

**TITLE 55. THE BOARD OF GOVERNORS OF THE LICENSED ARCHITECTS,  
LANDSCAPE ARCHITECTS AND REGISTERED COMMERCIAL INTERIOR  
DESIGNERS OF OKLAHOMA**

**CHAPTER 10. LICENSURE AND PRACTICE OF ARCHITECTS, LANDSCAPE  
ARCHITECTS AND REGISTRATION OF COMMERCIAL INTERIOR DESIGNERS**

**Effective September 15, 2022**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**Section**

- 55:10-1-1. Purpose
- 55:10-1-2. Terms defined by statute
- 55:10-1-3. Definitions
- 55:10-1-4. Statutory charges of the Board
- 55:10-1-5. Severability clause
- 55:10-1-6. Operations of the Board
- 55:10-1-7. Service of process

**55:10-1-1. Purpose**

The Rules of this Chapter are set forth for the purpose of interpreting and implementing the Act, establishing the Board and conferring upon it responsibility for licensing Architects, Landscape Architects and registering Registered Commercial Interior Designers. The Act and Rules also requires regulating the practice of architecture and landscape architecture and enforcement of the Act. The Rules of this Chapter are known and cited as OAC 55:10.

**55:10-1-2. Terms defined by statute**

Terms defined in the Act shall have the same meanings when used in this Chapter.

**55:10-1-3. Definitions**

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**Act**" means the currently enacted and effective legislation codified at 59 O.S., Section 46.1, et seq.

"**Applicant**" means an individual who has submitted an application for a License or Registration to the Board.

"**Architect**" means any person who is licensed in the practice of architecture by the State of Oklahoma as hereinafter defined.

"**Architect(s) of Record**" means a Licensee currently licensed as an Architect and in good standing with this Board, that has met statutory and OAC 55:10 requirements, who is directly responsible to the Board for the firm practice, filings, paying all fees, penalties and submitting all documents.

"**ARE**" means the current architect registration examination prepared by NCARB and adopted by the Board as the examination to be used in determining a Candidate's qualifications to practice architecture.

"**AXP**" means Architectural Experience Program, as defined by NCARB.

"**Board**" means the Board of Governors of the Licensed Architects, Landscape Architects and Registered Commercial Interior Designers of Oklahoma.

"**Broadly Experienced**" means a person who can demonstrate that the Board's equivalent education, training and examination standards have been met through a combination of education and comprehensive practice in responsible control in architectural, landscape architecture or as a Registered Commercial Interior Designer. This person is currently licensed or registered in the same profession in another jurisdiction and is in good standing. The person seeking licensure or Registration may be required

to have a personal interview by the Board and the Board may, at its sole discretion, issue a license or registration.

**"Building types"** means the types of buildings found in O.S. 59, Section 46.21b of the Act.

**"Candidate"** means an individual who has been approved to sit for the examinations given by the Board, or who has passed said examinations, but has not been issued a License or Certificate of Registration.

**"CE"** means continuing education.

**"Certificate of Authority"** means the authorization granted by the Board for individuals to practice or offer to practice architecture or landscape architecture in the State through an Entity.

**"Certificate of Title"** means the authorization granted by the Board to an Entity to use the title and offer services under a Registered Commercial Interior Designer.

**"CEU"** means a continuing education unit of one Contact Hour.

**"CIDA"** means Council of Interior Design Accreditation or its successor.

**"CIDQ"** means Council for Interior Designers Qualification, the organization administering examinations and setting model practice standards for the Registration of Interior Designers, or its successor.

**"CLARB"** means Council of Landscape Architectural Registration Boards or its successor.

**"Contact Hour"** means one unit of continuing education of not less than 50 minutes.

**"Entity"** means any group of individuals joined together to offer or contract for services to practice architecture, landscape architecture or under a Registered Commercial Interior Designer. Entity shall include individuals, partnerships, firms, associations, corporations, limited liability companies and limited liability partnership and any other business or professional group recognized under the Act and approved by the Board.

**"Examination"** means the current licensing and registration examinations administered by this Board, or its designee, for Architects, Landscape Architects or Registered Commercial Interior Designers.

**"Fiscal Year"** means July 1 through June 30.

**"IDEP"** means the Interior Design Experience Program, as defined by CIDQ.

**"Intern Architect"** or **"Architectural Intern"** means an individual in the process of obtaining training acceptable to the Board in order to complete requirements and/or is currently testing to pursuing licensure.

**"Intern Landscape Architect"** or **"Landscape Architectural Intern"** means an individual in the process of obtaining credits acceptable to the Board in order to complete requirements and is currently testing to pursue licensing as a Landscape Architect.

**"Issuing jurisdiction"** means the state where the license record of an Applicant, Candidate, or Licensee is kept.

**"LAAB"** means Landscape Architectural Accrediting Board or its successor.

**"LARE"** means the current Landscape Architect Registration Examination prepared by CLARB or its successor and adopted by the Board as the licensing examination to be used in determining a Candidate's qualifications to practice landscape architecture.

**"Landscape Architect"** means an individual licensed to practice landscape architecture in Oklahoma.

**"Landscape Architect of Record"** means a Licensee currently licensed as a Landscape Architect and in good standing with this Board, that has met statutory and OAC 55:10 requirements, who is directly responsible to the Board for the firm practice, filings, paying all fees and penalties, and submitting all documents.

**"License"** means License to practice architecture or landscape architecture issued by the Board and permission to use the title Architect or Landscape Architect.

**"Licensee"** means a licensed Architect or Landscape Architect that practices architecture or landscape architecture.

**"NAAB"** means the National Architectural Accrediting Board or its successor.

**"NASAD"** means the National Association of the Schools of Art and Design or its successor.

**"NCARB"** means National Council of Architectural Registration Boards or its successor.

"**NCIDQ**" means the current National Council of Interior Design Qualification exam, prepared by CIDQ or its successor and adopted by this Board used in determining a Candidate's qualifications to register as an interior designer.

"**Professional Consultant**" means an individual or firm, exhibiting subject matter expertise in the applicable field, retained by an Architect, Landscape Architect, or Registered Commercial Interior Designer who prepares or assists in the preparation of technical design documents issued by the Licensee or Registrant for use in connection with their technical submissions.

"**Prototypical Building**" means any commercial building or space within a commercial building that is intended to be constructed in multiple locations and which conveys an owner's intended uniform business program, plan or image.

"**Prototypical Plans**" are technical submissions for prototypical buildings that are prepared by and under the responsible control of an architect licensed in any jurisdiction in the United States for use in the State of Oklahoma.

"**Reciprocal License**" means a License granted by the Board to an individual to practice architecture or landscape architecture and granting use of the term Architect or Landscape Architect or any derivation of the word based on a current License in good standing in another jurisdiction meeting the requirements for licensing in this State.

"**Reciprocal Registration**" means a registration granted by the Board to an individual to use the title Registered Commercial Interior Designer or any derivation of the word based on the License or Registration in good standing in another jurisdiction meeting the requirements for Registration in this State.

"**Registered Commercial Interior Designer**" means an individual registered by the Board to use the title.

"**Registered Commercial Interior Designer Intern**" means an individual in the process of obtaining training acceptable to the Board in order to complete requirements and/or is currently testing to pursue Registration as a Registered Commercial Interior Designer.

"**Registered Commercial Interior Designer of Record**" means a Registered Commercial Interior Designer in good standing with this Board, that has met statutory and OAC 55:10 requirements, and who is directly responsible to the Board for the activities, filings, paying all fees, penalties and submitting all documents for the Entity having been issued the Certificate of Title.

"**Registrant**" means an individual registered by the Board to use the title Registered Commercial Interior Designer, as a designation of the individual's profession.

"**Registration**" means the authority granted by this Board to a qualified individual to use the term Registered Commercial Interior Designer unless exempt by the Act from Registration.

"**Responsible Control**" shall have the meaning set forth in the Act.

"**Rules**" means this Oklahoma Administrative Code, Title 55, Chapter 10 Rules.

"**Sole proprietorship**" means the only owner of a firm, licensed or registered as an individual by the Board.

"**Sponsor**" means an individual, organization, association, institution or other entity that provides an educational activity for the purpose of fulfilling the continuing educational requirements of the Board.

"**Technical submissions**" has the same meaning as in the Act.

"**UNE**" means the former Landscape Architect licensing examination, prepared by CLARB and adopted by the Board as the licensing examination.

#### **55:10-1-4. Statutory charges of the Board**

Provisions of the Act charge the Board with enforcement and adoption of all reasonable and necessary Rules which it may deem advisable and empowers the Board with authority to deny, suspend, revoke or refuse to renew Licenses, Registrations, Certificates of Authority and Certificates of Title for certain causes. The Act also empowers the Board with civil fining power and does not preclude the Board from using any necessary legal proceedings to enforce its decisions.

#### **55:10-1-5. Severability clause**

Any part of the Rules in this Chapter, found by a Court or the Attorney General to be inconsistent with the provisions thereof as presently exist or are hereafter amended, shall be interpreted so as to comply with such statutes as they presently exist or are hereafter amended and the partial or total invalidity of any section or sections of these Rules shall not affect its valid section. These Rules go through the legislative process, thereby giving them the same effect as law.

**55:10-1-6. Operations of the Board**

Whenever the operation of the Board, the statutes applying thereto, or the Rules in this Chapter are inconsistent with the Oklahoma Administrative Procedures Act, 75 O.S., Sections 250, et. seq, the provisions of the Oklahoma Administrative Procedures Act shall govern.

**55:10-1-7. Service of process**

Service of process may be served in judicial procedures on the Secretary-Treasurer of the Board or Executive Director at the Board's current address.

**SUBCHAPTER 3. ADMINISTRATIVE OPERATIONS**

**Section**

- 55:10-3-1. Conduct of Board meetings
- 55:10-3-2. Duties of Board Officers
- 55:10-3-3. Duties of the Executive Director
- 55:10-3-4. Reimbursement for travel
- 55:10-3-5. Official seal [REVOKED]
- 55:10-3-6. Official records
- 55:10-3-7. Inactive records
- 55:10-3-8. Public records
- 55:10-3-9. Confidential records
- 55:10-3-10. Filing and disposition of petitions for declaratory rulings
- 55:10-3-11. NCARB, CLARB and CIDQ memberships and programs
- 55:10-3-12. Method of payments to Board
- 55:10-3-13. Fees and penalties

**55:10-3-1. Conduct of Board meetings**

- (a) The Board may meet at such place within the State of Oklahoma as may be directed by the Chair or provided in the notice of call for any regular or special meeting and subject to the requirements of the Oklahoma Open Meeting Act, 25 O.S., Sections 301, et seq.
- (b) All meetings shall be conducted in accordance with the current edition of "Robert's Rules of Order".
- (c) A quorum shall consist of six (6) members but official action may not be taken upon any question unless five (5) members vote in accord.
- (d) In the absence of a quorum at any regular or special meeting those members of the Board in attendance shall recess such meeting to any later date.

**55:10-3-2. Duties of Board Officers**

- (a) The duties of the Chair and the Secretary-Treasurer are as defined in the Act.
- (b) The Vice Chair shall, in the absence of the Chair, fulfill all responsibilities of the Chair and, if necessary, succeed the Chair without election during the then current year, and shall perform such other duties as the Board may prescribe.

**55:10-3-3. Duties of the Executive Director**

The Board shall designate an Executive Director who shall have possession, on behalf of the Board, of all the official records of the Board and who shall, under the supervision of the Board, perform such duties as the Board authorizes. The Executive Director shall keep updated information on the examinations and policies of NCARB, CLARB or CIDQ or their successors and report any and all other important information to the Board for consideration, review and action.

**55:10-3-4. Reimbursement for travel**

Members of the Board and staff shall be reimbursed for travel expenses incurred during Board business, as allowed by the State Travel Act.

**55:10-3-5. Official seal [REVOKED]**

**55:10-3-6. Official records**

Among other official records required by law, or by rules of other agencies in support of law, there shall be maintained by the Board accurate and current records including, but not limited to:

- (1) Minutes of all meetings of the Board.
- (2) Records of Licensees and Registrants containing the name, the License or Registration number, and the date of original issuance.
- (3) Files for each current Licensee, Registrant, Applicant or Candidate containing relevant verification and evaluation data, a record of examination grades, and the last known address.
- (4) Certificate of Authority and Certificate of Title files containing the name of each current Entity holding a current certificate, the Architect(s) of Record or Registered Commercial Interior Designer(s) of Record, relevant information of the Entity and the last known address.
- (5) Financial records of funds budgeted, committed, spent, remaining and projections of appropriate request for consideration in budget development.

**55:10-3-7. Inactive records**

All records of the Board over three (3) years old may be deemed inactive and shall be maintained according to state records management requirements.

**55:10-3-8. Public records**

Except confidential records, records of the Board are open to public inspection and copying at any time during normal business hours. A nominal fee may be charged for copying. If extensive time consuming copying or records searches are required, the individual requiring such information or copying must supply personnel to do the tasks required. All records copied or searched shall be kept in the order found and shall be put back in the files as such.

**55:10-3-9. Confidential records**

(a) The Act, at Section 46.24E, provides for certain records of the Board to be confidential and not open to the public for copying or viewing. They are:

- (1) Examination materials, before and after the examination is given;
- (2) File records of examination problem solutions;
- (3) Letters of inquiry and reference concerning Applicants;
- (4) Board inquiry forms concerning Applicants; and
- (5) Investigation files, including the original informal complaint, complainant's information, and any files not presented in a formal public hearing.

(b) Upon request, the Board will examine its investigation files to determine the extent to which material contained in the file should be deemed not confidential and, therefore, may be disclosed. In all cases, the Board, upon inquiry, will confirm a complaint has or has not been received and that an investigation is pending or has been completed.

**55:10-3-10. Filing and disposition of petitions for declaratory rulings**

(a) Any individual may file a request for a declaratory ruling by the Board as to the application or enforcement of any Rules or statute to a given set of circumstances. Such requests shall be in writing, signed by the individual seeking the ruling, state the Rule or statute involved and contain a brief and concise statement of facts to which the ruling shall apply. Requests shall be submitted to the Board at its office, either in person or by mail and may be in any form that meets the requirements stated. The Board will consider the request at its next regular or special meeting unless the question has been resolved by prior ruling of the Board, in which event the petitioner shall be promptly notified of the prior ruling.

(b) The Board may defer action or hold such requests on its agenda pending any investigation or hearing which the Board might conduct. The Board shall issue the requested rulings promptly upon the determination thereof or send an explanation to the petitioner stating why a ruling will not be issued. Unless a ruling states otherwise, rulings contemplated herein shall constitute precedent for the purpose of the Board's application and enforcement of the Rule in this Chapter and statutes until revoked or overruled by the Board or the Courts. Such rulings shall be indexed by statute section or Rules and shall be available for inspection by members of the public at the Board office. With respect to indexed rulings, the Board may delete nonessential or repetitive information and may edit any ruling to protect proprietary or confidential information.

**55:10-3-11. NCARB, CLARB and CIDQ memberships and programs**

The Board may maintain membership in NCARB, CLARB and/or CIDQ or their successors and their regional conferences. It is the intention of the Board, to the extent permitted under Oklahoma law, to support NCARB, CLARB and/or CIDQ or their successors programs. This Board will cooperate with NCARB, CLARB and/or CIDQ in furnishing transcripts of records, administering examinations and rendering assistance in establishing uniform standards of professional qualification.

