

MINUTES
REGULAR MEETING
CALIFORNIA ARCHITECTS BOARD

December 10, 2015

Sacramento, CA

A. CALL TO ORDER/ROLL CALL/ESTABLISHMENT OF A QUORUM

Board President, Jon Alan Baker called the meeting to order at 9:25 a.m. and Board Secretary, Tian Feng, called roll.

Board Members Present

Jon Alan Baker, President
Pasqual Gutierrez, Vice President
Tian Feng, Secretary
Denise Campos
Sylvia Kwan
Matthew McGuinness
Nilza Serrano
Barry Williams

Board Members Absent

Ebony Lewis

Guests Present

Shelly Jones, Executive Office, Department of Consumer Affairs (DCA)
Yeaphana LaMarr, Division of Legislative & Regulatory Review, DCA
Raul Villanueva, Office of Professional Examination Services (OPES), DCA

Staff Present

Doug McCauley, Executive Officer
Vickie Mayer, Assistant Executive Officer
Marccus Reinhardt, Program Manager, Examination/Licensing
Justin Sotelo, Program Manager, Administration/Enforcement
Mel Knox, Administration Analyst
Kristin Walker, Enforcement Analyst
Robert Carter, Architect Consultant
Rebecca Bon, Staff Counsel, DCA

Six members of the Board present constitute a quorum. There being eight present at the time of roll, a quorum was established.

B. PRESIDENT’S REMARKS AND BOARD MEMBER COMMENTS

Mr. Baker 1) announced that Board member Ebony Lewis has an excused absence from the day’s meeting; 2) noted that the meeting is being webcast; and 3) advised that all motions and seconds shall be repeated for the record, and votes on all motions shall be taken by roll-call.

C. PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There were no comments from the public.

D. REVIEW AND APPROVE SEPTEMBER 10, 2015 BOARD MEETING MINUTES

Mr. Baker asked for comments concerning the September 10, 2015, Board Meeting Minutes.

- **Nilza Serrano moved to approve the September 10, 2015, Board Meeting Minutes.**

Tian Feng seconded the motion.

Mr. Baker noted a minor edit on page 4, under Agenda Item F, to change “resent” to “recent.”

Jon Baker moved to amend the motion to approve the September 10, 2015 Board Meeting minutes with a minor edit on page 4 changing “resent” to “recent” under Agenda Item F.

Tian Feng seconded the amendment to the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

E. EXECUTIVE OFFICER’S REPORT

Doug McCauley informed the Board that the next meeting is scheduled for March 3, 2016 in Southern California. Mr. McCauley reminded the Board that BreEZe is being deployed department-wide via three separate releases, and that the Board is currently part of Release 3. He also informed that DCA will perform a gap analysis of all existing BreEZe functionalities as delivered at the completion of Release 2, in comparison to the Release 3 boards and bureaus’ business needs and current systems’ functionalities. He reminded the Board that one of its key philosophies is to respect the diverse pathways for entry into the profession, and noted that proposed changes to California Code of Regulations section (CCR) 109 are associated with key changes to the Intern Development Program (IDP). Mr. McCauley also noted that the list of citations reflected in the Monthly Report is larger than usual, as it represents a full quarter of data. He stated that the majority of the citations concern continuing education (CE) violations. Mr. McCauley also recognized that Annamarie Fernandez, the Board Secretary, has left the Board to pursue opportunities at another state agency. The Board discussed the stakeholder composition of the most recent Occupational Analysis (OA) focus group meetings; it was agreed that a “client” group will be part of the focus group in the future. The Board also discussed the audit process to investigate licensees’ compliance with fulfilling the required five hours of coursework on disability access requirements.

Mr. McCauley updated the Board on legislative items. He reported that the Board's sunset bill, Assembly Bill (AB) 177 (Bonilla) extends its sunset date to the year 2020. Mr. McCauley also reported that AB 507 (Olsen) would require DCA to submit an annual report to the Legislature and the Department of Finance regarding the department's plan for implementing Release 3 of BreZE. He reported that Senate Bill 704 (Gaines), the American Institute of Architects, California Council (AIACC)-sponsored legislation, addresses the issue of conflict of interest as it concerns public officials as members of advisory boards or commissions. Mr. McCauley also reviewed AIACC-proposals for legislation concerning intern title, CE, and mandatory construction observation. He suggested the Board take positions on AIACC's concepts when they are formally introduced to the Legislature. The Board discussed AIACC's proposals and Sylvia Kwan enquired whether the Board must follow the National Council of Architectural Registration Boards (NCARB) if it developed a national title for interns. Mr. McCauley replied that the Board is not required to follow NCARB's determination. Mr. McCauley advised the Board of NCARB's policy position that there is only a need to title practitioners of architecture to protect the public health, safety, and welfare; special titles for candidates are not required, necessary, or appropriate. Ms. Kwan stated that she supports the idea of NCARB's intern title proposal. Mr. Baker expressed the Board's concern about CE when it first became a requirement in that there could be a push for a piecemeal approach. He stated that in recent years there has been an effort to get the Legislature to give the Board authority to create a CE program that it could manage and enforce.

