



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

SUMMARY REPORT

PROFESSIONAL QUALIFICATIONS COMMITTEE MEETING

May 16, 2012

Sacramento, CA

Committee Members Present

Jeffrey Heller, Chair
Jon Baker
Raymond Cheng
Alan Cooper
Glenn Gall
Kevin Jensen
Christine Lampert
Kirk Miller
Alan Rudy
Barry Wasserman

Committee Members Absent

Gordon Carrier
Betsey Olenick Dougherty
Pasqual Gutierrez
Paul Neel
R.K. Stewart

Guests

Kurt Cooknick, Director of Regulation and Practice, The American Institute of Architects, California Council (AIACC)

Board Staff

Doug McCauley, Executive Officer
Vickie Mayer, Assistant Executive Officer
Justin Sotelo, Program Manager, Examination/Licensing Unit
Marccus Reinhardt, Administration Analyst
Jeffrey Olguin, Continuing Education Program Analyst

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Committee Chair Jeffrey Heller called the Professional Qualifications Committee (PQC) meeting to order at 10:25 a.m.

A. REVIEW AND APPROVE THE FEBRUARY 28, 2011 PROFESSIONAL QUALIFICATIONS COMMITTEE SUMMARY REPORT*

The PQC reviewed the February 28, 2011 meeting Summary Report.

PQC member made a motion to approve the February 28, 2011 PQC meeting summary report.

PQC member seconded the motion.

The motion passed 10-0.

B. UPDATE ON THE DISCONTINUANCE OF THE COMPREHENSIVE INTERN DEVELOPMENT PROGRAM*

Doug McCauley provided an overview of the Board's decision to discontinue the Comprehensive Intern Development Program.

C. UPDATE ON THE CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE) AND RELEASE OF RESULTS AT EXAMINATION SITES*

Justin Sotelo provided an update on the release of examination results scheduled to begin June 1, 2012. He stated upon completion of the CSE, candidates who fail will be given an application to retest, and candidates who pass will be given an application for licensure.

Jon Baker stressed the importance of the decision to incorporate the Examination Committee's roles into the PQC. He noted a structure would need to be developed for the role of the PQC in the context of examination development. He suggested that this detailed discussion be postponed to another meeting where appropriate time could be devoted to this issue. Mr. Heller added that incorporating the Examination Committee into the PQC increases the responsibility of the PQC.

Mr. McCauley suggested the PQC receive a presentation regarding the CSE at the next meeting so the members would have a better understanding on how the examination is developed and administered. Mr. Heller agreed that it would be beneficial to the PQC to have such a presentation.

* Due to a technical issue, portions of the audio were unavailable and this section was compiled from Board staff notes

D. UPDATE ON THE NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS' (NCARB) 2012 PRACTICE ANALYSIS AND THE BOARD'S UPCOMING OCCUPATIONAL ANALYSIS FOR ONGOING CSE DEVELOPMENT

Mr. Sotelo provided an overview of the NCARB Practice Analysis (PA). He stated that the PA, which included a survey of architects, interns and educators, began in April and had its deadline to

complete the survey extended to early-May. Mr. Baker added that there was a communications campaign conducted by NCARB to get as much participation as possible. Glenn Gall inquired if the deadline was extended due to a low response from participants. Mr. Baker replied that he was unsure of the reason for the extension, but would inquire.

E. UPDATE ON THE AMERICAN INSTITUTE OF ARCHITECTS, CALIFORNIA COUNCIL ACADEMY FOR EMERGING PROFESSIONALS' 2011 ARCHITECTURAL EDUCATION SUMMIT AND POSSIBLE ACTION ON POTENTIAL FOLLOW-UP ITEMS FOR THE BOARD

Mr. Sotelo summarized what had been discussed at the prior PQC meeting regarding the planning of the AIACC Academy for Emerging Professionals (AEP) 2011 Architectural Education Summit. He stated the Summit had been held November 18, 2011 in San Francisco and contained a diverse group of attendees. He added that a report of the Summit would be forthcoming and could contain actionable items for the Board.

Mr. Baker added that he noticed the support on behalf of educators and practitioners for this event, and hoped a follow-up event would happen soon. Allan Cooper stated that he had concerns regarding architectural schools not preparing their students sufficiently for entering the profession. Mr. Heller also noted that there is often good discussion during these events, although unlicensed persons often raise concerns regarding the licensure process and examination requirements.

