

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ARCHITECTS – GENERAL RULES

(By authority conferred on the board by section 308 of 1980 PA 299, MCL 339.308 and on the director of the department of licensing and regulatory affairs by section 205 of 1980 PA 299, MCL 339.205 and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, being 445.2001, 445.2011, 445.2025, and 445.2030)

PART 1. GENERAL PROVISIONS

R 339.15101 Definitions.

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

(a) "Act" means 1980 PA 299, MCL 339.101 to 339.2919, and known as the occupational code.

(b) "Continuing education" means an instructional course or activity 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) "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 include an online quiz or test offered by a sponsor that may not require an instructor.

(e) "HSW subjects" means technical and professional subjects, relevant to the practice of architecture, which contain elements that will enhance the public's health, safety, and welfare.

(f) "Monograph" means a distance learning course that examines or investigates current and emerging topics in architecture.

(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.

History: 1985 AACCS; 2006 AACCS; 2013 AACCS; 2014 AACCS; 2018 AACCS.

R 339.15102 Rescinded.

History: 1985 AACS; 1998-2000 AACS.

R 339.15103 Rescinded.

History: 1985 AACS; 1998-2000 AACS; 2006 AACS; 2014 AACS.

R 339.15104 Rescinded.

History: 1985 AACS; 2001 AACS.

R 339.15105 Rescission.

Rule 105. R 338.551 to R 338.563 and R 338.581 to R 338.588 of the Michigan Administrative Code, appearing on pages 2446 to 2453 of the 1979 Michigan Administrative Code, are rescinded insofar as these rules pertain to architects.

History: 1985 AACS.

PART 2. LICENSING CRITERIA

R 339.15201 Adoption by reference; accreditation; foreign applicants

Rule 201. (1) The board adopts by reference the National Architectural Accrediting Board's (NAAB) "2014 Conditions for Accreditation" and the "2015 Procedures for Accreditation" as the board's determinant of the acceptability of a first professional degree in architecture. The NAAB 2014 Conditions for Accreditation" and the 2015 Procedures for Accreditation are available for inspection and distribution, at cost, from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing at 611 Ottawa St., P.O. Box 30670, Lansing, MI 48909, NAAB by visiting its website at www.naab.org.

(2) Foreign applicants for licensure shall meet the "National Council of Architectural Registration Boards (NCARB) Certification Guidelines," revised July 2016. The board adopts by reference the "Certification Guidelines" that are available for inspection, at cost, from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 Ottawa St., P.O. Box 30670, Lansing, MI 48909, and at no cost, from the NCARB, 1801 K Street, NW, Suite 700-K, Washington, DC 20006, telephone: 202-783-6500, or by visiting the NCARB website at www.ncarb.org.

History: 1985 AACS; 2006 AACS; 2018 AACS.

R 339.15202 Credit for architectural experience.

Rule 202. (1) Submission of a certificate of completion of any internship program by the NCARB shall be accepted as evidence of completion of architectural experience and internship acceptable to the board. The board adopts by reference the standards currently set forth in the publication, “NCARB Architectural Experience Program Guidelines” (AXP), effective June 2016, published by the NCARB. Copies of “NCARB AXP” may be obtained, at cost, from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 Ottawa St., P.O. Box 30670, Lansing, MI 48909, and at no cost from NCARB, 1801 K Street, NW, Suite 700-K, Washington, DC 20006 or by visiting the NCARB website at www.ncarb.org.

(2) Five years of verifiable practice as a licensee in another jurisdiction shall satisfy the internship program requirements for a reciprocal license.

History: 1985 AACS; 1989 AACS; 2006 AACS; 2018 AACS.

R 339.15203 Rescinded.

History: 1985 AACS; 1998-2000 AACS.

R 339.15204 Examination requirement.

Rule 204. The board adopts the NCARB architectural registration examination (ARE) as the acceptable examination for licensure, as required by MCL 339.2004 (1)(b).

History: 2006 AACS.

PART 3. LICENSURE AND SEAL REQUIREMENTS

R 339.15301 Licensure; seal design, use, security, and validation.

Rule 301. (1) After meeting the licensing requirements prescribed by the act and these rules, an applicant shall be licensed by the department according to the act.

(2) The seal of an architect, as required by the act, shall include the licensee’s full name and license number, as shown on his or her state-issued license, and have the following design:

Figure for 339.15301



No other design for a seal shall be used.

(3) 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.

History: 1985 AACCS; 2014 AACCS; 2018 AACCS.

R 339.15302 Rescinded.