Board members presented their second liaison reports of 2015, which covered assigned organizations' activities and objectives. Mr. McCauley reported on his interaction with the American Council of Engineering Companies, California; Board for Professional Engineers, Land Surveyors & Geologists; California Building Officials (CALBO); and Contractors State License Board (CSLB). Mr. Baker reported on his interaction with AIACC; NewSchool; San Diego Mesa College; and Southwestern College. Mr. Gutierrez reported on his interaction with the California State Polytechnic University, Pomona; Woodbury University; Association of Collegiate Schools of Architecture; Bakersfield College; Mt. San Antonio College; and San Bernardino Valley College. Ms. Kwan reported on her interaction with the College of Marin; National Council of Examiners on Engineering and Surveying; Urban Land Institute; Academy of Art University, San Francisco; California College of the Arts, San Francisco; and Cosumnes River College. Matthew McGuinness reported on his interaction with the Associated General Contractors of California, Inc.; City College of San Francisco; College of San Mateo; and West Valley College, Saratoga. Barry Williams reported on his interaction with the California Polytechnic State University, San Luis Obispo; Southern California Institute of Architecture; College of the Desert; Cuesta College; and Fresno City College. Tian Feng reported on his interaction with University of California, Berkeley; Chabot College, Hayward; and Diablo Valley College, Pleasant Hill. Nilza Serrano reported on her interaction with Cerritos College; Los Angeles City College; Orange Coast College; and Ventura College. Bob Carter reported on his interaction with CALBO and CSLB.

The Board discussed: 1) transferring the Council of Landscape Architectural Registration Boards liaison assignment to the Landscape Architects Technical Committee (LATC), 2) being more proactive about community colleges awarding baccalaureate degrees, 3) how students are not thinking about licensure after graduating, 4) NCARB's Integrated Path Initiative (IPI), 5) community colleges' concerns about teaching students about liability realities as architects, and 6) featuring in Board publications community college programs that have success in particular areas of the profession.

O.* CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTION 11126(E) THE BOARD WILL MEET IN CLOSED SESSION TO RECEIVE ADVICE FROM COUNSEL ON LITIGATION

The Board went into closed session to receive advice from counsel on litigation.

The Board reconvened open session.

I. CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE)

Marcus Reinhardt reminded the Board that the 2015-2016 Strategic Plan contains an objective assigned to the Professional Qualifications Committee (PQC) to conduct a review of the Architect Registration Examination (ARE) and Linkage Study to meet the requirements of Business and Professions Code section (BPC) 139 and the DCA policy on licensure examination validation. He noted that these processes help identify areas of California practice for which the ARE and CSE are appropriate for assessing candidate competency, thus ensuring a valid and defensible examination process. Mr. Reinhardt explained that DCA's OPES is contracted to complete a comprehensive review of the NCARB examination program to evaluate the suitability of the ARE for continued use in California.

Raul Villanueva provided the Board with an update on the ARE review and Linkage Study conducted by OPES. Mr. Villanueva presented a summary of California's legal mandates and professional standards regarding licensing examinations; results of the ARE review, which included both ARE 4.0 and 5.0; results of the linkage study; and the CSE Test Plan. The Board discussed the analysis of the CSE Test Plan.

F. ELECTION OF 2016 BOARD OFFICERS

Mr. McCauley introduced the Nominations Committee, composed of members Williams and Serrano. The Committee explained the Board's nominating process and proposed the following state of officers for 2016 based on the qualifications and interest expressed by the members: Jon Baker, President; Matthew McGuinness, Vice President; and Sylvia Kwan, Secretary.

- **Nilza Serrano moved to elect Jon Baker for President, Matthew McGuinness for Vice President, and Sylvia Kwan for Secretary for 2016.**

Tian Feng seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

G. EXECUTIVE COMMITTEE REPORT

Mr. Baker informed the Board that the Executive Committee met on November 24, 2015 to work on several Strategic Plan objectives, and to propose candidates for the Octavius Morgan Distinguished Service Award for 2015. He explained the history of the award and reminded Board members that contributing to pay a share of the award is voluntary. Mr. McCauley reported that the Executive Committee voted to recommend two recipients for the Board's approval: Robert Greig and Alex Rogic.