Kurt Cooknick suggested that it may be mutually beneficial to the Board and candidates to add a member of the AEP to the Board's PQC and Communications Committee.

Barry Wasserman noted that the Board's agenda is very clear to those in the profession, while the agenda of each school differs. He said this causes a discontinuity between organizations during discussions.

Mr. Heller stated he was in favor of Mr. Cooknick's idea to appoint an AEP member to a committee, as this would allow candidates to gain more insight into the licensure process and the reasoning behind the process. Mr. Cooknick noted that in his experience, students coming out of the schools were underprepared to begin working, requiring additional on the job training. Mr. Baker noticed that this was an example of the difference in the mentality between educators; some teach students to be creative thinkers while others prepare them for the workforce. He added that schools monitor the National Architectural Accreditation Boards (NAAB) accreditation standards process and then analyze potential revisions to their programs.

Kevin Jensen was amenable to the idea of enhancing practitioners' input and participation with NAAB and believed that doing so may enhance educational standards and outcomes. He was curious how the Board could affect change and possibly enhance accreditation standards. Raymond Cheng recalled that when he was on the Board there was more dialogue regarding preparing students for practice and oversight regarding the schooling of candidates. Mr. Cooper stated that there is a lack of advocacy for practice courses among educators that has resulted in a cut of those courses by schools.

F. UPDATE ON IMPLEMENTATION OF FINAL PHASE OF NCARB'S INTERN DEVELOPMENTO PROGRAM (IDP) 2.0

Mr. Sotelo presented this item, and stated the final phase of IDP 2.0 was implemented in early April 2012. He said it included simplifying experience settings, enhancing the online reporting of experience, and allowing more options for earning credit for IDP.

G. DISCUSS ALLOWABLE CREDIT EARNED FOR ACADEMIC INTERNSHIP UNDER IDP 2.0 AND POSSIBLE ACTION

Mr. Sotelo noted that one of the changes under IDP 2.0 is the allowance of IDP credit (limited to 930 hours) for academic internships. He added that this allowance conflicts with the Board's regulations which specifically state that an internship completed as part of a degree program cannot be granted additional credit.

Mr. Cooper stated that this was to prevent a double counting of experience; however he believed that the internships were beneficial enough to be counted as separate experience. Mr. Gall inquired as to the quality of internship programs. Mr. Cooper responded that in his experience, universities have been expanding their internship programs and faculty has been vigilant in their oversight of the program. Mr. Wasserman added that there is some disparity among the quality of internships that are available.

Mr. Baker stated that when NCARB began considering the allowance of academic internships there was much discussion on whether or not to grant IDP credit. He said during the discussions, there was a perceived inequality between candidates enrolled in IDP who were in school and working and those who worked as part of an academic internship. He further stated that if a candidate was working as part of a degree program, they were not allowed to gain credit, but if they were working on their own, then there was no limit to the amount of IDP credit that could be gathered. Mr. Baker added that at the conclusion of NCARB's discussion, it was determined that all internships are beneficial and should be granted credit.

Jon Baker made a motion to recognize and allow candidates to earn experience credit for an academic internship granted under IDP 2.0 towards the Board's eight-year requirement.

Allan Cooper seconded.

Mr. Baker inquired whether the Board would need to modify its regulations to accept academic internships. Vickie Mayer responded that the regulations would need to be modified as they specifically prohibit credit for academic internships. She added that staff could work with the Department of Consumer Affairs legal office to develop language that allows credit for an academic internship granted credit through IDP.

Mr. Baker amended his motion to request staff draft regulatory language to allow candidates to earn experience credit for an academic internship granted under IDP 2.0 towards the Board's eight-year requirement.

Allan Cooper accepted the amendment to the motion.

The motion passed 10-0.

Mr. Sotelo explained that currently IDP allows a maximum of 960 hours credit for candidates that have completed an academic internship; however, he added there is an NCARB proposal to remove this maximum amount.

Jeffrey Heller made a motion to recommend support of NCARB's proposed modification to the IDP Guidelines removing the 960 hour maximum experience allowed for academic internships.

Allan Cooper seconded.

The motion passed 10-0.

