

**Key to Language Shown for Division 25 Rules:**

**\*\*\*New Language Proposed\*\*\* is shown in underlined font.**

**\*\*\*Language to be Deleted\*\*\* is shown in ~~strikethrough~~ font.**

**\*\*\*Existing Language to Remain\*\*\* is shown in regular font.**

**DIVISION 25**

**CONTINUING EDUCATION**

**804-025-0000**

**Effective Date for ~~Compliance with~~ Continuing Education Requirements**

~~The criteria and guidelines set forth in these rules~~Requirements for ~~compliance with~~ Continuing Education Requirements shall take~~went into~~ full effect on July 1, 2006. ~~At that time each registrant may be required to submit proof to the Board that they have met the requirements of this section in the manner prescribed.~~

Stat. Auth.: ORS 671.395, 671.415

Stat. Implemented: ORS 671.395

Hist.: LAB 1-2005, f. & cert. ef. 2-14-05

**804-025-0010**

**Continuing Education ~~Exemptions~~Requirements**

(1) ~~Exemptions: Upon Board review and approval, a~~ registrant may be exempted, ~~upon board review and approval,~~ from continuing education requirements in any of the following situations:

(a) A registrant is called to active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a calendar year. This registrant may request an exemption from ~~completing obtaining one half of~~ the required continuing education during ~~any renewal period in which the registrant is on active duty that renewal period. Alternatively, the registrant may request to be placed on inactive status under ORS 671.376(4). If the registrant on inactive status requests to return to active practice, the registrant shall complete all professional development hours as required by 804-025-0015.~~

(b) A registrant experiences physical disability, illness, or other extenuating circumstances that prevents the registrant from practicing landscape architecture ~~for a specified period of time. The registrant may request a full exemption from or reduction in the required continuing education hours during the renewal period(s) in which unable to practice or practice is restricted that renewal period. The registrant shall provide supporting documentation for the board's review and approval of the medical exemption. Alternatively, the registrant may request to be placed on inactive status under ORS 671.376(4). If the registrant on inactive status elects to return to active practice, the registrant shall complete all professional development hours as required by 804-025-0015.~~

(c) ~~A registrant working or travelling outside of the U.S. for an extended period of time as part of government employment, for humanitarian service, or for another similar purpose in areas where continuing education activities cannot readily be accessed or completed may request a full exemption from or reduction in the required continuing education hours during the renewal period(s) in which the work or travel outside the U.S. is occurring that renewal period. A registrant on inactive status must return to active status within 5 years of being placed on inactive status or the registration will lapse and cannot be renewed.~~

(d) ~~A registrant requesting an exemption shall provide supporting documentation for the Board's review. The Board may request additional documentation as deemed necessary to consider the request. Each exemption is granted at the sole discretion of the Board.~~

(e) ~~Instead of requesting an exemption, a registrant in good standing and facing circumstances described under (1)(a), (b), or (c) may request to be placed on inactive status under ORS 671.376(4) and OAR 804-022-0025. A registrant on inactive status can request a return to active practice within a five (5) year period counted forward from the date inactive status was granted by the Board.~~

(2) ~~The Board may delegate the authority to approve continuing education exemptions to the Board Administrator.~~

(2) ~~Records: each registrant shall maintain:~~

(a) ~~A log showing the subject and type of activity claimed, the sponsoring organization, location, duration and instructor's or speaker's name~~

(b) ~~Documentation sufficient to prove completion of the activity claimed such as attendance verification records, completion certificates or other documents~~

~~(c) Required log and documentation for at least four (4) years.~~

~~(3) Any exemption approved will be documented in a written letter from the Board to the registrant.~~

~~(4) Exemptions will not be approved retroactively.~~

~~(3) Audit: Upon request, each registrant shall provide proof of satisfying the continuing education requirements. If the registrant fails to furnish the information as required by the board or if the information is not sufficient to satisfy the requirements, the license shall not be renewed.~~

~~(4) Disallowance: If the board disallows one or more continuing education activities claimed, the board may, at its discretion, allow the registrant up to 120 days after notification to substantiate the original claim or to complete other continuing education activities sufficient to meet the minimum requirements.~~

Stat. Auth.: ORS ~~183.335(5), 670.310, 671.376,~~ 671.395, 671.415

Stat. Implemented: ORS 671.376, 671.395

Hist.: LAB 1-2005, f. & cert. ef. 2-14-05; LAB 4-2008, f. & cert. ef. 11-7-08; LAB 2-2013(Temp), f. & cert. ef. 6-20-13 thru 12-17-13; LAB 5-2013, f. & cert. ef. 12-12-13