**55:10-3-12. Method of payments to Board**

Payment of monies shall be made by personal check, money order, credit card, if applicable or cashiers check made payable to "Board of Architects". Notations, explaining the payment remitted, should be on the face of the check or within cover letters of submittal. A fee shall be charged for any payment returned for insufficient funds.

**55:10-3-13. Fees and penalties**

(a) **Schedule of fees and penalties are as follows:**

- (1) Initial and subsequent biennial License, Registration or renewal fee -- \$325.00
- (2) Reciprocal License or Registration application fee -- \$100.00
- (3) Examination & Retake application fee -- \$50.00
- (4) Examination -- Actual Cost
- (5) Late payment penalty -- \$25.00
- (6) Returned (insufficient funds) check fee -- \$25.00
- (7) Reinstatement penalty -- \$200.00
- (8) Certificate of Authority and Certificate of Title application or renewal fee -- \$325.00; revisions--\$100.00
- (9) Duplicate certificate -- \$25.00
- (10) Roster-- \$ .25 per page or electronic copy \$25.00
- (11) Transcript of hearing-- Actual Cost plus \$25.00
- (12) Copy of public records-- \$ .25 per page
- (13) Emeritus License -- All fees waived
- (14) CE reinstatement penalty-- \$1000.00 (per biennial renewal period of noncompliance)
- (15) Civil penalties -- Set by the Act
- (16) Manual processing fee-- \$25.00 per transaction

(17) File Transfer fee-- \$75.00

(b) **Fee exemption based on temporary military deployment.** The Board shall waive all fees, penalties and continuing education, if applicable, during the time Licensees, Registrants or Candidates are called to active military duty in the armed forces of the United States and deployed to a temporary military assignment. In order to obtain this exemption, the Licensees, Registrants or Candidates are required to submit to the Board office military documentation of such deployment. Upon receipt, the staff shall make a note to the file and the Licensees, Registrants or Candidates shall be placed on active military status for the duration of the above-mentioned deployment. At the end of the temporary deployment, the Licensees, Registrants or Candidates shall submit to the Board office within ninety (90) days, military documentation that the individual has returned from deployment. The individual will then be returned to regular active status. All fees, penalties and continuing education, if applicable, will be waived until the beginning of the next biennial License or Registration period. This exemption from fees and penalties shall also apply to the Certificate of Authority or the Certificate of Title if the Licensee is the only Architect of Record or the Registrant is the only Registered Commercial Interior Designer of Record associated with the Entity.

(c) **Fee exemption for active-duty military personnel and spouses.** The Board shall waive the application and license or registration fee for active-duty military personnel and their spouse for the first period of issuance upon satisfactory documentation of formal notice, orders for military transfer or honorable discharge to this state.

(d) **Fee exemption based on low income.** The Board shall grant a one-time waiver of any fees associated with the license or registration upon presentation of satisfactory documentation that an applicant is a low-income individual. This waiver shall not include fees charged by NCARB, CLARB, CIDQ or any other outside organization, nor shall it include any fines or costs assessed as a result of any disciplinary action. Documentation must verify that the individual is enrolled in a state or federal public assistance program, including but not limited to, the Temporary Assistance for Needy Families, Medicaid or the Supplemental Nutrition Assistance Program, or whose household adjusted gross income is below one hundred forty percent (140%) of the federal poverty line or a higher threshold to be set by the executive branch department that oversees business regulation.

(e) **Reinstatement penalty.** This fee applies to individuals who apply to reinstate their License or Registration for any reason or to firms who are reinstating their Certificate of Authority or Certificate of Title.

## **SUBCHAPTER 5. APPLICATION AND ELIGIBILITY FOR LICENSING OR REGISTRATION**

### Section

- 55:10-5-1. Availability of forms and Board records
- 55:10-5-2. Documents required for a License or Registration
- 55:10-5-3. Board action required
- 55:10-5-4. Evaluation criteria
- 55:10-5-5. Registered Interior Designer application deadlines [Revoked]
- 55:10-5-6. Active and inactive applications [Revoked]
- 55:10-5-7. Qualifications for an Architect License
- 55:10-5-8. Qualification for a Landscape Architect License
- 55:10-5-9. Revoked
- 55:10-5-10. Qualifications for Registration as a Registered Commercial Interior Designer
- 55:10-5-11. Qualifications for a Reciprocal License or Registration

**55:10-5-1. Availability of forms and Board records**

All forms required for submission to the Board are available from the Board office or on the Board's online portals. When received complete, they will be entered into the Board records.

**55:10-5-2. Documents required for a License or Registration**

Every individual applying for an initial or reciprocal License or Registration shall submit (i) an application to the Board, accompanied by the applicable fees in 55:10-3-13, a passport quality photograph, original college transcript, letter of good standing and examination grades from initial state, proof of citizenship or alien status, and the required reference forms verifying all training experience, or (ii) transmit a record through NCARB, CLARB or CIDQ or their successors, copies of these documents. Information submitted will be verified and evaluated and subsequent submissions may be required of the Applicant. The forms must be complete and properly executed over the signature of the Applicant. Incomplete applications are withdrawn after one (1) year from the date of receipt by the Board and the Applicant will be required to reapply.

**55:10-5-3. Board action required**

All applications submitted for an initial or reciprocal License or Registration shall be approved or disapproved by the Secretary-Treasurer of the Board, by Board staff, or by Board action. Applications may be approved by the Secretary-Treasurer of the Board only if the application meets all requirements of the Act and these Rules. When Board staff approves an initial or reciprocal application, it shall be ratified by the Board.

**55:10-5-4. Evaluation criteria**

(a) In the Board's evaluation of education and experience credits required, the application shall be subject to the following education and training requirement standards for the applicable profession:

- (1) for Architects, as established by current NCARB standards or its successor, the Act, and these Rules, including equivalent standards;
- (2) for Landscape Architects, as established by current CLARB standards or its successor, the Act, and these Rules, including equivalent standards determined by the Board;
- (3) for Registered Commercial Interior Designers, as established by current CIDQ standards or its successor, the Act, and these Rules, including equivalent standards determined by the Board. See OAC 55:10-5-10.

(b) Rejections of applications will include evaluation reports and instructions for completing requirements.

(c) The order upon which an Applicant completes education, examination, and training may, at the sole discretion of the Board, be considered to have met or not met their requirements.

**55:10-5-4.1. Equivalent education and training standards for Architects. [REVOKED]**

**55:10-5-4.2. Equivalent education and training standards for Landscape Architects [REVOKED]**

**55:10-5-5. Registered Interior Designer application deadlines [Revoked]**

**55:10-5-6. Active and inactive applications [Revoked]**

**55:10-5-7. Qualifications for an Architect License**

(a) **General requirements.** The standard for an initial License to practice architecture in Oklahoma shall be:

- (1) Completion of a professional degree from an NAAB accredited program in a school of architecture;
- (2) Completion of NCARB's experience/training program; and



- (3) Passage of the NCARB examinations or equivalent examinations prior to licensing.
- (b) **Equivalent Education and Training.** The Board may accept an Architect who meets the Board's equivalent standards of acceptable education and experience, licensure in good standing in another jurisdiction or country, and passage of the NCARB examinations or its equivalent, as determined by the Board in its sole discretion.
- (c) **State Exam Required.** All Applicants shall take and pass an examination on the Act and these Rules.

**55:10-5-7.1. Equivalent standards for architects**

(a) **Education and training equivalent requirements for licensing.** A person seeking licensure through equivalent standards is required to have five years of professional education credits as established below, to have completed NCARB's experience/training program or equivalent practical training acceptable to the Board in its sole discretion, and to have passed the NCARB examinations or equivalent examinations prior to licensing.

(1) Education credits allowed toward the first professional degree in architecture, or credits toward the first professional degree, where the degree program has been accredited by the National Architectural Accrediting Board (NAAB) not later than two (2) years after termination of enrollment.

- (A) 75% credit allowed first two (2) years
- (B) 100% credit allowed succeeding years
- (C) Five (5) years maximum credit allowed

(2) Education credits allowed toward the first professional degree in architecture, or credits toward that degree, where the degree program has not been accredited by NAAB within two (2) years of graduation.

- (A) 75% credit allowed first two (2) years
- (B) 75% credit allowed succeeding years
- (C) Four (4) years maximum credit allowed

(3) Education credits allowed toward a foreign bachelor degree in architecture or credits toward that degree accredited by a national or internationally recognized accrediting council or entity acceptable to the Board as equivalent to (a)(1) of this section, in its sole discretion.

- (A) 75% credit allowed first two (2) years
- (B) 100% credit allowed succeeding years
- (C) Five (5) years maximum credit allowed

(4) Education credits allowed toward any other pre-professional related bachelor degree: three (3) years maximum credit allowed

(5) Education credits allowed for diversified experience directly related to architectural work as an employee in the office of a licensed architect.

- (A) 50% credit allowed first two (2) years
- (B) 50% credit allowed succeeding years
- (C) Five (5) years maximum credit allowed
- (D) 100% training credits allowed; no limit

(6) Education credits allowed for diversified experience, practicing as a principal, with verified record of substantial practice, directly related to architectural work.

- (A) 50% credit allowed first two (2) years
- (B) 50% credit allowed succeeding years
- (C) Five (5) years maximum credit allowed
- (D) 100% training credits allowed; no limit

(7) Education credits allowed for diversified experience as an employee of an organization (other than offices of licensed architects) when the experience is related to architectural work and is under the personal supervision of a licensed architect.

- (A) 50% credit allowed first two (2) years
- (B) 50% credit allowed succeeding years

- (C) Four (4) years maximum credit allowed
  - (D) 100% training credits allowed; two (2) year maximum limit
- (8) Education credits allowed for experience as an employee of an organization (other than offices of licensed architects) when the experience is in a foreign country or on a military installation and directly related to architectural work but is not under direct supervision of a licensed architect in good standing in the United States or Canada, but rather a foreign credential entity or the military. And equates to (a)(5) of this section by the Board in its sole discretion.
- (A) 50% credit allowed first two (2) years
  - (B) 50% credit allowed succeeding years
  - (C) Five (5) years maximum credit allowed
  - (D) 100% training credits allowed; no limit
- (9) Education credits allowed for experience, other than (a)(5-8) of this section, directly related to on-site building construction operation or experience involving physical analyses of existing buildings.
- (A) No education credits allowed
  - (B) 50% training credits allowed; six (6) month maximum limit
- (10) Education credits allowed for non-diversified experience in architecture under the direct supervision of a licensed architect or engineer.
- (A) No education credits allowed
  - (B) 50% training credits allowed; six (6) month maximum limit
- (11) Education credits allowed for a Master or Doctoral degree in architecture (except where the degree is the first professional degree) where it is a second accredited professional degree.
- (A) No education credits allowed
  - (B) 100% training credits allowed; one (1) year maximum limit
- (12) Education credits allowed full time teaching or research in an NAAB accredited architectural program.
- (A) No education credits allowed
  - (B) 100% training credits allowed; one (1) year maximum limit
- (13) Education credits allowed other education or training experience. See (b)(5)(B) of this section.)
- (b) Explanation of Requirements.**
- (1) Licensing Standards**
- (A) To be granted licensure, an applicant must:
    - (i) Hold a high school diploma or equivalent;
    - (ii) Hold an NAAB accredited degree in architecture or have at least five (5) years of education credits using these standards and the Board's current Rules;
    - (iii) Have at least three (3) years of diversified acceptable training credits;
    - (iv) Hold a current registration to practice architecture issued by an NCARB member board or foreign accrediting entity;
    - (v) Have passed the NCARB Architect Registration Examination (ARE), the NCARB Professional Examination (and the Qualifying Test or the Equivalency Examination when applicable by NCARB standards) or the NCARB 7-part, 36-hour Examination; provided such examinations and the grading procedures applied were in accordance with NCARB standards current at the time the applicant sat for the examinations or
    - (vi) Have passed an acceptable foreign examination comparable to the United States examinations at the sole discretion of the Board; and
    - (vii) Take and pass an examination on the Oklahoma Act and these Rules.
  - (B) Licensing standard deficiencies: Applicants who have not met the education requirements stated in 55:10-5-7.1 (b)(1)(A)(ii) may nonetheless be granted licensure if the applicant has accumulated ten or more years of training credits, in addition to the three (3) years required for training experience, and has passed an examination as determined by the

Board.

**(2) Examination Deficiencies.**

(A) The Board may waive deficiencies in the applicant's examination procedure arising from examination transitions, if, in its judgment, such deficiencies are minor in nature or, if substantial, have been adequately compensated for by some equivalent proof of the applicant's competency.

(B) The transition rules relating to the implementation of any NCARB examinations will be followed by this Board.

**(3) Education credits.** Education credits shall be subject to the following conditions:

(A) No education credits may be earned prior to graduation from high school.

(B) Applicants with the degree specified in (a)(1-4) of this section will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program. Applicants without the degree specified in (a)(1-2) of this section may not accumulate more than three (3) years of education credits in the aggregate from all degree programs.

(C) Thirty-two (32) Semester credit hours or forty-eight (48) quarter credit hours are considered to be one (1) year. Fractions of a year of one-half or greater will be considered one-half year, and smaller fractions will not be counted.

(D) Foreign education credits will be granted only under classifications in (a)(3-4) of this section, unless the Board determines the degree is equivalent to the NAAB educational requirements. Any cost of translation and evaluation will be borne by the applicant.

**(4) Training Credits.** Training credits shall be subjected to the following conditions:

(A) No training credits may be earned prior to accumulating three (3) education credits

(B) Every applicant must earn at least one (1) year of training credit under (a)(5-7) of this section, and must earn it after earning five (5) years of education credits

(C) To earn credit under (a)(11) or (12) of this section, an applicant's credit hours must be in subjects evaluated by the Board as directly related to architecture. Twenty (20) semester credit hours or thirty (30) quarter credit hours of teaching or equivalent time in research will equal one (1) year.

(D) No credit used as an education credit may be used as a training credit

(E) Organizations will be considered to be "offices of licensed architects" if:

(i) the architectural practice of the organization in which the applicant works is in the charge of a licensed person practicing as a principal and the applicant works under the personal supervision of a licensed architect; and

(ii) the organization may engage in construction.

(F) An organization (or affiliate) is engaging in construction if it customarily engages in either of the following activities:

(i) undertakes to provide labor and/or material for all or any significant portion of a construction project, whether on lump sum, cost plus or other basis of compensation, or

(ii) agrees to guarantee to an owner the maximum construction cost for all or any significant portion of a construction project.

(G) A person practices as a "principal" by being

(i) a licensed architect and

(ii) the person in charge of the organization's architectural practice, either alone or with other licensed architects, landscape architects and/or engineers.

(H) In evaluation of training credits prior to licensing, the Board requires the applicant to substantiate training experience by comparing this experience to the training requirements as indicated in these standards and the Board's current Rules.

**(5) General evaluation criteria.**

(A) To earn full education and/or training credits under (a)(5-10) of this section, an

applicant must work at least thirty-two (32) hours per week for a minimum period of six (6) consecutive weeks. An applicant may earn one-half the credit specified under (a)(5) of this section for work of at least fifteen (15) hours per week in periods of six (6) or more consecutive weeks; no credit will be given for part-time work in any category other than (a)(5-7) of this section.