- **Barry Williams moved to approve that Robert Greig and Alex Rogic be awarded the Octavius Morgan Distinguished Service Award for 2015.**

Matthew McGuinness seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

Mr. McCauley reported that the Executive Committee discussed the Strategic Plan objective to review, leverage, and evaluate the effectiveness of the Board's liaison program to build stronger relationships with organizations. He reminded the Board that recent enhancements to the liaison program include: 1) distributing reporting requirement reminders for liaisons on a quarterly basis; 2) providing liaisons with talking points (including integrated path to licensure); 3) requiring that liaisons collaborate with staff when communicating licensing information to candidates; and 4) having biannual liaison reporting during fall and spring months.

Mr. McCauley reported that the Committee recommended additional enhancements to the liaison program for the Board's consideration, to include: 1) developing a standardized summary template to be used by liaisons; 2) expanding talking points to include community colleges (i.e., encouraging students to begin the licensure process and IDP early, highlighting the multiple paths to licensure, etc.); and 3) implementing the enhancements and monitoring the program for a year and reassess its effectiveness.

- **Matthew McGuinness moved to continue with the current enhancements to the liaison program, develop a standardized summary template to be used by liaisons, expand talking points to include community colleges, and monitor the liaison program for one year and reassess effectiveness after implementing the enhancements.**

Barry Williams seconded the motion.

Board members also expressed a desire to have contact information of key Board staff available when interacting with schools and organizations.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

The Board briefly discussed its successes on the objective to increase the Board's participation in NCARB. The Board agreed with the Executive Committee's recommendation to monitor the results of ongoing efforts to participate and identify additional actions as necessary.

Mel Knox reminded the Board that its 2015-2016 Strategic Plan contains an objective assigned to the Executive Committee to collaborate with the DCA Office of Public Affairs (OPA) to improve outreach and communication. Mr. Knox stated that it was determined that this objective overlaps directly with another objective that directs the Communications Committee to partner with the CSLB to identify and implement best practices for educating consumers about the Board in order to improve consumer education efforts. He advised that the Executive Committee agreed with staff's recommendation to: 1) transfer and merge this objective with the Communications Committee's related objective; 2) consider collaborating with CSLB and LATC to develop a consumer education piece that explains the overall design/build process; and 3) provide information and materials to schools regarding the licensure process.

- **Sylvia Kwan moved to: 1) transfer and merge this objective with the Communications Committee’s related objective; 2) consider collaborating with CSLB and LATC to develop a consumer education piece that explains the overall design/build process; and 3) provide information and materials to schools regarding the licensure process.**

Tian Feng seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

Vickie Mayer reminded the Board that its 2015-2016 Strategic Plan also contains an objective assigned to the Executive Committee to analyze fees to determine whether they are appropriate. Ms. Mayer explained that the Committee considered two different actions related to the Board’s fees and fund condition: 1) the Board-approved an increase of the biennial license renewal fee from \$200 to \$300, and 2) a \$300,000 reduction in its spending authority, effective January 1, 2011 and July 1, 2015, respectively. She informed that it was determined by DCA Budget Office staff that the Board’s current fund condition is appropriate and that a budget or fee change is not recommended at this time. Ms. Mayer advised that, based on the Budget Office staff’s assessment of the Board’s fund condition, the Executive Committee recommends that the Board take no action at this time, but that it reassess this objective after the conclusion of fiscal year (FY) 2015/16.

- **Tian Feng moved to monitor the objective for one year and reassess the Board’s fund condition after the conclusion of FY 2015/16.**

Matthew McGuinness seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

Mr. McCauley informed that the Board/LATC’s presentation at the March 18, 2015 Sunset Review hearing received positive feedback from the committees (the Senate and Assembly policy committees met jointly to conduct the hearing). He noted that only two questions were asked regarding the: 1) process for determining content for the CSE, and 2) possible causes for the non-compliance rate on CE audits. Mr. McCauley also noted that the Board’s responses were satisfactory to the committees and also received positive feedback. To continue to build on the Board’s positive outcomes from the Sunset Review process in line with its Strategic Plan objective, Mr. McCauley recommended, and the Executive Committee agreed at its November 24, 2015 meeting, key suggestions concerning the Sunset Review process, metrics, and outcomes.

