



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

NOTICE OF BOARD MEETING

December 7-8, 2011
San Diego City College
Learning Resource Center
1313 Park Boulevard, R Building, Room 212
San Diego, CA 92101
(619) 388-3428

The California Architects Board will hold a Board meeting, as noted above. The agenda items may not be addressed in the order noted below. The meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Annamarie Lyda at (916) 575-7202, emailing annamarie.lyda@dca.ca.gov, or sending a written request to the Board at the address below. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Agenda **December 7, 2011** **9:00 a.m. – 5:00 p.m.**

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. President's Remarks
- C. Public Comment Session
- D. Approve the September 15, 2011 Board Meeting Minutes
- E. Executive Officer's Report
- F. Election of 2012 Board Officers
- G. Select the 2011 Octavius Morgan Distinguished Service Award Recipients
- H. Closed Session – Disciplinary Decisions and Exam Development Issues
[Closed Session Pursuant to Government Code Sections 11126(c)(1) and (3)]
- I. Review and Approve Recommendation Regarding the Release of California Supplemental Examination (CSE) Results
- J. Report on National Council of Architectural Registration Boards (NCARB)

2420 DEL PASO ROAD,
SUITE 105
SACRAMENTO,
CA 95834

916-574-7220 T
916-575-7283 F

cab@dca.ca.gov
www.cab.ca.gov

(Continued on the Reverse)

- K. Professional Qualifications Committee (PQC) Report
 - 1. Discuss and Possible Action on Reciprocity and Social Security Number Requirements (California Code of Regulations [CCR], Title 16, Division 2, Section 121, Form of Examinations; Reciprocity and Business and Professions Code Section 30) in Relation to the NCARB's Broadly Experienced Foreign Architect Program and Foreign-Licensed Professionals
 - 2. Report on The American Institute of Architects, California Council Academy for Emerging Professionals' 2011 Architectural Education Summit

- L. Regulatory and Enforcement Committee Report
 - 1. Discuss and Possible Action on Enforcement Statistics
 - 2. Discuss and Possible Action on Informing Planning Departments of Unlicensed Practice Issues Regarding Non-Exempt Projects (Strategic Plan - Practice Standards, Objective #1)
 - 3. Review and Approve Proposed Regulation to Amend CCR, Title 16, Division 2, Section 103, Delegation of Certain Functions
 - 4. Review and Approve Recommended Changes to the *Consumer's Guide to Hiring an Architect*

- M. Review and Approve Communications Committee's Recommendations on Strategic Plan Objectives to Formulate Communications Strategies on the Value of an Architect License

- N. Landscape Architects Technical Committee (LATC) Report
 - 1. Update on November 16, 2011 LATC Meeting
 - 2. Review and Approve Proposed Regulation to Amend CCR, Title 16, Division 26, Section 2614, Examination Transition Plan

- O. Adjournment

Agenda
December 8, 2011
8:30 a.m. – 5:00 p.m.

- P. Call to Order – Roll Call – Establishment of a Quorum

- Q. Public Comment Session

- R. Strategic Planning Session
 - 1. Update Strategic Plan
 - 2. Review and Approve Implementation of Committee Procedures
 - 3. Finalize Action on Consolidation of Examination Committee and PQC

- S. Review of Schedule

- T. Adjournment

The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: www.cab.ca.gov. Any other requests relating to the Board meeting should be directed to Ms. Lyda at (916) 575-7202.

Agenda Item A

CALL TO ORDER -- ROLL CALL -- ESTABLISHMENT OF A QUORUM

Roll is called by the Board Secretary or, in his/her absence, by the Board Vice President or, in his/her absence, by a Board member designated by the Board President.

Business and Professions Code Section 5524 defines a quorum for the Board:

Six of the members of the Board constitute a quorum of the Board for the transaction of business. The concurrence of five members of the Board present at a meeting duly held at which a quorum is present shall be necessary to constitute an act or decision of the Board, except that when all ten members of the Board are present at a meeting duly held, the concurrence of six members shall be necessary to constitute an act or decision of the Board.

BOARD MEMBER ROSTER

Jon Alan Baker

Iris Cochlan

Pasqual V. Gutierrez

Jeffrey D. Heller

Marilyn Lyon

Michael Merino

Fermin Villegas

Sheran Voigt

Hraztan Zeitlian

Agenda Item B

PRESIDENT'S REMARKS

Board President Pasqual Gutierrez, or in his absence, the Vice President will review the scheduled Board actions and make appropriate announcements.

Agenda Item C

PUBLIC COMMENT SESSION

Members of the public may address the Board at this time. The Board President may allow public participation during other agenda items at his discretion.

Agenda Item D

APPROVE THE SEPTEMBER 15, 2011 BOARD MEETING MINUTES

The Board is asked to approve the minutes of the September 15, 2011 Board meeting.

MINUTES
REGULAR MEETING
CALIFORNIA ARCHITECTS BOARD

September 15, 2011

Sacramento, CA

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

President Pasqual Gutierrez called the meeting to order at 9:33 a.m. Secretary Sheran Voigt called the roll.

Board Members Present

Pasqual Gutierrez, President
Marilyn Lyon, Vice President
Sheran Voigt, Secretary
Jon Alan Baker
Iris Cochlan (arrived at 10:13 a.m.)
Jeffrey Heller
Michael Merino
Fermin Villegas
Hraztan Zeitlian

Guests Present

Christine Anderson, Chair, Landscape Architects Technical Committee (LATC)
Michael Armstrong, Chief Executive Officer, National Council of Architectural Registration Boards (NCARB)
Richard Conrad, Regulatory and Enforcement Committee (REC) Member
Kurt Cooknick, The American Institute of Architects, California Council (AIACC)
Rachel Davidson, University of San Diego, Center for Public Interest Law
Haley Gipe, AIACC Intern Development Program (IDP) State Coordinator
Derek Haese, Assistant Director of Member Board Relations, NCARB
Kathy Hillegas, Director of Executive Office, NCARB

Staff Present

Doug McCauley, Executive Officer
Vickie Mayer, Assistant Executive Officer
Justin Sotelo, Program Manager, Examination/Licensing Unit
Trish Rodriguez, Program Manager, LATC
Hattie Johnson, Enforcement Officer
Anthony Lum, Administration Analyst
Marccus Reinhardt, Examination/Licensing Analyst
Annamarie Lyda, Secretary

Robert Carter, Architect Consultant
Laura Freedman, Legal Counsel, Department of Consumer Affairs (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

Mr. Gutierrez indicated that Michael Merino had an announcement regarding his new military deployment. Mr. Merino announced that starting September 23, 2011, he will be deployed for one year to Guantanamo Bay, Cuba, for military duties for the United States (U.S.) Navy, but will arrange his schedule to enable him to attend future Board meetings. He continued that with his deployment, he will not be readily available at his office in Orange, California.

Mr. Gutierrez welcomed and announced that representatives from the NCARB were present and would provide a presentation for the Board. He introduced the NCARB representatives: Michael Armstrong, Chief Executive Officer; Kathy Hillegas, Director of Executive Office; and Derek Haese, Assistant Director of Member Board Relations. He noted that the Board appreciated its relationship with NCARB and the enhancements to their programs, such as IDP.

C. PUBLIC COMMENT SESSION

Mr. Gutierrez asked if there were any members of the public that wanted to address the Board. There were no public comments at the time. Mr. Gutierrez noted that he would reserve time for Shanker Munshani to address the Board should he arrive at a later time (Mr. Munshani did not attend the meeting).

D. APPROVE THE JUNE 16, 2011 BOARD MEETING MINUTES

Mr. Gutierrez called for a motion to approve the June 16, 2011 Board Meeting Minutes.

- **Michael Merino moved to approve the June 16, 2011 Board Meeting Minutes.**

Sheran Voigt seconded the motion.

The motion passed 8-0 (Iris Cochlan was not present at time of vote).

E. PRESENTATION BY NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB) REPRESENTATIVES, INCLUDING INFORMATION ON THE BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) PROGRAM

Mr. Gutierrez announced the presentation by the NCARB representatives. Mr. Armstrong provided a brief summary of his background and then proceeded to discuss NCARB. He stated that he initiated an outreach program for NCARB representatives to travel and meet Member Boards around the country to enhance communication and build relationships. He indicated that the founding principles that NCARB was built upon are: 1) information exchange on examinations, licensing, and regulating; 2) encouraging uniformity on licensing and practice laws; 3) facilitating reciprocity between jurisdictions; 4) reviewing the methods and scope of content of licensing exams; and 5) improving

architectural education standards across the country. He explained that NCARB leads the regulation of the practice of architecture through developing and applying standards for licensure and credentialing; establishing model law; developing practice standards; and addressing education, training, and examination as a part of the standards. He stated that NCARB's portfolio is basically comprised of three parts: a) IDP 2.0; b) Architect Registration Examination (ARE); and c) NCARB certificate program.

Mr. Armstrong spoke about IDP and stated that the individuals who are involved in the program have new and refreshing points of view that NCARB uses for program feedback. He indicated that there is an expectation with evolving technology and the mobility of the architect profession for NCARB to evolve IDP as well. He stated that the purpose of IDP is not only to pair an individual's academic training with the profession, but is utilized as a feedback mechanism for NCARB to refresh and evolve the program. He continued that IDP is aligned with NCARB's Practice Analysis, which is a survey that is conducted periodically of the architect profession and interested stakeholders. He added that NCARB's IDP eliminated the need for each member state and/or jurisdiction to have a separate intern program and applauded California's efforts to transition to an IDP only system.

Mr. Armstrong indicated that another service NCARB provides is the Electronic Experience Verification Reporting system, which is an online system to document an intern's work experience. He stated that the system is constantly improving and evolving and is a core service that NCARB provides, but currently has some technical and user issues that NCARB is working to correct.

Mr. Armstrong stated that the ARE is also aligned with NCARB's Practice Analysis and recently completed the bidding process for vendors that support the exam development and administration. He explained that the exam's purpose is to assess a candidate's architectural skills and knowledge for the ability to provide architectural services and is administered uniformly across all 54 member boards and jurisdictions to save on examination costs.

Mr. Armstrong stated that the NCARB Certificate facilitates reciprocal registration. He indicated that the process assures that the individual candidate has met the standards created at the national level.

Mr. Armstrong continued by providing an overview of NCARB's Practice Analysis and stated that it is completed periodically, is a survey of current practices in architecture, and is used to justify the changes to NCARB's programs. He indicated that the data collected in the analysis is used to update the testing specifications of the ARE; for recommendations for IDP improvement; and is used by National Architectural Accrediting Board (NAAB) for its programs as well. He encouraged member boards, jurisdictions, and interested stakeholders to participate and complete the upcoming analysis in order to shape the future of the credentialing of architects.

Hraztan Zeitlian inquired whether NCARB had an existing IDP mentor recognition program.

Mr. Armstrong indicated that currently, there is no program to recognize mentors, but would discuss the issue with staff at NCARB and thanked Mr. Zeitlian for his suggestion.

Mr. Haese explained that the BEFA program is: 1) a pathway to NCARB certification; and 2) allows eligible foreign-trained architects to demonstrate competence to independently practice architecture in the U.S. or any member jurisdiction. He explained that there are four necessary requirements to become an NCARB certified architect: 1) education – a NAAB accredited degree or its equivalent; 2) experience – completion of IDP; 3) examination – passing the ARE; and 4) registration in a U.S.

member jurisdiction. He indicated that the BEFA program is the alternative pathway to meeting the examination requirement wherein the candidate possesses a verified foreign education to meet the education standard, documents their prior experience to meet the experience standard, and is a credentialed licensed architect in their native country to meet the registration standard.

Mr. Haese provided the history of the BEFA program indicating that it was initiated in 2003 and voted on and approved at the 2004 NCARB Annual Meeting. He explained that the BEFA process is rigorous for a foreign-trained architect to obtain an NCARB certification and obtain a registration to practice in the U.S. or any member jurisdiction. He stated that the objective of the BEFA program is to: 1) allow eligible applicants to demonstrate competence to independently practice architecture while protecting the public's health, safety, and welfare; 2) allow applicants to demonstrate responsibility over the development, management, and implementation of projects over which they exercise responsible control and comprehensive practice; and 3) demonstrate an understanding of U.S. licensure, professional conduct requirements, and knowledge of U.S. building codes and laws. He explained that the major steps to complete the program are: a) gain eligibility by compiling and submitting a dossier to be reviewed in three stages at NCARB; and b) if the dossier is approved, the applicant moves to an interview with the Broadly Experienced Architect (BEA) Committee members where, if approved, the applicant is recommended by the Committee for NCARB certification.

Mr. Haese explained that there are three main elements in order to be eligible for the BEFA program. The applicant must: 1) be currently credentialed as an architect in a country other than the U.S. or Canada that has a formal record-keeping method for disciplinary actions for architects; 2) hold a professional architect degree from an accredited, validated, and officially recognized architecture program; and 3) have a minimum of seven years of comprehensive practice as a credentialed architect in their country.

Mr. Haese informed the Board as to the required contents of an applicant's dossier and that it is based upon the contents of the ARE. He stated that the applicant must submit a minimum of three projects with in-depth details describing their competency to practice architecture, documentation to support the descriptions provided, and annotations to describe the project modifications in order for it to comply with U.S. building codes including accessibility laws. He continued that the dossier then undergoes three review processes: 1) initial review by NCARB staff to ensure the applicant maintained compliance of project submission guidelines; 2) the dossier is sent to three separate BEA Committee members for their independent reviews and notes; 3) the Committee members' notes are then compiled and utilized for discussion at a meeting of all BEA Committee members. He indicated that if the Committee approves the dossier, the applicant's next step is an interview with the BEA Committee where three of the members interview the applicant. He explained that the purpose of the interview is to verify the applicant's responsibility over the development, management, and implementation of each of the submitted projects, verify that the applicant understands U.S. licensure and professional conduct requirements, and to verify the applicant's knowledge of U.S. building codes and laws. He stated that if the applicant is approved after the interview, the Committee recommends granting the NCARB certificate.

Mr. Merino commented that there is a perception that the BEFA program provides an opportunity for foreign architects to practice here in the U.S. and take away jobs from American architects. He explained that the perception is incorrect as many of the applicants to the BEFA program are already working in the U.S. under another licensee and the program helps to validate and strengthen the licensure of architects within the U.S.

Mr. Gutierrez stated that with the current BEFA discussion, it would be an opportune time to move to agenda item J.1 and directed the Board to move to that agenda item for further discussion and/or action on the BEFA issue in order to take advantage of NCARB's presence.

*J. PROFESSIONAL QUALIFICATIONS COMMITTEE (PQC) REPORT

1. Discuss Reciprocity and Social Security Number Requirements (California Code of Regulations, Title 16, Section CCR 121, Form of Examinations; Reciprocity and Business and Professions Code, Section BPC 30) in Relation to BEFA Program and Foreign-Licensed Professionals and Possible Action

Justin Sotelo indicated that the BEFA program had been discussed at prior meetings and is back on the agenda for this meeting to discuss California's current reciprocity requirement and the need for a Social Security number (SSN) in order to obtain a license to practice architecture in California. He stated that the SSN requirement is specifically stated in BPC 30, and under the current reciprocity regulation, the Board has three pathways (i.e., licensed in a different U.S. jurisdiction, Canada, or United Kingdom [UK]) for reciprocity candidates to seek licensure in California. He indicated that there was an attachment in the meeting packet that provides the information on the different pathways and a copy of the specific regulation (CCR 121) that outlines California's reciprocity requirements. He continued that the SSN has been an issue and was put into the Board's Strategic Plan to address the requirement. He reported that recent staff research found that the State Bar of California had secured legislation for the acceptance of a Federal tax identification number (Individual Taxpayer Identification Number - ITIN) in lieu of a SSN for purposes of licensure and registration in California. He stated that staff presented this information to the DCA Division of Legislative and Policy Review and that the Franchise Tax Board (FTB) was not concerned that utilizing an ITIN in lieu of an SSN for licensure purposes would impede their programs. Doug McCauley stated that he met with the DCA Deputy Director of the Division of Legislative and Policy Review and found that there is merit to the SSN issue and would take legislation to the Senate Business, Professions, and Economic Development Committee. He stated that the issue is not only applicable to architects, but is cross-cutting, meaning it would affect all of the trades and professions (i.e., contractors, engineers, nurses, doctors, etc.) under DCA. He indicated that it would be incumbent of DCA to spearhead efforts to address the issue.

Jeffrey Heller inquired as to why the ITIN would be more suitable than the SSN. Ms. Freedman indicated that BPC 30 specifically requires a SSN in order to obtain a license (the SSN is required to enable the FTB to enforce Family Code section 17520; which enforces family child support obligations). Mr. Heller indicated that the Board should obtain more information from staff on the difference in the numbers (SSN vs. ITIN) prior to discussing or rendering a vote on an issue it does not fully understand. He suggested to delay the issue for discussion and/or vote until additional information can be obtained and the Board knows the possible ramifications. Mr. Merino disagreed and indicated that the Board was not taking action on some form of new program authorization or legislation, but was pursuing an alternative for the Board to provide the same opportunity to practice that other states and jurisdictions already have under the BEFA program. He stated that attorneys have already secured legislation to allow the acceptance of the ITIN in lieu of the SSN.

Ms. Freedman stated that the question for the Board should be whether it wants to pursue this issue as a policy, as BPC 30 is in place to ensure family child support obligations and is the method that the state utilizes to track individuals that are late in paying family support or tax obligations. She

continued that the individual must clear any prior support or tax obligations prior to being issued a license. Mr. Heller stated that since BPC 30 is already in place, he does not want to vote or decide upon the SSN issue until he understands the implications of making a change. Mr. Merino indicated that it is the policy of the BEFA concept that is presented to the Board, not the implementation of it. Mr. McCauley stated that the question was whether there are regulatory pathways as it pertains to the BEFA program. He continued that the issue was discussed at the prior meeting and it was subsequently determined that there is no current regulation that accommodates the BEFA program. Jon Baker stated that he understood there to be two impediments to the BEFA program in California; the SSN and the ARE requirements that are in statute are issues that face the Board in accepting the BEFA program. Vickie Mayer clarified that in CCR section 121, the two foreign paths [Canadian and UK] allow licensure if they meet the stated conditions and another foreign architect (outside of Canada or the UK) could fall similarly within one of the two paths, but the current regulations do not allow it. She continued that even if the foreign applicant meets the path's requirements, the other impediment to licensure is the SSN issue; which the Canadian and UK applicants are facing now.

