



NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 806
STATE BOARD OF ARCHITECT EXAMINERS

FILED

08/28/2025 9:09 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Updates NCARB Certification and AXP dates. Clarifies title use. Creates criminal conviction preregistration determination process.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/22/2025 4:30 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
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HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 09/16/2025

TIME: 1:00 PM - 2:00 PM

OFFICER: Elizabeth Boxall

IN-PERSON HEARING DETAILS

ADDRESS: Oregon State Board of Architect Examiners, 205 Liberty St. NE, Ste A, Salem, OR 97301

REMOTE HEARING DETAILS

MEETING URL: Click here to join the meeting

PHONE NUMBER: 503-446-4951

SPECIAL INSTRUCTIONS:

Phone conference ID: 598 729 277#

Virtual Meeting ID: 263 621 009 502 8

Virtual Meeting Passcode: UB2VH3H9

NEED FOR THE RULE(S)

1) Update references to NCARB Certification and AXP Guidelines. 2) Clarify architect title use parameters. 3) Create a pre-registration determination process for those with criminal conviction(s).

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Board statutes and rules available at <https://www.oregon.gov/osbae> and NCARB guidelines available at www.ncarb.org.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The proposed new rule and proposed rule amendments have no racial equity impact.

FISCAL AND ECONOMIC IMPACT:

There is no material fiscal impact to registrants or small businesses.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) None; (2)(a) none, (b) none, (c) none.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

The Board is comprised of 5 registrants and 2 public members, which includes small business representation.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

A Rules Advisory Committee was consulted for the Architect Title rule. The remaining amendments are minor revisions that do not warrant the appointment of a Rules Advisory Committee. The proposed new rule is mandated by statute, hence, does not warrant the appointment of a Rules Advisory Committee. The proposed new rule and amendments will be distributed to all actively registered architects, architectural firms, and interested parties, and input will be obtained via the public comment process.

RULES PROPOSED:

806-010-0010, 806-010-0014, 806-010-0037

AMEND: 806-010-0010

RULE SUMMARY: Updates the dates referenced for the National Council of Architectural Registration Board's (NCARB's) Architectural Experience Program (AXP) Guidelines and Certification Guidelines.

CHANGES TO RULE:

806-010-0010

Approved Architect and Firm Registration and Evaluation Programs ¶¶

- (1) The Board adopts the education standard adopted by the National Council of Architectural Registration Boards (NCARB), consisting of a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB), or a professional degree in architecture certified by the CACB from a Canadian University.¶¶
- (2) The Board adopts the requirements in the document titled NCARB Architectural Experience Program (AXP) Guidelines dated ~~May~~November 2024~~5~~5 for the experience requirement for registration.¶¶
- (3) The Board adopts the Architect Registration Examination (ARE) 5.0 prepared by NCARB, and previously adopted versions of the examination, as the approved examination to test applicant qualifications for registration. An applicant shall pass the ARE in accordance with the NCARB standards current at the time the applicant took the examination to obtain an initial registration. The Board shall accept the ARE results as determined by NCARB. To qualify for the ARE, an applicant shall present satisfactory evidence of one of the following:¶¶
 - (a) An architecture degree from an Approved Educational Program; or¶¶
 - (b) Active enrollment in a NCARB-accepted Integrated Path to Architectural Licensure (IPAL) option within an Approved Educational Program.¶¶
- (4) The Board adopts the requirements in the document titled NCARB Certification Guidelines dated July 2022~~5~~5 for the NCARB Certificate under OAR 806-010-0035(3)(f)(A).¶¶

- (5) A person may be considered for registration by the Board by satisfying:¶¶
- (a) The rules for registration by examination under OAR 806-010-0020; or¶¶
 - (b) The rules for registration by reciprocity under OAR 806-010-0035.¶¶
- (6) A firm may be considered for registration by the Board by satisfying the rules under OAR 806-010-0080.¶¶
- (7) To pass the Jurisprudence Exam (JE) an individual must do the following:¶¶
- (a) Complete the JE within 90 minutes; and¶¶
 - (b) Score at least 84 percent.¶¶
- (A) An individual who fails the JE must wait seven days before retaking the examination.¶¶
- (B) Test results are final and binding on the applicant.¶¶
- [Publications: Publications referenced are available from the agency.]
- Statutory/Other Authority: ORS 670, 670.310, 671, 671.041, 671.050, 671.125
- Statutes/Other Implemented: ORS 671.010 - 671.220

RULE SUMMARY: Creates a pre-registration determination process for those with criminal conviction(s).