**804-025-0015**

**Continuing Education Requirements for Reactivation or Reinstatement of Registration**

- (1) ~~If the inactive registration is less than one year, the An I~~ inactive registrant must provide proof of completion meeting all of the continuing education requirements of OAR 804-025-0020(2) for the equivalent of 1 renewal period as part of a request for reactivation of registration.
- (2) ~~If the inactive registration is for one year or more, the Inactive registrant must provide proof of meeting the continuing education requirements of OAR 804-025-0020(2)-PDH activities must have been completed withinduring~~ the two year period immediately preceding the request for~~prior to~~ reactivation of registration.
- (3) Delinquent (lapsed) registrants seeking reinstatement must provide proof of compliance with the requirements of OAR 804 Division- 025-0020(2) for the equivalent of each year the registration has been delinquent up to a maximum of the PDH required over 3 renewal periods. Activities must have been completed within the two year period immediately preceding the request.~~before the registration may be considered for reinstatement.~~

Stat. Auth.: ORS ~~483 & 671.395, 671.415~~

Stat. Implemented: ORS ~~671.335, 671.376, 671.395 & 671.415~~

Hist.: LAB 4-2008, f. & cert. ef. 11-7-08

804-025-0020

**Uniform Continuing Education Standards**

(1) Definitions: The following are definitions of terms used in this Division.

(a) “Activity” - any course or educational endeavor that has a clear purpose and objective and maintains, improves or expands the professional knowledge or skill of the registrant in relation to the practice of landscape architecture.

(b) “Audit period” - the renewal period for which the registrant’s continuing education activities are subject to audit.

(c) “Health, safety, and welfare (HSW)” - any issue related to the practice of landscape architecture exemplified by the examination required for registration or that is otherwise related to safeguarding of public HSW as related to proper evaluation, planning, design, construction and utilization of the natural and built environment. HSW issues include but are not necessarily limited to the following list related to the practice of landscape architecture:

(A) codes, acts, ordinances, laws, and regulations governing the practice of landscape architecture;

(B) construction administration, including the administration of construction contracts;

(C) construction documentation;

(D) design of environmental systems and use of site materials and methods of site construction;

(E) environmental process and analysis;

(F) erosion control methods, including storm water management;

(G) grading and drainage;

(H) horticulture, planting design, and vegetation management;

(I) irrigation methods;

(J) land planning and land use analysis;

(K) landscape preservation, landscape restoration and adaptive reuse;

(L) natural hazards impacts related to site design;

(M) pedestrian and vehicular circulation;

(N) preparedness and resiliency design and related construction details;

(O) resource conservation and management;

(P) risk management in practice and design;

(Q) site accessibility, including American with Disabilities Act standards for accessible site design;

(R) site and soils analysis;

(S) site design;

(T) specifications writing; and

(U) sustainable design.

(d) “Outside the normal performance of occupation” - refers to continuing education activities that are completed separate from professional services provided and that are not customarily associated with or part of the registrant’s normal employment duties. Required workplace orientations or training activities are generally considered part of normal employment duties. Training received on a voluntary basis at the workplace may qualify as PDH.

(e) “Pro-bono service” - refers to professional services provided without fee or anticipation of other compensation to the public or an organization where such services are provided outside the normal performance of occupation. Services must draw upon the knowledge and skills of the registrant while also helping to maintain, improve, or enhance the registrant’s practice. Unbilled hours from a project done for compensation do not qualify as pro-bono service.

(f)(b) “Professional ~~d~~Development ~~h~~Hour (PDH)” - one hour (with no less than 50 minutes of direct involvement, commonly referred to as a contact hour) of an activity that meets the requirements of these regulations.

(g) “Renewal period” - the one-year period immediately preceding each annual renewal date. For example, the renewal period for a registrant with a renewal date of May 31 runs from June 1 to the next renewal date of May 31.

(h) “Self-directed activity” - Any continuing education activity that:

(A) does not have a third-party sponsor;

(B) is completed outside the normal performance of occupation; and

(C) is accounted for in terms of time spent completing the activity by the registrant.