Mr. Baker discussed another change that is occurring with IDP 2.0 related to credit for construction experience. He explained that under close supervision, interns would gain valuable knowledge. Mr. Baker also expressed the value of experience gained while performing construction work should not have the maximum allowable credit limit it does. Messrs. Jensen and Gall expressed concern regarding the types of work that could be performed and receive credit; and emphasized it should be meaningful construction work, not simple tasks. Messrs. Gall and Heller suggested that there should be a definition of what would be acceptable so the work performed would be meaningful.

Raymond Cheng made a motion to recommend the support of NCARB's proposed modification to the IDP Guidelines to accept construction work for IDP credit, provided there be a definition of the type of acceptable work.

Allan Cooper seconded.

Mr. Heller suggested that Messrs. Gall and Jensen work together to create a document with comments and suggestions regarding what would be acceptable construction work.

The motion passed 10-0.

H. DISCUSS AND POSSIBLE ACTION ON DEVELOPMENT OF A SYSTEM TO AUDIT COMPLETION OF COURSEWORK ON DISABILITY ACCESS REQUIREMENTS PURSUANT TO ASSEMBLY BILL 1746 (CHAPTER 240, STATUTES OF 2010)

Mr. Sotelo distributed a draft of the Proposed Continuing Education (CE) Audit System for the PQC's review and consideration. He stated with the passage of Assembly Bill 1746, the CE requirements for license renewal will be changing for the upcoming renewal cycle beginning January 1, 2013. He explained the Board will be auditing licensees for compliance of the CE requirement, and will have to present a report to legislature regarding the findings of the audits. He further noted that there is a 2012 Strategic Plan objective to create a CE audit system for the

Board.

Christine Lampert inquired if licensees would continue being required to submit supporting documentation with their license renewal regarding the completion of the required CE. Mr. Sotelo responded that licensees will no longer be required to submit this documentation. He added that it will need to be retained by the licensees for two years should they be audited.

Mr. Gall and Ms. Lampert inquired if there would be a resource made available detailing acceptable CE providers. Mr. McCauley responded the Board does not have the authority to endorse or approve CE providers. Ms. Mayer added that licensees call the Board and inquire whether or not a specific course would be acceptable, and staff has given guidance regarding acceptable courses.

Mr. Wasserman inquired if there would be language included with the license renewal regarding what is required for fulfillment of the CE requirement. Ms. Mayer responded there is language on the renewal form as well as on the Board's website explaining the change.

Ms. Lampert suggested that it would be helpful if a link to approved CE course providers was added to the Board's website.

Christine Lampert made a motion to: 1) recommend approval of the draft Proposed Continuing Education Audit System; 2) create a website link to the Division of the State Architect and AIA approved continuing education courses; and 3) clarify on the license renewal form the requirement that licensees retain their CE coursework records for audit purposes.

Allan Cooper seconded.

Mr. Baker inquired about the scenarios presented in the audit system handout. Mr. Sotelo responded that staff attempted to represent the range of licensee responses that could occur during an audit. Mr. Heller stated that perhaps the handout could be simplified and made clearer as to the intent of the licensee, such as intentionally attempting to deceive the Board versus unintentionally submitting incorrect documentation. Ms. Lampert indicated concern that a licensee may take a course in good faith, yet have the course turn out to be inadequate.

Mr. Cooper inquired if the audit would be a random audit. Messrs. Baker and Heller stated that the audit should be randomized.

*Ms. Lampert amended her motion to: 1) recommend approval of the draft Proposed Continuing Education Audit System **with staff's edits to clarify unintentional noncompliance**; 2) create a website link to the Division of the State Architect and AIA approved continuing education courses; and 3) clarify on the license renewal form the requirement that licensees retain their CE records coursework for audit purposes.*

Allan Cooper accepted this amendment to the motion.

The motion passed 10-0.

I. UPDATE AND POSSIBLE ACTION ON DEVELOPING A CONTINUING EDUCATION STRATEGY AND FRAMEWORK BASED ON NCARB’S RESEARCH AND DATA

Mr. McCauley explained the history of the CE requirement and how staff has researched the subject. He opined the Board should be prepared for the possibility of future legislation to modify the CE requirements. Mr. McCauley explained the Board could enhance a CE discussion by taking an active role in its requirement by working with entities such as NCARB and AIA. He added that a comparison could be made between the Board’s 2001 CE study and the study that NCARB is currently conducting.