CHANGES TO RULE:

806-010-0014

Criminal Conviction Determination Process

- (1) Prior to beginning an education program required for registration as an architect, a person who was convicted of a crime may petition the Board for a determination as to whether the criminal conviction or convictions will prevent the individual from receiving a registration issued by the Board to practice architecture in Oregon.¶
- (2) To be complete, a petition must include the following: ¶
 - (a) A complete and signed determination request form;¶
 - (b) The following records related to the final judgment of each criminal conviction:¶
 - (A) A certified copy of the judgment of criminal conviction;¶
 - (B) Any charging document(s);¶
 - (C) All arrest report(s);¶
 - (D) All probation and parole records, if they exist; ¶
 - (c) A written statement from the petitioner regarding the facts underlying the criminal conviction, and any intervening circumstances since the conviction; and¶
 - (d) A written statement or other document listing all criminal convictions, including dates of conviction and a summary of the facts, if the petitioner has more than one criminal conviction.¶
- (3) A separate completed petition must be filed for each criminal conviction for which the petitioner is requesting a determination. ¶
- (4) If any of the records in (2)(b) no longer exist, have been sealed or are otherwise lawfully unavailable to the petitioner, petitioner must provide evidence from the agency, court, or other public body that held the record that the record no longer exists or is lawfully unavailable. ¶
- (5) If any of the documents required under subsections (2) and (4) are not provided, petitioner will have 60 days to provide the required documents or information. Upon failure to comply, the petition will be deemed incomplete and will be closed without a determination. ¶
- (6) The petition, the records and information submitted with the petition, and the Board's determination are subject to Oregon's Public Records Laws, and unless an exemption applies, the information in the petition and determination are subject to public disclosure. ¶
- (7) The Board will reconsider a determination that a criminal conviction prevents the person from obtaining a registration when the person submits a completed application for registration.¶
- (8) Upon reconsideration, the Board may rescind a previous determination that a criminal conviction does not prevent the person from obtaining a registration if the applicant:¶
 - (a) Has allegations or charges pending in criminal court;¶
 - (b) Has failed to disclose a previous criminal conviction;¶
 - (c) Has been convicted of another crime during the period between the determination and the person's submission of a completed application for registration; or ¶
 - (d) Has been convicted of a crime that, during the period between the determination and the person's submission of a completed application for registration, became subject to a change in state or federal law that prohibits registration because of a conviction of that crime.¶
- (9) Failure to disclose a previous criminal conviction includes any misrepresentation of a prior criminal conviction, any concealment or failure to disclose a material fact about a prior criminal conviction, and any other misinformation regarding a prior criminal conviction.¶
- (10) Nothing in this rule prohibits the Board from denying registration when the person submits a completed application for a reason other than conviction of a crime.¶
- (11) A determination under this rule is not a final determination of the Board.

Statutory/Other Authority: ORS 671.125, ORS 670.280(3)

Statutes/Other Implemented: Oregon Laws 2024, chapter 95, section 44 (SB 1552)

AMEND: 806-010-0037

RULE SUMMARY: Clarifies parameters of architect title use. Removes references to use of acronyms.

CHANGES TO RULE:

806-010-0037

Architect Title; ~~Use of "AIA" Acronym~~ ¶

(1) Except as provided in ORS 671.010, ~~ORS 671.020(2), and ORS 671.02065(2), no individual or firm may uand~~ consistent with Oregon and federal constitutional free speech provisions, an individual or entity who is not registered in Oregon to practice architecture may not: ¶

(a) Use the title "Architect" or any modification or derivative such as "architectural" or "architecture" in its name or description of its business activity in a manner that indicates or implies that the individual or firm engages in the practice of architecture, or offers to engage in the practice of architecture in Oregon; ¶

(2b) ~~In accordance with ORS 671.020(1) & (4), 671.030(1), and 671.220(3), the "AIA" acronym may be used to signify professional membership in the American Institute of Architects following the name of a person or entity, providing the person or entity using "AIA" is a member in good standing of the American Institute of Architects and is licensed or registered and in good standing in a jurisdiction recognized by the Board. No person or entity using the "AIA" designation may use it in a manner that misrepresents whether the person is registered or licensed or the entity is registered by the Board to practice~~ Advertise they are authorized to practice architecture in Oregon; or ¶

(c) Use the title "Architect Emeritus", "Architect Emerita", or "Architect Emerit" unless granted the authority by the Board to do so. ¶

(2) OAR 806-010-0037(1) prohibits the use of the title "Architect" or any modification or derivative such as "architectural" or provide "architectural services in Oregon. ¶

(3) ~~Except as provided in this rule, no title, sign, care" when such use misleads; or device may be used to indicate or tend to indicate that an individual or firm or business using the title is practicing architecture or is an architect, or represents in any manner that the individual or firm or business is an architect or architectural practice. ¶~~

(4) Only those individuals notified by the Board that they have been granted Architect Emeritus, Emerita, or Emerit status may use the title "Architect Emeritus," "Architect Emerita," or "Architect Emerit." ~~ceives a consumer seeking services related to designing, in whole or in part, buildings and the space within and appurtenant to buildings in Oregon.~~

Statutory/Other Authority: ORS 670.310, 671.125, 671.220

Statutes/Other Implemented: ORS 671.010 - 671.220/~~SB 224 (2023)~~