- **Michael Merino moved for the Board to provide direction to staff to pursue a recommendation for a change in statute or regulation that allows the Board to proceed with the NCARB BEFA program.**

Sheran Voigt seconded the motion.

Mr. Heller inquired as to how NCARB views the foreign architects who want to pursue licensure through the BEFA program, want to work independently, and compete for architectural projects as opposed to associating with a U.S. architect. Mr. Haese stated that the NCARB BEFA program does not require associating with a U.S. architect and believed that the rigorous process of the dossier and the interview justify the applicant's work solely in the country where they are licensed, not inclusive of any work they accomplished in the U.S. Mr. Armstrong indicated that if the discussion is about changing the BEFA program criteria, it would have to be a separate discussion with participation from their membership and through the resolution process.

Mr. Zeilian inquired as to whether the BEFA program had any residency requirements. Mr. Haese indicated that the applicant can live anywhere, so long as they meet the BEFA requirements. Mr. Merino indicated that the applicant may have been working in the U.S. for some time under a U.S. licensee, but qualify for the BEFA program utilizing their work experience from their home country, not any of the work completed in the U.S. He stated that the BEFA program is rigorous and takes an average time of 24 months to complete. Mr. Haese stated that for those individuals who are in the U.S. and not licensed, they need to complete the three years of IDP and pass the ARE in order to obtain a license. He continued that many individuals do not have the time to complete these requirements for licensure and the BEFA program is a means to expedite the licensure process for foreign architects. He added that the applicant still needs to document three years of work experience, but instead of completing the ARE, they qualify by documenting the three years of work experience from their home country to fulfill the BEFA requirement.

Mr. Gutierrez summarized by indicating that: 1) at the prior meeting, there was discussion about the validity of the BEFA program; 2) NCARB gave a presentation on the BEFA program and its details; 3) the Board has discovered that there are two impediments (i.e., SSN and regulatory requirements) to accepting the BEFA program in California; and 4) there is a current motion to proceed with the BEFA program in California. He asked Ms. Freedman whether once the BEFA program is validated

in California, the Board can add criteria of practice to the program. Ms. Freedman indicated that the Board would have the opportunity to add a practice element to the program. Mr. Gutierrez stated that if the Board could add a practice element to the BEFA program, it becomes a Board issue (whether to allow, limit, or encourage practice to address California specific issues). Mr. Zeitlian stated that an added requirement could be for the applicant to complete the California Supplemental Examination (CSE) after the completion of the BEFA program. Mr. Gutierrez indicated that there will be issues for the Board to address once the BEFA program is validated in California and to pursue, identify, and understand the impediments to the BEFA program and how they can be resolved.

Marilyn Lyon stated that her concern is for individuals that want to come to California to practice and qualify under the BEFA program should also take the CSE. She indicated that the Board's discussion has strayed off of the issue presented before it and if the motion is approved, it would allow the Board to explore the issue further from the Board's perspective.

Mr. Heller requested that the motion be restated inclusive of its limitations with a point of information that Mr. Merino was incorrect that in California and other jurisdictions, there is a requirement for an out-of-state licensee to participate on a project with a local architect.

Mr. Merino restated his motion.

- **Michael Merino moved for the Board to direct staff to bring back information on how to implement a structure that is satisfactory to the Board to align with the NCARB BEFA program.**

Sheran Voigt seconded the motion.

The motion passed 9-0.

Mr. Merino clarified for the record that an individual licensed in a state with an NCARB certificate is not required to associate with another firm to practice in that state.

2. Action on Proposed Regulations to Amend CCR, Title 16, Section 109, Filing of Applications; 116, Eligibility for Examination; 117, Experience Evaluation; and 121, Form of Examinations; Reciprocity [As it Relates to the Repeal of the Comprehensive Intern Development Program Requirement], Including Authority to Add and Amend Documents in the Rulemaking File

Mr. Heller provided a brief history on the creation of Comprehensive Intern Development Program (CIDP). He stated that when he started on the Board, NCARB had an intern program (IDP) that the Board determined was not sufficient or comprehensive enough to validate the interns. He indicated that as a result, CIDP was approved to compensate for the IDP's deficiencies. He continued that CIDP created a means for reporting and comprehensiveness that IDP eventually embraced. He stated that the Board initiated discussions over a year ago to repeal CIDP due to the improvements to IDP and the current redundancies between the two programs. He indicated that the issue went to the PQC for a recommendation and the Committee agreed that IDP had progressed to the point where CIDP could be repealed.

Ms. Freedman recommended that the motion be very clear that the Board is approving action on three separate issues: 1) adopt the proposed regulation; 2) delegate authority to the Executive Officer (EO)

to formalize the regulation and make any non-substantive (minor, technical) changes as may be required; and 3) add or amend documents in the Rulemaking File. She indicated that it can be a single motion with three separate components.

- **Jeffrey Heller moved to approve the recommendation to amend the regulation pertaining to reciprocity, as it relates to the repeal of the CIDP requirement, delegating authority to the EO to make any minor, technical changes and add or amend documents in the Rulemaking File.**

Marilyn Lyon seconded the motion.

The motion passed 9-0.

- **Sheran Voigt moved to adopt, provided no adverse comments are received from the public, the Proposed Regulations to Amend CCR, Title 16, Sections 109, Filing of Applications; 116, Eligibility for Examinations; 117, Experience Evaluation; and 121, Form of Examinations.**

Marilyn Lyon seconded the motion.

The motion passed 9-0.

- **Michael Merino moved to delegate authority to the EO to make any minor, technical changes that may be required and add or amend documents in the Rulemaking File.**

Marilyn Lyon seconded the motion.

The motion passed 9-0.

Agenda items J (3), (4), and (5) deferred to later in the meeting.

F. EXECUTIVE OFFICER'S REPORT

Mr. McCauley indicated that there was no action required on the legislation (Senate Bill [SB] 543 and SB 706) shown on the agenda. He reviewed the Board's meeting schedule and stated that the December two-day meeting included a Strategic Planning session, and will be held in San Diego on December 7-8, 2011. He indicated that Daniel Iacofano is contracted to facilitate the Strategic Planning session where the Board will determine its objectives for the coming year.

Mr. McCauley reported that the Communications Committee worked with staff and DCA's Office of Publication, Design, and Editing to produce a new document included in the meeting packet (attached to the EO Report) to reach out to building departments and other entities that emphasize important points from the Board's Consumer's Guide.

Mr. McCauley reported that the Sunset Review process has been ongoing for well over a year where the Board submitted its Sunset Report in September 2010 and had its sunset hearing with the Senate Business, Professions and Economic Development Committee in March 2011. He reported that the final culmination of this process is the legislation, SB 543 (Steinberg and Price), which extends the

Board's sunset date until January 1, 2016. He stated that the bill removes two important issues that the Board has been working on which are the: 1) sunset date that was associated with the Board's internship authority in statute; and 2) language to reconfigure the Board's license renewal cycle from every odd year biennial renewal cycle to an ongoing biennial renewal cycle. He stated that staff completed a cost-benefit analysis that found there was no real benefit in changing the license renewal cycle.

Mr. McCauley reported that there was a cross-cutting bill (Assembly Bill 1424 – Perea) that the State and Consumer Services Agency supported that is similar to the Family Code provisions and is regarding the collection of taxes from individuals who are in arrears. He stated that the bill allows the Board to take action on individuals who owe back taxes and that this is a measure he and Mr. Gutierrez flagged. He reported that the last bill he wanted to apprise the Board of was SB 706 (Price) which requires boards to post enforcement actions (i.e., accusations, decisions, suspensions, disciplinary actions, etc.) on their website. He stated that this requirement is new to many other boards; however, the Board already posts its enforcement actions on its website.

Mr. McCauley reported that for Board communications, the Board's electronic newsletter has been well received and since the latest issue posted in August 2011, there have been 13,000 views of the newsletter. He stated that the number of views on the website for the spring newsletter is 81,000, which is a significant number in comparison to the printed version where the Board printed and mailed roughly 39,000 copies. Ms. Lyon asked whether there were any statistics on the number of views per article. Mr. McCauley indicated that currently, the newsletter is in a Portable Document Format and individual article views cannot be obtained since each view is for the entire document.

Mr. McCauley reported that the Board's Liaison Program began in March 2011 with the implementation of Phase I where contact letters were sent to various associations that the Board works with to gain insight as to their strategic objectives to integrate the information into the Board's work. He stated that Phase II was launched at the end of August 2011 with contact letters sent for the Board members to communicate with the accredited schools of architecture. He stated that the current plan is for the Board members to make contact and communicate with the associations and schools and present their information at the December Board meeting so that it can be incorporated into the Strategic Plan.

Mr. McCauley reported that there is a new group that has been formed relative to the California Access Specialist program (CASp); which is administered by the Division of the State Architect. He stated that the CASp certified individuals formed a new group called the California Access Specialists Institute (CASI). He reported that the group met with him and had questions about the: 1) stamping and signing requirements for an architect who possesses a CASp certificate; and 2) extent an unlicensed individual who possesses a CASp certificate can provide services. He continued that staff is working to finalize the questions so they can be presented to the DCA Office of Legal Affairs to obtain definitive responses to them. Mr. Heller requested to expand on the implications of CASp versus a licensed architect and provide a background for the Board on this issue. He stated that there were many discussions about the reason for CASp because a licensed architect is qualified to provide the same services. Mr. McCauley stated that he can provide a few comments, but the issue should return to the Board as a fully agenda item. He stated that the basis of the issue is that there is a group of certificate holders (some architects, some not) who provide services and are now facing the realities of operating in the marketplace. He stated that some of the issues that face the group are focused on stamping and signing requirements for architects holding a

CASp certificate and the point at which CASp services provided by an unlicensed individual might become the practice of architecture. He continued that these are some of the issues the Board will have to research and provide a legal response. Mr. Heller added that there is a liability issue that also needs to be addressed. Mr. Merino agreed with Mr. Heller and indicated that this was an issue that concerned him. Mr. Baker stated that from a historical standpoint, when the Board heard of CASp, the staff at the Division of the California State Architect's office had developed a "quasi-practice act." He indicated that the Board met with the State Architect at the time, which then suspended the program and developed the certificate program in its place. He continued that initially, it was made clear that if you possessed the CASp certificate, the individual could provide access services and as a licensed architect without the certificate, they could also provide the services under the architectural license. Mr. McCauley indicated that it will be an issue brought back to the Board for discussion and possible action.

Mr. McCauley reported that the Enforcement Program continues to do a great job to reduce the number of pending enforcement cases which is currently down to 113 (from over 300 pending cases a few years ago) and complimented staff's efforts.

Mr. McCauley reported that for the LATC, there still are two vacancies out of five positions on the Committee, but the staff vacancies have decreased from three down to one. He stated that LATC just completed the next form of its Supplemental Examination which maintains the defensibility of the exam.

G. DISCUSS AND POSSIBLE ACTION ON TASK FORCE ON COMMITTEE PROCEDURES RECOMMENDATION

Mr. Gutierrez stated that in the Board's 2011 Strategic Plan, the Executive Committee was charged to review committee appointments and membership procedures and charges and make recommendations for improvement, including training. He indicated that staff researched the committee procedures for related organizations and drafted a White Paper on the subject. He reported that at the April 15, 2011 Executive Committee meeting, minor edits were suggested for the document and at the June 16, 2011 Board meeting, the revised White Paper was presented to the Board. He continued that at the meeting, there were discussions regarding term and committee chair limits. He indicated that the Board referred the issue to a Task Force on Committee Procedures to discuss the issue and make recommendations for the Board's consideration. He stated that the Task Force was comprised of himself, Mr. Merino, and Ms. Lyon and a teleconference meeting was held on August 31, 2011.

Mr. Gutierrez requested Mr. Merino to present the first Task Force recommendation on the committee term and chair limits and for Ms. Lyon to present the second Task Force recommendation on the consolidation of the Examination Committee with the PQC after his explanation of the committee and chair terms.

Prior to Mr. Merino's presentation of the Task Force's recommendation, Mr. Gutierrez explained the issue of committee term and chair limits by providing a visual presentation on a draft board. He outlined the Task Force's recommendation by drawing visuals to represent term and chair limits. He explained that if a committee member is on a committee for four years, at the end of the four-year term, the Task Force's recommendation is for the member to request reappointment to the same committee for an additional four years, if they choose to do so, for a maximum of eight years of

service on a specific committee. He continued that if the member wants to continue to serve on the same committee after serving the maximum eight-year term, he/she has to be removed from that committee for one year before reappointment can be made back to that particular committee or the member could be appointed to a different committee immediately to begin a new service term (on a new committee). Mr. Zeitlian inquired that when a member is removed from a committee for the one year, are they eligible for another eight-year term after being off the committee for a year. Mr. Gutierrez indicated that the member would be eligible to begin another eight year service term on the prior (if removed for one year) or new committee after appointment. Mr. Heller inquired that after the one year break from a particular committee, it is not assumed that the member would be reappointed to the same committee. He indicated that there may be a lack of available committee positions, the inability for a committee to bring a member back, or a committee decision to not want the member back as possible reasons. Mr. Gutierrez indicated that all committee members are appointed by the Board President if there are committee vacancies available and that the process is not an automatic appointment.

Mr. Gutierrez next discussed committee chairmanships. He stated that a chairmanship occurs with three roles; vice chair, chair, and advising chair, and each of the seats is a one-year term. He explained that after the vice chair serves a one-year term, that member will move into the chair seat the following year, then the current chair moves into the advising chair position, and the advising chair is removed from that committee for at least one year before being considered for a vice chair appointment or serves as one of its members (unless it is the end of their eight-year term, where they will need to be removed from the committee altogether for at least one year before reappointment to the same committee can occur). He continued that with the sequence of a year-by-year advancement of the committee chairs, the Board President must appoint a vice chair for each committee annually. Mr. Heller inquired as to the length of time a committee chair serves. Mr. Gutierrez indicated that a committee chair serves a one-year term.

Mr. Gutierrez continued to explain committee chairmanships and indicated that if a chair terms out from the Board in the middle of his/her term (i.e., a Board member, who is chair of a committee, terms out at mid-year), the current advising chair would return to the chair position for the remainder of the one-year term and then once the year ends, move back to the advising chair position. Mr. Gutierrez clarified the following points: 1) if an advising chair wants to be reappointed to a vice chair position, he/she must be off of the committee for one year prior to reappointment; 2) a committee member's eight year maximum time of service on a committee (including reappointment at the four year mark) continues whether they are serving as a member or chair and encourages members to rotate to other committees; 3) all three chairmanship positions will only be occupied by Board members; and 4) the purpose of the advisory chair is to assist the chair and preserve the institutional memory of the committee.

Mr. Merino stated that the language in the Task Force's recommendation simply codifies the presentation given by Mr. Gutierrez. He explained that the intent of the recommendations is to create a system to increase the knowledge and experience of the Board. He stated that Board members usually serve multiple terms and from the data accumulated previously by staff, indicates that many members remain on the same committee a majority of their service time. He continued that the current proposal with limits on the terms would force members to obtain experience on other committees and share their experience with other members on different committees to create synergy, enhance experiences, and allow an avenue for new individuals to become members on different committees. Ms. Lyon stated that the recommendations are not only for the current Board members,

but emphasized that many of the committees are quite large and need turnover to allow new people into the positions on different committees and share their expertise (including many of the newly licensed architects). Mr. Merino indicated that the committee data he received from Board staff showed that some committee members had been on the same committee for a long time and although that may bring experience, allowing new individuals who are new to the profession onto the committees brings a different knowledge with their experience of technology; mindset and reasoning; background; and perspectives that may give the Board something new to ponder. He emphasized that it is healthy for the Board to have a mix of experiences, perspectives, and knowledge, and to have the ability to train others for committees to create a larger pool of individuals to carry out their functions.

Ms. Voigt inquired whether the Task Force discussed how the Board was going to obtain the new committee members. Mr. Merino indicated that a majority of the Task Force's recommendation maintained the purview of the Board President and the Executive Committee for member selection. Mr. Gutierrez explained that the purpose of the Task Force was to provide structure for the terms of the committees and chairs and bring it back to the Board.

Mr. Gutierrez further explained the committee appointment and reappointment process. He stated that a committee member is initially appointed by the Board President for a four-year term and after the four years, the member submits a request for reappointment for an additional four years on the same committee to the President. He stated that the request should address the following statement of purpose: 1) the number of times the committee met during the member's term and the number of meetings the member attended; 2) what the committee accomplished during the member's term and his/her contributions; and 3) the reason why the member wants to continue to serve on the committee.

Mr. Zeitlian inquired as to whether there is a limit to the number of members on a committee. Mr. McCauley indicated that the current recommendation does not specify a specific number of members on a committee, but one suggestion was that a committee should not be larger than the Board. Mr. Merino stated that possibly the size of a committee could be determined by the scope of work that is assigned to that committee. Mr. Zeitlian stated that he agrees with the chairmanship portion of the Task Force's recommendation, but indicated that by subjecting the members to term limits, could the Board be limiting a member's passion to contribute on a voluntary basis to the committee. Mr. Gutierrez stated that it is good that members have passion to contribute and are allowed to do so for possibly eight years (if reappointed); but after that time, another individual who may be just as passionate should be allowed to contribute to another committee too. He continued that if the member is that passionate about contributing to that particular committee, they would only need to be removed for one year and then they could possibly be reappointed. Mr. Merino added that if a member is that passionate to contribute, they may have a skillset to where they could be appointed to a different committee and contribute there while waiting to be reappointed to their committee of choice.

Mr. Heller opined that it would be wrong for the Board to appoint committee chairs for a single year because it is not enough time for a chair to become familiar with the committee issues and believed that the committees would become less effective. He suggested that the chair positions should be appointed for a minimum of two years before moving on to the advisory chair position.