(B) Other education and training may be substituted for the requirements outlined above, only insofar as the Board considers them to be equivalent to the required qualifications.

(C) In evaluation credits, the Board may, prior to licensure, require substantiation of the quality and character of the applicant's experience, notwithstanding the fact that the applicant has complied with the technical education and training requirements set forth above.

#### **55:10-5-8. Qualifications for a Landscape Architect License**

(a) **General requirements.** The standard for an initial License to practice landscape architecture shall be:

(1) Completion of a professional degree from an LAAB accredited program in a school of landscape architecture;

(2) Verification of three (3) years of acceptable training credits as provided below or as established by CLARB; and

(3) Passage of the CLARB examinations or equivalent examinations.

(b) **Equivalent Education and Training.** The Board may accept a Landscape Architect who meets the Board's equivalent standards of acceptable education and experience, licensure in good standing in another jurisdiction or country, and passage of the CLARB examinations or its equivalent, as determined by the Board in its sole discretion.

(c) **Training credits.**

(1) Training credits may not be counted prior to completion of the third year of college or a pre-professional degree. Thirty-two (32) semester credit hours or forty-eight (48) quarter credit hours are considered to be one (1) year. Fractions of one-half or greater will be considered one-half year and smaller fractions will not be counted. To earn full training credits, an Applicant must work at least (32) to (35) hours per week for a minimum of two consecutive months. A Candidate may earn one-half the credit specified for work of at least fifteen (15) hours per week for a minimum of four consecutive months. Training credits may also be earned by any person who works outside the U.S. or Canada if the person is under the Responsible Control of a person credentialed to practice landscape architecture, architecture, engineering or planner and the supervision person is not registered in a U.S. or Canadian jurisdiction.

(2) Training credits are defined as follows:

(A) Diversified landscape architectural experience under the Responsible Control of a licensed Landscape Architect.

(i) 100% credit

(ii) No limit to credit

(iii) Practicing as a principal in good standing as a landscape architecture for six (6) years full time, shall be deemed to have satisfied the training requirement.

(B) Diversified landscape architectural experience under the Responsible Control of a licensed Architect, engineer or credentialed planner in good standing.

(i) 100% credit

(ii) Two (2) years maximum credit

(C) Landscape architectural experience directly related to on site construction, maintenance, or installation operations.

(i) 50% credit

(ii) 1 year maximum credit

(D) Non-diversified experience in landscape architecture under the Responsible Control of a licensed Landscape Architect, engineer, Architect or credentialed planner in good standing.

(i) 50% credit

(ii) One (1) year maximum credit

(c) **State exams required.** All Applicants shall take and pass an examination on the Act and these Rules and an examination on Oklahoma plant materials.

**55:10-5-8.1. Equivalent standards for landscape architects**

(a) **Education and training equivalent requirements for licensure.** A person seeking licensure through equivalent standards shall be an individual not less than 21 years of age, is required to have five years of professional education credits as established, verify completion of a 3-year national and/or international diverse training program as stated in section 55:10-5-8 or equivalent practical training acceptable to the Board in its sole discretion and passage of the CLARB examinations or equivalent examinations.

(1) Education credits allowed toward first professional degree in landscape architecture, or credits toward the first professional degree, where the degree program has been accredited by the Landscape Architectural Accrediting Board (LAAB) not later than two years after termination of enrollment.

(A) 75% credit allowed first two (2) years

(B) 100% credit allowed succeeding years

(C) Five (5) years maximum credit allowed

(2) Education credits allowed toward first professional degree in landscape architecture, or credits accredited by LAAB within two (2) years of graduation.

(A) 75% credit allowed first two (2) years

(B) 75% credit allowed succeeding years

(C) Four (4) years maximum credit allowed

(3) Education credits allowed toward a foreign bachelor degree in landscape architecture or credits toward that degree accredited by a national or internationally recognized accrediting council or entity acceptable to the Board as equivalent to (a)(1) of this section, in its sole discretion.

(A) 75% credit allowed first two (2) years

(B) 100% credit allowed succeeding years

(C) Five (5) years maximum credit allowed

(4) Education credits allowed toward any other pre-professional related bachelor degree or credits toward that degree: three (3) years maximum credit allowed

(5) Education credits allowed for diversified experience directly related to landscape architecture as an employee in the offices of a licensed or credentialed landscape architect

(A) 50% credit allowed first two (2) years

(B) 50% credit allowed succeeding years

(C) Five (5) years maximum credit allowed

(D) 100% training credits allowed; no limit

(6) Education credits allowed for diversified experience, practicing as a principal, with a verified record of substantial practice, directly related to landscape architecture work.

(A) 50% credit allowed first two (2) years

(B) 50% credit allowed succeeding years

(C) Five (5) years maximum credit allowed

(D) 100% training credits allowed; no limit

(7) Education credits allowed for diversified experience as an employee of an organization (other than offices of a licensed landscape architect) when the experience is related to landscape architecture work and is under the personal supervision of a licensed landscape architect, architect, civil engineer or credentialed planner in good standing

(A) 50% credit allowed first two (2) years

- (B) 50% credit allowed succeeding years
  - (C) Four (4) years maximum credit allowed
  - (D) 100% training credits allowed; two (2) year maximum limit
- (8) Education credits allowed for experience as an employee of an organization (other than offices of licensed landscape architects) when the experience is in a foreign country or on a military installation and directly related to landscape architectural work but is not under direct supervision of a licensed engineer, architect, landscape architect or credentialed planner in good standing in the United States or Canada, but rather a foreign credential entity or the military and equates to (a)(5) of this section, by the Board in its sole discretion.
- (A) 50% credit allowed first two (2) years
  - (B) 50% credit allowed succeeding years
  - (C) Five (5) years maximum credit allowed
  - (D) 100% training credits allowed; no limit.
- (9) Education credits allowed for experience, other than (a)(5-8) of this section, directly related to on-site building construction, maintenance, or installation operations
- (A) No education credits allowed
  - (B) 50% training credits allowed; one (1) year maximum limit
- (10) Education credits allowed for non-diversified experience in landscape architecture under the personal supervision of a licensed landscape architect, architect, engineer or credentialed planner in good standing.
- (A) No education credits allowed
  - (B) 50% training credits allowed; one (1) year maximum limit
- (11) Education credits allowed for a Master or Doctoral degree in landscape architecture (except where the degree is the first professional degree) where it is a second accredited professional degree.
- (A) No education credits allowed
  - (B) 100% training credits allowed; one (1) year maximum limit
- (12) Education credits allowed for full time teaching or research in an LAAB accredited landscape architect program.
- (A) No education credits allowed
  - (B) 100% training credits allowed; one (1) year maximum limit
- (13) Education credits allowed for other education and experience. See (b)(5)(B) of this section.
- (b) **Explanation of requirements.**
- (1) **Licensing standards.**
- (A) To be granted licensure, an applicant must:
    - (i) Hold a high school diploma or equivalent;
    - (ii) Hold an LAAB accredited degree in landscape architecture or have at least five (5) years of education credits using these standards and the Board's current Rules;
    - (iii) Have at least three (3) years of diversified acceptable training credits;
    - (iv) Hold a current registration to practice landscape architecture issued by a CLARB member board or foreign accrediting entity;
    - (v) Have passed the CLARB Landscape Architect Registration Examination (LARE), the CLARB Uniform National Examination (UNE) or a state administered examination prior to national testing methods; provided such examinations and the grading procedures applied were in accordance with CLARB standards and/or this State's standards current at the time the applicant sat for the examinations or
    - (vi) Have passed an acceptable foreign examination comparable to the United States examinations at the sole discretion of the Board; and
    - (vii) Take and pass an examination on the Oklahoma Act and these Rules and an examination on Oklahoma plant materials.

(B) Licensing standard deficiencies: Applicants who have not met the education requirements stated in 55:10-5-8.1 (b)(1)(A)(ii) may nonetheless be granted licensure if the applicant has accumulated ten or more years of training credits, in addition to the three (3) years required for training experience, and has passed an examination as determined by the Board.

**(2) Examination deficiencies.**

(A) The Board may waive deficiencies in the applicant's examination procedure arising from examination transitions, if, in its judgment, such deficiencies are minor in nature or, if substantial, have been adequately compensated for by some equivalent proof of the applicant's competency.

(B) The transition rules relating to the implementation of any CLARB examinations will be followed by this Board.

**(3) Education credits.** Education Credits shall be subject to the following conditions:

(A) No education credits may be earned prior to graduation from high school

(B) Applicants with the degree specified in (a)(1-4) of this section, will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program. Applicants without the degree specified in (a)(1) or (2) of this section, may not accumulate more than three (3) years of education credits in the aggregate from all degree programs.

(C) 32 Semester credit hours or 48 quarter credit hours are considered to be one (1) year. Fractions of a year of one-half or greater will be considered one-half year, and smaller fractions will not be counted.

(D) Foreign education credits will be granted only under classifications in (a)(3-4) of this section, unless the Board determines the degree is equivalent to the LAAB educational requirements. Any cost of translation and evaluation will be borne by the applicant.

**(4) Training credits.** Training credits shall be subjected to the following conditions:

(A) No training credits may be earned prior to accumulating three (3) education credits

(B) Every applicant must earn at least one year of training credit under (a)(5-7) of this section, and must earn it after earning five (5) years of education credits

(C) To earn credit under (a)(11) or (12) of this section an applicant's credit hours must be in subjects evaluated by the Board as directly related to landscape architecture. 20 semester credit hours or 30 quarter credit hours of teaching or equivalent time in research will equal one (1) year.

(D) No credit used as an education credit may be used as a training credit

(E) Organizations will be considered to be "offices of licensed landscape architects" if:

(i) the landscape architectural practice of the organization in which the applicant works is in the charge of a licensed person practicing as a principal and the applicant works under the personal supervision of a licensed landscape architect, architect or engineer; and

(ii) the organization may engage in construction.

(F) An organization (or affiliate) is engaging in construction if it customarily engages in either of the following activities:

(i) undertakes to provide labor and/or material for all or any significant portion of a construction project, whether on lump sum, cost plus or other basis of compensation, or

(ii) agrees to guarantee to an owner the maximum construction cost for all or any significant portion of a construction project.

(G) A person practices as a "principal" by being:

(i) a licensed landscape architect, and

(ii) the person in charge of the organization's landscape architectural, architectural or engineering practice, either alone or with other licensed architects, landscape

architects and/or engineers.

(H) In evaluating training credits prior to licensing, the Board requires the applicant to substantiate training experience by comparing this experience to the training requirements as indicated in these standards and the Board's current Rules.

**(5) General evaluation criteria.**

(A) To earn full education and/or training credits under (a)(5-10) of this section, an applicant must work at least 32 hours per week for a minimum period of six (6) consecutive weeks. An applicant may earn one-half the credit specified under (a)(5) of this section, for work of a least 15 hours per week in periods of six (6) or more consecutive weeks; no credit will be given for part-time work in any category other than (a)(5-7) of this section.

(B) Other education and training may be substituted for the requirements outlined above, only insofar as the Board considers them to be equivalent to the required qualifications.

(C) In evaluation credits, the Board may, prior to licensure, require substantiation of the quality and character of the applicant's experience, notwithstanding the fact that the applicant has complied with the technical education and training requirements set forth above.

**55:10-5-9. Revoked**

**55:10-5-10. Qualifications for Registration as a Registered Commercial Interior Designer**

(a) **General requirements.** All individuals applying for Registration as a Registered Commercial Interior Designer shall:

(1) Obtain all required education and training prior to Registration.

(2) Hold a professional degree in interior design accredited by the Council of Interior Design Accreditation or its successor, obtain two (2) years or 3,520 hours of acceptable training as defined by this Subsection and pass the examinations for Registration as a Registered Commercial Interior Designer administered by CIDQ or its successor; or

(3) Obtain an equivalent education to an accredited professional degree in interior design, as determined by the Board, obtain two (2) years or 3,520 hours of acceptable training and experience hours as defined by this Subsection and pass the examinations for Registration as an Interior Designer administered by CIDQ or its successor; or

(4) Have been issued a valid Registration from another state, jurisdiction or foreign country provided the requirements for Registration are equivalent to the requirements of this State as determined by the Board; or

(5) Have a degree from a program accredited by CIDA or its successor. An applicant, who has completed the program within two (2) years of the program acquiring this accreditation, shall be considered to have obtained an accredited education program in interior design.

(b) **Equivalent education and defining training requirements.** The following education, training and experience may be considered to be equivalent to the requirements of OAC 55:10-5-10(a) as determined by the Board in its sole discretion:

(1) A baccalaureate degree in programs of no less than 120 semester or 180 quarter passing credit hours of which 60 semester or 90 quarter hours, respectively, are interior design-related; and a total of no less than 3,520 hours of interior design acceptable training as defined herein;

(2) Certificate, degree or diploma with a minimum passing credit of 60 semester hours or 90 quarter passing credit hours respectively in interior design related coursework and obtain 5,280 hours of acceptable training; or

(3) Meet the educational standards set forth by the National Association of the Schools of Art and Design and other similar institutions provided the educational program has a minimum of 40 semester passing credit hours or 60 passing quarter credit hours in Interior Design related coursework and 7,040 hours of acceptable training.



(4) Thirty (30) passing semester hours from a Board approved program shall equal one (1) year of education towards the first accredited professional degree in interior design or its equivalent program.

(5) One (1) year of education credit hours from a Board approved program earned in an interior design program or its equivalent degree program shall equal two (2) years of acceptable training and experience.

(6) Four (4) years from a Board approved program shall be an equivalent standard for the first professional degree in interior design or its equivalent when computing the fifteen (15) years experience and training to equate towards the training and experience requirement in O.S. 59, Sections 46.39 through 46.40 of the Act.

(7) A second accredited professional degree in interior design or its equivalent shall count as one year of education for two (2) years of training and experience.

(8) The Board may accept a Registered Commercial Interior Designer who is Broadly Experienced meeting the Board's equivalent standards of acceptable education and experience and Registration who has passed the CIDQ examinations or an equivalent examination as determined by the Board in its sole discretion and the Board's Act and Rules examination.

(c) **Education content requirements.** Educational instruction shall include, but is not limited to, the following:

- (1) Building and Interior Systems
- (2) Business and Professional Practices, Management and Ethics
- (3) Codes and Ordinances
- (4) Basic and Creative Arts
- (5) Color Theory
- (6) Interior Design
- (7) Technical Knowledge
- (8) History and theory of Art, Architecture and Design
- (9) Human Factors
- (10) Lighting
- (11) Materials and Finishes
- (12) Communication Skills
- (13) Furnishings

(d) **Training and experience categories.** Training and experience credits shall be awarded for work performed in the following areas:

- (1) Programming
- (2) Schematic Design
- (3) Design Development
- (4) Contract Documents
- (5) Contract Administration
- (6) Professional Practice

(e) **Training and experience requirements.** The Board may accept as evidence of diversified training and experience for registering a Registered Commercial Interior Designer as stated in this Subsection:

(1) Applicants having obtained the first CIDA professional accredited degree in interior design or its equivalent shall have 2 years of acceptable training and experience hours, as determined by the Board in its sole discretion. One year shall equal 1760 hours of training and experience.