History: 1985 AACCS; 2014 AACCS.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.15401 Standard of care and competence; responsibility for complying with building laws and regulations; professional services.

Rule 401. (1) In practicing architecture, an architect shall act with reasonable care and competence and shall apply the technical knowledge and skill which is ordinarily applied by architects of good standing who practice in the same or similar locality.

(2) In designing a project, an architect shall take into account all applicable state and municipal building laws and regulations. While an architect may rely on the advice of other professionals, such as attorneys, engineers, or other qualified persons, as to the intent and meaning of such laws and regulations, an architect shall not knowingly design a project in violation of such laws and regulations.

(3) An architect shall undertake to perform professional services only when he or she, together with those whom the architect may engage as consultants, is qualified by education, training, and experience in the specific technical areas involved.

(4) Professional services shall be offered and performed as follows:

(a) A licensee shall undertake to participate only in those phases of a project in which the licensee is competent by education, training, and experience. In the areas of a project involving professional engineering or land surveying in which the licensee lacks competence, the licensee shall

retain licensed or registered professional associates for those phases of that project.

(b) An architect shall not sign or affix a seal as architect to any plans, specifications, drawings, or other related documents or work products which were not prepared by the licensee or under the licensee's direction and supervision.

History: 1985 AACCS.

R 339.15402 Compensation; disclosure of business association or financial interest; contract decision.

Rule 402. (1) An architect shall not accept compensation for services from more than 1 party on a project, unless the circumstances are fully disclosed in writing and are agreed to in writing by all interested parties.

(2) If acting as the interpreter of building contract documents and the judge of contract performance, an architect shall render decisions impartially.

History: 1985 AACCS.

R 339.15403 Public statements; representation of qualifications; misrepresentation of work responsibility; reporting violations of rules.

Rule 403. (1) An architect making public statements on architectural questions shall disclose when he or she is being compensated for making such statements.

(2) An architect shall accurately represent to a prospective or existing client or employer his or her qualifications.

(3) An architect shall not misrepresent the degree of responsibility in connection with work for which he or she is claiming credit to a client, potential client, or the public.

(4) An architect shall report a violation of these rules by another architect to the board.

History: 1985 AACCS.

PART 5. CONTINUING EDUCATION

R 339.15501 Continuing education in HSW subjects; license renewal; requirements.

Rule 501. (1) A licensee shall obtain continuing education in HSW subjects as specified in R 339.15503.

(2) A licensee shall certify the completion of continuing education requirements in HSW subjects as a condition for licensure renewal in a format prescribed by the department.

(3) A licensee shall submit to the department evidence of fulfillment of the continuing education requirements in HSW subjects within 45 days of a request from the department for the evidence to be submitted.

History: 2013 AACCS; 2018 AACCS.

R 339.15502 Acceptable continuing education in HSW subjects; limitations.

Rule 502. (1) Continuing education may be acquired in another jurisdiction.

(2) The 24 continuing education hours in HSW subjects required under R 339.15503 for renewal of a license shall meet the following requirements:

(a) The licensee shall not earn more than 12 credit hours during a 24-hour period.

(b) A licensee shall not earn continuing education credit for a continuing education program or activity that is identical or substantially similar to a program or activity for which the licensee has already earned credit for during that renewal period.

(c) Continuing education hours shall be granted once for the first time a course is offered or presented provided that the course is not associated with a licensee's regular duties as a member of a facility.

(3) The board adopts by reference the Policy and Procedures for Recognition of Accrediting Organizations by the Council for Higher Education Accreditation (CHEA), effective June 28, 2010, and the procedures and criteria for recognizing accrediting agencies of the U.S. Department of Education, effective July 1, 2010, as contained in 34 C.F.R. §§ 602.1 to 602.50 (1999). Copies of the Policy and Procedures for Recognition of Accrediting Organizations by the CHEA and the U.S. Department of Education are available for inspection and distribution, at cost, from the Board of Architects, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The Policy and Procedures for Recognition of Accrediting Organizations by the CHEA may be obtained, at cost, from the CHEA, One Dupont Circle NW, Suite 510, Washington, DC 20036-1110, or from the council's website at <http://www.chea.org>. The federal recognition criteria may be obtained at no cost from the U.S. Department of Education Office of Postsecondary Education, 1990 K Street, NW, Washington, DC 20006, or from the department's website at <http://www.ed.gov>.