Mr. Gutierrez stated that the primary issue that he identified with appointing a chair for two years is that the vice chair and advisory chair positions would also need to be two years because the vice chair would be waiting two years in order to succeed to the chair position. Ms. Voigt stated that she is also concerned about the chair being appointed for one year because some of the committees only meet

one time per year and it is not enough time to learn to be a chair. Mr. Gutierrez indicated that a member is appointed as the vice chair prior to becoming the chair, giving him/her a year in that position to learn the committee process and know what is required to be chair. Mr. Baker stated that the frequency that some of the committees meet is relevant to this issue. He stated that some of the committees may not have met for over a year due to a lack of issues to address and believed that the Board should review these committees to determine their relevancy. He suggested that possibly implementing a more structured policy for the committees to meet regularly. He believed that the infrequent meetings contributed to the lack of continuity and if there is no reason for a committee to meet, the Board should determine whether it needs that committee.

Mr. Baker commented that he had no issues with the committee term limits as he viewed the three year chairmanship as a three-year term and thought this structure allowed for three members (chair, vice chair, and advisory chair) to run the committee. Mr. Heller disagreed and opined that the proposed chairmanship structure would not work. Mr. Gutierrez explained that the Task Force's recommendation is instilling more strength to the chairmanship by having three members engaged by sharing the information, sharing the leadership, and preserving the institutional memory of the committee. Mr. Heller disagreed with the one year chairmanship and gave the example that it took over a year to repeal CIDP. He stated that a committee cannot rely upon a vice chair moving into the chair position to have the same agenda as the prior chair and believed that if the chair is implemented as a one-year term, it will not be as efficient. He continued that he was unaware of any group that could complete the tasks delegated to it within a year.

Mr. Gutierrez stated that there is a second Task Force recommendation and asked Ms. Lyon to present it. Ms. Lyon stated that the recommendation is to consolidate the Examination Committee into the PQC. She explained that the recommendation is driven from multiple facts: 1) Examination Committee completed the task of transitioning the California Supplemental Examination (CSE) from an oral to a computer-based format; 2) current circumstances of working with the DCA Office of Professional Examination Services (OPES); 3) new restrictions with the involvement of creating the exam test questions and exam preparation; and 4) there is not sufficient policy issues to address for the Examination Committee to meet on a regular basis. She continued that due to these factors, she recommended a consolidation of the Examination Committee into the PQC, where the PQC may restructure the Committee as a subcommittee of the PQC, but that would be determined by the PQC. Mr. Gutierrez stated that the Task Force's recommendation on this issue would be to formalize it at the 2012 Strategic Planning session to consider an organizational restructuring.

Mr. Baker stated that the CSE has transitioned from an oral format to a computer-based format, but the new exam still requires an ongoing review of exam items, issues, and questions. He inquired as to the process for the ongoing evaluation of the CSE related exam issues, engaging with subject matter experts (SME), and whether these issues are for the Examination Committee. Mr. Gutierrez stated that the Task Force's recommendation is to consolidate the Examination Committee into the PQC rather than a stand alone committee, so the examination issues Mr. Baker inquired about would be under the PQC's purview. Mr. McCauley stated that all of the psychometric functions for the exam remain (i.e., creating and reviewing test items, standard setting, etc.), and these functions are not committee issues. He continued that there is a very linear examination development process that is followed and the SMEs are recruited with input and guidance from the exam vendor.

Mr. Baker inquired as to who selects the SMEs and structures the group of participants to evaluate and review the exam items. Mr. McCauley indicated that the Board staff locates and contacts the

SMEs to participate in the development with guidance from OPES on the parameters the Board needs to maintain for validity. Ms. Lyon indicated that the function of exam development is no longer the purview of the Examination Committee. Mr. Baker inquired whether the Board is still involved in the exam development process since OPES is managing the examination development. Ms. Mayer indicated that OPES has guidelines that Board staff follow when recruiting SMEs and cited that SMEs must possess a license for at least five years, have a certain demographic background, work at different sized firms, and be a part of a variety of practice areas and a second group may have similar criteria, but would be licensed less than five years. She stated that Board staff recruit by referrals from other SMEs that have previously participated in the process and prior oral exam commissioners and that staff ensures that the SMEs meet the guidelines set by OPES.

Mr. Baker clarified his understanding of the CSE development and SME selection process by indicating that OPES manages the overall process and Board staff selects the individuals that sit on the evaluation committees. He then inquired as to what entity evaluates the committee participants to find out which individuals performed well and which did not. Ms. Mayer indicated that OPES provides feedback to the Board about individual SMEs on whether they were productive, participatory, and provided usable exam content items and then Board staff determines whether the SME is invited back for future development. She reported that the pool of SMEs is about 80 in number, utilizing eight SMEs per workshop and to date, there have been eight workshops of examination development. She continued that there is SME turnover, but OPES provides the SME qualifying criteria and evaluation of their performance after the workshops are completed.

Mr. Zeitlian inquired as to where committee members are recruited from (other than Board members). Mr. McCauley stated that the appointment of committee members is a presidential prerogative. Mr. Zeitlian clarified that the Board President can appoint as many committee members as he/she wants. Mr. McCauley agreed that the president can appoint as many committee members as he/she would like. Mr. Merino elaborated by inquiring how the pool of potential prospects for committees is determined for appointment by the president. Mr. Gutierrez indicated that he could only speak from his term as president, but he did not receive any requests for committee service from the public and indicated that existing standing committee members continued their service to form the committees. Mr. Merino indicated that if this is the case, then the Board should post a message on the website or in the newsletter inviting people to submit requests for standing committees.

Mr. Baker stated that the discussion drifted away from his point of the discussion which was the absence of the Examination Committee and indicated that it would no longer be the purview of the President or the Board. Ms. Lyon clarified that the Examination Committee would be the Board's purview through the PQC. Mr. Baker indicated that to him, the appointment process and selection of SMEs is occurring at the staff level and by OPES with no involvement by the Board or Board President. Ms. Mayer clarified that the Examination Committee members may have also been SMEs, but their role as a member of the Examination Committee was different than participating in development of the actual exam. She continued that the Examination Committee members oversaw the CSE administration, reviewed the exam appeals, and selected the graphics of the oral exam. She added that when it came to exam development, some of the Committee members may have assisted in the exam development as SMEs, but they did not approve exam items, as those were put through the psychometric process. She stated that at the final stage of exam development, the Examination Committee would approve the exam after it had gone through the psychometric process. Mr. Baker summated his comments and asked the Board whether it is comfortable with no involvement in the process of selecting exam development participants and the structure and management of the exam

development process. He continued that the Board will be accountable at a policy level, but will not be involved in the committee appointments where term limits may not apply to the participants and how it would affect the quality or the role of the Board. Ms. Lyon stated that DCA had procedures in place that state Examination Committee members could not participate in the examination development process during the transition of the CSE due to a possible conflict of interest. Mr. McCauley stated that there is a formal DCA exam development policy where Board and committee members cannot participate in the psychometric exam development process due to the role of Board or committee members and the potential for undue influence in the item writing sessions, which could compromise the defensibility of the exam. Mr. Baker clarified that DCA's policy pertains to Board and committee members being participants in the exam development process, but not relative to the selection of SMEs. Mr. McCauley indicated that DCA's policy does not address the SME selection process.

Mr. Gutierrez clarified Mr. Baker's point where he indicates there are the Examination Committee members who were a stand alone committee, but are now going to be combined into PQC if the current proposal is approved. He inquired as to how the Examination Committee members are appointed whether the members are in that (exam) committee or PQC and what jurisdictional oversight the Board has over the members after appointment for institutional memory. Mr. Baker clarified that he is not referring to the Examination Committee members and how they are appointed, but how the SMEs are selected, as his understanding is that the Board is not involved through the Examination Committee on this process. Mr. McCauley indicated that staff will discuss the issue with OPES and return with an update for the Board. Mr. Baker stated that from his understanding on the issue, the Board has proposed for the Examination Committee to be consolidated into the PQC because there is no longer a prominent role for it, OPES has the role of examination development oversight, Board staff are selecting the exam development SMEs, and the Board is responsible overall for the entire process. Ms. Mayer stated that Board staff has always selected the SMEs for exam development. Messrs. Baker and Merino inquired as to whether the SMEs were selected through the Examination Committee. Ms. Mayer stated that the Examination Committee did not have a role in the selection of SMEs for exam development and that it is a process that all of the DCA boards utilize where they recruit based upon the individual's background and expertise and create a rounded group to conduct development. Ms. Mayer indicated that the Committee members had a role as being a part of the available SME pool when it came time to select the SMEs for exam development workshops. Mr. Merino inquired as to the Examination Committee's role, given that it does not participate in the examination development process. Ms. Lyon indicated that with the transition of the oral exam to a computer-based exam, the Committee's role diminished; which is the reason for her recommendation to combine the Examination Committee with PQC. Mr. Baker stated that he agrees with the recommendation and that the discussion was more on a tangent issue that is not relative to the consolidation of the committees, but is more procedural as to how the Board is conducting the process of exam development.

Mr. Gutierrez asked Mr. Heller whether he conducted any formal review or received any solicitations for committee members during the time he was president of the Board. Mr. Heller indicated that he never had any review or solicitations for the appointment of committee members; however, there was numerous communications between the Board and the committee chairs at the Board meetings. Mr. Gutierrez inquired about the appointment of public members and how they were appointed and whether there was a process to appoint them. Mr. Heller explained that he was unaware of any process to appoint public members to committees and that many of them were simply a part of their standing committees due to being long-term members. He suggested that the Board create a process

for the appointment of public members to committees because he was unaware of any procedures to perform that function in order to obtain the best qualified individuals for those roles.

- **Michael Merino moved to approve and implement the Task Force on Committee Procedures Recommendations.**

Jon Baker seconded the motion.

Mr. Baker recommended a staggering of committee members' term limits so that a committee would not lose all of its members every four years and to preserve the institutional memory of that committee. Mr. Merino indicated that the Task Force did discuss the issue of staggered terms, but wanted to obtain approval from the Board to first move forward on the committee issue and then address the specifics like term staggering, guidelines, application process, in addition to more staff work in the implementation phase of the Task Force recommendation.

Mr. Zeitlian stated that in the absence of an active recruitment program, he was concerned with the maximum eight year term for committee members because it may limit those individuals who want to contribute and volunteer beyond their term limit. Mr. Merino indicated that when the program goes into the implementation phase, the Board would only implement the committee member rotation process if there are others to fill the vacancy. He continued that after an eight year service term, he believed that there should be enough interest from other individuals to fill the vacated committee position.

Mr. Heller indicated that he believed the Task Force's recommendation on one-year committee chairmanships and to combine the Examination Committee and PQC is not a good idea, self defeating, and will make the committees ineffective. He continued that with these Task Force recommendations, he opposes them and encouraged others to oppose as well until revisions can be made.

- **Sheran Voigt moved, as a substitute motion, to bifurcate Mr. Merino's original motion to approve and implement the Task Force on Committee Procedures Recommendations.**
- **Jon Baker seconded the motion.**

The motion passed 8-1 (Michael Merino opposed).

- **Sheran Voigt moved to approve the Task Force's recommendation on committee procedures regarding term limits.**

Michael Merino seconded the motion.

The motion passed 6-3 (Iris Cochlan, Jeffrey Heller, and Sheran Voigt opposed).

- **Sheran Voigt moved to approve the Task Force's recommendation on the consolidation of the Examination Committee and PQC and be formalized at the 2012 Strategic Planning session.**

Jon Baker seconded the motion.

The motion passed 9-0.

Ms. Freedman recommended that for Board staff clarification, the Board should clarify how the Task Force's recommendations will be implemented. Mr. Gutierrez inquired to the Board that it is understood and agreed upon that the implementation of the Task Force's recommendations on committee procedures and consolidation of the committees be formalized at the 2012 Strategic Planning session. All of the Board members were in agreement with Mr. Gutierrez's statement.

H. UPDATE AND POSSIBLE ACTION ON CALIFORNIA SUPPLEMENTAL EXAMINATION DEVELOPMENT AND ADMINISTRATION

Mr. Sotelo reported that the new computer-based format of the CSE has been operative since February 2011 and since that time, there have been 729 candidates tested through August 2011 and anticipate testing over 800 candidates by the end of September 2011. He indicated that at the last meeting, the Board had questions in regard to the exam exit survey that candidates take upon the completion of the exam. He stated that there was an attachment in the meeting packet for the Board's review showing the results of the survey questions from February through the end of August 2011. He stated that the first section of the questions were standard Psychological Services, LLC (PSI) questions and are asked for all of the programs that utilize PSI for its exam administrative services. He continued that the second section of questions is Board specific questions for the candidates and focus on how a candidate prepared for the examination. He added that most of the questions were similar to the questions that were previously asked after a candidate completed the oral exam. He reported that of the 707 candidates that responded to the survey, most indicated that the customer service was good to excellent. He reported that of the 729 candidates that have taken the exam, 384 passed, which is a 53 percent pass rate. Mr. Zeitlian inquired whether the pass rate was an increase or decrease over the oral format. Mr. Sotelo reported that the number of candidates that passed the exam was an increase over the past two years. He stated that in the past, the pass rates of the oral exam were in the mid-40s to 50 percent.

Mr. Sotelo reported that at the previous meeting, there were also questions about the time it took to release exam scores and in the past, the scores were released after 30 days of taking the exam. He stated that currently, the exam scores are being issued in less than 30 days. He continued to report that there is a new exam development cycle beginning at the end of September and will be ongoing through the fall. He stated that individual contracts for expert consultant services are now required for each of the SMEs participating in exam development workshops. Mr. Merino inquired about the need for an SME contract when they are providing their services to the Board without compensation. Ms. Mayer indicated that the newly required policy is for each SME to sign a contract because they are providing a service to the Board and are reimbursed for their travel expense, plus \$100 for each day they participate. She explained that in the past, the SME would invoice the Board and obtain reimbursement for their expenses after the services were rendered, but DCA discovered that exam development services that are rendered for all of the programs should have a contract.

Mr. Baker inquired that if the SMEs all need to be under contract because they are providing a service, how would it be categorized for other members on committees for their services. Ms. Mayer indicated that the specific code delineates the types of services that require a contract and an SME is one of the categories. Ms. Freedman acknowledged that the SME for exam development is one

category of expert that is required to have a contract for services, but another is the SME for enforcement.

Mr. Merino inquired whether there was a place for a candidate to write questions or comments on the survey other than what they are directly being asked. Ms. Mayer indicated that the candidate has an opportunity to comment on each exam item as they are taking it. She continued that on the exit survey, the Board was limited in the format of the questions because all of the questions had to utilize the same format (i.e., all yes/no, all rating the same from 1-5, etc.) and did not provide the opportunity to provide comments related to the exam. Mr. Merino inquired whether the Board received questions about individual exam items. Ms. Mayer indicated that the Board has received some comments on individual items which are reviewed by Mr. Sotelo.

Kurt Cooknick stated that prior to the new exam being implemented, there were parties offering seminars on preparing for the exam and inquired as to how these parties knew what to offer in their seminars if nobody had taken the exam. Mr. Sotelo stated that there is public exam information on the Board's website available to candidates, which includes the test plan that lists all of the task statements and a reference materials list. Mr. Cooknick asked if the Board has reviewed any test preparation materials to determine whether exam candidates are reviewing appropriate preparation materials for the CSE. Ms. Mayer asked Mr. Cooknick for clarification whether his question is if preparation materials contain exam material or whether preparation materials are appropriate or relevant to the exam. Mr. Cooknick clarified that his question is if exam preparation material is relevant because potentially, up to 80 percent of the candidates utilize exam preparation materials from private organizations. Ms. Mayer advised that candidates are warned that the Board does not endorse or recommend any exam preparation parties. She said the Board reviews preparation materials from outside sources to determine if there is a subversion of the exam which may be a violation of the BPC. She continued that if the Board found exam preparation materials being provided in the seminars that violate the law, the Board would have jurisdiction to act against the seminar provider.

Mr. Cooknick indicated that the candidates that are taking the CSE are consumers and it would be proactive in the way of consumer protection if some of the preparation materials could be reviewed to discover what is being provided to them and enable the Board to communicate that the material presented is inappropriate to prepare candidates for the exam. Ms. Mayer confirmed with Mr. Cooknick that he feels that it is the Board's role to review the exam preparation material to determine whether it is relevant to the exam. She further indicated that the Board has performed that function in the past only when there have been subversions of the exam. Mr. Merino stated that there may be parties fraudulently claiming that they can help a candidate pass the CSE and that the potential is there for certain parties to market these claims if the Board does not periodically review the test preparation materials. Mr. Baker inquired whether the Board informs candidates of what criteria the CSE is based upon and if it does inform the candidates and they choose to review other outside test preparation materials, it would not be the Board's responsibility to oversee this issue. Mr. Cooknick inquired that if the Board is not concerned with the test preparation materials that a candidate reviews prior to the exam, why is the issue asked on the exam exit survey. Mr. McCauley indicated that the Board asks the questions to provide candidate feedback to the Board on how they prepared for the exam. He stated that the first question of whether the candidate utilized the Board's test plan is the most important since that material is based upon the CSE. He continued that when the Board has researched this issue in the past, as the providers of the CSE and the body that is responsible for the protection of the health, safety, and welfare of the public through measuring

minimum competence, it would not be appropriate for the Board to provide any endorsement or review of test preparation services because it would affect the validity of that measurement of minimum competency.

Mr. Baker commented that reciprocity candidates also take the CSE with in-state CSE candidates and that the addition of those candidates may skew the numbers within the CSE statistics. Mr. Cooknick inquired as to whether the Board could provide the number of reciprocity candidates that take the CSE. Mr. Sotelo indicated that the number of reciprocity candidates who took the CSE could be provided.

