BOARDS AND COMMISSIONS

Board of Architects

(Amendment)

201 KAR 19:087. Continuing education.

RELATES TO: KRS 323.110(1), 323.120(1)(g), 323.210(3)

STATUTORY AUTHORITY: KRS 323.210(2), (3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 323.210(3) authorizes the board to establish continuing education requirements. This administrative regulation establishes continuing education requirements and establishes standards for the licensing of an architect for board licensees.

Section 1. Definitions.

(1) "Continuing education" or "CE" means post-licensure learning that enables a licensed architect to increase or update knowledge of and competence in technical and professional subjects related to the practice of architecture to safeguard the public's health, safety, and welfare.

(2) "Continuing education hour" or "CEH" means a:

(a) Unit equal to sixty (60) minutes clock time for the taking of an examination; or

(b) Customary time of completion prescribed by an examination vendor, if the board finds the time to be reasonable.

(3) "Health, safety, and welfare subjects" means technical and professional subjects that the board finds appropriate to safeguard the public and that are within the following enumerated areas necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment:

(a) Building Systems: Structural, Mechanical, Electrical, Plumbing, Communications, Security, Fire Protection;

(b) Construction Contract Administration: Contracts, Bidding, Contract Negotiations;

(c) Construction Documents: Drawings, Specifications, Delivery Methods;

(d) Design: Urban Planning, Master Planning, Building Design, Site Design, Interiors, Safety and Security Measures;

(e) Environmental: Energy Efficiency, Sustainability, Natural Resources, Natural Hazards, Hazardous Materials, Weatherproofing, Insulation;

(f) Legal: Laws, Codes, Zoning, Regulations, Standards, Life Safety, Accessibility, Ethics, Insurance to protect Owners and Public;

(g) Materials and Methods: Construction Systems, Products, Finishes, Furnishings, Equipment;

(h) Occupant Comfort: Air Quality, Lighting, Acoustics, Ergonomics;

(i) Pre-Design: Land Use Analysis, Programming, Site Selection, Site and Soils Analysis, Surveying; or

(j) Preservation: Historic, Reuse, Adaptation.

(4) "Relevant topic" means an area which is particularly focused on the health, safety, and welfare of the public utilizing structured educational activities intended to increase or update the architect's knowledge and competence in health, safety, and welfare subjects.

(5) "Structured educational activities" means educational activities in which at least seventy-five (75) percent of an activity's content and instructional time is devoted to health, safety, and welfare subjects related to the practice of architecture, including courses of study or other activities under the areas identified as health, safety, and welfare subjects and provided by qualified individuals or organizations, whether delivered by direct contact or distance learning methods.

Section 2. Purpose. The purpose of this continuing education program is to ensure that all licensed architects remain informed on technical and professional subjects that the board finds appropriate to safeguard life, health, property, and welfare of the public.

Section 3. Scope and Exemptions.

(1) To annually renew a license, an architect licensed in Kentucky shall comply with this administrative regulation unless the licensee is exempted by one (1) of the following reasons:

(a) The licensee is exempted as a first-time registrant by:

1. Examination; or

2. Reciprocity;

(b) The licensee has applied for or is renewing as an architect emeritus who:

1. Is at least sixty-five (65) years old;

2. Has requested architect emeritus status at the beginning of the license renewal period; and

3. Has retired from practice in all jurisdictions and is not conducting an active practice in any jurisdiction;

(c) The licensee is a civilian who serves on active duty in the United States Armed Forces for a period of time exceeding ninety (90) consecutive days during the annual report period; or

(d) The licensee is a registrant of another National Council of Architectural Registration Boards' (NCARB) jurisdiction that has a required continuing education program, if:

1. It accepts Kentucky requirements to satisfy its continuing education requirements; and

2. The licensee certifies that all requirements for current continuing education compliance and registration have been met in that jurisdiction.

(2) A hardship case may be considered by the board.

Section 4. Requirements.

(1) A licensed Kentucky architect shall:

(a) Obtain a total of at least twelve (12) CEHs per year; and

(b) Report these credits as a condition for license renewal.

(2) Beginning with calendar year 2017, the continuing education requirement of subsection (1) of this section shall be satisfied during the period beginning January 1 and ending December 31 of the previous calendar year.

(3) CEHs shall not be carried over into the next reporting period for credit.

(4) A minimum of twelve (12) CEHs shall consist of structured educational activities on relevant topics addressing health, safety, and welfare subjects as referenced in Section 1(3) of this administrative regulation.

Section 5. Reporting and Recordkeeping.

(1) The following shall be submitted by an applicant for renewal of a license:

(a) A completed continuing education certification statement of compliance with the annual continuing education requirements portion of the completed Architect License Renewal Application;

(b) The completed Architect License Renewal Application or online renewal on the board's Web site at http://boa.ky.gov; and

(c) The renewal fee required by 201 KAR 19:255.