(2) Applicants may earn one (1) year of training and experience hours after completing 96 semester passing credit hours toward the first professional degree in interior design.

(3) On January 1, 2007, all individuals beginning their training and experience shall obtain credits after all educational requirements have been met for those individuals with equivalent education equating to the first accredited professional degree in interior design.

(4) Applicants with acceptable education and experience may take the examination to become a Registered Commercial Interior Designer, regardless of the order in which each was obtained when training and experience requirements are met and if training began prior to January 1, 2007.

(5) Training and experience hours shall be awarded based on working full time for at least two (2) consecutive months with thirty-two (32) hours per week or more in interior design or architecture. Part time training and experience hours shall be calculated at the rate of fifty percent (50%) for less than thirty-two (32) hours per week and more than fifteen (15) hours per week working for a least (4) consecutive months. Working less than fifteen (15) hours per week will not qualify for training and experience hours. Two (2) years of full time acceptable training and experience under a Registered Commercial Interior Designer or Architect as a Registered Commercial Interior Designer shall equal one (1) year of equivalent education in interior design.

(6) Applicants beginning their training and experience after January 1, 2008, shall be under the Responsible Control of a Registered Commercial Interior Designer, an interior designer registered or licensed in another jurisdiction, or an Architect, licensed in any jurisdiction.

(7) The Board, in its sole discretion, shall determine whether all education, training and experience for Applicants are acceptable or not and whether or not it satisfies the requirements for Registration.

(8) If the individual is not registered or licensed in a jurisdiction then all work shall be under the Responsible Control of a CIDQ certificate holder.

(9) Training and experience hours shall be submitted on the Board's forms or equivalent. It is the responsibility of the Applicant to obtain all required signatures. All Board forms are to be returned directly to the Board office by the employer, as they are confidential records.

(10) Training outside the U.S. or Canada under the Responsible Control of an individual credentialed by entities similar to CIDQ or NCARB or their successors in a foreign jurisdiction or country.

(f) **Grandfather requirements.** Any Applicant who submits a properly completed and acceptable application for Registration and pays all applicable fees shall be issued a Certificate of Registration provided the requirements below have been met:

(1) An Applicant has submitted evidence of education and training the Board deems equivalent to an accredited professional degree in interior design, satisfied training requirements, if applicable and has passed the examinations administered by CIDQ or its successor; or

(2) Without limitation to application deadlines, an Applicant may apply who has obtained fifteen (15) years of diversified and acceptable training and experience as defined in OAC 55:10-5-10(c)(d) or equivalents as determined by the Board prior to July 1, 2007, and the Applicant is not registered under this Act and not exempt from the requirements for Registration in order to use the title Registered Commercial Interior Designer. The Applicant shall be exempt from passing the CIDQ examinations and fulfilling any additional education or training requirements as determined by the Board. The Applicant may use any combination of education, training and experience as acceptable and determined by the Board to equate to the fifteen (15) years of experience. Thirty (30) passing education hours equals one (1) education credit year used toward obtaining the first accredited professional degree in interior design or an equivalent degree as determined by the Board or may equal two (2) years of diversified and appropriate experience when calculating the required fifteen (15) years of experience. Additionally, the Applicant obtaining a second accredited professional degree in interior design or an equivalent degree as determined by the Board may use this education in addition to other education or training.

(g) **State Exam Required.** All Applicants shall take and pass an examination on the Act and these Rules.

#### **55:10-5-11. Qualifications for a Reciprocal License or Registration**

(a) All individuals applying for a reciprocal License or Registration shall satisfy the requirements contained in the Act and these Rules, submit an acceptable and complete application for the License or Registration requested, and pay the required fees. Prior to being issued a License or Registration, all Applicants shall take and pass an examination on the Act and these Rules.

- (b) A License certificate will authorize the individual to engage in the practice of architecture or landscape architecture and use the title Architect or Landscape Architect in this State until the 30<sup>th</sup> day of June of the biennial License period. A Registration certificate will authorize the individual to use the title Registered Commercial Interior Designer until the 30<sup>th</sup> day of June of the biennial Registration period. No License or Certificate of Registration shall be issued for longer than two (2) years.
- (c) Any reciprocal License or Registration which is denied, suspended, revoked or refused to be renewed, by any state in which the Licensee or Registrant has obtained a License or Registration, or in which a certification is withdrawn by NCARB, CLARB or CIDQ or their successors shall be cause to suspend, revoke or refuse to renew the License or Registration by this Board.
- (d) Applications for an architectural License by reciprocity shall comply with (a) of this Section and be through NCARB or directly through the Board and only to those individuals whose states, jurisdictions, countries or territories have similar requirements and equivalent standards and extend the same privilege to this State's Applicants. Upon approval, a letter confirming the individual's qualifications will be sent and the Board will assign a License number.
- (e) Applications for a Landscape Architect License by reciprocity will be through submission of a CLARB record or its successor or directly through the Board, complying with (a) of this Section and showing licensure by the UNE, the LARE or its successor in any other state, jurisdiction, country or territory whose requirements for licensing are at least equivalent to the requirements of this State and extend the same privilege of reciprocity to Landscape Architects licensed in this State. The Applicant shall be required to pass an examination on Oklahoma plant material. Upon approval, a letter confirming the individual's qualifications will be sent and the Board will assign a License number.
- (f) Applications for a Registered Commercial Interior Design by reciprocity shall comply with (a) of this section through submission of an CIDQ record or its successor or directly through the Board and only to those individuals whose states, jurisdictions, countries or territories have similar requirements and equivalent standards and extend the same privilege to this State's Registrants. Upon approval, a letter confirming the individual's qualifications will be sent and the Board will assign a Registration number.
- (g) Rejections of applications for a License or Registration by reciprocity will be by letter explaining the reasons, and outlining procedures under which reconsideration may be possible.

## SUBCHAPTER 7. EXAMINATION

### Section

- 55:10-7-1. Examination required for Candidates
- 55:10-7-2. Examination notifications [Revoked]
- 55:10-7-3. Examination [Revoked]
- 55:10-7-4. Examination Applications and Fees
- 55:10-7-5. Examination fee refunds [Revoked]
- 55:10-7-6. Grading
- 55:10-7-7. Reexamination
- 55:10-7-8. Review of examination grades; retention period for equivalent candidates
- 55:10-7-9. Transfers of examination grades prior to licensing for equivalent candidates

### **55:10-7-1. Examination required for Candidates**

(a) **Architect Candidates.** All Architect Candidates are required to take the ARE exam, as developed by NCARB. Candidates with an accredited NAAB degree shall apply directly to NCARB to begin testing. Once all sections of the exam have been passed and 3740 AXP hours have been satisfied, Candidates shall submit an initial application for licensure with this Board. Candidates applying with equivalent standards are required to apply with this Board for approval prior to testing and must already be enrolled in AXP by establishing a council record with NCARB.

(b) **Landscape Architect Candidates.** All Landscape Architect Candidates are required to take the LARE exam, as developed by CLARB and approved for administration on specific dates. Candidates with an accredited LAAB degree shall apply directly to CLARB to begin testing. Once all sections of the exam have been passed and the 3-year training requirement as stated in section 55:10-5-8 has been satisfied, Candidates shall submit an initial application for licensure with the Board. Candidates applying with equivalent standards are required to apply with this Board for approval prior to testing and must establish a council record with CLARB.

(c) **Registered Commercial Interior Design Candidates.** All Candidates for Registration as an Interior Designer must take the NCIDQ exam, as developed by CIDQ. All Candidates shall apply directly to CIDQ to begin testing. Upon completing the examination and satisfying the training requirements as stated in section 55:10-5-10, the candidate shall submit an initial application for registration with this Board.

(d) **Active Military Duty Candidates approved by equivalent standards.** Any equivalent Candidate on active military duty deployed to a temporary military assignment, shall be exempt from the retention period for the duration of the temporary deployment and is allowed to carry forward all passing scores into the individual's current examination cycle, as if the person had not been deployed. In order to qualify for this exemption, the Candidate shall submit military documentation of the deployment to the Board office and the staff shall place the Candidate on military active status. Upon return from the temporary military deployment, the Candidate shall submit to the Board office within ninety (90) days, military documentation that the individual has returned from deployment. The Candidate shall then be returned to regular active status for examination without losing any credits for sections passed in the current examination cycle.

(e) **Testing extensions for Candidates approved by equivalent standards.** An equivalent Candidate shall not forfeit any examination time or passing score in the current testing cycle if the Board has granted an extension of time to take the examinations due to a hardship. All current passing scores in the current testing cycle will be carried into the extended time.

(f) **Candidates approved by equivalent standards and failing to appear for testing.** An equivalent Candidate failing to appear to examination five years after being approved to start testing are required to reapply for admission to the examinations, except for those Candidates on temporary military deployment, who are exempt under 55:10-7-1 or those persons granted a hardship by the Board.

#### **55:10-7-2. Examination notifications [Revoked]**

#### **55:10-7-3. Examination [Revoked]**

#### **55:10-7-4. Examination applications and fees for equivalent candidates**

(a) Equivalent Architect and Landscape Architect Candidate applications and fees must be submitted prior to testing.

(b) All incomplete candidate applications are withdrawn after one (1) year from the date of receipt by the Board and the Applicant will be required to reapply.

(c) Any Candidate experiencing physical disability, illness or other extenuating circumstances may request exemption or extension from the examination retention requirements. The individual shall provide supporting documentation for the Board's review. Such hardship cases will be considered by the Board on an individual basis.

#### **55:10-7-5. Examination fee refunds [Revoked]**

#### **55:10-7-6. Grading**

Exams will be graded and scored in accordance with NCARB, CLARB or CIDQ procedures. Minimum passing scores are adopted as recommended by NCARB, CLARB or CIDQ. Minimum passing scores on the landscape architectural plant material and the Act and Rules examinations shall be 75%.

Examination Candidates will pass or fail in accordance with the current NCARB, CLARB or CIDQ grading procedures.

**55:10-7-7. Reexamination for equivalent candidates**

Candidates shall reapply to continue testing if their application was placed on inactive status except for those Candidates on temporary military deployment or the Board has granted an extension of their time to take the examinations due to a hardship. Candidates must submit a new updated application and pay the fees which may be processed by the Board's staff without Board approval.

**55:10-7-8. Review of examination grades; retention period for equivalent candidates**

- (a) The Board will not review any sections of the examinations.
- (b) The Board will retain the final valid test scores on individual sections of the examinations taken and passed for Architect, Landscape Architect or Interior Design Candidates as determined by 55:10-7-1. Final passing scores will be placed in the Candidate's file and retained permanently.
- (c) Candidates called to active military duty in the armed forces of the United States and deployed to a temporary military assignment, shall be exempt from the retention period for the duration of the temporary deployment as in Section 55:10-7-1.

**55:10-7-9. Transfers of examination grades prior to licensing for equivalent candidates**

- (a) **Outgoing transfers.** The Board staff, upon written request by the Candidate and payment of the file transfer fee, will transfer the Board's jurisdiction file to any other duly constituted Architect, Landscape Architect or Interior Design boards and to NCARB, CLARB or CIDQ for use in evaluating such Applicant's eligibility for licensing or Registration, as applicable. A transfer to another board shall immediately terminate the Applicant's application with this Board.
- (b) **Incoming transfers.** The Board, in its sole discretion, may or may not accept, toward obtaining an initial License or Registration, scores on separate test sections taken in other states by Candidates who did not meet Oklahoma requirements for admission to the exams at the time the exams were taken.

**SUBCHAPTER 9. LICENSING AND REGISTRATION**

**Section**

- 55:10-9-1. The License or Registration
- 55:10-9-2. Term of License or Registration [REVOKED]
- 55:10-9-3. Required display of the License [REVOKED]
- 55:10-9-4. Duplicate License or Registration
- 55:10-9-5. Suspension, revocation, or refused renewal of a License or Registration
- 55:10-9-6. Biennial License or Registration required
- 55:10-9-7. Emeritus status requirements
- 55:10-9-8. Failure to biennially renew
- 55:10-9-9. Reinstating License and Registration from emeritus status to active practice
- 55:10-9-10. Reinstatement of canceled License or Registration
- 55:10-9-11. Reinstatement of a License or Registration based on cause

**55:10-9-1. The License or Registration**

A License or Registration shall identify the individual by name, state the License or Registration number, designate an effective date, confirm the individual's qualifications, and acknowledge the individual's right, in this State, to practice architecture, landscape architecture or offer services as a Registered Commercial Interior Designer and use the titles Architect, Landscape Architect, Registered Commercial Interior Designer or other restricted titles defined by the Act or the Rules.

**55:10-9-2. Term of License or Registration [REVOKED]**

**55:10-9-3. Required display of the License [REVOKED]**

**55:10-9-4. Duplicate License or Registration**

A duplicate License or Registration may be issued to an individual provided:

- (1) the current License or Registration is in good standing;
- (2) a written request for a replacement or duplicate License or Registration is received; and
- (3) the fee is paid as prescribed in 55:10-3-13.

**55:10-9-5. Suspension, revocation, or refused renewal of a License or Registration**

Upon notice of the Board, Licenses or Registrations shall be suspended, revoked or refused by the Board to be renewed for cause, as listed in 55:10-15-2.

**55:10-9-6. Biennial License or Registration required**

(a) All Licenses and Registrations must be renewed biennially, in order to practice or use the professional titles in Oklahoma. Notices may be sent to all Licensees and Registrants at the last known address of record; however, it is the responsibility of each individual Licensee or Registrant to ensure the renewal fees and completed applications are received at the Board office by mail or hand delivery by 4:30 p.m. or online by 11:59p.m. CST on June 30<sup>th</sup> of the renewal year to avoid penalties. Postmarks will not be accepted. Upon receipt of the renewal forms, continuing education forms, if applicable, and fees, the License or Registration shall be renewed. No License or Registration will be issued for longer than a two (2) year period.

(b) Licensees or Registrants called to active military duty in the armed forces of the United States and deployed to a temporary military deployment shall comply with OAC 55:10-3-13.

**55:10-9-7. Emeritus status requirements**

Licensees and Registrants who are residents of Oklahoma and who have been licensed or registered in this State for ten (10) consecutive years, are sixty-five (65) years of age or older, and are retired from active practice, providing services as interior design, or other related professional activities may request emeritus status by filing the application showing compliance with this Section. If the Rules of this Chapter have been met, all fees and penalties for biennial License or Registration shall be waived by the Board. Emeritus status Licensees and Registrants are also exempt from continuing education requirements unless they reinstate their License or Registration to active status in accordance with OAC 55:10-9-9. At that time, they shall complete the continuing education requirements for the current licensing period.

**55:10-9-8. Failure to biennially renew**

(a) Failure to biennially renew the License or Registration and satisfy all continuing education requirements, if applicable, remit renewal fees, submit properly completed and acceptable forms with pertinent information and pay penalties where applicable in 55:10-3-13, as prescribed by the Act and the Board's current Rules in this Chapter, will result in automatic suspension and revocation of the License, Registration, Certificate of Authority and/or Certificate of Title on July 1<sup>st</sup> of the renewal year.