(4) Continuing education hours in HSW subjects may be earned for any of the following activities:

Acti vity Code	Activity and Proof Required	Number of Credits Earned for Activity and Allowed for Renewal Cycle
1	<p>Completing an approved continuing education program or activity related to architecture. A continuing education program or activity is approved, regardless of the format in which it is offered, if it is approved or offered for continuing education credit by any of the following:</p> <ul style="list-style-type: none"> · Another state board of architects · National Council of Architectural Registration Boards · American Institute of Architects · Construction Specifications Institute 	<p>The number of credits approved by the sponsor or the approving organization.</p>

	<ul style="list-style-type: none"> · 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, 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 related to architecture offered by a nationally accredited college or university that satisfies the standards in subrule (3) of this rule.</p> <p>If audited, a licensee shall submit a copy of the transcript issued by the college or university showing the number of completed credit hours for the academic courses related to architecture.</p>	<p>Fifteen continuing education hours in HSW subjects for each semester credit earned. A maximum of 15 continuing education hours in HSW subjects may be earned for this activity in each renewal period.</p>
3	<p>Successfully completing a continuing education course or activity related to architecture.</p> <p>If audited, a licensee shall submit a copy of a letter or a certificate of completion issued by the sponsor or</p>	

	<p>organization of the continuing education course or activity showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the program or continuing education activity, and the date or dates on which the program was held or the activity completed by the licensee.</p>	
4	<p>Successfully completing a distance learning course related to architecture.</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 distance learning course showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the distance learning course, and the date or dates on which the course was held or the course was completed by the licensee.</p>	
5	<p>Attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, or conference.</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>	
6	<p>Teaching, instructing, or presenting an acceptable course or activity related to architecture listed in activity codes 2 through 5, above.</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, 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.</p>	
7	<p>Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice.</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>Up to a maximum of 6 continuing education hours may be earned for publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice.</p>
8	<p>Serving as a member of the Michigan board of architects.</p> <p>If audited, a licensee shall submit documentation satisfactory to the department verifying the licensee's participation in the board meetings.</p>	<p>Two continuing education hours in HSW shall be earned for serving as a member of the Michigan board of architects.</p>
9	<p>Participating in a company-sponsored seminar or training that is designed to enhance professional development in the licensee's area of professional practice.</p> <p>If audited, a licensee shall submit 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</p>	

	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.	
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History: 2013 AACCS; 2018 AACCS.

R 339.15502a Measurement of continuing education hours; "continuous instruction" defined.

Rule 502a. (1) Unless otherwise specified in the rules, the department shall give continuing education credit based on the length of a qualifying program, with 50 minutes of continuous instruction constituting 1 qualifying hour. One-half-credit of continuing education shall be granted for every additional 25 minutes of instruction, after the first hour of credit is earned.

(2) For the purpose of this rule, "continuous instruction" means education time, not including breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the program.

History: 2018 AACCS.

R 339.15503 Continuing education hours required; renewal.

Rule 503. Continuing education hours required for renewal shall be as follows:

(a) A licensee who holds a license for more than 12 months, but less than 24 months from the date of initial licensure shall obtain 12 hours of continuing education for the first renewal period.

(b) A licensee who holds a license for 24 months or more from the date of initial licensure shall obtain 24 hours of continuing education for the renewal period.

History: 2013 AACCS.

R 339.15504 Record keeping for continuing education hours earned; verification of completion.

Rule 504. A licensee shall maintain records of continuing education hours earned for 4 consecutive years. The records shall include both of the following:

(a) The courses or activities completed, the dates when the courses or activities were held, the sponsoring organization, and the continuing education hours earned.

(b) Verification of attendance at a course or activity, such as completion certificates or other supporting documentation.

History: 2013 AACCS; 2018 AACCS.

R 339.15505 Rescinded.

History: 2013 AACCS; 2018 AACCS.

R 339.15506 HSW subjects for continuing education.

Rule 506. HSW subjects acceptable for continuing education may include any of the following:

(a) Building systems: Structural, mechanical, electrical, plumbing, communications, security, and fire protection.

(b) Construction contract administration: Contracts, bidding, and contract negotiations.

(c) Construction documents: Drawings, specifications, and 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, and insulation.

(f) Legal: Laws, codes, zoning, regulations, standards, life safety, accessibility, ethics, and insurance to protect owners and the public.

(g) Materials and methods: Construction systems, products, finishes, furnishings, and equipment.

(h) Pre-design: Land use analysis, programming, site selection, site and soils analysis and surveying.

(i) Preservation: Historic, reuse and adaptation.

(j) Other HSW subjects relevant to architecture.

History: 2013 AACCS; 2018 AACCS.

R 339.15507 Auditing.

Rule 507. The department may establish a process for auditing licensees regarding continuing education for compliance with the act and these rules.

History: 2013 AACCS.