- **Denise Campos moved to implement the following actions to further the Board’s 2015-2016 Strategic Plan objective to complete the Sunset Review process and implement recommendation(s) to comply with the Legislature’s directives: 1) staff review the Sunset Review Report and Sunset Background Paper and Responses and compile a list of recommendations and suggestions that were noted in the documents and incorporate as Strategic Plan objectives, as appropriate; 2) staff review the metrics in the report and identify opportunities, requirements, and improvements as to data collection; and**

3) staff monitor the Sunset Review process on an ongoing basis to identify any emerging cross-cutting issues.

Barry Williams seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

H. REGULATORY AND ENFORCEMENT COMMITTEE (REC) REPORT

Mr. McGuinness reported that the REC met on November 5, 2015 to work on several strategic planning objectives. Mr. McCauley addressed the 2015-2016 Strategic Plan objective to monitor NCARB action on titling for interns to ensure appropriate consumer protection. He explained that, on June 21, 2014, NCARB announced the formation of a Future Title Task Force (FTTF) to review and evaluate the terminology used during the life cycle of an architect's career, from education through retirement. Mr. McCauley reported that, at its April 29, 2015 meeting, the REC discussed the AIACC request to expand the current terminology for candidates in the Architects Practice Act to include the title "architectural intern." He further reported that the REC considered the consumer protection, enforcement, and regulatory issues involved with the title "architectural intern," and ultimately voted to recommend to the Board that it should not consider the title "architectural intern." Mr. McCauley also informed that, in May 2015, NCARB announced the FTTF's recommendation to restrict the role of regulation to the title "architect," to only apply to licensed individuals. Following the June 10, 2015 Board meeting, Mr. McCauley reported that Board staff conducted additional research requested by the Board regarding intern titles used by other state architectural boards and by other professions licensed and regulated by DCA boards and bureaus. He also reported that, at the November 5, 2015 REC meeting, Board staff provided the REC with a presentation detailing: the findings of NCARB's FTTF; titles for "interns" used by other state architectural boards and in other professions; current enforcement resources devoted to enforcing title provisions; pros and cons of intern titling; and possible options to address the AIACC's request. Mr. McCauley indicated that the REC extensively discussed AIACC's proposal to use the title "architect-in-training" and how it conflicts with NCARB's recommendation to not regulate any title held by those pursuing licensure. He advised that the REC ultimately voted to recommend to the Board to table the issue until AIACC presents a comprehensive proposal with supporting data that has been reviewed and analyzed by Board staff.

- **Nilza Serrano moved to table the intern titling issue until AIACC presents a comprehensive proposal that has been reviewed and analyzed by Board staff.**

Tian Feng seconded the motion.

Mr. Baker opined that supporting the REC's recommendation is sensible. He expressed concern that, if the Board creates conditions to require the Board to regulate titles for non-licensed individuals, the responsibility to enforce those regulations might be outside of the Board's mandated authority. Pasqual Gutierrez noted that the word "intern" is not regulated.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

Mr. Sotelo reminded the Board of its 2015-2016 Strategic Plan objective to review the Board's OA of the architect profession to identify marketplace trends that impact consumer protection. He reported that, at its April 29, 2015 meeting, the REC discussed the Strategic Plan objective and appointed two Committee members to a working group to review the OA and identify marketplace trends that impact consumer protection and report their findings to the REC. Mr. Sotelo informed that the working group met on October 15, 2015 and discussed general marketplace conditions affecting architectural practice. He also informed that the working group reviewed and analyzed the content of the 2007 and 2014 OAs, including the rankings of the task and knowledge statements from both reports. Mr. Sotelo reported that the working group concluded there were no significant marketplace trends that impact consumer protection at this time, but recommended that the Board conduct a similar review each time a new OA is conducted. He informed that the REC, at its November 5, 2015 meeting, voted to recommend to the Board to accept the working group's findings.

- **Nilza Serrano moved to accept the REC working group's findings that there are no significant marketplace trends that impact consumer protection at this time, and conduct a similar review each time a new OA is conducted.**

Barry Williams seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

Mr. Sotelo reminded the Board of its 2015-2016 Strategic Plan objective to pursue the recruitment of an additional architect consultant to ensure continuity and effectiveness in the Board's Enforcement Program. He informed that the Board is authorized to contract with licensed architect consultants under BPC 5528. Mr. Sotelo outlined the architect consultants' services, and informed that the Board recruits architect consultants through the Request for Proposal (RFP) process using the "secondary method" to select the most qualified individuals to successfully and effectively carry out the services identified in the RFP. He informed that the Board currently has contracts with two architect consultants who work from the Board's office in Sacramento, and noted that one of the contracts expires on June 30, 2016, while the other expires January 31, 2017. To satisfy the Strategic Plan objective and increase the effectiveness of the Enforcement Program, Mr. Sotelo informed that Board staff is currently preparing RFPs for two architect consultant contracts for the next three FYs (16/17 through 18/19), to provide the Board with a total of three architect consultants beginning July 1, 2016.