(b) Notices of automatic suspension and/or revocation will be sent to the last known address of the Licensee, Registrant or Entity. If a License, Registration, Certificate of Authority or Certificate of Title is not renewed for any reason, the Licensee or Registrant must immediately cease the practice of architecture, landscape architecture or offering services as a Registered Commercial Interior Designer. An Architect, Landscape Architect or Registered Commercial Interior Designer shall cease using these professional titles or other titles restricted by the Act or the Rules. Individuals who continue to practice architecture, landscape architecture or offering services as a Registered Commercial Interior Designer during the time of

suspension and/or revocation are subject to the fines, penalties and civil remedies contained in the Act and these Rules.

**55:10-9-9. Reinstating License and Registration from emeritus status to active practice**

An individual desiring to reinstate a License or Registration to an active status may do so by re-applying and paying a reinstatement fee. The Board has full discretion as to how to reinstate the License or Registration or to determine not to reinstate the License or Registration. If the Board, in its sole discretion reinstates the License or Registration, the individual shall pay the current License or Registration fee in 55:10-3-13. Upon reinstating to active status, the individual is required to comply with all continuing education requirements to renew.

**55:10-9-10. Reinstatement of canceled License or Registration**

(a) **Reinstatement of any License or Registration within three (3) years.** Licenses or Registrations canceled for nonpayment of fees and/or failure to comply with continuing education requirements, if applicable, may be reinstated at any time within three (3) years, from the date of the cancellation, after paying all fees and penalties as prescribed in 55:10-3-13, and meeting all continuing education requirements. Reinstatements may be approved by the Board's staff upon compliance with the Act and Rules without Board action.

(b) **Reinstatement of initial License or Registration after three (3) years.** For those Architects, Landscape Architects or Registered Commercial Interior Designers licensed or registered initially in Oklahoma that allow their License or Registration to remain cancelled for a period exceeding three (3) consecutive years, the License or Registration may be reinstated in a manner as determined by the Board consistent with the Act and these Rules, after reapplying and paying an application fee. Additionally, the Licensee or Registrant shall meet all continuing education requirements where applicable, that would have been otherwise required, and pay all back fees and penalties. Registered Commercial Interior Designers whose registration was canceled prior to July 1, 2015 are exempt from reporting continuing education and paying the continuing education penalty fee(s) to reinstate. Upon reinstating to active status, the individual is required to comply with all continuing education requirements to renew.

(c) **Reinstatement of Reciprocal Licenses or Registrations after three (3) years.** Any Architect or Landscape Architect licensed to practice in Oklahoma by reciprocity, after their reciprocal License has been canceled for more than three (3) years, must re-apply through the means of which the initial License was granted or demonstrate a current License in another jurisdiction. Registered Commercial Interior Designers must re-apply and prove a current Registration in another jurisdiction or through CIDQ.

(d) **Returning from temporary military deployment.** Licensees or Registrants returning from temporary military deployment shall notify the Board office consistent with OAC 55:10-3-13(b).

**55:10-9-11. Reinstatement of a License or Registration based on cause**

A License or Registration suspended, refused to be renewed, or revoked for cause, may be reinstated only by Board action and in the manner determined by the Board. Requests for reinstatement of a license or registration revoked for cause shall be addressed to the Board, showing why such reinstatement is justified.

**SUBCHAPTER 11. RULES OF PROFESSIONAL CONDUCT**

**Section**

- 55:10-11-1. General requirements
- 55:10-11-2. Good moral character [Revoked]
- 55:10-11-3. Competence
- 55:10-11-4. Conflict of interest

- 55:10-11-5. Full disclosure
- 55:10-11-6. Compliance with laws
- 55:10-11-7. Professional conduct
- 55:10-11-8. Architect and landscape architect seal
- 55:10-11-9. Authorized use of seal [Revoked]
- 55:10-11-10. Required use of seal, signature and date on documents and retention period [Revoked]
- 55:10-11-11. Prohibition on submitting documents without seal, date and signature [Revoked]
- 55:10-11-12. Prohibited use of seal [Revoked]
- 55:10-11-13. Registered commercial interior designer seal [NEW]

**55:10-11-1. General requirements**

A Licensee or Entity shall above all, serve and promote the public interest in the effort to improve the human environment and shall act in a manner to bring honor and dignity to the professions of architecture, landscape architecture, and commercial interior design.

**55:10-11-2. Good moral character [Revoked]**

**55:10-11-3. Competence**

(a) In engaging in the practice of architecture, landscape architecture, or commercial interior design, a Licensee or Entity shall act with care and competence, and shall apply the technical and tactical knowledge and skill which is ordinarily applied by licensed Architects, Landscape Architects, and Registered Commercial Interior Designers of good standing. The Licensee or Entity shall not directly or indirectly indulge in exaggerated, misleading, deceptive or false statements or claims about professional qualifications.

(b) In designing a project, a licensed Architect, Landscape Architect, or Registered Commercial Interior Designer shall follow all applicable State and municipal building laws, codes and regulations. While a Licensee or Registrant of these professions may rely on the advice of other professions as to the intent and meaning of such laws, codes and regulations, the Licensee shall not intentionally or negligently design a project in violation of such laws, codes and regulations. When two or more codes are in conflict, the standard of practice is to use the most restrictive.

(c) A licensed Architect, Landscape Architect, or Registered Commercial Interior Designer shall undertake to perform professional services only when they, together with those engaged as consultants, are qualified by licensing, education, training and experience in the specific technical and tactical areas required. The Licensee or Registrant shall establish by agreement, the nature and extent of services to be provided and the compensation to be paid.

(d) No individual shall be permitted to engage in the practice of architecture, landscape architecture, or registered commercial interior design if, in the Board's judgment, determined during a formal hearing, such individual's professional competence is found to be substantially impaired by mental disabilities. An individual may apply for reinstatement through the procedures established by the Rules in this Chapter.

**55:10-11-4. Conflict of interest**

(a) A Licensee, Registrant, or Entity shall not accept or receive compensation directly or indirectly for services from any individual or Entity other than the client in connection with the reparation, alteration or construction of a project in relation to which the Licensee, Registrant, or Entity shall have accepted employment in any manner.

(b) If a Licensee, Registrant, or Entity has any business association or direct or indirect financial interest in a project undertaken to perform professional services, the Licensee, Registrant, or Entity shall fully disclose in writing to the client or employer the nature of the business association or financial interest, and, if the client or employer objects to such association or financial interest, the Licensee, Registrant, or Entity shall either terminate such association or interest or offer to give up the commission or employment.



- (c) A Licensee, Registrant, or Entity shall not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.
- (d) A Licensee, Registrant, or Entity shall not publicly endorse a product, system, or service, or permit the use of their name or photograph to imply such endorsement. However, they may be identified with any product, system, or service designed or developed by them.
- (e) When acting as the interpreter of building contract documents and the judge of contract performance, a Licensee, Registrant, or Entity shall render decisions impartially, favoring neither party to the contract.

**55:10-11-5. Full disclosure**

- (a) A Licensee, Registrant, or Entity making public statements on architectural, landscape architectural, or commercial interior design questions, shall disclose when they are being compensated for making such statements.
- (b) A Licensee, Registrant, or Entity shall accurately represent to a prospective or existing client or employer their qualifications and the scope of responsibility in connection with work for which they are claiming credit.
- (c) If, in the course of their work on a project, the Licensee, Registrant, or Entity becomes aware of a decision taken by their employer or client, against such Licensee's, Registrant's, or Entity's advice, which violates applicable State or municipal building laws, codes or regulations, and which will, in the Licensee's, Registrant's, or Entity's judgment, materially and adversely affect the health, welfare and safety to the public of the finished project, the Licensee, Registrant, or Entity shall:
  - (1) report the decision to the local building inspector or other public official charged with the enforcement of the applicable State or municipal building laws, codes or regulations;
  - (2) refuse to consent to the decision;
  - (3) in circumstances where the Licensee, Registrant, or Entity reasonably believes that other such decisions will be taken, notwithstanding their objection, terminate services with respect to the project. In the case of a termination in accordance with (c) of this Section, the Architect, Landscape Architect, Registered Commercial Interior Designer, or Entity shall have no liability to their client or employer on account of such termination.
- (d) A Licensee, Registrant, or Entity shall not deliberately make a materially false statement or fail deliberately to disclose a material fact requested in connection with an application for a License, Registration, renewal or contract with a client/owner.
- (e) A Licensee, Registrant, or Entity shall not assist the application for an individual or Entity who they believe to be unqualified in respect to education, training, experience or character.
- (f) A Licensee, Registrant, or Entity shall report such knowledge to the Board.

**55:10-11-6. Compliance with laws**

- (a) A Licensee, Registrant, or Entity shall not, while engaging in the practice of their profession, knowingly violate any State or federal criminal law.
- (b) A Licensee, Registrant, or Entity shall neither offer nor cause to be offered any payment or gift to a government official, elected or appointed, with the intent of influencing the official's judgment in connection with a prospective or existing project in which the Licensee, Registrant, or Entity is interested.
- (c) A Licensee, Registrant, or Entity shall comply with the licensing laws, rules and/or regulations governing their professional practice in any jurisdiction.

**55:10-11-7. Professional conduct**

- (a) An Architect, Landscape Architect, Registered Commercial Interior Designer, or Entity shall preserve the confidences of the client or employer.
- (b) Each office maintained for the preparation of drawings, specification, reports or other professional work shall have a Licensee or Registrant in that office having Responsible Control of the work.

(c) A Licensee or Registrant shall not sign or seal drawings, specifications, reports or other professional work for which they do not have Responsible Control. Prototypical plans are an exception to the rule as noted in OAC 55:10-11-8(e)(f).

(d) A Licensee, Registrant, or Entity shall neither offer nor make any gifts, other than gifts of nominal value including, for example, reasonable entertainment and hospitality, with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the Licensee, Registrant, or Entity is interested. Intent of influence means influence, direct or indirect, which induces or tends to induce consideration or action with respect to any prospective work on any basis other than the merits of the matter.

(e) A Licensee, Registrant, or Entity shall not engage directly or indirectly with or as an agent or representative to solicit work on their behalf whose compensation is contingent, in whole or in part, upon obtaining professional work for the Entity, Architect, Landscape Architect, or Registered Commercial Interior Designer.

(f) A Licensee, Registrant, or Entity shall not make false statements about the professional work, or maliciously injure or attempt to injure the prospects, practice or employment position of others.

(g) A Licensee, Registrant, or Entity shall not furnish limited services in such a manner as to enable owners, draftsmen, or others to evade public health and safety requirements.

(h) A Licensee, Registrant, or Entity provides a service to the client, as well as a product and/or drawings and as such is only responsible for the design of the facility represented by the products and/or drawings they completed, signed, sealed and dated for a specific client and location. Should the client or any other individual modify or change locations of the facility or make changes to the design without the authorization of the Licensee or Registrant, the Licensee or Registrant is only responsible and liable for the project as they signed, sealed and dated it and the site at the original location. A Licensee or Registrant is allowed to review and adapt documents already sealed by the original Licensee or Registrant when modifying the plan and/or bringing the plan up to the current code requirements at the same location as the original site. In this case, the Licensee or Registrant is required to sign, seal and date only the modifications to the original documents and shall only be responsible for their new modifications.

(i) Nothing contained in 55:10-11-7(h) shall apply to prototype plans, where the Licensee is allowed to review and adapt a prototypical technical submission, making changes to adapt in whole or in part to a different location and/or bring the plan up to the current code requirements. In this case, the Licensee is required to sign, seal and date the adapted, integrated documents and the licensee assumes full responsibility for the documents, in their entirety, as if fully prepared by or under the licensed architect's responsible control.

#### **55:10-11-8. Architect and landscape architect seal**

(a) **Seal required.** Every individual authorized to practice architecture or landscape architecture by a License shall procure a seal with which to identify all technical submissions, addenda, field orders and other documents of service issued by the Licensee for use in this State.

(1) **Type of seal.** The seal required shall be of a type that makes an image on the surface of original documents and duplications of original documents. Both the use of a rubber stamp or electronic image is permissible.

(2) **Design of seal.** The seal of a licensed Architect shall be a circle and shall contain their name, Oklahoma License number and the words, "Licensed Architect, State of Oklahoma." The seal of a licensed Landscape Architect shall be a circle and shall contain their name, Oklahoma License number and the words, "Licensed Landscape Architect, State of Oklahoma."

(b) **Seal declares authorship.** The seal appearing on any technical submission shall be a prima facie evidence, as described in 55:10-15-1, that said technical submission was prepared by or under the individual named on said seal. The Licensee is responsible for its security when not in use.

(c) **Location of seal, signature and date.** The handwritten or electronically generated date shall be affixed across their seal.

(1) All Licensees shall affix their seal, signature and date, to all original drawings, whether or not complete, and to the original cover sheet and the page identifying all specification pages covered, including all addenda and field changes. If incomplete, the Licensee shall clearly identify that the plans are incomplete and not for construction.

(2) In the absence of sheets or covers identifying all sheets, all original contract documents of service must have the seal, date and signature of the Licensee responsible.

(d) **Use or attempted use of seal by unauthorized individuals.** No individual, other than the Licensee represented, shall use or attempt to use the prescribed seal, and no unregistered individual or Entity shall be authorized to use the prescribed seal. Restricted actions include:

(1) using a set of construction documents to construct a structure on another site without the permission of the original Licensee

(2) making unauthorized copies, modifications or incorporating any portion of the specifications into another work without the use of a Licensee's seal, signature and date authorizing such modifications.

(e) **Use of seal on prototype building plans.** Prototype building plans are not required to carry the seal, signature, and date of the original Licensee, but must prior to their issue in Oklahoma be marked and qualified by a written statement to the effect of: "Prototypical design submissions not for regulatory approval or construction." These submissions do not comprise a final, comprehensive set of design and construction documents and are not intended for use on any specific project without the appropriate review, modifications and integration into the work of a licensed architect engaged to provide professional architectural services for the specific project.

(f) **Technical submissions.** Architects and Landscape Architects are permitted to review and adapt portions of technical submissions if:

(1) the seal of the original Architect or Landscape Architect appears on the submissions to authenticate authorship.

(2) the succeeding Architect or Landscape Architect clearly identifies all modifications to the submissions.

(3) the succeeding Architect or Landscape Architect assumes responsibility and liability for the adequacy of the design on the modifications.

(4) the documents are prototypical technical submissions. An architect may sign and seal technical submissions prepared by another person if the signing and sealing architect has reviewed the work and has integrated the work into their own technical submissions and the other technical submissions are prototypical building documents. Any licensed architect signing or sealing technical submissions integrating the work of another into the licensed architect's own work as permitted above shall maintain that such review and integration met the required professional standard of care. In applying his or her seal, the Oklahoma licensed architect assumes full responsibility in its entirety for the documents as if fully prepared by or under the Oklahoma licensed architect's responsible control.

(g) **Retention period.** An Architect, Landscape Architect or Entity shall retain a copy of all technical submissions produced for a minimum of ten (10) years following the date of preparation.

(h) **Prohibition on sealing documents.** No Licensee shall affix or attempt to affix the seal, signature or dates to sketches, drawings, specifications or other documents developed by unlicensed persons that are not employees in their offices or professional consultants except as stated in OAC 55:10-11-8(f).

(i) **Prohibited acts using seal.** No Licensee shall affix the seal, signature or date to documents unless:

(1) such documents were developed and prepared under a Licensee's Responsible Control;

(2) the Licensee had full authority to determine their development; and

(3) the Licensee has reviewed and adopted, in whole or in part, architectural or landscape architectural portions and has either coordinated their preparation or integrated them into the work.

