.

(2) The board adopts by reference in these rules the NCARB Education Standard set forth in the “NCARB Education Guidelines,” effective August 2018. This document is available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing at 611 W. Ottawa St., P.O. Box 30670, Lansing, MI 48909 and at no cost from NCARB at www.ncarb.org or National Council of Architectural Registration Boards, 1401 H St. NW, Suite 500, Washington, DC 20005.

R 339.15202 Experience requirement.

Rule 202. A valid certificate of completion of any internship program from NCARB is required to satisfy the professional experience in architectural work required under the act.

R 339.15204 Examination requirement.

Rule 204. An applicant for an architect license shall submit proof of obtaining a passing score as determined by NCARB on the NCARB Architectural Registration Examination.

PART 3. RELICENSURE

R 339.15301 Rescinded.

R 339.15304 Relicensure requirements.

Rule 304. (1) An applicant whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the act, MCL 339.411(3), by satisfying all of the following requirements:

- (a) Submitting a completed application on a form provided by the department.
- (b) Paying the required fee to the department.
- (c) Submitting proof to the department verifying that he or she has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately preceding the date of the relicensure application. If the department determines that the amount of continuing education hours submitted with the application is deficient, the applicant has 1 year from the date of the application to provide proof of completing the deficient hours.

(2) An applicant whose license has lapsed for 3 years or more after the expiration date of the last license may be relicensed under section 411(4) of the act, MCL 339.411(4), by satisfying all of the following requirements:

- (a) Submitting a completed application on a form provided by the department.
- (b) Paying the required fee to the department.
- (c) Establishing that he or she has met all of the requirements for initial licensure under the act and these rules.
- (d) Submitting proof to the department verifying he or she has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately preceding the date of the relicensure application. If the department determines that the amount of continuing education hours submitted with the application is deficient, the applicant has 1 year from the date of the application to provide proof of completing the deficient hours.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.15401 Model rules of conduct; adoption by reference.

Rule 401. (1) A licensee shall comply with the NCARB model rules of conduct adopted by reference in this rule.

(2) The board adopts by reference in these rules the NCARB model rules of conduct set forth in the document "Model Rules of Conduct 2018-2019" revised July 2018. This

document is available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 W. Ottawa St., P.O. Box 30670, Lansing, MI 48909 and at no cost from NCARB at www.ncarb.org or National Council of Architectural Registration Boards, 1401 H St. NW, Suite 500, Washington, DC 20005.

R 339.15402 Rescinded.

R 339.15403 Rescinded.

R 339.15404 Seal design, use, security, and validation.

Rule 404. (1) Effective 60 days after the promulgation of this rule, the seal of an architect must include the licensee's full name and license number, as shown on his or her state-issued architect license, and indicate "State of Michigan" and "Licensed Architect" in the legend surrounding the seal. The seal must have a design substantially similar to figure 404.

(2) A licensee's seal shall be used by the licensee whose name appears on the seal for so long as the license remains in effect. A licensee is responsible for the security of the licensee's seal.

FIGURE 404



PART 5. LICENSE RENEWAL AND CONTINUING EDUCATION

R 339.15501 License renewal requirement; continuing education waiver.

Rule 501. (1) An applicant for license renewal who has been licensed during the 2-year period immediately preceding the expiration date of the license shall obtain not less than 24 hours of continuing education in activities approved under R 339.15502 during the 2-year period immediately preceding the expiration date of the license.

(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.15502.

(3) A licensee shall retain documentation of satisfying the requirements of this rule and R 339.15502 for a period of 4 years from the date of applying for license renewal.

(4) A licensee is subject to audit under this part and may be required to submit documentation as described under R 339.15502 upon request of the department.

(5) A request for a continuing education waiver pursuant to section 204(2) of the act, MCL 339.204(2), must be received by the department before the expiration date of the license.

R 339.15502 Acceptable continuing education.

Rule 502. (1) The department shall grant credit for continuing education hours that satisfy the requirements in the following chart:

Activity Code	Activity and Proof Required	Number of Credits Earned for Activity and Allowed for Renewal Cycle
1	<p>Completing a continuing education program or activity, regardless of the format in which it is offered, if it is in an HSW subject under R 339.15506 and is approved or offered for continuing education by any of the following:</p> <ul style="list-style-type: none"> • Another state board of architects. • NCARB. • American Institute of Architects. • Construction Specifications Institute. • University of Michigan. • Lawrence Technological University. • University of Detroit Mercy. • Andrews University. • United States Green Building Council. <p>If audited, a licensee shall submit a copy of a letter or a certificate of completion issued by the relevant above-referenced sponsor or organization showing the licensee's name, number of credits earned,</p>	The number of credits approved by the sponsor or the approving organization.