Mr. Sotelo reported that an expedited contract process established under BPC 40 for boards and bureaus to contract with expert consultants to provide an expert opinion on enforcement-related matters is being utilized as well. He advised that the REC reviewed this objective and voted to recommend to the Board the authorization of staff to pursue an RFP to provide the Board with an additional architect consultant and continue to use expert consultant contracts through the delegated contract process.

Mr. Baker enquired about the impact an additional architect consultant contract might have on the Board's budget. Ms. Mayer informed the Board that funds are available to hire a third architect consultant for the purpose of succession training.

- **Nilza Serrano moved to authorize Board staff to pursue an RFP to provide the Board with an additional architect consultant and continue to use expert consultant contracts through the delegated contract process.**

Sylvia Kwan seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

Mr. Sotelo reminded the Board of its 2015-2016 Strategic Plan objective to modify and expand reports to Board members regarding enforcement activities to identify the most common violations and disciplinary actions. He informed that Board members currently receive updates on a monthly basis regarding the Board's Enforcement Program through the Board's Monthly Report. Mr. Sotelo noted that these updates include the activities of the architect consultants and the REC, brief summaries of final disciplinary and enforcement actions, and enforcement case statistics. He noted that, in the past, staff has included bar graphs with the number of pending complaints by the year received in meeting packets at the request of Board members. Additionally, Mr. Sotelo mentioned that the Board was required to provide detailed information and statistics regarding its Enforcement Program for the previous three FYs to the Legislature in its 2014 Sunset Review Report.

To assist the REC in addressing this objective, he explained that staff reviewed and compared the types of data and formats used by similar boards within the DCA in their enforcement reports to board members. Mr. Sotelo reminded the Board that, at its April 29, 2015 meeting, the REC recommended that staff incorporate case aging, caseload, and the most common violations of the Architects Practice Act into a new report format for Board members. He presented the modified content and format of the Enforcement Program section in the Monthly Report as well as a new Enforcement Program Statistical Report for the Board meeting packets based on the REC's feedback. Mr. Sotelo informed that, at its November 5, 2015 meeting, the REC voted to recommend to the Board that it accept the proposed modifications to these enforcement activities reports.

- **Nilza Serrano moved to accept the proposed modifications to the content and format of the Monthly Report to Board members and the proposed Enforcement Program Statistical Report for Board meeting packets.**

Barry Williams seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

Mr. Sotelo reminded the Board of its 2015-2016 Strategic Plan objective to pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties. He reported that during FYs 2011/12 through 2013/14, the Board issued 68 citations and assessed \$133,000 in administrative fines. Mr. Sotelo reported that the Board collected approximately 62% of these administrative fines. He also reported that, during this same period, the Board for Professional Engineers, Land Surveyors, and Geologists and CSLB collected 44% and 35%, respectively, of their administrative fines. Mr. Sotelo reported that the Board collected approximately 73% of the \$78,000 in administrative fines it assessed during FY 2014/15. He stated that the Board is

also authorized to pursue disciplinary action against a licensee for failure to pay the administrative fine within 30 days of the date of assessment. Mr. Sotelo explained, however, that the majority of the Board's outstanding, unpaid administrative fines are against unlicensed individuals, and many choose to ignore their citations, as they do not have licenses in jeopardy from failing to pay the administrative fines. He informed that the REC discussed multiple strategies to collect outstanding administrative fines, including: 1) proactively offering payment plans in the cover letters of each citation; 2) strengthening and increasing the frequency of enforcement letters to both licensees and unlicensed individuals who have not satisfied their citations; 3) contracting with a collection agency to pursue the unpaid administrative fines; 4) using the telephone disconnect program as a deterrent for repeat violations and to encourage payment; 5) establishing a "license leveraging system" within DCA; and 6) partnering with the Employment Development Department to collect the unpaid fines through wage garnishments. Mr. Sotelo then informed that staff researched the feasibility of each of the proposed strategies for collecting unpaid administrative fines, and determined that pursuing a contract with a collection agency may be the most effective method to encourage payment of the outstanding fines. He advised that the REC reviewed and discussed this objective at its November 5, 2015 meeting, and voted to recommend that the Board encourage staff to continue pursuing all avenues for collecting unpaid administrative fines, and specifically, start utilizing a collection agency for unpaid accounts aged beyond 90 days, or at the discretion of the Executive Officer.