Ms. Gipe inquired that since the Board has received feedback from the candidates who took the CSE through the exit survey, will the Board act in response to the feedback results from the survey. She stated that if there are 80 percent of candidates utilizing private sources for test preparation, but only 50 percent are passing the exam, there are parties that are claiming to have appropriate test preparation materials, which is not true. Mr. Gutierrez stated that 95 percent of the candidates are utilizing the Board's test plan and over 50 percent of those actually passed the CSE. Ms. Gipe stated that although a majority of candidates are utilizing the Board's material, they are also using outside exam preparation materials beyond what the Board provides in order to prepare for the CSE. She indicated that in order to protect the candidate, if there are parties making false claims so that exam candidates will utilize their test preparation materials or seminars, those parties need to be held accountable and not take advantage of the candidates.

Mr. Merino inquired as to the Board staff's intent and purpose on obtaining the exit survey information. Ms. Mayer indicated that the questions on the CSE exit survey were the same questions from the oral exam and were carried over to use on the new exam. Mr. Baker inquired as to whether the Board's system can utilize the exit survey information to identify whether a candidate passed the CSE or not and tie the information to find whether a candidate only utilized the Board's exam materials or other outside sources to pass the exam. Ms. Mayer indicated that Mr. Sotelo checked through OPES and the ability to link the exit survey information to the candidate's exam performance cannot be done at this time.

Mr. Gutierrez stated that he believed the Board should wait for a longer period of time in order to gather and analyze an appropriate amount of data in order to make sound decisions to improve the process and experience for the candidates since the exam has only been implemented for seven months. Mr. Merino suggested that maybe some of the questions on the exam exit survey could be changed to ask more pointed questions in order to obtain specific objective data to answer some of the concerns that have been discussed. He stated that the prior questions may have been pertinent to the oral exam, but since the change in exam format, may not be as pertinent as to how candidates are preparing for the computer-based exam. Ms. Mayer explained that the questions were carried-over from the oral exam and that there are parameters as to the number and format of any new questions the Board requests or it could be a separate survey altogether. Mr. Baker suggested that possibly the CSE exit survey results could be posted on the Board's website so that candidates could view viable data to determine what may work for candidates to pass the CSE. Mr. Merino commented that if the survey could be posted, it would make the gathering of the information from the survey worthy.

- **Jon Baker moved to post the CSE exit survey results on the Board's website.**

Michael Merino seconded the motion.

The motion passed 9-0.

Ms. Gipe inquired as to whether the exit survey statistics were the same for the computer-based exam as compared to the oral format. Ms. Mayer stated that the questions are asked in a different format than during the oral exam because now they are yes/no type of questions. She indicated that Board staff would research the issue to find if there are any differences in the statistics. Ms. Gipe indicated that she inquired on the issue to find out if more candidates are utilizing outside resources or collaborating with their peers as compared to before.

Mr. Sotelo stated that at the previous meeting, there was discussion about the time it took to release the CSE scores. He reported that the CSE scores were released approximately 30 days after the completion of the exam, but is now less than 30 days after the exam is completed. Mr. Zeitlian inquired as to whether the exam scores can be issued immediately to the candidates. Mr. Sotelo indicated that the exam scores could be released immediately; however, there are concerns in doing so because: 1) there is a secondary score verification process that staff conducts to ensure that the information provided by PSI is transmitted through the Board's tracking system and is accurate; and 2) in the unanticipated event something occurs with an exam item, it provides staff the 30 days to address the issue. Ms. Lyon commented that there were also concerns about a candidate passing the exam, obtaining the passing score immediately, and then by memory, forwarding the exam information on to other candidates.

Mr. Sotelo indicated that another issue was if a candidate failed the exam, it could be a situation where the candidate may take his/her frustration out on the exam proctor and affect other candidates in the testing center. Mr. Baker stated that he had conversed with many candidates that are in the process or have passed the CSE and they are frustrated with the 30 day delay in obtaining their CSE scores. He stated that within the Board's discussion, he has not heard a plausible reason as to why the results cannot be issued to the candidate upon the completion of the exam. Ms. Mayer indicated that issuing the exam results immediately can be accomplished, but that the staff's recommendation is to continue issuing the exam results within 30 days after the completion of the exam for awhile longer while the scores are still being analyzed. She stated that she wanted the Board to be aware that when a new exam is implemented, the scores will be held until OPES completes its analysis of the exam. She cited examples of two candidates may be taking two different exams (one current exam, one new exam) and the candidate completing the current exam will obtain their score immediately, while the candidate taking the new exam will need to be informed that their score will be held until the completion of the exam vendor's analysis. She continued that the cut score for each of the exams would also be different. Mr. Merino stated that all of that information can be ameliorated by simply issuing a pass or fail result at the testing center, as the actual score is probably not as important to the candidate as knowing if they passed or failed and he suggested that the Board's intent should be to get the exam score to the candidate immediately after completing the exam.

Mr. Baker inquired whether OPES implements an entirely new exam when they utilize new exam content. He explained that when NCARB implements a new exam, they utilize ten percent of an existing exam for new questions that will not count against the candidate's score so they can evaluate the test items performance without compromising the testing process. He continued that if OPES does not implement new exam content in this or a similar manner, it may be a procedural issue that the Board needs to discuss with OPES because if they are implementing an entirely new exam that

requires a delay in issuing exam scores, that may not be reasonable or necessary. Ms. Mayer explained that since the CSE is in its new format, there will be new exam items and the goal is for some of those items to eventually become anchor items. She continued that there are also additional items included with each new exam that are pre-tested to where they are included in the exam, but not counted toward the score. She added that this is the reason for the recommendation to continue the 30 day delay to issue the exam scores because there are new exam forms being implemented and it takes time to properly analyze the results to ensure the validity of the questions and eventually, there will be anchor items to solidify the exam procedures. Mr. Baker stated that on a temporary basis, the staff's request made sense and agreed with it. He inquired if staff could recommend a timeline until the CSE scores could be released immediately.

- **Hraztan Zeitlian moved for Board staff to study in detail various options and timelines as to how the Board can accelerate the issuance of the CSE results.**

Michael Merino seconded the motion.

Mr. Baker moved to amend Mr. Zeitlian's motion to be more specific to where the new CSE is operational for 12 months and then after 12 months, the CSE scores are released immediately replacing the 30 day waiting period. Mr. Zeitlian approved Mr. Baker's amendment to his motion. Ms. Mayer clarified that the Board would like staff to carry-over the issue to the December 2011 meeting with recommendations at that time.

- **Hraztan Zeitlian amended his motion and moved for the Board to continue releasing CSE results 30 days after testing for one year from the launch of the new CSE and then begin releasing the results immediately, pending staff recommendations to be presented at the December 2011 meeting.**

Michael Merino seconded the motion.

The motion passed 9-0.

I. CLOSED SESSION – DISCIPLINARY DECISIONS AND EXAM DEVELOPMENT ISSUES
[CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 11126(C)(1) AND (3)]

The Board went into closed session in order to consider action on one disciplinary case and the June 16, 2011 Board meeting closed session minutes. The Board considered the Default Decision and Order in the Matter of the Accusation against Ryuji Tsuyuki. The Board also approved the June 16, 2011 Board meeting closed session minutes.

Ms. Freedman indicated that it is not required to announce the decisions made in Closed Session.

J. PROFESSIONAL QUALIFICATIONS COMMITTEE (PQC) REPORT

3. Review and Ratify Modifications Regarding Proposed Regulations to Amend CCR, Title 16, Sections 109, Filing of Applications; and 121, Form of Examinations; Reciprocity [As it Relates to Intern Development Program (IDP) Sunset Date]

Mr. Sotelo stated that the regulatory proposal had already been approved by the Board and pertained to the IDP requirement and sunset date, as provided in the Board's statutes and regulations. He reported that the sunset date in statute had previously been extended twice, but SB 543 removes the sunset date altogether providing the Board with the authority to implement an intern program indefinitely. He continued that this proposal removes the sunset date from the regulation because staff found that the dates indicated in statute were misaligned with the regulations. He stated that the proposal is nearing the end of its review with the Office of Administrative Law (OAL) and it recommended a modification to the text of the language in order to achieve the Board's objective with the proposal. He reported that the text was modified and that each of the procedural steps (i.e., temporary withdrawal from OAL, 15-day notice for comments, etc.) was followed to resubmit the proposal back to OAL. He stated that staff is requesting that the Board ratify the modifications in the proposal and delegate authority to the EO to adopt the regulation and make minor technical changes to the language, if needed.

- **Sheran Voigt moved to ratify the modifications in the regulation proposal and delegate authority to the EO to adopt the regulations and make minor technical changes to the language, if needed.**

Michael Merino seconded the motion.

The motion passed 9-0.

4. Review and Ratify Modifications Regarding Proposed Regulations to Amend CCR, Title 16, Sections 109, Filing of Applications; 117, Experience Evaluation; and 121, Form of Examinations; Reciprocity (As it Relates to IDP Guidelines)

Mr. Sotelo stated that this regulatory proposal has also been before the Board for approval and the intent of the proposal is to update the reference in the Board's regulations to correspond with the NCARB IDP Guidelines, specifically to the most recent edition of the guidelines. He reported that there were also some editorial revisions to the language to clarify and provide consistency to how the guidelines are referenced in the regulations. He stated that when the proposal was initiated, the NCARB October 2010 IDP Guidelines were in effect; however, the latest language revisions reflect the changes from the NCARB July 2011 IDP Guidelines and supersede the prior language. He stated that the request is to approve and ratify the recommended modifications to the regulations and delegate authority to the EO to adopt the regulations and make minor technical changes to the language, if needed.

- **Sheran Voigt moved to ratify the modifications in the regulation proposal and delegate authority to the EO to adopt the regulations and make minor technical changes to the language, if needed, and assuming no adverse comments are received.**

Michael Merino seconded the motion.

The motion passed 9-0.

5. Update and Possible Action Regarding the AIACC Academy of Emerging Professionals' 2011 Architectural Education Summit

Mr. Sotelo reported that the AIACC Academy of Emerging Professionals' (AEP) Architectural Education Summit is scheduled for November 18, 2011 in San Francisco. He reported that the Board had been updated on this issue since the December 2010 meeting and referred to Ms. Gipe for the latest update on the summit.

Ms. Gipe indicated that she is the chair of the summit's planning committee, the IDP State Coordinator, and an intern and licensee candidate. She explained that the idea for the summit was to invite all of the interested stakeholders to a forum to create an improved relationship between academia, the profession, the regulating board, and other interested stakeholders. She stated that in conversation, the idea arose, but was never put into action, so by having all of the stakeholders together, she envisioned that a strategic plan can be consummated to move forward for the next few years and make positive changes as it relates to architectural education, retention in the profession, and many other issues. She indicated that the date (November 18, 2011), the location (City College of San Francisco), and a key note speaker (Wendy Ornelas) have been secured and currently, the agenda and registration materials are being finalized. She stated that there may not be a charge of admission to the summit; which should encourage participation from all of the interested stakeholders. She proceeded to name many of the interested stakeholders who are invited to the summit, specifically emphasizing the community colleges, as many architect candidates earn degrees from these institutions. She invited the Board to attend the summit in knowing that attendance and participation from the State regulatory body is an important component to the summit. She stated that Mr. Baker has been involved with some teleconference calls with the committee and provided valuable insight for them.

Ms. Gipe indicated that one major issue for the summit is to review the metrics related to the path into the profession (i.e., number of licensees, retention rates, number of students graduating from architectural programs, the number of students that obtain a license and whether the architectural programs are working). She stated that as an individual that is pursuing licensure, she is unsure as to whether the current licensure pathway system is working. She inquired whether some pathways are stronger than others, whether some are archaic, or if some need support and asked whether there were some metrics available from the Board on these issues. She stated that her information indicates that currently, there are more architects over the age of 70 than under the age of 40. She indicated that some useful information would be to review age demographics, the specific programs licensees are graduating from, the licensure path that was chosen, whether the licensee worked in a firm while pursuing licensure, whether they attended community college, etc. She stated that these are important aspects to review in order understand the future of the architecture profession in California.

Mr. McCauley indicated that with regard to the metrics, Ms. Gipe can forward a request to staff specifying the information she seeks and, given the limitations of DCA's system, staff will assess whether the information can be obtained.

K. REGULATORY AND ENFORCEMENT COMMITTEE (REC) REPORT

1. Discuss and Possible Action on Enforcement Statistics

Hattie Johnson reported that the enforcement tables in the meeting packet show the number of cases that have been closed by category since the last Board meeting. She indicated that also attached are DCA's Performance Measures and the Board's Enforcement Program bar chart showing the pending

cases by year. Mr. Merino indicated that the statistics definitely show an improvement in the case numbers.

2. Discuss and Possible Action on Strategic Plan Objective to Develop a Strategy for Informing the League of California Cities and the California Chapter American Planning Association of the Architects Practice Act Requirements

Mr. McCauley indicated that this issue was an objective within the Board's Strategic Plan to communicate to the League of California Cities (LCC) and the California Chapter American Planning Association (CCAPA) about the Architects Practice Act (APA) requirements. He stated that the reason this issue arose was because the Board had discussed unlicensed issues at the 2010 Strategic Planning session and discussed that unlicensed practitioners were involved with projects from an early preliminary phase, provided services within the architectural jurisdiction (non-exempt services), and when projects progressed to the building department, permits could not be granted because they are architectural projects and there were no architects involved in the projects. He stated that this is an example of the consumer issue and when this occurs, the consumer will encounter delays, additional costs, and the burden of correcting the project's errors by retaining an architect. He reported that when the issue was presented to the REC, it realized that this was a valid concern and recommended to contact these two parties and have collaborative discussions to identify the issues, whether there are any common areas, and determine how to move forward. He stated that based upon the information obtained, there could be an opportunity to communicate with the individual planning departments so they are aware of what the law requires. He reported that when the issue was presented to the Board, it decided to take a more direct approach. He stated that the Board requested a clearer understanding of the definition of architectural services so the Board has a common understanding of the definition. He stated that staff also prepared a letter that could be sent to the planning departments that cites the various laws involved in unlicensed practice, and municipalities' requirements for verifying that a licensed architect is involved in the project. He asked Bob Carter, Architect Consultant, to provide an overview of the definition of architectural practice and then the Board could consider the draft letter to the planning departments or other action it deemed necessary.

Mr. Carter indicated that the definition of architecture is defined within the APA under BPC 5500.1, which states that the practice of architecture within the meaning and intent of this chapter is defined as offering or performing or being in responsible control of, professional services which require the skills of an architect in the planning of sites, and the design, in whole or in part, of buildings, or groups of buildings and structures. He stated that following the above in the BPC is a list of services that architects can provide.

Mr. Carter stated that the process becomes complex with the planning department because the Board allows exempt categories of practice. He indicated that unlicensed individuals can provide services for designated project types (i.e., single family residential homes, multiple dwellings containing no more than four units per lot, etc.) under BPC 5537. He explained that these are the sections and definitions of the BPC that are relied upon when Board staff are dealing with projects, city and/or county planning departments, or building departments.

Mr. Merino indicated that the general content of the letter is fine, but had a concern that it lacked focus and left room on the planning aspect that brought the issue to the forefront. He believed that the letter could lead the reader to some confusion as to whether a project can be processed by the planning department and be caught at the building department. He believed the letter's language was

not strong enough and cited an example where, "...even at the planning department level, the project must comply with the APA." He stated that it can be interpreted as the project could go through the planning department and be left up to the building department to catch the error and reject it; however, the Board would like to catch the error sooner in the project. Mr. Zeitlian indicated that the letter's first paragraph should be strengthened to focus on the planning aspect of a project.

Mr. Gutierrez stated that if the letter's content remains the same, it suggests that the consumer is at risk when they hire unlicensed design professionals to secure their planning approvals or documents to submit to the planning department. Mr. Merino reiterated his understanding of the letter and suggested that the planning departments need to take some responsibility to validate that a licensed architect is providing those services because planning departments may believe that there is no damage to the consumer because there are no construction documents and they are not performing any construction. He continued that as the letter implies, the project has already progressed to the point where it is at the building department and is rejected because an architect was not involved and the consumer is already hurt. He suggested that the letter needs to be stronger to have the planning department assume some level of responsibility for enforcement of license validation. Mr. Heller opined that the Board's message in the letter should be very clear on a very broad basis that in any official governmental approval process that is not in an exempt area of practice, there must be a licensee involved in every step of the project. Mr. Baker agreed that the letter should be stronger, that the definition of architectural services should be included in the letter, and the message should be made clear to the public agencies that if an individual is performing these services, they are required to be a licensed architect in order to do them, even at the preliminary planning stages.

Mr. Zeitlian inquired as to whether the letter should only be sent to the planning departments or should the Board send it out to other entities that could potentially oversee planning departments. Multiple Board members indicated that the letter could be sent to redevelopment agencies, city mayor, city councils, city managers, water districts, and other agencies that perform entitlement projects on their own. Mr. Merino indicated that the Board should send it to these parties in the instance that an issue arises, and once completed, the Board has done its due diligence to address the problem for the consumer across the board. Mr. Heller added that the larger entities could also be included such as the California Coastal Commission, Bay Area Conservation Development Commission, etc. Mr. Gutierrez agreed with his colleagues in that the letter did not express enough intent to convey the Board's message on the issue in that there are consumers exposed to the risk that they are receiving architectural services by unlicensed professionals. He indicated that the letter needs to be to that point. Mr. Gutierrez appointed Mr. Heller to work with Board staff to revise the letter and bring it back to the Board at the December 2011 meeting.

- **Pasqual Gutierrez moved to appoint Jeffrey Heller to work with Board staff on the revision of the letter to the planning departments and other entities, and bring it back to the Board at its December 2011 meeting.**

Jon Baker seconded the motion.

The motion passed 9-0.

3. Discuss and Possible Action on Strategic Plan Objective Regarding DCA's Proposal (SB 1111) Concerning Board Delegation to Executive Officer: Stipulated Settlements to Revoke or Surrender License

Ms. Johnson indicated that at the last meeting, the Board supported DCA's proposal stemming from prior legislation (SB 1111) to delegate settlement agreements for revocations or surrender of license to the Board's EO. She stated that CCR section 103 defines the Board's delegation of certain functions to the EO. She stated that the Board is asked to review the proposed amendment to CCR section 103 and authorize staff to proceed with the rulemaking file.

