SENATE BILL 855 (2019)

CERTIFICATES OF REGISTRATION REQUIREMENTS FOR IMMIGRANTS OR REFUGEES TO PRACTICE ARCHITECTURE IN OREGON

OCTOBER 31, 2019

As required by Senate Bill 855 (2019), below is the Oregon State Board of Architect Examiners’ (OSBAE or the Board) report on the manner in which persons who are immigrants or refugees become registered to practice architecture in the state of Oregon. This report also identifies methods to reduce potential barriers impeding immigrants or refugees from becoming registered to practice architecture in Oregon.

Methods for Immigrants or Refugees to Become Oregon Registered Architects

To “safeguard [the] health, safety and welfare” of the Oregon public, ORS 671.020 prohibits an individual from engaging in the practice of architecture or using the term “Architect” without first obtaining a certificate of registration from the OSBAE. There are two ways in which an individual may obtain a certificate of registration from the Board: registration by examination and registration by reciprocity. ¹

Any person, including an immigrant or refugee lawfully admitted to the United States, may earn a certificate of registration to engage in the practice of architecture in Oregon by satisfying the rules for registration by examination. To obtain a certificate of registration by examination, an individual must submit the OSBAE application; pay the required fees; transmit to OSBAE the individual’s National Council of Architectural Registration Boards (NCARB) record documenting that the individual holds a

¹ ORS 671.020(3) provides an exception to the registration rule and allows a “foreign architect” to engage in the practice of architecture in Oregon if the foreign architect meets certain initial credentials, “is affiliated with an Oregon-registered architect who is in responsible charge of all aspects of the architectural services provided” by the foreign architect, and the foreign architect adheres to specified limits in how they describe the services provided by the foreign architect in Oregon. Importantly, however, this exception allows the foreign architect only to engage in the practice of architecture under the supervision of an Oregon-registered architect and does not grant the foreign architect an Oregon certificate of registration.
professional degree from a National Architectural Accrediting Board (NAAB)- or Canadian Architectural Certification Board (CACB)-accredited architecture program, has completed the Architectural Experience Program (AXP), and has passed the Architect Registration Examination (ARE); and pass the Oregon Jurisprudence Examination. The rules for registration by examination are listed under [OAR 806-010-0020](#).

Additionally, [ORS 671.065](#) authorizes OSBAE to grant certificates of registration by reciprocity to foreign architects, who may include lawfully admitted immigrants or refugees, who are licensed to practice in another jurisdiction. Specifically, ORS 671.065 states:

The State Board of Architect Examiners may grant a certificate of registration without examination to any person who is not registered to practice architecture in this state but is certified by the National Council of Architectural Registration Boards or has lawfully been issued a license or certificate to practice in another jurisdiction of the United States or another country that has qualifications and licensing examinations substantially similar to those required in this state.

The rules for registration by reciprocity are listed under [OAR 806-010-0035](#). The regulations allow an architect to become registered to engage in the practice of architecture in Oregon if the architect: possess[es] an active architectural certificate of registration or license from another Board recognized jurisdiction; submits a reciprocity application form; pays required fees; passes the jurisprudence examination; and provides all required documentation by either (i) transmitting to OSBAE the individual’s NCARB Certificate or (ii) submitting official documentation that the individual holds a degree from a NAAB- or CACB-accredited architecture program, has passed the ARE or an NCARB-approved equivalent, and has completed the AXP or practiced architecture for at least two years in a Board recognized jurisdiction.

OSBAE explicitly recognizes the following foreign jurisdictions: each province of Canada, states and territories in Australia, New Zealand, Mexico, and jurisdictions the Board has entered into mutual recognition agreements (MRAs) through NCARB. MRAs exist with Australia, Canada, Mexico, and New Zealand. The Board will also consider applicants from other jurisdictions who have earned an NCARB Certificate through the NCARB Foreign Architect Path to NCARB Certification. They must meet NCARB’s certification guidelines before being considered for registration.

A foreign-licensed architect who is not from a country covered by an MRA can obtain an NCARB Certificate if the person has an architecture degree or education credential that allows the person to provide unlimited architecture services in the applicant’s home country and the foreign applicant is licensed in a foreign country that has a formal record-keeping mechanism for disciplinary actions in the practice of architecture (i.e., a regulatory board). The foreign architect must also complete the AXP and pass the ARE. Once an applicant receives an NCARB Certificate, they must submit an application for registration in Oregon by reciprocity, pay the required fees, and pass the jurisprudence

---

2 [The Foreign Architect Path to NCARB Certification](https://www.ncarb.org/advance-your-career/ncarb-certificate/get-certified/foreign-architects) is a program administered by NCARB, not OSBAE. For more information, please visit: [https://www.ncarb.org/advance-your-career/ncarb-certificate/get-certified/foreign-architects](https://www.ncarb.org/advance-your-career/ncarb-certificate/get-certified/foreign-architects).
exam which tests the applicant’s knowledge of Oregon’s statutes and rules. This pathway ensures that foreign architects are held to the same rigorous standards as U.S. candidates to effectuate the statute’s overarching purpose of protecting the health, safety, and welfare of Oregon’s public.

**Potential Barriers to Immigrants or Refugees Seeking Oregon Architectural Registration**

The Board has identified the following potential barriers to immigrants or refugees seeking registration in Oregon:

1. **Immigrants or Refugees without a NAAB- or CACB-accredited Degree**
   Oregon regulations preclude an immigrant or refugee who earned a degree from a program not accredited by NAAB or CACB from earning an Oregon certificate of registration by examination. See OAR 806-010-0020(3)(c)(A).

   Barrier Reduction: Successful completion of NCARB’s Foreign Architect Path to NCARB Certification allows a foreign architect to apply for registration in Oregon by reciprocity.

2. **Immigrants or Refugees from Countries Not Specifically Listed in Oregon Regulations**
   OAR 806-010-0035(3)(a) requires an immigrant or refugee to possess “an active architectural certificate of registration or license from another Board recognized jurisdiction” (emphasis added) to earn a reciprocal certificate of registration. OAR 806-010-0033(1) lists several recognized jurisdictions (described above). Although OAR 806-010-0033(2) states “[t]he Board will consider applicants from other jurisdictions who have been qualified under the NCARB Foreign Architect Certification Guidelines,” it may be unclear whether these jurisdictions meet the regulatory definition of “recognized jurisdiction” and would be included by implication in later references to the term for purposes of licensing foreign architects by reciprocity.

   To reduce this potential barrier facing immigrants and refugees, OSBAE could conduct a rulemaking to amend OAR 801-010-0033(2) to clarify that applicants qualified under the NCARB Foreign Architect Certification Guidelines are deemed to be licensed in a Board recognized jurisdiction for the purposes of OAR Chapter 806.

3. **Language Differences**
   A lack of proficiency in English would make it difficult to apply for registration as an architect when the application materials and supporting documentation are only available in English.

   To reduce this barrier, the Board will research the availability and cost of translation services and if feasible, will have a contract in place so translation services are readily available when needed.
As described in this report, Oregon has pathways in place that allow foreign architects to become registered to practice architecture in Oregon. The Board welcomes recommendations for additional improvements to the program. If there are any questions regarding this report, please do not hesitate to contact us.