The Board discussed the feasibility of utilizing a collection agency for unpaid accounts. Ms. Kwan enquired about the impact of unpaid accounts on an individual's credit report. She stated that negative impacts on one's credit score via a collection agency would likely be effective in the pursuit of collecting unpaid administrative fines against unlicensed individuals. Mr. McCauley stated that potential impacts on an unlicensed individual's credit report could be addressed in a contractual agreement between the Board and collection agency. Mr. Sotelo advised that the Board is not authorized to provide social security numbers to outside agencies. Ms. Serrano expressed the sentiment that the Board should pursue the collection of fines by all means necessary. The Board also discussed the current process in place for individuals to pay fines.

- **Nilza Serrano moved to encourage staff to continue pursuing all avenues for collecting unpaid administrative fines, and specifically, start utilizing a collection agency for unpaid accounts aged beyond 90 days, or at the discretion of the Executive Officer.**

Sylvia Kwan seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

J. NCARB

Mr. Reinhardt reminded the Board of its Strategic Plan objective assigned to the PQC to collaborate with California's National Architectural Accrediting Board (NAAB) accredited programs and NCARB to establish and promote an accelerated path to architectural licensure. He informed that, effective January 1, 2016, BPC 5550.2 will authorize the Board to grant candidates enrolled in an integrated program early eligibility to take the ARE. Mr. Reinhardt directed the Board's attention to recommended language of BPC 5550.2 as amended to update, clarify, and remove the prescriptiveness of the original BPC 5550.2 language. He advised that

the proposed amendment would delete references to “Additional Path to Architectural Licensing Program” and specifies that the law applies to candidates enrolled in an NCARB-accepted program in lieu of offered by NAAB. Mr. Reinhardt asked the Board to discuss the matter and review and approve the proposed language for BPC 5550.2.

Mr. Gutierrez suggested an amendment to BPC 5550.2 proposed language to specify that the Board may grant eligibility to take the ARE to candidates enrolled in a degree program accepted by NCARB that integrates “licensure-required” experience and examination components. The Board discussed the impact of candidates’ early access to the ARE, completion of IDP, and the Board’s table of equivalents. Mr. Baker asked staff to create a chart to clarify the various pathways to licensure in California.

- **Pasqual Gutierrez moved to approve the proposed language for BPC 5550.2, as amended.**

Tian Feng seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

Mr. Reinhardt informed the Board that NCARB requested member boards to provide feedback regarding modifications to the *NCARB Education Standard* (Standard). He explained that the Standard is used when evaluating the education of foreign individuals pursuing initial licensure in the United States (US), and is regularly reviewed and updated in order to remain relevant to current practice and aligned with the *NAAB 2014 Conditions for Accreditation*. Mr. Reinhardt asked the Board to provide its feedback regarding the proposed modifications to NCARB before the January 12, 2016 deadline for comments.

- **Denise Campos moved to provide feedback to NCARB that reflects its support of the proposed changes to the *NCARB Education Standard*.**

Nilza Serrano seconded the motion.

Members Campos, Feng, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 8-0.

Mr. Reinhardt reminded the Board that NCARB passed a resolution in June 2015 that replaces the current Broadly Experienced Foreign Architect (BEFA) Program in favor of a simplified alternative for receiving an NCARB Certificate. He explained that effective July 1, 2016, foreign architects will be required to document completion of IDP experience requirements and successfully complete the ARE to obtain an NCARB Certificate. Mr. Reinhardt informed the Board that individuals would need to complete IDP, and that foreign experience may be documented, but that experience must be completed in accordance with IDP Guidelines. The Board discussed whether an IDP supervisor must hold an NCARB certificate in order to approve IDP hours for credit. Mr. Reinhardt advised the Board that an NCARB certificate is not needed for an IDP supervisor. Ms. Mayer noted that a very small percentage of candidates go through the BEFA Program. Mr. Reinhardt asked the Board to consider PQC’s recommendation to provide a means for review of, and amendment to NCARB Resolution 2015-02, remove the

encumbrance of mandatory IDP and allow for education equivalents and practice knowledge for foreign architects, and suggest the Board request the implementation date to be postponed.

- **Sylvia Kwan moved to approve PQC’s recommendation for the Board to provide a means for review of, and amendment to NCARB Resolution 2015-02, remove the encumbrance of mandatory IDP and allow for education equivalents and practice knowledge for foreign architects, and suggest the Board request the implementation date to be postponed.**

Barry Williams seconded the motion.