- **Michael Merino moved to approve the proposed amendment to CCR section 103 to delegate settlement agreements, revocations, or surrender of license to the Board's EO.**

Sheran Voigt seconded the motion.

The motion passed 9-0.

4. Discuss and Possible Action on Strategic Plan Objective Regarding DCA's Proposal (SB 1111) Concerning Psychological or Medical Evaluation of Applicants

Mr. Gutierrez indicated that he will make a statement prior to Ms. Johnson presenting this agenda item. He stated that presently, there is a process for a consumer to file accusations against an architect for fraud, negligence, willful misconduct, incompetency, or recklessness, all of which subject the architect to various degrees of disciplinary action including suspension. He indicated that he is not convinced that proving psychological impairment is easily, if at all, possible by factual evidence and is therefore, unnecessary to engage the issue when there are current processes in place that are available to the consumer.

Ms. Johnson stated that from the prior meeting, the Board voted to support DCA's proposal stemming from prior legislation (SB 1111) concerning psychological or medical evaluation of applicants. She indicated that the proposal would specifically order an applicant for licensure to be examined by a physician or psychologist if it appears that the applicant may be unable to safely practice architecture due to a physical or mental illness. She explained that this proposal is different than what was previously proposed, as it specifically focused on applicants for licensure. She continued that based upon the Board's acceptance of the proposal at its last meeting, staff requested that legal counsel draft language that could be used in the legislation required to pursue this objective. She stated that the Board is asked to review the draft proposed legislation and advise staff on how to proceed.

Mr. Merino indicated that the Board has previously reviewed the reasoning for this issue and stated that it is a topic that the Board should be concerned with. He stated that the issue is now coming from DCA and not an issue that stemmed from the Board. He explained that if an individual chooses to enter into a field as an applicant, they have specific requirements that must be met. He stated that if the applicant has demonstrated a significant risk to the staff, the Board, or any consumer, it is not unreasonable to subject that individual to an examination.

Mr. Heller inquired whether the examination requirement would be for all licensees, whether this requirement is also occurring on other boards, and has there been instances warranting the use of this requirement. Mr. Gutierrez inquired to clarify that the requirement is for applicants, not licensees. Ms. Freedman stated that general provisions in the BPC that apply to healthcare practitioners include a provision that allows the requirement to occur for any licensee. She indicated that SB 1111 sought

to fill the shortfall for those healthcare programs to allow them to conduct pre-licensure screening because there was a question on the authority for this requirement. She elaborated that the Board may face an issue if it proceeds with this requirement making it a standard for applicants that does not pertain to licensees (i.e., if the mental illness disqualifies a candidate for licensure, why does it not disqualify licensees?). She answered Mr. Heller's questions by indicating that other healthcare boards do have a similar requirement when they identify an individual that may require a medical or mental health examination. Mr. Heller stated that his understanding is that the decision for this requirement would be determined by staff when the applicant is going through the licensing process and demonstrated certain behaviors. Ms. Freedman indicated that the requirement is conducted on a case-by-case basis and not required of all applicants or licensees.

Mr. Cooknick indicated that he was annoyed that this issue arose again after addressing it back in 2008 because it was determined at that time that the issue was inappropriate for the Board and he is disappointed that staff would spend more time on it. Mr. Baker stated that the Board had vetted the issue in the past and had questions for the Board to discuss. First, he inquired as to how the Board defines an individual's mental state relative to their ability to practice architecture, which is different than if the person is a danger to society and should be put in jail. He continued and asked who will determine the bounds of inappropriate behavior and who will determine whether the person has crossed that boundary. Second, he inquired as to the source of the complaints and who will determine whether an individual needs an evaluation. Third, he inquired as to how the issue relates to the stipulation that any pending complaint against a licensee or individual is required to be posted on the Board's website.

Ms. Johnson addressed Mr. Baker's third question by indicating that enforcement issues are only posted on the Board's website after they have been sent to the Attorney General's (AG) Office where a formal statement of charges, known as an Accusation, has been filed. She stated that the Accusation is filed with the AG after all of the investigation is completed by staff, architect consultants, and once the AG's Office has reviewed the case. She added that once the Accusation is filed by the AG, then the information is posted on the Board's website.

Ms. Freedman addressed Mr. Baker's second question and indicated that from her experience with the healthcare boards, the complaints originate from consumers, staff, DCA Consumer Information Center, or a number of other sources. She continued by responding to Mr. Baker's first question and stated that once the staff has determined that there is a need for an applicant to undergo an evaluation, authorization is granted for a mental health professional to make the determination of a candidate's mental state. Mr. Heller inquired as to how high the threshold of erratic behavior has to be for staff to make a recommendation for an evaluation. Ms. Freedman indicated that there is no clear answer to that question.

Fermin Villegas stated that he was concerned with discrimination liability issues for the Board and Board staff when the complaint originates from those sources, as he does not see the same type of relationship between the Board staff and architect applicants as compared to the healthcare professionals and their complainants. Ms. Freedman indicated that if the concern is the relationship between an individual's mental status to their ability to practice architecture, it goes to the fundamentals of the policy decision. She stated that in general and under the assumption that legislation has been enacted, the Legislature will have concurred in a proposal that there is a relationship and, therefore, staff is authorized and have a type of prosecutorial discretion to ask questions. She added that staff is tasked to evaluate the qualifications of an applicant and the

decisions that they make, so long as they are within the course and scope of their appointment, are defended by the Board through any actions that are filed.

Ms. Voigt stated that she thought this issue was dead, but arose through SB 1111. Her concerns are: 1) liability to the Board; 2) whether the issue is within the purview of the Board to determine whether an individual is qualified to perform architectural services even though they are depressed or have some other mental issue; and 3) whether the Board members are qualified to review the mental health professional's report to make decisions for an applicant to be licensed. She opined that this issue is outside of the Board's realm and one that it should not address.

Mr. Cooknick inquired as to what entity requested this proposal. Ms. Johnson stated that within the past year, DCA encouraged boards to review the nine proposals from failed legislation (SB 1111) and that this was one of those DCA proposals. She indicated that the proposal was a part of the Board's last Strategic Plan for the REC to review the nine proposals and determine which to recommend to the Board. She stated that at the June 2011 meeting, the Board approved this proposal and based upon that vote to pursue legislation, staff drafted legislation for the proposal.

Mr. Merino stated that the issue was generated from the failed legislation (SB 1111) and DCA wanted boards to review its proposals. He indicated that the issue will arise again, but the question for the Board is whether it wants to be proactive of the eventual issue that may be forced upon it and determine as a Board on how it wants to proceed. He added that the issue will not dissipate and that there must be a reason as to why the Legislature continues to raise it from a consumer protection perspective and that other boards already have similar language in their business models. He suggested that the Board should determine how it wants to proceed on the issue rather than have some legislative action forced upon the Board.

Mr. Baker stated that he reviewed the minutes from the June 2011 meeting and did not find the connection between the action on the issue from the prior meeting and bringing the issue back. He was concerned that the Board had already addressed the issue in the past, believed that the Board is not qualified to determine whether an individual is able to practice architecture based upon a psychological evaluation, and opined that there is another process that can accomplish this action without putting the issue in the purview of a licensing board. He suggested that the Board table the issue and find other legal remedies for it rather than addressing the issue in this manner. Board staff subsequently noted where the issue and discussion on the DCA proposals (based upon SB 1111) was located in the prior Board meeting minutes.

Mr. Gutierrez asked the other members as to how they would like to proceed with the proposal. Mr. Merino indicated that the Board reviewed the issue and currently there is a consensus not to proceed on the issue, to table it, and assess what the Legislature proposes.

- **Michael Merino moved that the Board determined that the issue does not apply to the scope of authority of the Board and decline to proceed for any type of medical or psychological evaluation of applicants and recommend a more appropriate path to address the issue, should it reoccur.**

Marilyn Lyon seconded the motion.

The motion passed 9-0.

5. Adoption of Precedential Administrative Decision for Gaetano Dan Salvo

Ms. Johnson indicated that in June 2010, a citation was issued to Gaetano Dan Salvo (Subject), an unlicensed individual, for advertising architectural services on the Internet. She stated that the Subject appealed the citation to hearing where an Administrative Law Judge (ALJ) found that there was a violation of BPC 5536(a) for an unlicensed individual to advertise architectural services on the Internet, thus upholding the citation. She continued that the Board adopted the ALJ's proposed decision. She stated that some have questioned as to whether Internet advertising by unlicensed individuals who hold themselves out as architects or for architectural services are in violation of BPC 5536(a). She indicated that DCA legal counsel suggested that this decision should be made a precedential decision because the ALJ found the subject in violation of BPC 5536(a). She explained that a precedential decision would be binding on cases with similar facts that are considered by ALJs. She stated that the Board is asked to determine whether it should approve the decision administered to the Subject as a precedent decision.

Mr. Baker inquired as to whether it was the Subject's website that called him an architect or was it the search engine that directed people searching for an architect to his website, because there is a distinct difference between the two. Ms. Johnson indicated that the advertising was not on the Subject's website, but found via search engines directing people to architects. Mr. Baker stated if the advertisement was through a search engine and not on the Subject's own website, he may not have control. Mr. Heller clarified what was stated in the enforcement documents that indicated the unlicensed Subject advertised twice for architectural services and held himself out as an architect.

Mr. Merino stated that the issue that is presented is whether the Board wants to address the fact that an unlicensed individual is falsely advertising on the Internet. He stated that no matter what the medium is for advertising (i.e., newspaper, phone book, Internet, etc.); an unlicensed individual is not allowed to advertise as an architect or to provide architectural services.

Mr. Baker indicated that the Board is basing its precedential decision on the following: if an individual does not call himself an architect on his website, but a search engine directs people to his website (other third party individuals calling him an architect), he is guilty of calling himself an architect. He stated that based upon this information, he was not sure the Board should make this a precedential decision. Mr. Gutierrez stated that the Subject was listed on various websites as an architect, as indicated in the enforcement documents. Mr. Merino indicated that if what Mr. Baker stated was true, it is the responsibility of the Subject to have the advertisement removed once known; however, the Subject did not do this as evidenced by a second offense. He continued that even if the advertisement was inadvertent, the Subject should have taken some type of action to have his name or advertisement removed from those websites to resolve the problem. Mr. Carter stated that it would have been acceptable if the Subject had shown some form of due diligence in attempting to have his name removed from these websites (i.e., letters to the search engine companies or websites) because not all of the them will comply to remove the Subject's name or advertisement within a reasonable amount of time.

Mr. Villegas stated that after reading the decision and the facts associated with it, he indicated that there are not enough facts to substantiate a precedential decision on this issue. He stated that the facts are that other websites called the Subject an architect and therefore, he is listing himself as an architect. He stated that he did not identify the connection between the two because those facts may

be present, but they are not listed in the case decision. He continued that if the Board accepted the decision as precedential, it will need to accept how the unlawful conduct is listed in the decision which is, "Respondent is listed as an Architect on the following websites..."

Ms. Gipe stated that what is interesting about the Subject is that he was previously licensed and should know what is appropriate advertising and what is not. She continued that it would be different if the Subject's name came up on an arbitrary search engine, but he was licensed at one point and was aware that the advertisement was wrong and did nothing to correct the situation. Mr. Heller indicated that there is a list of specific points within the decision that would make the precedential decision defensible in the future for any other individuals that advertise illegally. Mr. Villegas indicated that if the decision was written better, it would be appropriate for a precedential decision; however, with the lack of facts not written into the decision, he cannot support the motion to approve the decision as precedential.

- **Michael Merino moved to approve the decision as a precedential decision for Gaetano Dan Salvo and direct staff to implement the regulation or subsequent action necessary to support the decision of the Board.**

Marilyn Lyon seconded the motion.

The motion passed 6-3 (Jon Baker, Fermin Villegas, and Hraztan Zeitlian opposed).

L. UPDATE ON JULY 28, 2011 COMMUNICATIONS COMMITTEE MEETING

Ms. Cochlan reported that the Communications Committee met via teleconference on July 28, 2011 and at the meeting, the Committee: 1) approved the March 2, 2011, Summary Report; 2) approved the newsletter articles for the Winter and Spring 2012 Issues of the *California Architects* newsletter; 3) discussed and approved a communications strategy for communicating via California Chambers of Commerce about the value of a license and the importance of a contract and authorized staff to proceed with the introduction of the Board to the California chambers; and 4) approved the Communication Plan targeted at reaching students, deans, and professors of universities and community colleges about the value of the architect license.

M. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT

1. Update on July 19, 2011 LATC Meeting

Trish Rodriguez reported that there were changes made to the Landscape Architects Registration Examination (LARE) that will be implemented in September 2012. She stated that the changes made to the LARE include a structural change from five sections to four and will completely be a computer-based exam. She indicated that LATC is encouraging all candidates to complete the current exam by June 2012.

2. Review and Approve LATC Draft 2011-12 Strategic and Communications Plan

Ms. Rodriguez reported that on January 26 – 27, 2011, the LATC participated in a Strategic Planning session to update its Strategic Plan for 2011-12. She stated that at the July 19, 2011 meeting, the

Strategic Plan was reviewed, updated, and approved by the LATC. She indicated that LATC is requesting the Board to approve the draft of the LATC 2011-12 Strategic Plan.

Ms. Voigt stated that she was impressed with the detail that is included with LATC's Strategic Plan. Mr. Gutierrez commented that he liked the Culture and Lifestyle portions of the Strategic Plan.

- **Sheran Voigt moved to approve the LATC draft 2011-12 Strategic and Communications Plan.**

Marilyn Lyon seconded the motion.

The motion passed 9-0.

N. SCHEDULE

Mr. McCauley stated that the next Board meeting is scheduled for December 7-8, 2011, in San Diego, where the Board will discuss specific dates for 2012 and that the second day is the Board's Strategic Planning session.

O. ADJOURNMENT

The meeting adjourned at 3:03 p.m.

**Agenda items for this meeting taken out of order to coincide with the guest presentation. The order of business conducted herein follows the transaction of business.*

Agenda Item E

EXECUTIVE OFFICER'S REPORT

The Executive Officer will provide the Board with an update to the November 2011 Monthly Report.

Attachment:

1. Monthly Report - November 2011



CALIFORNIA ARCHITECTS BOARD
PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

MEMORANDUM

DATE: December 1, 2011
TO: CAB Staff
FROM: Doug McCauley, Executive Officer
SUBJECT: Monthly Report - November 2011

The following information is provided as an overview of Board activities and projects as of November 30, 2011.

ADMINISTRATIVE/MANAGEMENT

Board The next Board meeting is scheduled for December 7-8, 2011 in San Diego. This meeting will include a session to update the Board's Strategic Plan for 2012. The following tentative meeting dates for 2012 will be considered at the Board's Strategic Planning session: March 1; June 14; September 13; and December 5-6.

Communications Committee A "Design Success" consumer tips card was designed and approved by the Committee and presented to the Board at its September 15, 2011, meeting. The card is currently in the production stage and will be distributed to building departments and other collateral entities.

The next Communications Committee meeting has not been scheduled.

Legislation Senate Bill (SB) 543 (Steinberg and Price) is legislation that pertains to the Board's Sunset date and further details on the bill are in the Sunset Review section of this report.

SB 706 (Price) contains language that requires the Board and the Landscape Architects Technical Committee (LATC) to provide information on the Internet regarding the status of every license issued in accordance with the California Public Records Act and the Information Practices Act of 1977. The public information to be provided on the Internet shall include information on suspensions and revocations of licenses issued by the Board and LATC and other related enforcement actions, including accusations filed pursuant to the Administrative Procedure Act. The bill was enrolled and sent to the Governor

2420 DEL PASO ROAD,
SUITE 105
SACRAMENTO,
CA 95834

916-574-7220 T
916-575-7283 F

cab@dca.ca.gov
www.cab.ca.gov

for action on September 16, 2011. The Governor signed the bill on October 9, 2011.

Newsletter The summer 2011 issue of *California Architects* was posted to the website on August 29, 2011. An email was sent to nearly 4,000 subscribers announcing the publication, and as of November 30, 2011, there have been more than 30,000 views. The newsletter was also sent digitally to the National Council of Architectural Registration Boards (NCARB) Member Board Members and Executives and The American Institute of Architects, California Council (AIACC) chapters to enhance its distribution. The fall 2011 issue is planned to be posted in early-December

Personnel Governor Brown issued an Executive Order on February 15, 2011, that prohibited all State agencies and departments from filling vacant positions unless an exemption was granted by his office with the exception of internal departmental transfers. Only Department of Consumer Affairs (DCA) employees were eligible for consideration and transfer to vacant positions. Exemption requests were being pursued to seek approval to hire outside of DCA or from certification lists to fill the Board's vacant positions. The Board was advised on November 4, 2011 that in an effort to streamline the exemption approval process, the requests no longer required Department of Finance and the Governor's Office approval, just the Agency Secretary's. The Board was advised that Agency's approval was no longer necessary on November 21, 2011.

Erin Nelson, accepted a Business Service Assistant position with the Medical Board of California. Her last day at the Board is December 31, 2011. The appropriate paperwork will be completed to recruit and fill Ms. Nelson's and other vacant positions.

Strategic Plan The Board's next strategic planning session will be held on December 7 – 8, 2011, in San Diego in conjunction with the Board's regular meeting. Daniel Iacofano of Moore Iacofano Goltsman, Inc. will be facilitating the session. In November, he conducted telephone interviews with Board members and key stakeholders to shape the framework for the session.

As follow up to last year's session, staff reviewed a Best Practices and Cost Savings document with President Pasqual Gutierrez (attached); this document reflects a number of efficiencies that have been implemented or are being planned.

Sunset Review The final Sunset Review Report was submitted to Business, Professions and Economic Development (BP&ED) Committee on September 30, 2010. The initial hearing for the Board was scheduled for November 10, 2010; however, it was rescheduled to March 21, 2011. The Board went before B&P on March 21, 2011 to present the report and address any concerns. A written response to B&P issues was provided to them by the April 20, 2011 (30-day) deadline.