Mr. Heller suggested the Board proceed cautiously in regards to a CE requirement since the Governor’s Office has been opposed to adding new requirements to professions. Mr. Baker stated that there should be a preemptive comprehensive CE requirement planned in order to prevent specific legislation being created by special interest groups. Ms. Lampert agreed, and suggested supporting the NCARB study with a goal of obtaining consistency among states. Mr. Miller also agreed that the Board should be active in the role of establishing a CE requirement. Messrs. Jensen and Wasserman added that CE ensures licensees are current on requirements which maintain the public’s health, safety, and welfare. Mr. Cooper inquired if a study would be necessary prior to any potential CE requirement. Mr. Cooknick suggested a justification could be brought to the Board that demonstrates the soundness and defensibility of a CE requirement.

Kirk Miller made a motion to accelerate the process of developing a CE strategy.

Ms. Lampert noted in the meeting packet there was a Draft Continuing Education Paper which included possible recommendations to consider.

Mr. Miller amended his motion to accept the recommendations made in the paper and accelerate the process of developing a CE strategy.

Barry Wasserman seconded.

The motion passed 10-0.

J. DISCUSS AND POSSIBLE ACTION ON A REGULATORY AMENDMENT TO ESTABLISH A RECIPROCAL LICENSURE PATHWAY FOR CANDIDATES HOLDING NCARB CERTIFICATION OBTAINED THROUGH THE BROADLY EXPERIENCED FOREIGN ARCHITECT PROGRAM

Mr. Sotelo stated the Board has expressed an interest in the NCARB Broadly Experienced Foreign Architect (BEFA) Program which allows foreign (excluding Canadian) licensed architects to obtain an NCARB Certificate, and would like to adopt a regulation to allow acceptance of such a certificate.

Mr. Baker opined that in the future, NCARB may no longer be accepting reciprocity from Canadian licensees for certification if they do not take the Architect Registration Examination

(ARE). He expressed concern the Board has in regulation that being a Canadian licensee is an avenue for reciprocal licensure and does not specify completion of the ARE as a requirement.

Jon Baker made a motion to recommend the Board amend its regulations to accept a BEFA Program Certificate.

Kirk Miller seconded.

The motion passed 10-0.

K. DISCUSS AND POSSIBLE ACTION ON LEGISLATION TO AMEND BUSINESS AND PROFESSIONS CODE TO ACCEPT INDIVIDUAL TAXPAYER IDENTIFICATION NUMBERS IN LIEU OF SOCIAL SECURITY NUMBERS FOR FOREIGN-LICENSED PROFESSIONALS PURSUING LICENSURE IN CALIFORNIA

Mr. Sotelo explained the requirement of a Social Security Number (SSN) as a condition of licensure. He noted the State Bar of California has a provision to accept an Individual Taxpayer Identification Number (ITIN) in lieu of a SSN, and the Board could adopt similar language.

Allan Cooper made a motion to accept the ITIN in lieu of a Social Security Number for licensure.

Jon Baker seconded.

The motion passed 10-0.

L. DISCUSS AND POSSIBLE ACTION ON THE ESTABLISHMENT OF AN NCARB “BROADLY EXPERIENCED INTERN” PATHWAY

Mr. Sotelo explained the Board has expressed interest in an alternative method of completing IDP similar to an alternative method of obtaining NCARB Certification through experience.

Mr. Baker added that with the institution of the Six-Month Rule in IDP, there are candidates who may wish to become licensed that could have a significant amount of experience not count toward completion of IDP. Mr. Wasserman inquired if this would be considered as a California program, or an NCARB program. Mr. Baker responded that it was a goal to make this an NCARB program, similar to the BEFA. He added that it would be beneficial for the Board to submit input to NCARB. Mr. McCauley inquired if there was a possibility of an amnesty to allow for candidates with experience older than six months. Mr. Baker responded that there was no provision for an amnesty.

Kevin Jensen made a motion to recommend the Broadly Experienced Intern pathway have an evidence based criteria to allow candidates to use prior experience.

Allan Cooper seconded.

The motion passed 10-0.

The meeting adjourned at 2:10 p.m.