(2) The following shall be submitted by an applicant for the reinstatement of a license previously administratively revoked:

(a) A completed continuing education certification statement of compliance with the annual continuing education requirements portion of the completed and notarized

Architect License Reinstatement-Restoration Application listing the completed courses for the number of credits required. A reinstatement of a license revoked for one (1) year or less shall require reporting twelve (12) CEHs minimum. A reinstatement of a license revoked for one (1) year or more shall require reporting twenty-four (24) CEHs minimum;

(b) The completed and notarized Architect License Reinstatement-Restoration Application;

(c) The reinstatement application fee plus the applicable annual renewal fee required by 201 KAR 19:255 for each year since the date of revocation; and

(d) A two (2) inch by two (2) inch or larger passport quality color photograph of the applicant affixed to the application.

(3) The following shall be submitted by an applicant for the restoration of a license previously voluntarily surrendered:

(a) A completed continuing education certification statement of compliance with the annual continuing education requirements portion of the completed and notarized Architect License Reinstatement-Restoration Application listing the completed courses for the number of credits required. The restoration of a license voluntarily surrendered for one (1) year or less shall require reporting twelve (12) CEHs minimum. The restoration of a license voluntarily surrendered for more than one (1) year shall require reporting twenty-four (24) CEHs minimum;

(b) The completed and notarized Architect License Reinstatement-Restoration Application;

(c) The applicable restoration application fee plus the current annual renewal fee required by 201 KAR 19:255; and

(d) A two (2) inch by two (2) inch or larger passport quality color photograph of the applicant affixed to the application.

(4) An incomplete submission shall be returned to the applicant.

(5) A random sample of annual reports of architect's continuing education certifications shall be audited to ensure accuracy and compliance. Any licensee audited shall submit a completed Architect Continuing Education Annual Report issued by the board with proof of continuing education activities attached.

(6) The licensee shall:

(a) Be responsible for retaining proof of participation in continuing education activities;

(b) Retain a record for continuing education for a period of five (5) years from the date of submission of the annual report to the board; and

(c) Furnish copies of continuing education records on the request of the board for audit purposes.

(7) Proof of participation in continuing education activities shall include:

(a) A log showing the:

1. Activity claimed;
2. Sponsoring organization;
3. Location; and
4. Duration; and

(b) One (1) of the following:

1. An attendance certificate;
2. A signed attendance receipt;
3. A paid receipt;
4. A proof of participation document signed by a person in charge of the activity; or
5. Other documentation accepted at the discretion of the Board.

(8) Disallowances. If continuing education credit is disallowed, the licensee shall have thirty (30) calendar days after notification to:

(a) Substantiate the original claim; or
(b) Earn other continuing education credit to meet the minimum requirements.

Section 6. Noncompliance and Sanctions.

(1) Failure to fulfill the continuing education requirements, file the required Architect License Renewal Application or the Architect License Reinstatement-Restoration Application, properly completed and signed, or file the Architect Continuing Education Annual Report as required by an audit, properly completed and signed, shall result in the board imposing any combination of the following sanctions:
(a) Nonrenewal;
(b) Denial of reinstatement or restoration;
(c) Probation; or
(d) Suspension of the license and the issuance of a reprimand.

(2) A licensee found to be deficient on CEHs following a continuing education audit shall be fined a civil penalty of $250 for the first deficient CEH and fifty (50) dollars for each deficient CEH thereafter.

Section 7. Incorporation by Reference.

(1) The following material is incorporated by reference:
(a) "Architect Continuing Education Annual Report", 2015;
(b) "Architect License Renewal Application", 2020; and
(c) "Architect License Reinstatement-Restoration Application", December 2016.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at Kentucky Board of Architects, 155 East Main Street, Suite 300, Lexington, Kentucky 40507, Monday through Friday, 8 a.m. to 4:00 p.m., or on the board's Web site at https://boa.ky.gov/Pages/default.aspx.

(24 Ky.R. 2241; Am. 2617; eff. 6-15-98; 35 Ky.R. 1841; 2411; eff. 6-5-2009; TAm 11-20-2012; 42 Ky.R. 1586; 2032; eff. 2-5-2016; 48 Ky.R. 3033; 49 Ky.R. 558; eff. 12-6-2022.)

STEPHANIE R MCCRERY, Board President
CORDELIA HARBUT, Executive Director

APPROVED BY AGENCY: May 3, 2022
FILED WITH LRC: May 5, 2022 at 2:30 p.m.
CONTACT PERSON: CONTACT PERSON: Cordelia Harbut, Executive Director, Kentucky Board of Architects, 155 East Main Street, Suite 300, Lexington, Kentucky 40507, phone (859) 246- 2069, fax (859) 246-2431, email boa.irc@ky.gov.