SB 543 extends the Board's sunset date until January 1, 2016. The bill was heard by the Assembly Committee on Business, Professions, and Consumer Protection on July 5, 2011,. The bill was amended with no changes that affect the Board and referred to the Assembly Committee on Appropriations on July 12, 2011. The bill was further amended to include DCA's BreZe project proposal and authorization for Department of Finance (DOF) to augment the budgets of all the programs involved in the project to cover its costs on August 15, 2011. The bill was

enrolled and sent to the Governor for action on September 16, 2011. The bill was signed by the Governor and chaptered by the Secretary of State's office on October 3, 2011.

Training The following employees have been scheduled for upcoming training:
12/6/11 Basic Project Management (Matthew and Andi)

EXAMINATION AND LICENSING PROGRAMS

Architect Registration Examination (ARE) The results for ARE divisions taken by California candidates between July 1, 2011, and September 30, 2011, follow:

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		# Divisions	Passed	# Divisions	Failed
Programming, Planning & Practice	230	115	50%	115	50%
Site Planning & Design	187	125	67%	62	33%
Building Design & Construction Systems	132	67	51%	65	49%
Structural Systems	159	113	71%	46	29%
Building Systems	143	84	59%	59	41%
Construction Documents & Services	215	128	60%	87	40%
Schematic Design	190	137	72%	53	28%

California Supplemental Examination (CSE) Administration Since its launch in February 2011, the new computer-based, multiple-choice format of the CSE has been administered to 954 candidates through November 30, 2011.

Results for examinations taken in September and October were held while the Board's examination development consultant conducted required psychometric statistical analysis. Of those candidates, 73 (53 %) passed and 65 (47%) failed. Results for these examinations were mailed to candidates on November 30, 2011.

CSE Development A new CSE development cycle began in September 2011 and will continue through January 2012.

Comprehensive Intern Development Program (CIDP) Since the implementation of the CIDP/Intern Development Program (IDP) requirement for California licensure, the Board, through the work of the CIDP/IDP Correlation Task Force and the Professional Qualifications Committee (PQC), has examined updates to IDP in comparison to the CIDP requirement. During its May 22, 2009, meeting, the PQC made a recommendation that CIDP should remain in

its current format, but an alignment document be created for candidate clarity that cross-linked the CIDP Skills and Application Activities (SAAs) and the evidence required with the revised or new IDP SAAs. The Board approved the PQC's recommendation at its September 17, 2009, meeting. In light of the recent improvements to IDP, the Board discussed the future of CIDP at its September 15, 2010, meeting. It was determined that this issue should be re-evaluated by the PQC, that a closer comparison between IDP 2.0 and CIDP be conducted, and that a new recommendation be presented to the Board. The PQC met on February 28, 2011, where it re-evaluated this issue. Harry Falconer, NCARB Director of IDP, provided a comprehensive presentation on IDP 2.0 and responded to questions from the members regarding the improvements to IDP. The PQC considered these improvements (culminating in IDP 2.0) and recommended the suspension and discontinuation of CIDP to coincide with the complete implementation of IDP 2.0. The recommendation was presented to the Board at its March 2011 meeting and was ultimately voted upon at its June 2011 meeting. The Board voted to repeal CIDP due to the many improvements to IDP and directed staff to initiate a regulatory change proposal to repeal the CIDP requirement from the regulations (see more information below under Regulation Changes).

Liaison Program The Board's Liaison Program was originally created in 2008, but due to workload issues, was not implemented. The program is designed to ensure that the Board shares information with key constituency groups, like the League of California Cities, American Council of Engineering Companies – California and others and to maintain a line of communication between the Board and the organizations. Phase I of the program was implemented on March 17, 2011, when letters to the respective organizations and assigned liaisons were mailed. A draft of the Liaison Program purpose and responsibilities was reviewed at the March 17, 2011, Board meeting with the members so they could begin contacting the organizations. Phase II of the program was implemented on August 30, 2011, with contact letters sent to all of the architecture schools in California and a copy of the letter sent to their assigned Board member liaisons. Board members will report on their efforts at the December 2011 Board meeting.

Outreach AIACC and Academy for Emerging Professionals (AEP) - The American Institute of Architects, California Council's (AIACC) Academy for Emerging Professionals (AEP) held its first annual Architectural Education Summit at the City College of San Francisco on November 18, 2011. The Summit was intended to serve as a strategic planning session for a five-year initiative to bridge the gap between architectural education and practice in California. Some of the Summit objectives included: developing relationships among stakeholders; having the profession reflect the demographics of the state; creating pathways to the profession for underrepresented K-12 and community college students; having accreditation and licensure more closely represent the values of the academy and the marketplace; disencumbering the paths to licensure to more fully integrate the academy and the profession; and establishing a process for gathering metrics annually.

Organizational partners for the event included the Association of Collegiate Schools of Architecture, the American Institute of Architecture Students, the Board, and NCARB. Other attendees included representatives from: National Architectural Accrediting Board architecture programs in California; California community colleges with architecture programs; chapters of

the AIA; National Organization of Minority Architects; Asian American Architects/Engineers Association; Hispanic Architects and Engineers; Women in Architecture; Statewide Education; etc. The Keynote Speaker for the event was Wendy Ornelas, FAIA, Associate Dean and Professor at Kansas State University, and Daniel Iacofano of Moore Iacofano Goltsman Inc. facilitated the event. Board members Jon Baker, Jeffrey Heller, and Marilyn Lyon attended, as well as Doug McCauley, Vickie Mayer, and Justin Sotelo. The Summit included breakout sessions which were tied to the stated objectives and a final findings and strategic planning session; all of which will feed into a final document that captures the work collectively produced at the event.

Board staff members Marccus Reinhardt and Timothy Rodda traveled to the California College of the Arts and University of California, Berkeley on November 16 and 17, 2011, and provided a joint presentation on California licensing requirements and IDP with NCARB IDP Director Harry Falconer to students. Approximately 150 students attended the presentations.

Professional Qualifications Committee (PQC) The next PQC meeting has not been scheduled.

Regulation Changes *California Code of Regulations (CCR) sections 109, Filing of Applications and 121, Form of Examinations; Reciprocity* – Currently, the regulations specify a sunset provision for NCARB’s IDP, Canada’s Internship in Architecture Program (IAP) and the Board’s CIDP that is not in alignment with the sunset provision provided in section 5552.5 of the Business and Professions Code (BPC). A regulatory proposal was initiated that would strike that provision from the regulation, as a sunset provision is provided in the statute. Following is a chronology, to date, of the processing of the Board’s regulatory proposal for CCR sections 109 and 121:

December 15, 2010	Final Approval by the Board
January 7, 2011	Notice of Proposed Changes in the Regulations published by Office of Administrative Law (OAL)
January 11, 2011	Regulation package to DCA Division of Legislative and Policy Review
January 24, 2011	Regulation package to DCA Budget Office
February 22, 2011	Public hearing, no public comments received
May 17, 2011	Final rulemaking file to DCA Legal Office
June 3, 2011	State and Consumer Services Agency (Agency) approved regulation package
June 21, 2011	Regulation package to OAL
July 29, 2011	Regulation package withdrawn to modify language
August 3, 2011	Notice of Modified Text posted to Board website
August 19, 2011	No comments received, final rulemaking file resubmitted to DCA Legal Office
September 14, 2011	Regulation package resubmitted to OAL
September 22, 2011	Regulation package approved by OAL and filed with the Secretary of State
October 22, 2011	Effective Date

CCR sections 109, Filing of Applications; 117, Experience Evaluation; and 121, Form of Examinations; Reciprocity – The regulations reference guideline/handbook editions for IDP, IAP, and CIDP. A regulatory proposal was initiated that would update, clarify, and provide consistency with how these items are referenced in the regulations, as well as strike IDP entry point language, as the IDP entry point has been modified by NCARB and is detailed in the current edition of the IDP Guidelines. Following is a chronology, to date, of the processing of the Board’s regulatory proposal for CCR sections 109, 117 and 121:

December 15, 2010	Final Approval by the Board
January 7, 2011	Notice of Proposed Changes in the Regulations published by OAL
January 11, 2011	Regulation package to DCA Division of Legislative and Policy Review
January 24, 2011	Regulation package to DCA Budget Office
February 22, 2011	Public hearing, no public comments received
September 14, 2011	Notice of Modified Text and Notice of Documents Added to Rulemaking File posted to Board website
October 4, 2011	Final rulemaking file to DCA Legal Office
November 29, 2011	Agency approved regulation package
November 30, 2011	Regulation package to OAL

CCR sections 109, Filing of Applications; 116, Eligibility for Examination; 117, Experience Evaluation; and 121, Form of Examinations; Reciprocity – The regulations require the completion of CIDP as a component to receiving licensure. A regulatory proposal was initiated to repeal the requirement for CIDP in accordance with the Board’s June 16, 2011 vote to eliminate the program based on improvements made to NCARB’s IDP since the inception of CIDP. Following is a chronology, to date, of the processing of the Board’s regulatory proposal for CCR sections 109, 117 and 121:

August 12, 2011	Notice of Proposed Changes in the Regulations published by OAL
September 15, 2011	Final Approval by the Board
September 28, 2011	Public hearing, no public comments received
October 5, 2011	Notice of Amended Initial Statement of Reasons and Notice of Documents Added to Rulemaking File posted Board website

ENFORCEMENT PROGRAM

Architect Consultants

Building Official Contact Program: The architect consultants are available on call to Building Officials and in November, they received two telephone, email, and/or personal contacts. These types of contacts generally include discussions regarding the Board’s policies and interpretations of the Practice Act, stamp and signature requirements, and scope of architectural practice.

Education/Information Program: The architect consultants are the primary source for responses to technical and/or practice-related questions from the public and licensees. In November, there were 16 telephone and/or email contacts requesting information, advice, and/or direction. Licensees accounted for eight of the contacts and included inquiries regarding written contract

requirements, out-of-state licensees seeking to do business in California, scope of practice relative to engineering disciplines, and questions about stamp and signature requirements.

Enforcement Actions The Board issued a citation that included a \$2,000 administrative fine to Benny Chang on October 7, 2011, for alleged violations of Business and Professions Code (BPC) section 5536(a) (Practice Without License or Holding Self Out as Architect; Misdemeanor). The citation became final on November 15, 2011.

The Board issued a citation that included a \$500 administrative fine to Clive Anthony Dawson on October 25, 2011, for an alleged violation of BPC section 5536.22(a) (Written Contract). The citation became final on November 29, 2011. Dawson paid the civil penalty, satisfying the citation.

The Board issued a citation that included a \$2,000 administrative fine to Jay Wendell Johnson on October 20, 2011, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect; Misdemeanor). The citation became final on November 22, 2011.

<u>Enforcement Statistics</u>	<u>Current Month</u> November 2011	<u>Prior Month</u> October 2011	<u>Prior Year</u> November 2010
Total Cases Received and Opened*:	20	21	170
Complaints with Outside Expert:	0	0	0
Complaints to DOI:	0	0	0
Complaints Pending DOI:	1	2	2
Complaints Pending AG:	106	10	
Complaints Pending DA:	2	2	2
Total Cases Closed*:	18	25	12
Total Cases Pending*:	112	110	154
Settlement Cases (\$5588) Opened:	1	4	2
Settlement Cases (\$5588) Pending:	26	27	31
Settlement Cases (\$5588) Closed:	2	6	1
Citations Final:	3	1	2

*Total Cases categories include both complaint and settlement cases

Staff reviews at the end of each fiscal year (FY) the average number of complaints received, pending, and closed for the past three FYs. From FY 2008/09 through FY 2010/11, the average number of complaints received per month is 23. The average pending caseload is 206 complaints and the average number of complaints closed per month is 28.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

LATC ADMINISTRATIVE/MANAGEMENT

Committee The next LATC meeting is scheduled for November 16, 2011, in Sacramento and by teleconference.

Committee Members There are currently two vacancies on the LATC to be appointed by the Governor.

Personnel LATC is currently recruiting for the Special Projects Coordinator (Associate Governmental Program Analyst) position.

Web License Lookup The LATC currently receives a monthly report of licensees from DCA's Office of Information Services (OIS). The LATC is currently working with OIS on adding a licensee search option on the LATC website that will allow anyone to search for licensed landscape architects by a variety of search criteria. The Web license lookup provides public information on a licensed landscape architect, such as the status of the license and the licensee's address of record. Licensee searches will also display all filed accusation documents, as directed by DCA Director Brian Stiger's memorandum sent to all boards and bureaus on May 21, 2010. The LATC will send all licensees a letter notifying them of the transition to a Web License Lookup and allowing them sufficient time to submit a change of address.

LATC EXAMINATION PROGRAM

Landscape Architect Registration Examination (LARE) Currently, the LARE consists of five sections. Sections A, B, and D are multiple-choice and are administered via computer testing centers through CLARB in March and September of each year. Graphic performance sections C and E are administered in June and December of each year. There were 102 candidates who took the graphic sections on June 13 – 14, 2011 and 122 candidates took the multiple choice sections on September 12 - 25, 2011. The next administration of the graphic sections of the LARE is December 5 – 6, 2011. Examination results are expected to be sent to the LATC on February 22, 2012.

Results for the June 2011 and September 2011 examinations are listed below:

SECTION	SECTION FORMAT	NUMBER OF CANDIDATES	TOTAL PASSED	TOTAL FAILED
A – Project and Construction Administration	Multiple Choice	50	43 (86%)	7 (14%)
B – Inventory, Analysis and Program Development	Multiple Choice	66	33 (50%)	33 (50%)
C – Site Design	Graphic	42	31 (74%)	11 (26%)
D – Design and Construction Development	Multiple Choice	72	47 (65%)	25 (35%)
E – Grading, Drainage and Stormwater Management	Graphic	80	26 (33%)	54 (67%)

The LARE will be changing with the first administration of the exam in September 2012. The format will change from the current five-section (A – E) exam to a four-section (1 – 4) exam.

The LATC is preparing a regulation proposal to amend CCR 2614; Examination Transition Plan, to allow transitional credit for the new sections of the LARE. The Council of Landscape Architectural Registration Boards (CLARB) notified candidates of the upcoming changes in July 2011. Staff has been working closely with CLARB to ensure a smooth transition for all candidates. The LATC on November 3, 2011, included an insert with the mailing of the September 2011 examination results to candidates that explained the upcoming LARE changes. A letter will also be mailed to candidates in December 2011, alerting them of the upcoming changes to the LARE. Information regarding these changes will be added to the LATC website. Candidates that are in the middle of examination are encouraged to complete their exams by June 2012, as they could lose credit for exams already taken. The last administration of section C, Site Design, and section E, Grading, Drainage, and Stormwater Management is December 5 – 6, 2011.

Regulation Changes CCR sections 2615 and 2620 – The LATC formed an Education Subcommittee in 2004 in response to the Joint Legislative Sunset Review Committee’s recommendation to further evaluate California’s eligibility requirements and access to landscape architecture licensure in California. The intent of the evaluation was to ensure that applicants have appropriate educational and training/work experience prior to taking the required examination. Specifically, the Subcommittee was to determine appropriate levels of landscape architecture education and training preparation necessary to protect the public health, safety, and welfare in California and successfully preparing applicants for the examination. The final Education Subcommittee Report identifies and substantiates recommended changes to CCR sections 2615 and 2620. Following is a chronology, to date, of the processing of the regulatory proposal for CCR sections 2615 and 2620:

January 20, 2010	Final Approval by the LATC
February 25, 2011	Notice of Proposed Changes in the Regulations published by OAL
March 18, 2011	Final Approval by the Board
April 11, 2011	Public hearing, no public comments received

Note: Due to staff vacancies, and competing priorities, the LATC has identified tasks which will be delayed; however staff is working to continue the progression of this regulation proposal.

CCR section 2620.5, Requirements for an Approved Extension Certificate Program - The LATC reviewed proposed changes to the current Extension Certificate Program regulation. As part of the review, the LATC elicited input from the University of California Extension Programs. LATC staff is currently working on the regulatory package to submit to the OAL. Following is a chronology, to date, of the processing of the Board’s regulatory proposal for CCR section 2620.5:

November 22, 2010	Final Approval by the LATC
December 15, 2010	Final Approval by the Board

LATC ENFORCEMENT PROGRAM

<u>Enforcement Statistics</u>	<u>Current Month</u> November 2011	<u>Prior Month</u> October 2011	<u>Prior Year</u> November 2010
Complaints Opened*:	2	1	0
Complaints to Expert:	0	0	1
Complaints to DOI:	0	0	0
Complaints Pending DOI:	0	0	0
Complaints Pending AG:	0	0	0
Complaints Pending DA:	0	0	0
Complaints Closed:	0	8	4
Complaints Pending:	34	32	62
Settlement Cases (§5678.5) Opened:	1	1	0
Settlement Cases (§5678.5) Pending:	3	2	4
Settlement Cases (§5678.5) Closed:	0	0	0
Citations Final:	0	0	0

*Includes both complaint and settlement cases

D R A F T

CALIFORNIA ARCHITECTS BOARD
Cost Savings and Best Practices

Cost savings and best practices are a key part of the Board's ongoing efforts to maintain efficiency. Using our public resources effectively maximizes the Board's impact and ability to serve our constituencies. Board staff constantly monitors and shares information with other Department of Consumer Affairs (DCA) boards to identify new ways to preserve resources.

Below are some of the recent improvements that have been implemented, as well as the efficiencies they provide. In addition, a number of significant planned improvements are also listed as well.