**55:10-11-9. Authorized use of seal [REVOKED]**

**55:10-11-10. Required use of seal, signature and date on documents and retention period [REVOKED]**

**55:10-11-11. Prohibition on submitting documents without seal, date and signature [REVOKED]**

**55:10-11-12. Prohibited use of seal [REVOKED]**

**55:10-11-13. Registered commercial interior designer's seal**

(a) **Seal required.** Every individual authorized to use the title "Registered Commercial Interior Designer" shall procure a seal with which to identify all interior technical submissions issued by the Registrant for use in this State.

(1) **Type of seal.** The seal required shall be of a type that makes an image on the surface of original documents and duplications of original documents. Both the use of a rubber stamp or electronic image is permissible.

(2) **Design of seal.** The seal of a Registered Commercial Interior Designer shall be triangular, as approved by the Board, and shall contain their name, Oklahoma registration number, and the words, "Registered Commercial Interior Designer, State of Oklahoma."

(b) **Seal declares authorship.** The seal appearing on any interior technical submission shall be a prima facie evidence, as described in 55:10-15-1, that said interior technical submission was prepared by or under the individual named on said seal. The Registrant is responsible for its security when not in use.

(c) **Location of seal, signature and date.** The handwritten or electronically generated date shall be affixed across their seal.

(1) All Registrants shall affix their seal, signature and date, to all original drawings, and to the original cover sheet and the page identifying all specification pages covered, including all addenda and field changes. If incomplete, the Registrant shall clearly identify that the plans are incomplete and not for construction.

(2) In the absence of sheets or covers identifying all sheets, all original contract documents of service must have the seal, date and signature of the Registrant responsible.

(d) **Use or attempted use of seal by unauthorized individuals.** No individual, other than the Registrant represented, shall use or attempt to use the prescribed seal, and no unregistered individual or Entity shall be authorized to use the prescribed seal. Restricted actions include making unauthorized copies, modifications or incorporating any portion of the specifications into another work without the use of a Registrant's seal, signature and date authorizing such modifications.

(e) **Interior technical submissions.** Registered Commercial Interior Designers are permitted to review and adapt portions of interior technical submissions if:

(1) the seal of the original Registered Commercial Interior Designer appears on the submissions to authenticate authorship.

(2) the succeeding Registered Commercial Interior Designer clearly identifies all modifications to the submissions.

(3) the succeeding Registered Commercial Interior Designer assumes responsibility and liability for the adequacy of the design on the modifications.

(f) **Retention period.** A Registered Commercial Interior Designer shall retain a copy of all interior technical submissions produced for a minimum of ten (10) years following the date of preparation.

(g) **Prohibition on sealing documents.** No Registrant shall affix or attempt to affix the seal, signature or dates to sketches, drawings, specifications or other documents developed by unregistered persons that are not employees in their offices or professional consultants.

(h) **Prohibited acts using seal.** No Registrant shall affix the seal, signature or date to documents unless:

- (1) such documents were developed and prepared under a Registrant's Responsible Control; and
- (2) the Registrant had full authority to determine their development.

### **SUBCHAPTER 13. ORGANIZATIONAL PRACTICE**

#### **Section**

- 55:10-13-1. Individual and group practice [REVOKED]
- 55:10-13-2. Licensee required in each office [Revoked]
- 55:10-13-3. Licensees accountable [REVOKED]
- 55:10-13-4. Certificate of Authority or Certificate of Title required [Revoked]
- 55:10-13-5. Certificate of Authority or Certificate of Title required
- 55:10-13-6. Biennial renewals required for Certificate of Authority or Certificate of Title
- 55:10-13-7. Failure to biennially renew a Certificate of Authority or Certificate of Title
- 55:10-13-8. Reinstatement of canceled Certificate of Authority or Certificate of Title
- 55:10-13-9. Compliance with laws, Rules, regulations and orders
- 55:10-13-10. Investigations, hearings and penalties
- 55:10-13-11. Surrender of Certificate of Authority or Certificate of Title [REVOKED]
- 55:10-13-12. Notification of changes in firm practice required
- 55:10-13-13. Authority to use professional titles
- 55:10-13-14. Certificate of Authority or Certificate of Title index maintained; restriction on similar names [REVOKED]
- 55:10-13-15. Limited partnerships and corporations required to file with Secretary of State
- 55:10-13-16. Firm Names
- 55:10-13-17. Use of multiple surnames in titles of firm name [REVOKED]
- 55:10-13-18. Use of full name in title of firm name [REVOKED]
- 55:10-13-19. Use of departed surname in title of firm name [REVOKED]
- 55:10-13-20. Use of fictitious name in title of firm name [REVOKED]
- 55:10-13-21. Use of single surname in title of firm name [REVOKED]

**55:10-13-1. Individual and group practice [REVOKED]**

**55:10-13-2. Licensee required in each office [Revoked]**

**55:10-13-3. Licensees accountable [REVOKED]**

**55:10-13-4. Certificate of Authority or Certificate of Title required [Revoked]**

**55:10-13-5. Certificate of Authority or Certificate of Title required**

The Board may grant a Certificate of Authority to practice architecture or landscape architecture or a Certificate of Title to offer services under a Registered Commercial Interior Designer to those Entities meeting the following criteria:

- (1) An application for any entity, including branch offices, is filed and approved by the Secretary-Treasurer or the Board.
- (2) At least one general partner, or director, officer, shareholder, manager, member or principal is a licensed Architect or Landscape Architect and designated as being responsible for the practice of the profession in the State of Oklahoma or is registered as a Registered Commercial Interior

Designer and responsible for the Entity. If a firm is offering multiple professions, the firm shall have at least one general partner, director, officer, shareholder, principal or for a limited liability company, a manager or member who is licensed or registered in each profession and is designated as being responsible for the activities of each profession, as the Architect, Landscape Architect, or Registered Commercial Interior Designer of Record.

(3) All technical submissions, original drawings, original cover sheet and the page identifying all specification pages covered, all addenda and field changes shall be signed, sealed and dated by an Architect of Record defined in 55:10-1-3. Prototypical technical submissions refer to 55:10-11-7(i), 55:10-11-8(e), and 55:10-11-8(f)(4).

(4) Compliance with the Board's Rules in this Chapter and the Act shall not alleviate other members, officers, shareholders, managers, principals, directors, partners or employees from direct responsibility and liability by reason of employment or relationship with the Entity to the Board.

(5) The Certificate of Authority or Certificate of Title issued by the Board is subject to powers of renewal, suspension, revocation, denial, refusal to renew, levying criminal or civil penalties, vested in the Board by the Act and does not preclude the Board from using any other legal procedures necessary to carry out its powers and duties.

#### **55:10-13-6. Biennial renewals required for Certificate of Authority or Certificate of Title**

(a) **Biennial renewal requirements.** An Entity desiring to practice Architecture, Landscape Architecture or use the title Architect or Landscape Architect through a Certificate of Authority or an Entity desiring to offer services under a Registered Commercial Interior Designer through a Certificate of Title, must submit the proper fees and applicable penalties in 55:10-3-13 and forms for application and renewal biennially. No Certificate of Authority or Certificate of Title shall be issued for longer than a two (2) year period. The renewal forms, required information and fees shall be due with the Licensee's or Registrant's individual renewal which are due by mail or hand delivery to the Board office by 4:30 p.m. or online by 11:59p.m. CST on or before June 30 of the renewal year to avoid penalties. Postmarks will not be accepted.

(b) **Renewal exemption based on temporary military deployment.** The exemption from fees and penalties shall apply to the Certificate of Authority or the Certificate of Title if a Licensee is the only Architect of Record or a Registrant is the only Registered Commercial Interior Designer of Record associated with the Entity. Licensees or Registrants who are called to active military duty in the armed forces of the United States and deployed to a temporary military assignment are exempt from paying all renewal fees and penalties in OAC 55:10-3-13.

#### **55:10-13-7. Failure to biennially renew a Certificate of Authority or Certificate of Title**

(a) Failure to biennially renew the Entity and remit payment of the renewal fee and applicable penalties, submit an acceptable and complete application and other required documents or information for the Certificate of Authority or Certificate of Title on June 30 of the renewal year will result in automatic cancellation and revocation of the certificate.

(b) Automatic cancellation and revocation of the Certificate of Authority or Certificate of Title will result in the Entity paying a late payment and reinstatement penalties in order to reinstate the Certificate.

(c) Notices of suspension or revocation will be sent to the last known address of the Entity failing to biennially license or register and remit renewal fees and penalties.

#### **55:10-13-8. Reinstatement of canceled Certificate of Authority or Certificate of Title**

(a) **Reinstatement within three (3) years.** A Certificate of Authority or Certificate of Title canceled for nonpayment of fees may be reinstated at any time within three (3) years, after paying all fees and penalties accrued at time of reinstatement. Reinstatements may be approved by Board staff upon compliance with the Act and Rules without Board action.

(b) **Reapplication after three (3) years.** Entities whose Certificate of Authority or Certificate of Title has been cancelled for three years or more shall submit a new Certificate of Authority or Certificate of Title application, along with all required documents and fees.

(c) **Reinstatement for cause.** A Certificate of Authority or Certificate of Title suspended, denied, refused to be renewed, penalties levied, orders issued or revoked for cause may be reinstated only by Board action and only then in the manner determined by such Board action. Requests for reinstatement of the Certificate of Authority or Certificate of Title revoked for cause shall be addressed to the Board and shall show cause why such reinstatement is justified.

(d) **Reinstatement based on temporary military deployment.** Entities given an exemption from paying fees and penalties because the only Architect of Record or Registered Commercial Interior Designer of Record was deployed on a temporary military deployment in the armed forces of the United States, shall notify the Board office consistent with OAC 55:10-3-13.

**55:10-13-9. Compliance with laws, Rules, regulations and orders**

All entities shall comply with all laws, Rules, regulations and orders issued, which apply to an individual Architect, Landscape Architect or Registered Commercial Interior Designer.

**55:10-13-10. Investigations, hearings and penalties**

The Board shall investigate complaints, hold hearings, issue orders and determine penalties against entities in the same manner, procedure and with the same rights and offenses as an individual Architect, Landscape Architect or Registered Commercial Interior Designer as designated in the Rules of this Chapter.

**55:10-13-11. Surrender of Certificate of Authority or Certificate of Title [REVOKED]**

**55:10-13-12. Notification of changes in firm practice required**

Entities shall notify the Board office within thirty (30) days of any or all changes that affect the Certificate of Authority or Certificate of Title. Notification shall be on the Board's form, signed by an Architect, Landscape Architect, or Registered Commercial Interior Designer of Record and accompanied by the fees in 55:10-3-13. Failure to properly and promptly notify the Board of these changes may be cause for penalties, orders issued, revocation, refusal to renew or suspension of the Certificate of Authority or Certificate of Title, as designated in the Rules of this Chapter.

**55:10-13-13. Authority to use professional titles**

Only entities holding a current Certificate of Authority or Certificate of Title issued by the Board are authorized to employ the titles Architecture, Landscape Architecture, or Registered Commercial Interior Design or use any various construction of these words, in describing or identifying services, contracting or executing work.

**55:10-13-14. Certificate of Authority or Certificate of Title index maintained; restriction on similar names [REVOKED]**

**55:10-13-15. Limited partnerships and corporations required to file with Secretary of State**

(a) Limited partnerships, limited liability companies, limited liability partnerships, foreign and domestic corporations are required by law to file for a certificate of incorporation or domestication and maintain same with the Secretary of State.

(b) Failure of an Entity to properly file or register with the Oklahoma Secretary of State and maintain said Entity in good standing with the Oklahoma Secretary of State may result in revocation of the Certificate of Authority or Certificate of Title and disciplinary action pursuant to the Act and Rules in this Chapter.

**55:10-13-16. Firm Names**

(a) **Use of names of deceased or retired individuals.** Use of the names of deceased or retired licensed or registered partners or directors in a firm name is permissible.

(b) **Multiple surnames.** Use of multiple surnames in titles of firms is permissible so long as one surname is a licensed Architect, Landscape Architect or Registered Commercial Interior Designer. Other surnames

shall be names of related licensed or registered professions (e.g., engineer - structural, mechanical, electrical, civil, or land surveyor).

(c) **Full names.** Use of a full name in the title of a firm is permissible so long as the full name is the name of a licensed Architect, Landscape Architect or a Registered Commercial Interior Designer or a deceased licensed Architect or Landscape Architect or Registered Commercial Interior Designer.

(d) **Fictitious names.** Fictitious names of firms are permissible so long as at least one Architect of Record or Registered Commercial Interior Designer of Record as defined in 55:10-1-3, has Responsible Control for the activities of the firm.

(e) **Single Surname.** Use of a single surname is permissible so long as that surname is a licensed Architect, Landscape Architect, Registered Commercial Interior Designer, or related professional (e.g., engineer, structural, mechanical, electrical, or civil, or land surveyor).

(f) **Same or similar names.** The name of the Entity shall not be the same or deceptively similar to the name of any other Entity then existing or which has existed within the preceding three (3) years, without the written consent of the previously existing Entity.

**55:10-13-17. Use of multiple surnames in titles of firm name [REVOKED]**

**55:10-13-18. Use of full name in title of firm name [REVOKED]**

**55:10-13-19. Use of departed surname in title of firm name [REVOKED]**

**55:10-13-20. Use of fictitious name in title of firm name [REVOKED]**

**55:10-13-21. Use of single surname in title of firm name [REVOKED]**

## **SUBCHAPTER 15. VIOLATIONS**

### **Section**

- 55:10-15-1. Prima facie evidence
- 55:10-15-2. Grounds for violations and penalties
- 55:10-15-3. Additional penalties for violations
- 55:10-15-4. Fraud or misrepresentation
- 55:10-15-5. Gross incompetence
- 55:10-15-6. Recklessness
- 55:10-15-7. Dishonest practice
- 55:10-15-8. Duty to refer alleged violations to Secretary-Treasurer
- 55:10-15-9. Filing a complaint; forms and evidence
- 55:10-15-10. Informal resolution
- 55:10-15-11. Investigation committee
- 55:10-15-12. Investigation report and recommendations
- 55:10-15-13. Investigator
- 55:10-15-14. Civil and formal proceedings
- 55:10-15-15. Hearings
- 55:10-15-16. Hearing disqualification procedures
- 55:10-15-17. Powers of hearing authority
- 55:10-15-18. Findings of the Board and penalties
- 55:10-15-19. Notice of formal complaint and hearing
- 55:10-15-20. Issuing of orders
- 55:10-15-21. Final orders
- 55:10-15-22. Procedures to file exceptions to proposed orders



- 55:10-15-23. Rehearing, reopening or reconsideration
- 55:10-15-24. Effect of illegal activity or violations on licensure or certification
- 55:10-15-25. Emergency hearings and orders

**55:10-15-1. Prima facie evidence**

(a) Prima facie evidence shall be construed or attempting to construe to practice, perform or offer architecture, landscape architecture or services as a Registered Commercial Interior Designer within the meaning and intent of the Act by display or verbal claim, sign, advertisement, contract, card or other printed, engraved, or written instrument or device, or by electronic means bearing an individual's or entities name or in any other way represent to be licensed or registered under the Act. Prima facie evidence is also defined as an individual or Entity representing as able to contract, offer, perform services or use the restricted titles defined under the Act as requiring a License, Registration, Certificate of Authority or a Certificate of Title. Any such action noted by this Section shall be sufficient to justify an injunction or any other order or a conviction without evidence of a general course of conduct. The Board shall determine if other legal procedures and penalties are necessary and shall have the power to proceed with any and all legal procedures in addition to the injunction or other such orders issued.