(i)(e) “Structured educational activity” - any continuing education activity that ~~has~~:

(A) ~~has~~ a third-party sponsor, i.e. sponsor other than the registrant;

(B) ~~is characterized by evidence of~~ pre-planning including a written objective and format;

(C) ~~an assessment component~~; and

~~(D)~~ is documented and verifiable; and

~~(d) Health, safety and welfare issue—any issue related to the practice of landscape architecture exemplified by the most current examination required for licensure.~~

~~(D)(e) For academic coursework, the following credit Common conversions apply:~~

~~(i)(A) One university or college quarter credit hour = 30 PDHs; and~~

~~(ii)(B) One university or college semester credit hour = 45 PDHs.~~

~~(e) One IACET Continuing Education Unit (CEU) = 10 PDHs~~

(2) Basic Requirements ~~for Ras a condition of~~ renewal:

(a) ~~Each~~An active Registered Landscape Architect shall complete 12 PDH of acceptable continuing education ~~activities~~requirements during the ~~renewal period, one year period immediately preceding each annual renewal date.~~ However, an active Registered Landscape Architects with 25 consecutive years of registration with the Board or other landscape architecture regulatory boards shall only need to complete 4 PDH during the renewal period.

~~(A)(b) At least 9-75% of the PDH of the continuing education requirement must be earned by completing structured educational activities that directly address the HSW health, safety, and welfare issues of the public as related to the practice of landscape architecture; and.~~

~~(B)(e) If a registrant exceeds the PDH total continuing education requirement in a renewal period, the registrant may carry a maximum of 12 PDH forward into the next renewal period a maximum of the PDH needed to cover that next renewal period.~~

(3) Conditions For Acceptance:

(a) To be accepted as a PDH, ~~an structured educational~~ activity must be related to the practice of landscape architecture, performed outside of the normal performance of one's occupation, and contemporaneously documented.

(b) The Board encourages registrants to seek diversified continuing education activities. In addition to structure educational activities, the following are types of self-directed activities related to the practice of landscape architecture PDH that may be accepted as PDH by the Board:

(A) Professional or Technical ~~P~~presentations; ~~M~~making professional or technical presentations at recognized professional meetings, conventions or conferences may qualify the registrant for up to ~~one~~1 PDH per ~~reporting renewal period~~ for each presentation given on a distinct topic. PDH cannot be claimed for repeating the same presentation or for substantially similar presentations made during the renewal period. A maximum of 4 PDH of this type may be accepted per renewal period.

(B) Teaching or Instructing: Teaching or instructing a qualified presentation to a group may qualify the registrant ~~be eligible~~ for up to ~~two~~2 PDH for each contact hour spent in the classroom. Teaching PDH may be available only for teaching a course or seminar in its initial presentation. Teaching PDH are not available to ~~full-time~~ faculty of any college or university where teaching or instructing was part of the normal performance of the registrant's occupation. A maximum of 4 PDH of this type may be accepted per renewal period.

(C) ~~Authoring~~: Authoring (publishing) or presenting an original paper, article or book may qualify the registrant be eligible for up to 20 PDH per publication in the renewal period. PDH value will be commensurate with the type, length, and complexity of the publication. The Board may also consider whether the publication was peer reviewed in determining PDH value. PDH may be available for either authorship or presentation of the publication that activity, but not for both. PDH cannot be requested until the paper, article, or book is actually published or presented and is limited to ~~PDH may be available only for~~ authorship or presentation in its initial version.

(D) Professional societies, ~~or~~ organizations, boards or commissions: Servicing during the renewal period as an elected officer, appointed member, or appointed ~~chair of a~~ committee member of an a professional society, organization, board or commission with a mission related to the practice of landscape architecture in a professional society or organization may qualify the registrant for the equivalent of up to 4 PDH per reporting period. The registrant is responsible for documenting how the service improved or expanded his or her professional knowledge or skills. 4 PDH of this type are limited to 4 PDH per society, organization, board or commission and may be accepted per renewal period but eligible only after the registrant has at the completion one of each year of service. Maximum PDH of this type per renewal period is 8 PDH.

~~(E) Professional boards or commissions; Serving as an elected officer or appointed member of a professional board or commission may qualify for up to 4 PDH per reporting period. PDH of this type are limited to 4 PDH per elected office or appointment and may be eligible only at the completion of each year of service.~~

~~(E)(F) Professional examination grading or writing~~: ~~Serving as an exam grader or~~ on a committee writing exam materials for a professional registration examination may be eligible for up to 41 PDH per 4 hours of exam writing efforts. A maximum of 48 PDH of this type may be accepted per renewal period biennium.

