DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ARCHITECTS – GENERAL RULES

Filed with the secretary of state on May 1, 2023

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) 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 338.15201, R 338.15202, R 338.15204, R 338.15304, R 338.15401, R 338.15404, R 338.15501, and R 338.15502 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 339.15101 Definitions.

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

(a) "CACB" means the Canadian Architectural Certification Board.

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

(c) "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 the licensee's area of professional practice.

(d) "Course" means any qualifying activity with a clear purpose and goal that keeps, improves, or expands 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.

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

(f) "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, that can be in the form of an online quiz or test offered by a sponsor, that may not require an instructor.

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

(h) "NAAB" means the National Architectural Accrediting Board.

(i) "NCARB" means the National Council of Architectural Registration Boards.

(j) "Sponsor" means an individual that represents to the public that any of its courses fulfill the requirements of section 2009 of the code, MCL 339.2009, for continuing education.

(2) A term defined in the code has the same meaning 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 licensure shall provide proof, as directed by the department, verifying 1 of the following to satisfy the educational requirements under the code:

(a) Transcripts verifying that the applicant received a first professional degree from an architectural program that is accredited by the NAAB or the CACB.

(b) An evaluation report from the Education Evaluation Services for Architects-NCARB that states the applicant for 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 that verifies the applicant for licensure received a degree that satisfies all 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 NCARB Education Standard in the "NCARB Education Guidelines," effective January 6, 2021, is adopted by reference. 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 West Ottawa St., P.O. Box 30670, Lansing, Michigan 48909 and at no cost from NCARB at https://www.ncarb.org/ or at the National Council of Architectural Registration Boards, 1401 H Street NW, Suite 500, Washington, DC 20005.

R 339.15202 Experience requirement.

Rule 202. An applicant for licensure shall provide proof, as directed by the department, verifying 1 of the following to satisfy the experience requirements under the code:

(a) A valid certificate of completion of any internship program from NCARB.

(b) Current and continuous licensure in another state or a province of Canada of not less than 5 years.

R 339.15204 Examination requirement.

Rule 204. An applicant for licensure shall provide proof, as directed by the department, verifying a passing score as determined by NCARB on the NCARB Architectural Registration Examination.

PART 3. RELICENSURE

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 code, MCL 339.411, by satisfying all the following requirements:

(a) Provides a completed application on a form provided by the department.

(b) Pays the required fee to the department.

(c) Provides proof, as directed by the department, verifying that the applicant has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately before the date of the relicensure application. If the department determines that the amount of continuing education hours provided with the application is deficient, the applicant has 1 year after 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 code, MCL 339.411, by satisfying all the following requirements:

(a) Provides a completed application on a form provided by the department.

(b) Pays the required fee to the department.

(c) Establishes that the applicant has met all the requirements for initial licensure under the code and these rules.

(d) Providing proof, as directed by the department, verifying that the applicant has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately before the date of the relicensure application. If the department determines that the amount of continuing education hours provided with the application is deficient, the applicant has 1 year after 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 follow the NCARB model rules of conduct adopted by reference in this rule.

(2) The NCARB model rules of conduct in the document "Model Rules of Conduct," revised July 2018, is adopted by reference. 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 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909 and at no cost from NCARB at https://www.ncarb.org/ or at the National Council of Architectural Registration Boards, 1401 H Street NW, Suite 500, Washington, DC 20005.

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

Rule 404. (1) The seal of an architect must include the licensee's name and full license number, as shown on the licensee's 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 equivalent to figure 404.

(2) A licensee's seal must be used by the licensee whose name appears on the seal for as long as the license is 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 before 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 before 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 maintain documentation of satisfying the requirements of this rule and R 339.15502 for a period of 4 years after the date of applying for license renewal.

(4) A licensee is subject to an audit under this part and may have to provide documentation as described under R 339.15502 on request of the department.

(5) The department shall receive a request for a waiver of continuing education requirements for the board's consideration not less than 30 days before the last regularly scheduled board meeting before the expiration date of the license.

R 339.15502 Acceptable continuing education.

Rule 502. (1) As used in this rule, "continuous instruction" means the time taking part in the activity, not including breakfast, lunch, or dinner periods, coffee breaks, or other breaks in the program. Except as provided under subrule (2) of this rule, 50 minutes of continuous instruction is equal to 1 continuing education hour.

(2) 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
(a)	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: - 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. - An NAAB accredited degree granting institution. - United States Green Building Council. If audited, a licensee shall provide 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, sponsor name or the name of the organization that approved the continuing education program or activity, and the date or dates the	The number of credits approved by the sponsor or the approving organization.

	program was held, or the activity completed.	
(b)	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. If audited, a licensee shall provide 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.	Fifteen continuing education hours are granted for each semester credit, or 10 continuing education hours are granted for each quarter credit. A maximum of 15 continuing education hours are granted for this activity in each renewal period.
(c)	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. If audited, a licensee shall provide 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 the activity was held and attended by the licensee.	One continuing education hour is granted for every 50 minutes of continuous instruction. 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.
(d)	Teaching, instructing, or presenting on a subject that is an HSW subject under R 339.15506. If audited, a licensee shall provide a letter issued by the course or activity sponsor or organization confirming the licensee as the teacher, instructor, or presenter of a course or activity, together with a copy of the course syllabus, or other program documentation, showing that licensee is the instructor, the name of the course	One continuing education hour is granted for every 50 minutes continuous instruction. 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.

	or activity, and the date or dates the course or activity took place.	
(e)	Publishing a peer-reviewed paper, article, or book on a subject that is an HSW subject under R 339.15506. If audited, a licensee shall provide a copy of the publication that identifies the licensee as the author of the publication and the publication acceptance letter showing the licensee's name, article name, and the date of publishing.	Six continuing education hours are granted for this activity. Credit for continuing education hours is not granted for multiple publications of the same peer-review paper, article, or book. A maximum of 12 continuing education hours are granted for this activity during each renewal period.
(f)	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 shall take part in not less than 50% of the regularly scheduled meetings of the committee, board, council, or association. If audited, a licensee shall provide documentation satisfactory to the department verifying the licensee's participation in not less than 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.	Three continuing education hours are granted for each committee, board, council, or association that the licensee is a member. A maximum of 3 continuing education hours are granted for this activity during each renewal period.
(g)	Participating in a company-sponsored seminar or training that is on an HSW subject under R 339.15506. If audited, a licensee shall provide a copy of a letter or a certificate of completion issued by the company or 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	One continuing education hour is granted for every 50 minutes of continuous instruction. 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.

	company, subject of seminar or training, and the date or dates the seminar or training was held and completed by the licensee.	

(3) Continuing education hours are not granted for a program or activity that has substantially the same content of a program or activity that the applicant has already earned continuing education credit during the renewal period.