The Board further discussed the IDP requirements related to the BEFA Program. Mr. Reinhardt explained that foreign architects will not be permitted to self-certify work experience for IDP credit and at least 1,860 hours of IDP work experience must be under the direct supervision of an architect legally permitted to practice architecture in a US or Canadian jurisdiction; a limited amount (up to approximately one year) of foreign experience may also receive IDP credit. Mr. Baker suggested modifying the pending motion to remove “and allow for education equivalents and practice knowledge for foreign architects” in order to allow opportunity to work with NCARB on ways to remove the burden of mandatory completion of IDP for the BEFA Program. Mr. Reinhardt informed the Board that architects registered in the US or Canada or credentialed by a foreign registration authority pursuing an NCARB Certificate are exempt from the IDP reporting requirement.

Jon Baker moved to amend the motion to request that NCARB consider replacement or elimination of the IDP requirement for foreign architects seeking certification and postponement of the implementation date.

Barry Williams seconded the amendment to the motion.

Members Campos, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Member Feng was absent. The motion passed 7-0.

K. COMMUNICATIONS COMMITTEE REPORT

Ms. Kwan reported that the Communications Committee met on October 21, 2015. She also reported that the Committee discussed publishing the Board’s newsletter more frequently and with less content and enhanced graphic elements. Mr. Baker suggested highlighting the successes of schools in the newsletter.

Mr. Sotelo reminded the Board of its 2015-2016 Strategic Plan objective assigned to the Communications Committee to partner with the CSLB to identify and implement best practices for educating consumers about the Board in order to improve consumer education efforts. He informed that staff researched CSLB materials and resources and met with key staff from CSLB’s Public Affairs Office (PAO) to identify potential areas for collaboration and best practices the Board could adopt in order to improve its consumer education efforts. Mr. Sotelo also informed that PAO provides a wide range of services, including several outreach programs. He advised that the Committee recommended, at its October 21, 2015 meeting, that the Board continue to collaborate and leverage resources with CSLB.

- **Barry Williams moved to approve the Communications Committee’s recommendation to continue collaborating and leveraging resources with CSLB.**

Matthew McGuinness seconded the motion.

Members Campos, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Member Feng was absent. The motion passed 7-0.

Mr. Sotelo reminded the Board of its 2015-2016 Strategic Plan objective to collaborate with professional organizations and universities to raise awareness at community colleges and high schools about the profession and the paths to licensure. He informed that staff has contacted several regional partnerships with missions addressing careers and education, and that staff is expanding the list of contacts to include organizations in other California regions, including Southern California. Mr. Sotelo also informed the Board of efforts to develop a poster for community colleges, designed to convey pathways to licensure. He advised that the Committee recommended that the Board continue to collaborate with professional organizations and universities to raise awareness at community colleges and high schools, to connect entities with local AIACC components in these efforts, and to continue the production of a poster initially targeted at community colleges, with a design mock-up to be provided to the Committee.

- **Nilza Serrano moved to approve the Communications Committee’s recommendation to continue to collaborate with professional organizations and universities to raise awareness at community colleges and high schools, to connect entities with local AIACC components in these efforts, and to continue the production of a poster initially targeted at community colleges, with a design mock-up to be provided to the Committee.**

Denise Campos seconded the motion.

Members Campos, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Member Feng was absent. The motion passed 7-0.

Mr. Knox reminded the Board of its 2015-2016 Strategic Plan objective to survey recipients of the Board’s educational materials to determine the effectiveness of outreach efforts. He noted that some examples of the Board’s outreach materials include the *Consumer’s Guide to Hiring an Architect* (print and website), *California Architects* quarterly newsletter, Board website (cab.ca.gov), and several others. Mr. Knox also noted examples of outreach programs or efforts that the Board utilizes on a regular basis. He informed that staff had consulted with the DCA SOLID Training and Planning Solutions office about developing customized surveys to assess the effectiveness of the Board’s outreach efforts. Mr. Knox also informed that SOLID indicated that assistance can be provided to the Board and that such surveys could assess various aspects of the Board’s outreach materials and efforts. He advised that the Communications Committee recommended the Board develop a printed survey to be inserted into the *Consumer’s Guide to Hiring an Architect* and an additional survey for distribution to California building officials (as part of the Building Official Contact Program).

- **Nilza Serrano moved to approve the Communications Committee’s recommendation to develop a printed survey to be inserted into the *Consumer’s Guide to Hiring an Architect* publication and an additional survey for distribution to California building officials (as part of the Building Official Contact Program).**

Denise Campos seconded the motion.

Members Campos, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Member Feng was absent. The motion passed 7-0.