	<p>sponsor name or the name of the organization that approved the continuing education program or activity, and the date or dates on which the program was held or the activity completed.</p>	
2	<p>Passing a postgraduate academic course in an HSW subject under R 339.15506 that is offered by an architectural program that is accredited by NAAB or CACB.</p> <p>If audited, a licensee shall submit a copy of the transcript issued by the NAAB-accredited or CACB-accredited architectural program showing the number of completed credit hours for the academic courses.</p>	<p>Fifteen continuing education hours are granted for each semester credit or 10 continuing education hours are granted for each quarter credit.</p> <p>A maximum of 15 continuing education hours are granted for this activity in each renewal period.</p>
3	<p>Attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, or conference in which the subject matter is an HSW subject under R 339.15506.</p> <p>If audited, a licensee shall submit a copy of a letter or a certificate of completion issued by the sponsor or organization of the seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention or conference showing the licensee's name, sponsor name or the name of the organization, and the date or dates on which the above-referenced activity was held and attended by the licensee.</p>	<p>One continuing education hour is granted for every 50 minutes of continuous instruction.</p> <p>One-half (0.5 credit) of 1 continuing education hour is granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.</p>
4	<p>Teaching, instructing, or presenting a subject that is an HSW subject under R 339.15506.</p> <p>If audited, a licensee shall submit a letter issued by the course or activity sponsor or organization confirming licensee as the teacher, instructor or presenter of a course or activity,</p>	<p>One continuing education hour is granted for every 50 minutes continuous instruction.</p> <p>One-half (0.5 credit) of 1 continuing education hour shall be granted for every additional 25 minutes of continuous instruction</p>

	together with a copy of the course syllabus, or other program documentation, showing that licensee is the instructor, the name of the course or activity, and the date or dates the course or activity took place.	that follows the initial 50 minutes of continuous instruction.
5	<p>Publishing a peer-reviewed paper, article, or book on a subject that is an HSW subject under R 339.15506.</p> <p>If audited, a licensee shall submit a copy of the publication that identifies the licensee as the author of the publication and the publication acceptance letter showing licensee's name, article name, and date of publishing.</p>	<p>Six continuing education hours are granted for this activity.</p> <p>Credit for continuing education hours is not granted for multiple publications of the same peer-review paper, article, or book.</p> <p>A maximum of 12 continuing education hours are granted for this activity during each renewal period.</p>
6	<p>Serving as a voting member on a local, state, or national committee, board, council, or association, if it enhances the participant's knowledge and understanding of architecture. To receive credit, a licensee must participate in at least 50% of the regularly scheduled meetings of the committee, board, council, or association.</p> <p>If audited, a licensee shall submit documentation satisfactory to the department verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association and provide verification of the licensee's status as a voting member on the committee, board, council, or association.</p>	<p>Three continuing education hours are granted for each committee, board, council, or association on which the licensee is a member.</p> <p>A maximum of 3 continuing education hours are granted for this activity during each renewal period.</p>
7	<p>Participating in a company-sponsored seminar or training that is on an HSW subject under R 339.15506.</p> <p>If audited, a licensee shall submit a copy of a letter or a certificate of completion issued by the company or</p>	<p>One continuing education hour is granted for every 50 minutes of continuous instruction.</p> <p>One-half (0.5 credit) of 1 continuing education hour shall be granted for every additional 25</p>

	organization presenting the seminar or training on its behalf, showing the licensee's name, company name or the name of the organization presenting the seminar or training on behalf of the company, subject of seminar or training, and the date or dates on which the above-referenced seminar or training was held and completed by the licensee.	minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.
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(2) Continuing education hours are not granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education credit during the renewal period.

(3) Except as provided under subrule (1) of this rule, 50 minutes of continuous instruction is equal to 1 continuing education hour. For purpose of this rule, "continuous instruction" means the time participating in the activity, not including breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the program.

R 339.15502a Rescinded.

R 339.15503 Rescinded.

R 339.15504 Rescinded.

R 339.15506 HSW subjects for continuing education.

Rule 506. The following continuing education subjects are approved HSW Subjects:

(a) Practice management in 1 of the following topics:

- (i) Applicable laws and regulations.
- (ii) Ethics.
- (iii) Insurance to protect owner and public.
- (iv) Business management.
- (v) Risk management.
- (vi) Design for community needs.
- (vii) Supervisor training.

(b) Project management in 1 of the following topics:

- (i) Project delivery methods.
- (ii) Contract negotiation.
- (iii) Pre-design services.
- (iv) Site and soils analysis.
- (v) Consultant management.
- (vi) Project scheduling.
- (vii) Quality control.

- (viii) Economic assessment.
- (ix) Value engineering.
- (c) Programing and analysis in 1 of the following topics:
 - (i) Land-use analysis.
 - (ii) Programming.
 - (iii) Site selection.
 - (iv) Historic preservation.
 - (v) Adaptive reuse.
 - (vi) Codes, regulations, and standards.
 - (vii) Natural resources.
 - (viii) Hazardous materials.
 - (ix) Resiliency.
 - (x) Life safety.
 - (xi) Feasibility studies.
- (d) Project planning and design in 1 of the following topics:
 - (i) Building systems.
 - (ii) Urban planning.
 - (iii) Master planning.
 - (iv) Building design.
 - (v) Site design.
 - (vi) Safety and security measures.
 - (vii) Energy efficiency.
 - (viii) Sustainability.
 - (ix) Indoor air quality.
 - (x) Ergonomics.
 - (xi) Lighting.
 - (xii) Acoustics.
 - (xiii) Accessibility.
 - (xiv) Construction systems.
 - (xv) Budget development.
- (e) Project development and documentation in 1 of the following topics:
 - (i) Construction documents.
 - (ii) Materials and assemblies.
 - (iii) Fixtures, furnishings, and equipment.
- (f) Construction and evaluation in 1 of the following topics:
 - (i) Construction contract administration.
 - (ii) Bidding and negotiation.
 - (iii) Post occupancy evaluation.
 - (iv) Building commissioning.

R 339.15507 Rescinded.