(b) The following actions shall not be violations under 59 O.S. 46.1 et seq. and the Rules of the Board: Advertising in national publications or electronic media, provided there is no offering of professional services in jurisdictions where not licensed.

**55:10-15-2. Grounds for violations and penalties**

Grounds for probation, denial, revocation, suspension, refusal to renew, orders, injunctions, civil and/or criminal penalties are as follows:

- (1) Fraud, deception or misrepresentation in applying for a License, Registration, Certificate of Authority, Certificate of Title or in taking the examinations (see 55:10-15-4);
- (2) Violating the Act, or any Rule or order issued by the Board, including the unlicensed practice of architecture or landscape architecture;
- (3) Conviction of a felony;
- (4) Violating any jurisdiction's registration or licensing laws, requirements or rules and regulations;
- (5) Mental impairment;
- (6) Gross incompetence (see 55:10-15-5);
- (7) Recklessness on the part of the Licensee or Registrant in designing, planning or observing the construction or alteration of a project or building (see 55:10-15-6);
- (8) Dishonest practice (see 55:10-15-7);
- (9) Failure to maintain a License or Registration in good standing in one additional jurisdiction for reciprocal Licensees or Registrants;
- (10) Loss of NCARB, CLARB or CIDQ certification for reciprocal Licensees or Registrants based on cause;
- (11) Nonpayment of fees, penalties, failure to complete continuing education requirements, when applicable, or failure to file acceptable and properly completed required documents with the Board will result in automatic revocation;
- (12) Unauthorized or misuse of seal which shall include sealing, dating and signing any or all documents not prepared under a Licensee or Registrant. Prototype plans are an exception to this rule as noted in OAC 55:10-11-9 (e) (f).
- (13) Aiding and/or abetting unlicensed practice of architecture or landscape architecture.
- (14) Sealing, signing and/or dating plans and/or specifications not prepared in accordance with the Act and/or these Rules.
- (15) Submitting false or forged evidence or documents to the Board or in the practice of architecture or landscape architecture.
- (16) Presenting the License or Registration of another as the individual's or Entity's own.
- (17) Concealing information relative to any violation of the Act or the Board's Rules.

(18) Inappropriate behavior on the part of an Applicant during the examination period.

**55:10-15-3. Additional penalties for violations**

Investigation costs incurred by the Board, including reasonable attorney fees to prosecute the case, may be levied by the Board separately or in addition to civil or any other penalties determined by the Board. The Board may seek criminal and injunctive relief through the courts for any violation of the Act, Rules in this Chapter, regulation, or to enforce any order issued by the Board.

**55:10-15-4. Fraud or misrepresentation**

Any Architect, Landscape Architect, Registered Commercial Interior Designer, Entity or any other party who shall make oral or written fraudulent, false or misleading statements on any document, report, statement, examination, investigation, plans or specifications shall, upon conviction, be deemed guilty of fraud or misrepresentation. Fraud shall include copying any documents from an employer without specific written authorization.

**55:10-15-5. Gross incompetence**

The Board expects each Licensee, Registrant, or Entity to undertake only those professional assignments they are qualified, competent, and lawfully authorized to perform. The following practices, among others, may be deemed gross incompetence:

- (1) Failure to use due diligence and proper restraint in planning and observation procedures, thus endangering the safety and welfare of the public.
- (2) Failure to engage other licensed design professionals, competent and authorized through this or other Oklahoma statutes to practice in related planning disciplines, when the Architect, Landscape Architect, or Registered Commercial Interior Designer is otherwise responsible for obvious technical or tactical error jeopardizing the success or safety of the project, the public, the client and/or contractor.
- (3) Failure to clearly, accurately and completely develop plans, drawings, specifications and other instruments of service in practice that properly qualify the requirements intended and insure against misunderstandings jeopardizing the client and/or contractor.
- (4) Failure to use diligence and available counsel in preparing documents for the protection of a client in construction agreements involving the Licensee's or Registrant's responsibility.
- (5) Practicing architecture or landscape architecture while mentally impaired.

**55:10-15-6. Recklessness**

- (a) The Architect, Landscape Architect, or Registered Commercial Interior Designer is responsible for technical and tactical judgments relating to construction materials, techniques and systems processes. Their education, training and experience should enable them to make such determinations with confidence in a successful result.
- (b) The Board expects of its Licensees, Registrants, Entities or individuals representing same, prudent and deliberate consideration in such decisions, made only after responsible and thorough investigation, research and when necessary, expert advice and assistance.
- (c) When the result anticipated in such decisions is not reasonably predictable, each Licensee, Registrant, Entity or individual representing same, is expected to so advise the client, fully disclosing the implications involved.
- (d) When such decisions promote procedures, techniques, materials, systems, etc., unfamiliar to the planning and/or building team involved, the Licensee, Registrant, Entity or individual representing same, is expected to exercise extraordinary care and attention to the process, ensuring as best they can the result sought.
- (e) If, in the judgment of the Board, a Licensee, Registrant, Entity or individual representing same, does not demonstrate concern, attention and involvement stated in this Section, and failure to do so brings jeopardy to the project, public or client, the Board may deem such neglect to be recklessness.

(f) A Licensee or Entity shall not aid or abet any unlicensed party in practicing architecture or landscape architecture. Aiding and abetting shall include furnishing limited services in such a manner as to enable owners or unlicensed parties to evade the requirements of the Act or Rules in this Chapter. Incomplete plans shall be clearly marked as incomplete and not for construction if services are terminated during the contract.

**55:10-15-7. Dishonest practice**

The following practices, among others, may be deemed dishonest practice:

- (1) Acts which evidence violation, or attempts to violate, any laws or Rules of this or any other state relating to licensing or the practice architecture or landscape architecture.
- (2) Acts which evidence disregard or neglect in complying with regulations, codes, ordinances and recognized standards regulating construction at the place of building.
- (3) Acts which evidence attempts through commission or omission, to mislead or defraud any party.
- (4) Acts which evidence attempts or success in efforts violating Rules in this Chapter regarding the use of an Architect's, Landscape Architect's, or Registered Commercial Interior Designer's seal, signature and date.
- (5) Acts which evidence attempts or success in efforts to bribe any party, who may influence the selection of any Architect, Landscape Architect, Registered Commercial Interior Designer, or Entity. Kickbacks, donations, or forgiveness offered or paid to gain improper advantage in selection will be considered bribes.
- (6) Acts which evidence attempts or success to conceal a Licensee's, Registrant's or Entity's interests in conflict with responsibilities of service to a client.
- (7) Acts which evidence improper partiality as arbiter or interpreter in matters relating to client/contractor agreements resulting in or from unauthorized waivers, deviations, or disregard of provisions in such agreements.
- (8) Acts evidenced by exaggerated, misleading, deceptive or false statements or claims about professional qualifications.
- (9) Falsifying any documents submitted to the Board or required to be kept by the Licensee, Registrant, Entity or generated in the practice of architecture or landscape architecture.
- (10) Copying any documents or programs from the employer's files in violation of federal or state law.
- (11) Submitting forged documents or evidence to the Board.

**55:10-15-8. Duty to refer alleged violations to Secretary-Treasurer**

When information comes to the Board or its employees concerning alleged violations of the Act or these Rules, whether through formal or informal channels or by reason of other information, it shall be the duty of such body or individual to refer such information to the Secretary-Treasurer.

**55:10-15-9. Filing a complaint; forms and evidence**

- (a) When filing a formal complaint, the party shall document the allegations with evidence available and shall submit it to the Board. The Board Investigator shall make appropriate inquiry to verify such information, including retaining the services of expert witnesses, if necessary, and shall present the findings to the Investigation Committee, including, but not limited to, the Secretary-Treasurer and the Executive Director of the Board.
- (b) A Board member shall not discuss with any individual, any facts or circumstances concerning any investigation or formal complaint prior to holding a formal hearing, except in a Board meeting or with the Board's attorney.

**55:10-15-10. Informal resolution**

Those matters in which informal resolution is sought may be referred to the investigative committee or terminated as provided in OAC 55:10-15-9. Any final disposition of a violation by the Secretary-Treasurer must be reported to and approved by the Board.

#### **55:10-15-11. Investigation committee**

(a) **Appointment; officers.** The investigation committee, appointed by the Chair, shall investigate such cases referred to it. The committee shall be appointed for terms as designated by the Chair. At least a majority of the members of the committee shall be licensed or registered and in good standing with the Board. The Board shall designate one member Chair whose duty it shall be to conduct meetings of the committee, administer its activities and perform such other duties as are assigned by the Board.

(b) **Duties.**

(1) It shall be the duty of the investigation committee, upon request from the Secretary-Treasurer of the Board, to investigate to determine whether there exists probable cause to believe a violation has occurred as to justify formal or civil proceedings. The investigation shall be conducted with reasonable dispatch. The committee may or may not, in its sole discretion, afford the accused party involved an opportunity to be heard in the course of preliminary investigation.

(2) Before a report adverse to the accused party is made, the investigation committee may or may not, in its sole discretion, notify him/her or it in writing of the complaint and allow not less than ten (10) days to reply in writing. At this level of the proceedings the accused party shall not be entitled to a hearing before the investigative committee as a matter of right, but may submit, in writing, a response for consideration by the investigative committee.

(c) **Actions.** Based upon the information and inquiries made during the course of the investigation, the Investigation Committee shall proceed to one of the following courses:

- (1) Terminate the investigation when it appears no violation has occurred or there is insufficient evidence to support any violation; or
- (2) Attempt informal resolution of the matter; or
- (3) Attempt formal resolution; or
- (4) Refer directly to Board.

#### **55:10-15-12. Investigation report and recommendations**

The Executive Director shall forward the investigation committee's report to legal counsel for the Board who shall proceed with the recommendations contained therein, provided such recommended action conforms to law or established policy of the Board and is supportable based upon evidence. Civil or formal proceedings will not be instituted unless the investigation committee is agreed upon such action or unless ordered by the Board based upon review of the recommendations of the investigation committee and counsel of the Board. If formal charges are proposed without using the investigation committee, those charges shall be approved by the Secretary-Treasurer and the Executive Director before sent out by Counsel.

#### **55:10-15-13. Investigator**

Investigations may, at the discretion of the Secretary-Treasurer, be assigned to individual investigators who are employed or retained on a full or part-time basis by the Board for such purpose.

#### **55:10-15-14. Civil and formal proceedings**

Civil or formal proceedings in matters involving violations shall be brought by Counsel or the Secretary-Treasurer of the Board based upon recommendation of the investigative committee, investigator, or when ordered by the Board. The formal complaint shall be signed by Counsel to the Board and/or Executive Director and shall include a concise statement of the allegations and particular sections of statutes and Rules in this Chapter involved.

#### **55:10-15-15. Hearings**

(a) **General provisions.**

(1) The Board shall set a time and place for the hearing of charge, provided that such hearing shall not be set less than twenty (20) days from mailing of notice of the proceeding to the last known address of the accused party according to Board records or information.

(2) Such notice shall include a copy of the charge, a statement of the time, place and nature of the hearing, a statement of the legal authority and jurisdiction under which the hearing is held; of the matters asserted or issues involved. At any hearing, interested parties shall be afforded the opportunity to respond, present evidence, and argue on all issues involved.

(3) Unless precluded by law, informal disposition may be made of any proceeding by stipulation, agreed settlement, consent order, or default.

(4) At any hearing, the party charged with misconduct or violation of the Act or Rules shall enjoy the following rights:

(A) against self-incrimination in testimony before the Board. However, any previous testimony before a court or inquiry of public record may be used in evidence; and

(B) of confidential communication with a spouse, attorney, clergyman, priest and/or physician; and

(C) of withholding such other records and files of any official or agency of any state or of the United States which, by any statute of such state or of the United States, are made confidential or privileged; and

(D) of cross examination; and

(E) of counsel.

**(b) Hearing record.**

(1) The hearing record shall include:

(A) All pleadings, motions and intermediate rulings;

(B) Evidence received or considered, including the testimony of expert witnesses, if necessary;

(C) Questions and offers of proof, objections, and rulings thereon;

(D) Proposed findings and exceptions;

(E) Any decision, opinion, or report by the officer presiding at the hearing;

(F) All staff memoranda or data presented as evidence to the hearing officer or members of the agency in connection with their consideration of the case;

(2) Oral proceedings or any part of the oral proceedings shall be transcribed on request of any party.

(3) Findings of fact shall be based exclusively on the evidence and on matters officially noticed.

**(c) Methods of hearings.** Hearings shall be conducted by one of the following methods, as determined by the Board:

(1) By the Board;

(2) By any member of the Board or its designee acting as hearing examiner;

(3) By any attorney licensed to practice before the Supreme Court of the State of Oklahoma acting as hearing examiner.

**55:10-15-16. Hearing disqualification procedures**

A hearing examiner or any Board member shall withdraw from any proceeding in which they cannot afford a fair and impartial hearing or consideration. Any party may request such disqualification by filing an affidavit, promptly upon discovery of the alleged disqualification, stating the particular grounds for objection. The issue shall be referred to the Board to be determined promptly by the Board or the remaining members thereof and upon disqualification the Board shall assign another hearing examiner and if necessary, as provided by 75 O.S., Section 316, seek appointment of an additional member or members pro-tem.

**55:10-15-17. Powers of hearing authority**

A hearing authority shall require the furnishings of information; the attendance of witnesses; and the production of books, records, papers or other objects as may be necessary and proper for the purposes

of the hearing. Any party to a proceeding may take depositions of witnesses in the same manner as provided by law in any civil actions before courts of record and such depositions may be admitted into evidence subject to the right of objection at the time of hearing in accordance with the law.

#### **55:10-15-18. Findings of the Board and penalties**

(a) The Board may find:

- (1) The charges are dismissed for insufficient evidence;
- (2) The charges are dismissed without prejudice;
- (3) The charges are dismissed with prejudice;
- (4) The defendant is found not guilty;
- (5) The defendant is found guilty;

(b) If the finding is guilty, the Board shall then determine the penalty to be imposed. The penalty resulting from a finding of guilty shall be one or more of the following:

- (1) Reprimand: The formal notice of the Board, subject to public notice, that the accused party has been found guilty of violations which can and must be corrected as instructed; failure for which may result in suspension, revocation, probation or a civil penalty.
- (2) Censure: The formal notice of the Board, subject to public notice, that the accused party has been found guilty of violations which cannot be corrected, and which if repeated may result in suspension, revocation, probation, denial, refusal to renew, or civil penalty.
- (3) Suspension: The formal notice of the Board, subject to public notice, that the finding of guilty had resulted in suspension, denial, probation or refusal to renew the accused individual's License, Registration, Certificate of Authority or Certificate of Title for a stated period. In addition, a civil penalty may also be imposed.
- (4) Revocation: The formal notice of the Board, subject to public notice, that the finding of guilty has resulted in revocation of the accused individual's License, Registration, Certificate of Authority or Certificate of Title. In addition, a civil penalty may also be imposed.
- (5) Civil Penalty: The formal notice of the Board may be subject to public notice that the finding of guilty of the accused party has resulted in a civil penalty, as provided by the Act.
- (6) Probation: The formal notice of the Board, subject to public notice, that the accused party has been found guilty of violations which cannot be corrected, and which if repeated may result in suspension, revocation, denial or refusal to renew and/or civil penalty.