Mr. Knox reminded the Board of its 2015-2016 Strategic Plan objective to enhance relationships with Veterans Administration (VA) counseling centers to provide information regarding the architecture profession and paths to licensure. He informed that follow-up correspondence to 31 VA counseling centers in California was sent to re-introduce the Board, the profession, and California's paths to licensure. Mr. Knox also informed that staff conducted further research into the California Department of Veterans Affairs' (CalVet) structure, and has expanded the Board's contact list with appropriate points of contact. He advised the Board that the Committee recommended expanding and enhancing its relationship with VA counseling centers throughout California and that the month of November be targeted as the month of outreach to these entities and veterans. The Board discussed the benefits of designing a poster to communicate key messages to California's veteran population which can, perhaps, be posted on VA and CalVet websites.

The Board also made the following recommendations:

1. Linking Board content to external websites;
 2. Assessing the effectiveness of a printed and digital poster before attending veteran-focused conferences;
 3. Sending posters to military discharge centers; and
 4. Inserting the Board's banner under CalVet's spotlight section of its webpage.
- **Sylvia Kwan moved to approve the Communications Committee's recommendation to expand and enhance the Board's relationship with VA counseling centers throughout California, recognize November as the month of outreach to these entities and veterans, and design a digital poster to communicate key messages to veterans that may be posted on CalVet's webpage.**

Nilza Serrano seconded the motion.

Members Campos, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Member Feng was absent. The motion passed 7-0.

L. DISCUSS AND POSSIBLE ACTION ON PROPOSED AMENDMENTS TO BOARD'S AND LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE'S (LATC) DISCIPLINARY GUIDELINES AND PROPOSED AMENDMENTS TO CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 16, SECTIONS 154 AND 2680 AS IT RELATES TO REFERENCE OF PROPOSED REVISED DISCIPLINARY GUIDELINES

Ms. Mayer reminded the Board that it had previously approved updates to the *Disciplinary Guidelines* at its December 2014 meeting, and subsequent modifications to CCR 154 were made in order to incorporate the revised *Guidelines* by reference. She informed that the LATC *Guidelines* were modified as well, given that they are modeled after the Board's. Ms. Mayer explained that legal counsel recommended that the language of Optional Conditions 9 and 10 be amended to: 1) refine the timelines for the probationer to take and pass the CSE; and 2) clarify

that tolling provisions apply during any period of non-practice due to failure to take and pass the required examinations. She further explained that Board staff reviewed legal counsel's recommendations as they relate to the Board's *Disciplinary Guidelines*, and determined that since the Board's Optional Conditions 9 and 10 contain the same language as LATC's *Guidelines*, the Board's *Guidelines* would also need to be amended.

- **Nilza Serrano moved to approve the additional recommended revisions to the Board's and LATC's *Disciplinary Guidelines* and the revised proposed regulations to amend CCR 154 and 2680, and delegate authority to the Executive Officer (EO) to adopt the regulations, provided no adverse comments are received during the public comment periods, and make minor technical or non-substantive changes to the language, if needed.**

Sylvia Kwan seconded the motion.

Members Campos, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Member Feng was absent. The motion passed 7-0.

M. LATC REPORT

Mr. McCauley reported on the activities which occurred at the LATC meeting held on November 17, 2015. He informed the Board that the LATC reviewed the Linkage Study and the results of the OA at that meeting. Mr. McCauley also informed that the LATC is in the process of revamping its consumer guides, which are modeled after the Board's.

Mr. McCauley explained that, over the past several years, the LATC has received requests for reciprocal licensure from candidates licensed in other jurisdictions where education was not a requirement for licensure. He further explained that, in states where education is not required, ten years of work experience is the standard requirement to take the CSE. Mr. McCauley advised the Board that the LATC, at its November 17, 2015 meeting, approved proposed regulations to amend CCR 2615 (Form of Examinations). He asked the Board to give staff authority to continue with the rulemaking process.

- **Matthew McGuinness moved to approve the proposed regulatory changes to CCR 2615, and delegate authority to the EO to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes, if needed.**

Nilza Serrano seconded the motion.

Members Campos, Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Member Feng was absent. The motion passed 7-0.

N. REVIEW OF SCHEDULE

Mr. McCauley informed the Board that meeting dates in 2016 are tentative, and that members will be polled to finalize dates and locations.

O. CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTION 11126(C)(3), THE BOARD WILL MEET IN CLOSED SESSION TO DELIBERATE ON DISCIPLINARY MATTERS

The Board went into closed session to consider possible action on a stipulated settlement and default decision.

P. RECONVENE OPEN SESSION

The Board reconvened open session.

Q. ADJOURNMENT

The meeting adjourned at 2:43 p.m.

**Agenda items for this meeting were taken out of order to accommodate presenters of items. The order of business conducted herein follows the transaction of business.*