Recent Improvements:

- 1) Electronic Board meeting packets: are now converted into PDFs and posted on cab.ca.gov in order to promote transparency.
Benefits: transparency, archive, sustainability.
Cost Savings#: reduced postage, paper, and staff time.
- 2) Electronic newsletter: is exclusively posted on cab.ca.gov, rather than the prior method of printing and mailing over 35,000 copies to licensees and candidates.
Benefits: improved production cycle, sustainability, archive.
Cost Savings: reduced postage and printing.
- 3) Increased use of teleconferences: meetings for task forces, committees and sometimes the Board, are held telephonically for meetings involving a concise agenda.
Benefits: convenience for members and staff.
Cost Savings: reduced travel.
- 4) Administration of new CSE format: is now offered in a computer-based format at 13 exam sites in California and 10 others throughout the United States.
Benefits: convenience for candidates, more testing opportunities for candidates, workload for staff (packing, commissioner recruitment, equipment management, etc.).
Cost Savings: eliminates exam site rental; commissioner, proctor, and staff travel, etc.
- 5) Updated Business Continuity Plan: recently updated to contain current information.
Benefits: minimizes impact of potential disruptions.
Cost Savings: reduced consumption of resources in the event of disruptions.
- 6) Enhanced training for staff: use of DCA's no-cost training
Benefits: expands staff skill sets, increases efficiency for new assignments and transfers, and increases workload capacity.

Cost Savings: reduced (or eliminated) training costs.

- 7) On-line ARE scores for candidates: new service that enables candidates to view their scores much more quickly (hard copies must still be mailed at this point, as it is necessary to forward diagnostic examination information and documentation about the licensing process).
Benefits: convenience for candidates, reduced inquiries to the Board for score information.
Cost Savings: staff time.

Planned Improvements:

- 1) CIDP repeal – in progress
Benefits: reduces record recordkeeping for candidates and firms; streamlines licensure process.
Cost Savings: staff time for processing CIDP records; printing and postage for candidates.
- 2) CE audit system – to commence with the 2013 renewal cycle
Benefits: reduces recordkeeping for licensees.
Cost Savings: reduced staff time to process records.
- 3) On-line license renewals (BreEze) [reduces record processing and burden on licensees]. BreEZe is an integrated enterprise-wide enforcement and licensing system and will support a wide variety of functions*.
Benefits: expedited license processing for licensees.
Cost savings: reduced staff time to process license applications.
- 4) School/building official webcasts
Benefits: increased outreach and education offerings.
Cost Savings: reduced staff travel costs.
- 5) Cross training staff
Benefits: promotes efficient transfers, aids with succession, enhances workload capacity.
Cost Savings: reduced training costs due to DCA's free offerings.

Board staff will continue to collaborate with other DCA boards and bureaus, NCARB member boards, and other business resources to identify other new means of increasing efficiency.

- * Other BreEZe functions include applicant tracking, licensing, renewal, enforcement, monitoring, cashiering, other data management, web-enabled to allow application,

renewal, and payment processing for applicants and licensees, and allow the public to file complaints via the internet.

Costs associated with most of these savings are moderate to minor. Specific quantifications are not provided, as they can translate to specific budget directives from control agencies.

Agenda Item F

ELECTION OF 2012 BOARD OFFICERS

Business and Professions Code section 5518 states:

The Board shall elect from its members a president, vice president, and a secretary to hold office for one year, or until their successors are duly elected and qualified.

The Board Member Administrative Procedure Manual provides the following:

The Board president shall appoint a Nominations Committee prior to the last meeting of the calendar year and shall give consideration to appointing a public and a professional member of the Board to the Committee. The Committee's charge will be to recommend a slate of officers for the following year. The Committee's recommendation will be based on the qualifications, recommendations, and interest expressed by the Board members. A survey of Board members will be conducted to obtain interest in each officer position. A Nominations Committee member is not precluded from running for an officer position. If more than one Board member is interested in an officer position, the Nominations Committee will make a recommendation to the Board and others will be included on the ballot for a runoff if they desire. Notwithstanding the Nominations Committee's recommendations, Board members may be nominated from the floor at the meeting.

Board President Pasqual Gutierrez appointed Jon Baker and Jeffrey Heller as members of the Nominations Committee. The Nominations Committee recommends the following slate of officers for 2012 for the Board's consideration based on the qualifications, recommendations, and interest expressed by the Board members:

Marilyn Lyon, President
Sheran Voigt, Vice President
Hraztan Zeitlian, Secretary

Messrs. Baker and Heller will be presenting the recommended slate of officers to the Board for its consideration. The Board will be asked to vote on the recommendation.

Agenda Item G

SELECT THE 2011 OCTAVIUS MORGAN DISTINGUISHED SERVICE AWARD RECIPIENTS

At its September 2000 meeting, the Board voted to establish an annual system for recognizing all of the volunteers who contribute to the Board and to award a special award for distinguished service. The award was named the Octavius Morgan Distinguished Service Award, after the first president of the Board. On December 9, 2004, the Board modified the criteria related to Board members' eligibility. The following guidelines for the award have been approved by the Board.

Purpose: To recognize and thank our committed volunteers on their efforts.

Criteria: Volunteers who, over a period of time, have provided the Board with outstanding and dedicated service. Potential winners would be committee or task forces members, exam commissioners, or others. Board members are eligible, provided they have served the Board five or more years in addition to their terms on the Board.

Number of awards: Three to five per year in order to spread the recognition.

Selection process: Board members and staff would nominate individuals. The Executive Committee would select three to five from the nominated persons. The names of those receiving awards would be announced at the December Board meeting.

Award: The Octavius Morgan Distinguished Service Award recipients would be sent an appropriate item of recognition and would be recognized in the newsletter.

The following individuals have been recipients of the award:

- 2000 - Charles J. Brown, Mackey W. Deasy, and Barry Wasserman
- 2001 - George Ikenoyama, Fred Yerou, Richard Crowell, Jack Paddon, and Cynthia Easton
- 2002 - Glenn A. Gall, Lucille M. Hodges, RK Stewart, and Richard T. Conrad
- 2003 - Carol Tink-Fox, Jim McGlothin, and Ron Ronconi
- 2004 - Jim Jordan, Larry Paul, P.K. Reibsamen, and Merlyn Isaak
- 2005 - Andrew Barker, Robert DePietro, and Paul Neel
- 2006 - Allan Cooper, Robert George, and Richard Holden
- 2007 - John Canestro, Gerald Cole, and Michelle Plotnick
- 2008 - Chad R. Overway, Eric H. Jacobsen, and Bruce L. Macpherson
- 2009 - Richard Cooling, Richard Dodd, Morris Gee, and Larry Segrue
- 2010 - Wayne Holtan, Arlee Monson, and John Petrucelli

Board members, committee chairs, and staff were asked to submit nominations for 2011 recipients for the Board's consideration. A list of recommended awardees will be provided to the Board at the meeting for its consideration. The Board is asked to approve this year's selection(s) for the Octavius Morgan Distinguished Service Award from the list of recommended individuals.

Agenda Item H

CLOSED SESSION

Closed session pursuant to Government Code sections 11126(c)(1) and (3) for disciplinary decisions and exam development issues.

Agenda Item I

REVIEW AND APPROVE RECOMMENDATION REGARDING THE RELEASE OF CALIFORNIA SUPPLEMENTAL EXAMINATION RESULTS

At the previous two Board meetings, there has been inquiries and discussion regarding the processing time to release California Supplemental Examination (CSE) results to candidates. Historically, oral examination results had been released to candidates 30 days after the date of their examination. Periodically, there were longer wait periods for oral examination results when the Board released new examinations and when required item analysis was conducted by the Board's examination vendor. With the transition to the computer-delivered CSE earlier this year, the Board has continued to release results to candidates within the same timeframes.

At the September meeting, members inquired whether the Board's vendor, Psychological Services, LLC (PSI), had the capability of releasing results immediately to candidates at test sites upon completion of their examination. Staff indicated that it was possible, but shared a number of issues to consider. The Board voted to continue to release results after 30 days until February 1, 2012 (one year after the launch of the computer-delivered examination), and then begin releasing results immediately to candidates at test sites. Additionally, the Board asked that staff provide a recommendation at its next meeting on the release of the results based on the issues discussed.

Staff conducted further research based upon the Board's request to release results immediately to candidates at test sites. Staff identified the following additional issues that should be considered: 1) examination vendor recommends to make the change when a new examination is released due to required programming changes; and 2) item analysis will be required shortly after implementation (if February start date) and exam results of those candidates that took the exam after implementation will have to be held approximately 60-90 days due to mandatory psychometric analyses.

The Board is asked to consider all of the issues that have been provided by staff and to consider releasing results to candidates at test sites beginning June 2012, if so desired. It should also be noted that when/if this change is implemented regardless of the start date, the Board will continue to hold results periodically due to required psychometric item analysis, which is performed by the Office of Professional Examination Services.

Agenda Item J

REPORT ON NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

Jon Baker, who serves on the NCARB Board of Directors, will report on recent NCARB activities.

Agenda Item K

PROFESSIONAL QUALIFICATIONS COMMITTEE (PQC) REPORT

1. Discuss and Possible Action on Reciprocity and Social Security Number Requirements (California Code of Regulations [CCR], Title 16, Division 2, Section 121, Form of Examinations; Reciprocity and Business and Professions Code Section 30) in Relation to the NCARB's Broadly Experienced Foreign Architect Program and Foreign-Licensed Professionals
2. Report on The American Institute of Architects, California Council Academy of Emerging Professionals' 2011 Architectural Education Summit

Agenda Item K.1

DISCUSS AND POSSIBLE ACTION ON RECIPROCITY AND SOCIAL SECURITY NUMBER REQUIREMENTS (CALIFORNIA CODE OF REGULATIONS [CCR], TITLE 16, DIVISION 2, SECTION 121, FORM OF EXAMINATIONS; RECIPROCITY AND BUSINESS AND PROFESSIONS CODE SECTION 30) IN RELATION TO NCARB'S BROADLY EXPERIENCED FOREIGN ARCHITECT PROGRAM AND FOREIGN-LICENSED PROFESSIONALS

At its September 2011 meeting, the Board was provided with a presentation on the National Council of Architectural Registration Boards' (NCARB) Broadly Experienced Foreign Architect (BEFA) Program by Derek Haese, NCARB's Assistant Director of Member Board Relations. Additionally, the Board was asked to discuss its current reciprocity requirements (CCR 121) and the social security number requirement for California licensees (Business and Professions Code section [BPC] 30) in relation to the BEFA Program and potentially recognizing other reciprocal licensure candidates (foreign architects).

BEFA Program Background

The BEFA Program was developed by NCARB's Broadly Experienced Architect (BEA) Committee in 2003 and voted on and approved at the 2004 NCARB Annual Meeting. The Program was created as a result of an expressed interest in a path for foreign architects who, if deemed eligible, could obtain NCARB Certification. Applicants who meet the Program's eligibility requirements are allowed to demonstrate competence to practice independently in the United States and meet the NCARB examination requirement (Architect Registration Examination) through practice experience in a foreign country.

The Program's eligibility requirements are: 1) professional degree from an accredited/validated/officially recognized architecture program; 2) current credential as an architect in a country that has a formal record-keeping method for disciplinary action for architects; and 3) minimum of seven years of comprehensive, unlimited practice as a credentialed architect over which the individual exercised responsible control in the country in which he/she is registered.

Additionally, the BEFA process requires: 1) establishment and maintenance of an active NCARB Record prior to beginning the Program; 2) preparation and submission of a dossier to demonstrate experience/competence to independently practice architecture in the United States; 3) personal interview with the BEA Committee; and 4) final evaluation of record.

Currently, 36 Member Boards accept an NCARB Certificate granted by satisfaction of the BEFA Program requirements. As of June 30, 2011, 12 candidates have successfully completed the BEFA Program. These candidates were initially from Argentina, Colombia, Germany, Norway, Romania, Serbia, South Africa, and the United Kingdom, and have gone on to receive licenses in Connecticut, District of Columbia, Louisiana, North Carolina, Pennsylvania, Texas, and Virginia.

More detailed information regarding the BEFA Program requirements and process can be found on NCARB's website (web pages attached) and in the supplemental NCARB documents provided to the Board (attached).

The Board's Reciprocity Requirements and Efforts to Address International Reciprocity

Currently, the Board's regulations (CCR 121 - summary and regulation attached) provide three paths for individuals seeking reciprocal licensure in California (for architects licensed in: another United States jurisdiction; a Canadian province; or the United Kingdom). Additionally, BPC 30 (attached) requires that an individual possess a social security number in order to obtain and maintain a professional license in California.

As part of its strategic planning objectives, the Board has sought ways to facilitate the licensure of foreign professionals in California. In 2008, the Board raised the issue of an exception to the social security number requirement with the Department of Consumer Affairs' (DCA) Chief Deputy Director and received DCA's support. However, the State and Consumer Services Agency rejected the issue at the time and no feedback was provided.

More recently, it was noted that the State Bar of California (State Bar) passed legislation (Assembly Bill [AB] 664 – Jones, Chapter 610, Statutes of 2005 - attached) which authorizes the State Bar to accept for registration an application from an individual “containing a federal tax identification number, or other appropriate identification number as determined by the State Bar, in lieu of a social security number, if the individual is not eligible for a social security account number at the time of application and is not in noncompliance with a judgment or order for support pursuant to section 17520 of the Family Code.”

The Board again recently brought this issue to DCA's attention, specifically to the DCA Division of Legislative & Policy Review (letter attached). It has been conveyed that the social security number requirement can preclude candidates from countries like Canada from becoming licensed in California and that since architecture is an increasingly global practice, the ability to hire architects from other countries is invaluable. Additionally, it was noted that the Franchise Tax Board (FTB) had previously reviewed a proposal to recognize Individual Taxpayer Identification Numbers (ITIN) in lieu of social security numbers and indicated that such a proposal would not impede FTB's efforts. The letter also references the State Bar's legislation and that BPC 30 remains an issue for all boards and bureaus under DCA. Additionally, this matter was presented to the Senate Committee on Business, Professions and Economic Development for further feedback.

As noted above, at its September meeting, the Board was asked to review and discuss its current reciprocity requirements and consider possible action with regard to facilitating or expanding international reciprocity by means of recognizing NCARB's BEFA Program and modifying the social security number requirement (i.e., similar to the State Bar's AB 664 exemption). At the meeting, there were questions and concerns raised regarding the possible acceptance of an ITIN in lieu of a social security number; specifically, with regard to having a better understanding of the difference between the social security number and ITIN requirements and the possible ramifications of accepting an ITIN in lieu of a social security number. Ultimately, the Board directed staff to bring

back information on how to implement a structure that is satisfactory to the Board to align with NCARB's BEFA Program.

Based on the Board's directive, staff identified the following implementation options to consider:

- 1) pursue a regulatory proposal to amend CCR 121 to recognize NCARB Certification obtained via the BEFA Program (expanding reciprocal licensure to candidates from countries other than Canada and the United Kingdom) and direct the Professional Qualifications Committee to develop the proposal with a recommendation to the Board;
- 2) direct staff to continue to evaluate and/or pursue a legislative proposal to recognize the ITIN in lieu of a social security number for purposes of licensure in California; and
- 3) further discuss and/or refine course of action with regard to the social security number exemption issue through a strategic plan objective.

Attached for the Board's review is information on the BEFA Program and process and information/requirements for obtaining a social security number and ITIN.

At today's meeting, the Board is asked to consider the implementation options and direct staff on how to proceed.

Attachments:

1. NCARB website information regarding BEFA Program
2. Supplemental documents regarding BEFA Program and Process
3. CCR 121 Reciprocity Requirements – Summary and Regulation
4. BPC 30
5. AB 664 – Jones, Chapter 610, Statutes of 2005
6. July 18, 2011 letter to Richard Woonacott, Deputy Director – Division of Legislative & Policy Review regarding BPC 30 – Reciprocity
7. Social Security Numbers For Noncitizens (SSA Publication No. 05-100096)
8. Social Security Administration Application for a Social Security Card (Form SS-5)
9. General ITIN information from www.irs.gov
10. Instructions for Form W-7 (Application for IRS Individual Taxpayer Identification Number)
11. Application for IRS Individual Taxpayer Identification Number (Form W-7)

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B E F A

Broadly Experienced Foreign Architect Program

www.ncarb.org/befa

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BROADLY EXPERIENCED FOREIGN
ARCHITECT PROGRAM

BEFA Process Overview

[Experience Dossier](#)[BEFA Interview](#)[BEFA Fees](#)

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) PROGRAM PROCESS

The BEFA Program is a multi-step process. There are many factors that affect the length of time required to complete the BEFA process. In addition to the time it takes to process and review records, evaluations, applications, and dossiers, applicants should factor in their own time requirements to prepare and submit the BEFA Eligibility Verification Form and BEFA dossier. All steps of the process are required (if there are any questions about your professional degree, you may be required to obtain an [EESA-NCARB Education Evaluation](#) to evaluate your education in relation to the [NCARB Education Standard](#); you will be notified if you are required to obtain an evaluation).

BEFA Eligibility Verification – Please refer to the [BEFA Eligibility Verification Form \(Form 262\)](#) and the [BEFA Credential Verification Form \(Form 263\)](#) for detailed eligibility requirements and information and documents required for NCARB to determine if you are eligible. For questions related to the BEFA Program, please contact the Education Directorate at BEFA@ncarb.org.

NCARB Record – Applicants are required to establish and maintain an active NCARB Record after NCARB confirms eligibility for the BEFA Program. Applicants who currently hold an NCARB Record should confirm that their Record is active. For information on fees associated with an NCARB Record, [click here](#). Contact NCARB for more information. [\[more\]](#)

BEFA Dossier – Once the BEFA Eligibility Verification Form and all required supporting documents have been received by NCARB and NCARB has confirmed eligibility, applicants will receive an eligibility confirmation letter with dossier preparation forms and instructions. In their BEFA dossier the applicant must demonstrate competence to independently practice architecture in the United States while protecting the public health, safety, and welfare; describe the nature of their responsible control over each project; and note any modifications of their projects that would be required to comply with U.S. building codes and laws. [\[more\]](#)

- Effective 1 July 2011, BEFA applicants will have a window of 18 months from the date of their eligibility confirmation letter to prepare and submit their BEFA dossiers. Applicants who do not submit within this 18-month time period will be required to complete and submit an updated BEFA Eligibility Verification Form (Form 262) and BEFA Credential Verification Form (Form 263) with all required documents. They will also be required to pay the BEFA Eligibility Verification fee for the updated verification.