~~(F)(G) Specialty Certifications~~: Attaining specialty certifications through examination from a qualified professional society or organization may qualify the registrant be eligible for PDHs equal to two times the allotted examination time (i.e., 4 PDHs may be granted for a certification exam of 2 hours in length). A maximum of 4 PDH of this type may be accepted per reporting renewal period.

~~(G)(H) Pro-bono Service~~: Pro-bono service that has a clear purpose and objective and meets the requirements of 804-025-0020(1)(c) ~~maintains, improves, or expands the professional knowledge or skill of the registrant~~ may qualify the registrant be eligible for up to 1 PDH for every 4 hours of service. A maximum of 4 PDH of this type may be accepted per renewal period year.

~~(H)(I) Travel~~: Extended travel outside the ~~State of Oregon~~ registrant's state of residency may be eligible for up to 2 PDH per week (7 calendar days) of travel. The registrant is responsible for documenting how the travel experience improved or expanded professional knowledge or skills. A maximum of 4 PDH of this type may be accepted per renewal period.

~~(I)(J) Industry-Related Exhibitions~~: Attendance at industry-~~related~~ exhibitions such as home and garden shows, may qualify the registrant be eligible for up to 1 PDH per exhibitions show. A maximum of 2 PDH of this type may be accepted per renewal period year.

~~(J)(K) University-Based Mentoring~~: Mentoring one or more students ~~for one day~~ enrolled at thea University of Oregon that has an accredited landscape architectural degree program as part of a Landscape Architecture Shadow Mentor Day program or another similar academic-based mentoring event

may ~~qualify the registrant~~be eligible for up to 1 PDH per mentor day. A maximum of 2 PDH of this type may be accepted per ~~renewal period~~year.

~~(K) Design Critiques and Juries, Student: Serving on a jury of student work may qualify the registrant for up to 1 PDH per 4 hours of critique time. A maximum of 4 PDH of this type may be accepted per renewal period.~~

~~(L) Design Critiques and Juries, Professional: Serving on a jury of professional work may qualify the registrant for up to 2 PDH per 4 hours of critique time. A maximum of 4 PDH of this type may be accepted per renewal period.~~

~~(M)~~(L) Landscape Architecture Regulatory Board: Membership on the regulatory board for the practice of landscape architecture may ~~qualify the registrant~~be eligible for up to 8 ~~HSW~~-PDH per year of service as an appointed membership.

~~(4) The Board has final authority with respect to acceptance of PDH as meeting the requirements of OAR 804 Division 25, approval for courses, specific activities, and other PDH. Board decisions to accept or reject specific PDH will be based on these rules and the documentation submitted by the registrant.~~

~~(5) A Landscape Architect registered for 25 consecutive years or more in Oregon or other states requiring registration may meet Oregon's continuing education requirement upon completing 4 PDH per year. This can be accomplished through formal continuing education or self study.~~

Stat. Auth.: ORS 671.395, 671.415

Stat. Implemented: ORS 671.395

Hist.: LAB 1-2005, f. & cert. ef. 2-14-05; LAB 1-2008, f. & cert. ef. 2-4-08; LAB 1-2010, f. & cert. ef. 2-17-10

804-025-0030

### Documentation of PDH

(1) ~~All~~Each active ~~registrant~~Registered Landscape Architects must maintain the following continuing education documentation for at least those activities completed during the 3 most recent renewal periods:

(a) A PDH log using a Board-approved form showing the activity subject, type of activity, any sponsoring organization, location, duration and any instructor or speaker name; and

(b) ~~proper~~ documentation sufficient to prove completion of activities claimed on the ~~for any~~ PDH listed on the registrant's PDH Documentation Log.

(2) If audited, ~~acceptable~~ the registrant must submit the documentation ~~must accompany~~ specified in this rule for the audit period ~~the PDH Documentation Log.~~

(3)~~(2)~~ For any PDH activity, ~~The registrant~~each Registered Landscape Architect is responsible for obtaining verification of participation or otherwise documenting PDH as required under this rule.

(4)~~(3)~~ The following types of documentation from a third party provider qualifies as verification of attendance at completion of a PDH activity. The registrant is responsible for requesting this documentation from the third-party provider. The documentation must include the name of the provider, the title of the event, dates attended, and the anticipated number of PDHs ~~value~~ requested for attendance:

(a) Certificate of completion;

(b) Certificate of attendance;

(c) Letter of confirmation of attendance; or

(d) Transcript.