(c) All disciplinary actions where the party has been convicted, pled guilty or nolo contendere to a violation of the Act or Rules, shall be publicized to the public and profession with their name, License or Registration number and/or the Certificate of Authority or Certificate of Title number and the city and state on the Board's records, if applicable.

#### **55:10-15-19. Notice of formal complaint and hearing**

A formal notice of complaint and hearing will be served upon the Respondent and an opportunity will be afforded to each party adversely affected to file exceptions and present briefs and oral argument to the Board. The formal notice shall be accompanied by statements of the reasons and of each issue of fact or law necessary to the proposed order, prepared by the Board's counsel. The parties may, by written stipulation waive compliance with this Section.

#### **55:10-15-20. Issuing of orders**

All orders, whether proposed or final, shall be issued within one hundred twenty (120) days of a hearing. Final orders shall be effective upon signing by the Chair or presiding officer of the Board.

#### **55:10-15-21. Final orders**

A final order adverse to a party in a proceeding shall be in writing, as stated in the record. A final order shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts

supporting the findings. A copy of the final order shall be delivered or mailed to each party and to the attorney of record.

**55:10-15-22. Procedures to file exceptions to proposed orders**

(a) Exceptions shall be filed with the Executive Director within ten (10) days of mailing the proposed order to the party. If exceptions are filed, the Executive Director shall set the time and place for the Board to consider the proposed order and the exceptions to it and cause notice of such time and place to be mailed to the party. Such time shall not be less than twenty (20) days after such notice is mailed.

(b) Briefs in support of exceptions must be filed with the Board at least seven (7) days before such hearing. The party may individually or through counsel be present and present oral argument to the Board in support of the exceptions. If no exceptions are filed, the Board will consider the proposed order at its next regular or special meeting, or at such other time as is convenient to the Board.

**55:10-15-23. Rehearing, reopening or reconsideration**

(a) A decision by the Board shall be subject to rehearing, reopening, or reconsideration by the Board if requested within ten (10) days from the date of its entry. The grounds for requesting such action shall be either:

- (1) Newly discovered or newly available evidence relevant to the issues; or
- (2) Need for additional evidence adequately to develop the facts essential to proper decision; or
- (3) Probable error committed by the Board or hearing examiner in the proceeding or in its decision such as would be grounds for reversal on judicial review or the order; or
- (4) Need for further consideration of the issues and the evidence in the public interest; or
- (5) A showing that issues not previously considered should be examined in order to properly dispose of the matter; or
- (6) Fraud practiced by the prevailing party or of procurement of the order by perjured testimony or fictitious evidence.

(b) The order of the Board granting rehearing, reconsideration, or review, or the petition of a party, shall set forth the grounds that justify such action.

(c) The Board will consider past violations taken against any party found guilty in any present proceeding. Such past violation shall not be evidence of guilt in the present proceeding but will be considered only in determining appropriate sanctions or penalties to be imposed by the Board in the present proceeding.

(d) Unless precluded by law, any party may waive rights and proceed by stipulation, agreed settlement, consent order or default. No provision in the Rules of this Chapter shall be construed as prohibiting the Board from suspending or holding in abeyance any formal or civil proceeding pending the outcome of informal negotiation or informally agreed upon terms.

**55:10-15-24. Effect of illegal activity or violations on licensure or certification**

When it comes to the Board's attention that a party residing in or out of the State of Oklahoma may be engaged in any illegal activity that might be determined as a violation of the Act, these Rules, penalties or orders issued by the Board, the Board may take any necessary legal action permitted pursuant to the provisions of 59 O.S., Sections 46.1 et seq. and may, in addition, bar the individual or Entity and/or their employers from obtaining a License, Registration, Certificate of Authority and/or Certificate of Title.

**55:10-15-25. Emergency hearings and orders**

(a) If the Board shall find an emergency to exist which, in the opinion of the Board, poses an immediate danger to the public health, welfare, or safety or which threatens irreparable harm to any party, the Board may order hearings as provided in this Section upon the giving of twenty-four (24) hour notice to the parties concerned, and may enter such temporary orders as will, in the judgment of the Board, maintain or restore the public health, welfare, and safety.

(b) Whenever in the judgment of the Board any party has engaged, or is about to engage, in any acts or practices which constitute, or will constitute, a violation of the Act or these Rules, the Board may make

application to the appropriate court for an order enjoining such acts or practices, and upon a showing by the Board that such party has engaged, or is about to engage, in any such acts or practices, an injunction, restraining order, or such other order may be granted by such court, without bond.

(c) Nothing in the Rules of this Chapter dealing with violations, penalties or findings of facts shall preclude the Board from proceeding through any legal proceedings necessary to enforce its findings, orders or penalties.

## **SUBCHAPTER 17. CONTINUING EDUCATION REQUIREMENTS**

### **Section**

- 55:10-17-1. Purpose
- 55:10-17-2. Board responsibilities
- 55:10-17-3. Noncompliance and sanctions
- 55:10-17-4. Continuing education requirements
- 55:10-17-5. Exemptions
- 55:10-17-6. Computation of credits
- 55:10-17-7. General course/program requirements
- 55:10-17-8. Instructional guidelines [REVOKED]
- 55:10-17-9. Disallowance
- 55:10-17-10. Licensee responsibilities
- 55:10-17-11. Biennial Report and affidavit [REVOKED]
- 55:10-17-12. Requirements and responsibilities [REVOKED]

### **55:10-17-1. Purpose**

These Rules provide for a continuing education program to ensure that all Architects and Landscape Architects, licensed in the state, and Registered Commercial Interior Designers remain informed of technical and professional subjects that the Board deems appropriate to the practice of architecture, landscape architecture and registered commercial interior design to safeguard life, health, and promote the public welfare.

### **55:10-17-2. Board responsibilities**

(a) The Board shall:

- (1) Perform continuing education audits of all professionals.
- (2) Determine if courses address the health, safety and welfare of the public through an audit.
- (3) Discipline Architects, Landscape Architects and Registered Commercial Interior Designers if the requirements for Continuing Education have not been met.

(b) Members of the Board may attend courses for purposes of auditing the content and compliance with this rule.

### **55:10-17-3. Noncompliance and sanctions**

The continuing education requirements contained in this Section will apply to every Architect, Landscape Architect and Registered Commercial Interior Designers. Failure to fulfill the continuing education requirements, or file the required biennial report and affidavit, properly completed and signed, or to pay all required fees by June 30<sup>th</sup> of the renewal year, shall result in non-renewal of an Architect's or Landscape Architect's License, and Registered Commercial Interior Designer's registration.

### **55:10-17-4. Continuing education requirements**

(a) In order to renew a license or registration, which expires on June 30, every odd year, each Architect, Landscape Architect and Registered Commercial Interior Designer shall attest, as prescribed by the Board,



that they have completed 24 CEU's of acceptable continuing education requirements during the two-year period immediately preceding the biennial renewal date as a condition for renewal. One CEU shall represent one Contact Hour. No credit will be allowed for introductory remarks, meals, breaks, or business/administration matters related to courses of study.

(b) If the person exceeds the continuing education requirements in any renewal period, they may carry a maximum of 4 CEU's forward into the subsequent renewal period.

#### **55:10-17-5. Exemptions**

A person may be exempt from participating in the continuing education program required by these Rules for one of the following reasons:

- (1) A first-time Licensee or Registrant, issued a license or registration by examination or reciprocity, shall be exempt for their first renewal period if the first renewal period is less than two years from the original date of licensure or registration.
- (2) A person whose status is emeritus, per OAC 55:10-9-7, and is not actively practicing their profession shall be exempt from obtaining the continuing education required for renewals.
- (3) A person called to active military duty in the armed forces of the United States shall be exempt from obtaining the continuing education required for the duration of the temporary deployment and all penalties, if applicable and shall comply with OAC 55:10-3-13.
- (4) A person experiencing physical disability, illness or other extenuating circumstances may request exemption from the continuing education requirements. The individual shall provide supporting documentation for the Board's review. Such hardship cases will be considered by the Board on an individual basis.

#### **55:10-17-6. Computation of credits**

(a) Continuing education credits can be obtained in person or online, shall be measured in CEUs, and shall be computed as follows:

- (1) One CEU for each Contact Hour of:
  - (A) attending professional or technical presentations at meetings, conventions or conferences;
  - (B) attending programs sponsored by corporations or other organizations;
  - (C) completing seminars, tutorials, short courses, webinar, or online courses;
  - (D) making professional or technical presentations at meetings, conventions or conferences;
- (2) teaching or instructing a qualified presentation shall constitute two CEUs for each hour spent in the classroom. Teaching credit shall be valid for teaching a course or seminar in its initial presentation only. Teaching credit may be claimed by faculty at a college, university or other educational institution for the initial presentation only and shall be related to health safety, welfare issues only;
- (3) authoring a published paper, article, writing a continuing education course or a book shall be the equivalent of 24 CEUs (No CEU's will be approved for newspaper or similar news articles);
- (4) successfully completing one university semester hour of credit shall be the equivalent of 12 CEUs.

(b) Architects, Landscape Architects and Registered Commercial Interior Designers cannot obtain partial credit for portions of courses taken.

(c) Brief absences or tardiness during a course are discouraged, however, if necessary, the total of the absence of the attendee from the course should not exceed 10% of the course Contact Hours.

(d) Administrative procedures and introductions should be limited to no more than 10% of the course's Contact Hour credits. Specific course content should utilize no less than 80% of the course Contact Hours.

#### **55:10-17-7. General course/program requirements**

- (a) All programs and courses are subject to auditing and the Board may disapprove any course not meeting the intended continuing education criteria set forth in this Subchapter.
- (b) All courses sponsored by NCARB, CLARB, The American Institute of Architects, the American Society of Landscape Architects, Interior Design Continuing Education Council, American Society of Interior Designers and International Interior Design Association or their successors will count for the required continuing education requirements if they met the requirements of this Subchapter and the intent of the Board.
- (c) Continuing education courses must be at least one Contact Hour in length, meet the topic area guidelines described in this Subchapter, and must result in a certificate of completion, which includes participant's name, provider's name, course title, number of contact hours, and the date the course was given.
- (d) Continuing education courses will be approved or disapproved by the Board based upon the information presented at the time of audit.
- (e) To qualify for continuing education, the course must:
  - (1) include technical and practical applications which impact public health, safety and welfare and,
    - (A) maintain, improve, expand or enhance the quality of the existing technical knowledge;
    - (B) fill voids that may exist in the professional education and internship training; or
    - (C) develop new and relevant technical profession skills and knowledge.
  - (2) have clear purposes and objectives;
  - (3) be presented by individuals who are well-qualified by education or experience in the field being taught; and
  - (4) provide individual participant documentation for record keeping and reporting.
- (f) Subject content acceptable for purposes of architecture continuing education shall be limited to:
  - (1) Study of Codes including safety codes, and laws and regulations governing the practice of architecture.
  - (2) Environmental Issues.
  - (3) Design proficiency.
  - (4) Study within planning, engineering, interior design, construction contracting and related disciplines.
  - (5) Legal aspects of contracts, documents, insurance, bonds, project administration, etc.
  - (6) Specialization, preservation, adaptive reuse, building types) etc.
  - (7) Construction Documents and Services.
  - (8) Materials and Methods.
  - (9) Mechanical, Plumbing, Electrical and Life Safety.
  - (10) Structural technology.
  - (11) Energy efficiency.
  - (12) Project administration.
  - (13) Professional ethics.
  - (14) Americans with Disabilities Act guidelines.
- (g) Subject content acceptable for purposes of landscape architecture continuing education shall be limited to:
  - (1) Study of Codes including safety codes, and laws and regulations governing the practice of landscape architecture;
  - (2) Environmental issues;
  - (3) Design proficiency;
  - (4) Study within planning, engineering, horticulture, construction contracting and related disciplines;
  - (5) Legal aspects of contracts, documents, insurance, bonds, project administration, etc.
  - (6) Specialization in areas of concentration;
  - (7) Construction documents and sources;
  - (8) Project administration;

- (9) Professional ethics;
- (10) Safety guidelines (Playgrounds, trails, etc.);
- (11) Herbicide and pesticide use;
- (12) American Disability Act Guidelines;
- (13) Irrigation system design;
- (14) Grading and drainage.

(h) Subject content acceptable for purposes of interior design continuing education shall be limited to:

- (1) Legal: codes, including life-safety codes and standards, laws and regulations governing the practice of interior design; professional ethics, zoning, insurance to protect owners and public
- (2) Environmental: energy efficiency, sustainability, natural resources, hazardous materials, weather proofing, insulation and natural hazards
- (3) Design: interior building design, interior specifications, accessibility, safety and security measures
- (4) Study within planning, interior design, construction contracting and related disciplines
- (5) Legal aspects of contracts, documents, insurance, bonds, project administration, etc.
- (6) Preservation: historic, adaptation, reuse, building types
- (7) Construction Documents and Services
- (8) Materials and Methods: building systems, products, finishes, furnishings, equipment
- (9) Technical: structural, mechanical, electrical, communications, fire protection, controls
- (10) Pre-design: programming, project analysis, survey of existing conditions, including materials and configuration of the interior space of a project
- (11) Occupant Safety: indoor air quality, lighting, acoustics, ergonomics
- (12) Project administration
- (13) Americans with Disabilities Act guidelines

**55:10-17-8. Instructional guidelines [REVOKED]**

**55:10-17-9. Disallowance**

- (a) If the Board determines through an audit, that continuing education hours are to be disallowed, an Architect or Landscape Architect shall have 30 calendar days after notification to substantiate the original claim or earn other continuing education hours to meet minimum requirements and submit documentation to the Board office. This section only applies to persons who met the requirements by the biennial deadline.
- (b) Fraud or misrepresentation in certification of course attendance or any other aspect of fulfilling continuing education requirements will be disciplined in accordance with the Act, including revocation or denial of the renewal of a License and/or Certificate of Authority, if applicable.

**55:10-17-10. Licensee responsibilities**

- (a) The Architect, Landscape Architect and Registered Commercial Interior Designer is responsible for retaining proof of participation in continuing education activities. Such verification includes, the following as applicable:
  - (1) A log showing activity claimed, sponsoring organization, location, duration, etc. signed by the Sponsor; or
  - (2) Attendance certificates; or
  - (3) Signed attendance receipts; or
  - (4) Sponsor's list of attendees (signed by an individual in responsible charge of the activity).
- (b) These records must be retained for one calendar year following the filing of an application for License or Registration renewal. Copies shall be furnished to the Board for audit purposes if requested.

(c) The Architect, Landscape Architect and Registered Commercial Interior Designer must be present for the entire duration of the course for all approved course Contact Hours.

**55:10-17-11. Biennial report and affidavit [REVOKED]**

**55:10-17-12. Requirements and responsibilities [REVOKED]**