(5)~~(4)~~ If proof of attendance as described in (4) of this rule was not provided by ~~is not available from~~ the third party provider as provided under paragraph (3) above and is not made available upon request from made by the registrant to the third party provider, then as provided under paragraph (3) above, a copy of the sign-in sheet which includes the date, title, and presenter along with the agenda may be submitted to validate participation for purposes of PDH compliance.

(6)~~(5)~~ In the absence of the ~~above~~ documentation described in (4) and (5) or for a self-directed activity including those described in 804-025-0020(3), a summary may be submitted to the Board for review and must include (at a minimum) the following:

(a) Name/Title of the activity;

(b) Date(s) and hours of the activity;

(c) Location of the activity;

(d) Presenter or instructor of the activity;

(e) Written summary of the subject matter: ~~and~~

(f) ~~PDH anticipated and whether PDH subject was HSW or other:~~

(A) If the activity is to ~~fulfill meet the~~ HSW ~~PDH component~~, the summary must ~~describe include~~ key elements which ~~addressed meet~~ HSW ~~as~~ related to the practice of landscape architecture.

(B) If the activity is not ~~to fulfill related to~~ HSW ~~PDH or for any self-directed PDH~~, the summary must identify the benefit of the activity to the registrant's practice.

Stat. Auth.: ORS ~~671.395~~, 671.415

Stats. Implemented: ORS 671.395

Hist.: LAB 2-2010, f. & cert. ef. 10-19-10

804-025-0035

### Auditing of PDH

- (1) Each active registrant ~~is subject to being~~ may be audited annually.
- (2) ~~The Board Audited registrants are selected~~ randomly selects registrants for audit on a quarterly basis during each year. ~~All active registrants are subject to being audited each year.~~
- (3) Registrants receiving an audit notification shall provide documentation of satisfying the continuing education requirements for the audit period within 21 days or by the deadline set by the Board in writing. ~~must respond within~~ Documentation shall at a minimum include ~~21 days with:~~
  - (a) ~~The Board~~ approved PDH Documentation ~~Log~~ identifying all PDH activities for the audit period; and
  - ~~(b) and supporting~~ documentation validating all PDH for the audit period for which the registrant is seeking credit, except that:
    - (A) The registrant is not required to submit PDH documentation for PDH activities identified on the log beyond the annual PDH requirement unless the registrant is requesting Board confirmation of including carryover hours that can be applied to the subsequent renewal period; or
    - ~~(c)(b)~~ proof of exemption from the cContinuing eEducation requirements per OAR 804-025-0010(1).<sup>5</sup>
- (4) PDH documentation received from the registrant is reviewed by the Board's Continuing Education Coordinator~~Committee~~ (CEC). If the documentation is incomplete, the audited registrant will be given notice and be provided with at least ~~have~~ 21 days after such notice to provide additional documentation.
- (5) The CEC recommendation will be presented for approval to the Board, except for audits completed for reinstatement of registration purposes as per OAR 804-022-0020(7).
- (6) If the Board disallows one or more continuing education activities claimed, the Board may, at its discretion, allow the registrant up to 90 days after notification to substantiate the original claim or to complete other continuing education activities sufficient to meet the minimum requirements for the audit period.
- (7) If the registrant fails to furnish the information required by the Board or if the information is ultimately not sufficient to satisfy Board requirements, the registration may not be renewed. Alternatively or in addition to non-renewal of registration, the Board may pursue other disciplinary action, civil penalties, or both as sanction for non-compliance per ORS 671.404, 671.408, and 671.995.
- ~~(8)(6)~~ Written notification of the Board's decision on the audit will be issued to the registrant ~~following the Board meeting in which the PDH is approved.~~
- ~~(9)(7)~~ It is the responsibility of the registrant to identify all PDH completed on the PDH Documentation ~~Log~~. Any carryover PDH may be used only in the renewal period immediately following the audit

~~period. subsequent compliance period. The A~~ letter informing the registrant of approved carryover hours may be submitted without additional documentation for those PDH if the registrant is selected for audit in the next subsequent years.

Stat. Auth.: ORS 671.395, 671.404, 671.408, 671.415, 671.995

Stats. Implemented: ORS 671.395

Hist.: LAB 2-2010, f. & cert. ef. 10-19-10