Interview – Applicants who have demonstrated in their BEFA dossier competence to independently practice architecture in the United States are invited for an interview. [\[more\]](#)

Final Evaluation of Record – Once an applicant successfully completes the BEFA Program, NCARB performs a final evaluation of the applicant's NCARB Record. Applicants will be required to provide any incomplete information. The applicant will also be required to request updated credential information from the credentialing authority (Form 263) of their foreign country prior to issuance of an NCARB Certificate. Documentation of the credential must be submitted directly to NCARB from the credentialing authority.

Please note: Once an NCARB Certificate has been issued, applicants will have one year to obtain registration in a Member Board jurisdiction as a certificate renewal requirement.

Handbook for Interns and Architects

Updated July 2011! The Handbook for Interns and Architects describes the NCARB organization, services, procedures, and examinations. [\[more\]](#)

BEFA Eligibility Verification Form (Form 262)

The NCARB Broadly Experienced Foreign Architect (BEFA) Eligibility Verification Form is designed for you to provide information so NCARB can accurately evaluate your eligibility for the BEFA program. [\[more\]](#)

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BROADLY EXPERIENCED FOREIGN
ARCHITECT PROGRAM[BEFA Process Overview](#)**Experience Dossier**[BEFA Interview](#)[BEFA Fees](#)

BEFA EXPERIENCE DOSSIER

The BEFA dossier allows the applicant to demonstrate competence to independently practice architecture in the United States, while protecting the public health, safety, and welfare to meet the examination requirement of NCARB certification. The BEFA dossier is distinct from a professional portfolio of work in that it allows the applicant to demonstrate competence to practice architecture independently rather than documentation of registration and professional qualifications; these are eligibility requirements and are not the focus of the dossier.

The specific areas of the BEFA dossier are based on the [Architect Registration Examination® \(ARE®\)](#) and outlined in the [Handbook for Interns and Architects](#):

1. Programming, Planning, & Practice
2. Site Planning & Design
3. Building Design & Construction Systems
4. Schematic Design
5. Structural Systems
6. Building Systems
7. Construction Documents & Services

The dossier must include a detailed written description of specific examples of experience as a credentialed architect and provide supporting documentation that is relevant to the experience areas. The projects included in the dossier must be completed projects in the foreign country where the applicant is credentialed.

Comprehensive practice and responsible control must be clearly explained both in the written descriptions and in the supporting documentation. Applicants must also describe the general nature of modifications necessary to comply with U.S. building codes and laws including accessibility laws. Thorough organization of the dossier and thorough annotation of supporting material are required.

Dossiers must conform to specific format requirements and utilize standard forms. These are provided after NCARB has confirmed the applicant's eligibility. Dossiers that do not meet format and submission requirements will be returned to the applicant at the applicant's expense. The Format Review fee is required to submit revised dossiers.

Effective 1 July 2011, BEFA applicants will have a window of 18 months from the date of their eligibility confirmation letter to prepare and submit their BEFA dossiers. Applicants who do not submit within this 18-month time period will be required to complete and submit an updated BEFA Eligibility Verification Form (Form 262) and BEFA Credential Verification Form (Form 263) with all required documents. They will also be required to pay the BEFA Eligibility Verification fee for the updated verification.

Applicants are free to submit dossiers at any time within the 18-month window. Submission dates correspond to committee meetings and determine the potential review and interview schedule.

Current dossier submission dates are:

Dossier submission dates

- 8 September 2011
- 8 December 2011
- 16 February 2012
- 26 April 2012

BEFA Eligibility Verification Form (Form 262)

The NCARB Broadly Experienced Foreign Architect (BEFA) Eligibility Verification Form is designed for you to provide information so NCARB can accurately evaluate your eligibility for the BEFA program.

[\[more\]](#)

There is a minimum six-month review process from the submission date to a potential interview. Forms, program requirements, and fees are subject to change. Applicants are responsible for meeting current program requirements and using current forms at the time of dossier submission.

Dossiers that do not meet format and submission requirements will be returned to the applicant at the applicant's expense. The format review fee is required to submit revised dossiers.

BEFA dossiers are reviewed by the BEA Committee to determine whether the applicant demonstrated knowledge of U.S. building codes and laws in all areas of the ARE and whether the applicant demonstrated competence to practice architecture independently in the United States. Applicants do not attend the dossier review. Dossier review **fees** are due upon dossier submission. Results of the dossier review are announced approximately four weeks after the review.

[FAQS](#) | [Contact Us](#) | [Privacy Statement](#) | 2009 NCARB

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ARCHITECT PROGRAM[BEFA Process Overview](#)[Experience Dossier](#)**[BEFA Interview](#)**[BEFA Fees](#)

BEFA INTERVIEW

Applicants who have demonstrated competence to practice architecture independently in the United States in their BEFA dossier are invited for an interview at a subsequent meeting of the BEA Committee. The purpose of the interview is to verify the applicant's responsibility over the development, management, and implementation of each submitted project; the applicant's understanding of U.S. licensing and professional conduct requirements; and the applicant's knowledge of U.S. building codes and laws.

Interviews are held several times a year in major U.S. cities. Detailed information about the interview location and time is provided once the applicant's dossier has been reviewed and accepted. **Interview fees** are due before the interview. Results are announced approximately four weeks after the interview.

Upon successful completion of the BEFA Program, prior to issuance of an NCARB Certificate, applicants are required to request updated credential information from the credentialing authority of their foreign country (**Credential Verification Form 263**). Documentation of credentials must be submitted directly to NCARB from the credentialing authority.

Once an NCARB Certificate has been issued, the applicant must obtain registration in a Member Board jurisdiction within one year of issuance. NCARB Certificates must be renewed annually. Annual renewal requires that the applicant maintain active registration in at least one **Member Board jurisdiction**. If registration is not obtained within one year, the NCARB Certificate will expire.

BECOMING AN ARCHITECT

STUDYING ARCHITECTURE

EXPERIENCE THROUGH INTERNSHIPS

ARCHITECT REGISTRATION EXAMINATION (ARE)

GETTING AN INITIAL LICENSE

CERTIFICATION AND RECIPROCITY

CONTINUING EDUCATION

CERTIFICATION OVERVIEW

VALUE OF AN NCARB CERTIFICATE

STANDARD PATH

ALTERNATE PATHS

RECIPROCITY OVERVIEW

INTERNATIONAL PRACTICE

EESA

BROADLY EXPERIENCED FOREIGN ARCHITECT PROGRAM

[BEFA Process Overview](#)

[Experience Dossier](#)

[BEFA Interview](#)

BEFA Fees

BEFA FEES

Note: All fees are subject to change, and are non-refundable unless otherwise noted.

Eligibility Verification Fee: \$500

This fee is for review of your official documents to verify your eligibility for the BEFA Program is due upon submission of your BEFA Eligibility Verification Form.

Effective 1 July 2011, BEFA applicants will have a window of 18 months from the date of their eligibility confirmation letter to prepare and submit their BEFA dossiers. Applicants who do not submit within this 18-month time period will be required to complete and submit an updated BEFA Eligibility Verification form (Form 262) and BEFA Credential Verification Form (Form 263) with all required documents. They will also be required to pay the BEFA Eligibility Verification fee for the updated verification.

Experience Dossier Review Fee: \$5,000

This fee includes one non-refundable format review fee of \$500 to verify format and submission requirements have been met. Should you decide to cancel this process before the committee reviews the dossier, \$4,500 is refundable.

Format Review Fee: \$500

If your dossiers are not approved in the format review and you revise and submit new dossiers this fee is due upon dossier submission.

Interview Fee: \$2,000

The interview fee is due approximately six weeks before your scheduled interview.

[Click here](#) for information related to other NCARB fees, including certification.

Note: All fees are subject to change, and are non-refundable unless otherwise noted.

Value of an NCARB Certificate

An NCARB Certificate means you have met the highest professional standards established by the registration boards responsible for protecting the health, safety, and welfare of the public.

[\[more\]](#)

Certification Fees

Learn the fees associated earning and maintaining an NCARB Certificate.

[\[more\]](#)

Dear foreign architect:

The Broadly Experienced Foreign Architect (BEFA) program allows foreign architects who meet all eligibility requirements to apply for NCARB certification.

To be eligible for the BEFA program, you must:

- Hold a professional degree in architecture from an accredited/validated/officially-recognized architecture program,
- Hold current credential as an architect in a country (other than the United States, or Canada) that has a formal record-keeping method for disciplinary actions for architects, and
- Have completed a **minimum** of seven (7) years of comprehensive, unlimited practice as a credentialed architect over which you exercised responsible control in the country in which you are credentialed.

Please refer to the *Handbook for Interns and Architects*, available on the NCARB web site, for the BEFA program requirements and detailed program information, and for definitions of responsible control and comprehensive practice.

Submission of specific documents and supplementary information is required for determining eligibility for the BEFA program. It is your responsibility to formally request that the appropriate issuing authorities send the required documents directly to NCARB, as explained in Part 1 (attached). You are also responsible for providing to NCARB the additional information requested in Part 2 (attached) and for paying the BEFA Eligibility Verification fee.

Please note:

- You may **not** personally submit the required documents directly to NCARB; they must come from the issuing authority and must be in paper form, not digital form.
- You are **not** required to establish an NCARB Record before submitting the BEFA Eligibility Verification Form. If you have already established an NCARB Record, please indicate your Record number on all forms.
- You must submit official translations for all documents that are not in English.
- NCARB will review eligibility **only** after all required forms and documents have been received. Incomplete forms will not be reviewed. NCARB will not review or pre-approve drafts or copies of documents.
- All submitted information and documents become part of your official NCARB Record and will not be returned. You are encouraged to retain a copy of all documents.
- You must meet all requirements and fees in effect at the time of application.
- Program requirements and fees are subject to change.

Once all required documents and information have been received, NCARB will inform you of your eligibility status. Once eligibility is confirmed, you will receive an eligibility confirmation letter with dossier preparation instructions and forms and will be required to establish an NCARB Record before you begin the BEFA process. Please note that upon completion of the BEFA program, you will be required to request an update from your country's credentialing authority on your credential information prior to issuance of an NCARB Certificate.

Effective 1 July 2011, you will have a window of 18 months from the date of your eligibility confirmation letter to prepare and submit your dossiers. If you do not submit your dossiers within the eligibility window, you will be required to complete and submit a current BEFA Eligibility Verification Form (Form 262), required documents, and pay the BEFA Eligibility Verification Fee. You will also be required to request an update from your country's credentialing authority on credential information (Form 263: BEFA Credential Verification Form).

Please contact the NCARB Education Directorate at 202/879-0537 or befa@ncarb.org if you have any specific questions regarding the BEFA program.

Sincerely,



Michelle Kinisiewicz, AIA, NCARB, LEED AP
Assistant Director, Education

PART 1

Documents to be sent from the issuing authorities (credentialing authority, educational institute, or official translator as appropriate)

Send directly to NCARB at the following address:

Education Directorate/BEFA Program
NCARB
1801 K Street, NW
Suite 700K
Washington, DC 20006
USA

You must arrange to have official translations submitted for all documents that are not in English. Official English translation must be obtained from the issuing authority or a lawyer, translation service, notary, or embassy and must be on official letterhead; translations by applicants will not be accepted. Because you are required to have the information and documents sent directly to NCARB from the issuing authority, please obtain copies of any documents that are not in English so that you can arrange for translations to be completed and submitted directly to NCARB.

A. Documentation of your credential as an architect (Form 263), to be submitted by your country's credentialing authority, must include all of the following:

1. Name and description of the profession in which you are credentialed
2. Scope of services that your credential legally allows you to provide, including any restrictions to services for specific building types, construction systems, etc.
3. Classification and/or rank of your credential, or if none, confirmation that no classifications and/or ranks exist
4. Date of your initial credential (month, day, year)
5. Date of your credential's expiration (month, day, year)
6. Current status of your credential (active and in good standing, inactive, lapsed, revoked, etc.)
7. Record of disciplinary action against your credential and the current status, or if none, confirmation that no record exists
8. Geographic area in which your credential is valid
9. Name and contact information for the person responsible for the credentialing authority

B. Official transcript of your professional degree in architecture from the educational institution where it was obtained must include all of the following:

1. Your name
2. Institution
3. Dates attended
4. All courses taken and grades received
5. Degree awarded and date awarded

You may not personally submit the required documents directly to NCARB; they must come from the issuing authority and must be in paper form, not digital form.

Part 2**Information to be provided and sent by the applicant to NCARB****Send to the following address:**

Education Directorate/BEFA Program
 NCARB
 1801 K Street, NW
 Suite 700K
 Washington, DC 20006
 USA

All information provided must be in English.

A. Applicant information

Last name: _____ First name: _____ Middle name: _____

Street address 1: _____

Street address 2: _____

City: _____ State: _____ Country: _____ Postal code: _____

E-mail address: _____

Telephone number: _____ Facsimile number: _____

NCARB Record No*, if already established: _____

** Please note, applicants for the BEFA Program are not required to establish an NCARB Record before submitting a BEFA Eligibility Verification Form. An applicant who has already completed an NCARB Record application should include his or her NCARB Record number here.*

B. Professional degree(s) in architecture

*Please list **only** the degrees awarded that are required for obtaining a credential as an architect.*

Name of first degree: _____

Type of degree: (foundation/associate's/bachelor's/master's/doctorate/honorary): _____

Date awarded: Month: _____ Day: _____ Year: _____

Name of institution: _____

Street address 1: _____

Street address 2: _____

City: _____ State: _____ Country: _____ Postal code: _____

Registrar's e-mail address: _____

Web site address: _____

Telephone number: _____ Facsimile number: _____

Part 2 (continued)

Information to be provided and sent by the applicant to NCARB

Name of second degree (if applicable): _____

Type of degree: (foundation/associate's/bachelor's/master's/doctorate/honorary): _____

Date awarded: Month: _____ Day: _____ Year: _____

Name of institution: _____

Street address 1: _____

Street address 2: _____

City: _____ State: _____ Country: _____ Postal code: _____

Registrar's e-mail address: _____

Web site address: _____

Telephone number: _____ Facsimile number: _____

C. Credential as an architect in a foreign country

1. Name and contact information of the credentialing authority in the country in which you are credentialed

Credentialing authority: _____

Web site address: _____

Credential number or individual credential designation: _____

Country of credential: _____

Date of initial credential: Month: _____ Day: _____ Year: _____

Expiration date of current credential: Month: _____ Day: _____ Year: _____

Part 2 (continued)**Information to be provided and sent by the applicant to NCARB**

- 2. Describe the following aspects of the architecture profession in the country in which you are credentialed:**
- a) The education level and degree required for credentialing, as well as information about the education program (accepted in writing below or by submission of information from the accreditation/validation/recognition authority or both)
 - b) The process by which you were credentialed (accepted in writing below or by submission of material from the credentialing authority or both)
 - c) The process by which and the reasons for which disciplinary actions may be taken against architects and the system in which these actions are recorded (accepted in writing below or by submission of information from the disciplinary authority or both)
 - d) Classification and/or rank of your credential, if applicable

Part 2 (continued)**Information to be provided and sent by the applicant to NCARB****D. BEFA Dossier Projects**

Upon determination of eligibility for the BEFA program and establishment of your NCARB Record, you will be required to prepare and submit a BEFA dossier to demonstrate competence to independently practice architecture in the U.S. The dossier includes drawings, photographs, and descriptions of a minimum of three (3) completed projects (other than one- and two-family dwellings, farm buildings, and structures or additions not requiring governmental building permits) in the country in which you are credentialed as an architect and over which you exercised comprehensive practice and responsible control. Please list the three completed projects that you will document and describe in your dossier:

1. Project I

Project name: _____

Building type/function: _____ Gross floor area (SF): _____ Year completed: _____

Project address: _____

City: _____ State: _____ Country: _____ Postal code: _____

Title/responsibility: _____

Name of client: _____

Client address: _____

City: _____ State: _____ Country: _____ Postal code: _____

2. Project II

Project name: _____

Building type/function: _____ Gross floor area (SF): _____ Year completed: _____

Project address: _____

City: _____ State: _____ Country: _____ Postal code: _____

Title/responsibility: _____

Name of client: _____

Client address: _____

City: _____ State: _____ Country: _____ Postal code: _____

3. Project III

Project name: _____

Building type/function: _____ Gross floor area (SF): _____ Year completed: _____

Project address: _____

City: _____ State: _____ Country: _____ Postal code: _____

Title/responsibility: _____

Name of client: _____

Client address: _____

City: _____ State: _____ Country: _____ Postal code: _____

Part 2 (continued)

Information to be provided and sent by the applicant to NCARB

I hereby certify that I understand all BEFA program requirements and definitions, including “responsible control” and “comprehensive practice” as defined in the *Handbook for Interns and Architects*; that I have requested the required documents from the credentialing authority/educational institution to be sent directly to NCARB; and that I verify that all information provided herein and attached hereto is correct to the best of my knowledge:

Name: _____ Title: _____

Signature: _____ Date: _____

Payment of the nonrefundable BEFA Eligibility Verification fee must be included with this form. See the NCARB web site for current fees.

Checks, made payable to “NCARB” noting “BEFA Program,” may be sent to:

BEFA Program/ Education Directorate
NCARB
1801 K Street NW, Suite 700K
Washington, DC 20006

Credit card payment may be arranged by contacting:

NCARB
Accounting Department
Tel: 202/454-2224

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) PROGRAM

Credential Verification Form

Please complete the following form to verify the applicant's credentials in your country. Documentation of their credentials as an architect must be submitted by the credentialing authority and must answer all of the following questions. Submission of this form from applicants will not be accepted. Facsimile transmissions and/or electronic submissions will not be accepted.

A. Applicant information

The applicant is required to complete part A and request that the credentialing authority complete part B and submit the original completed form to NCARB. Submission of this form from applicants will not be accepted.

Name: (Last, First) _____ NCARB Record No. _____

Country: _____ Date: _____

B. Credentialing Authority

The credentialing authority in the country in which the applicant is registered as an architect is required to complete part B to verify the applicant's current registration status. The credentialing authority are required to submit the original completed form to NCARB.

1. Name and description of the profession in which the above applicant is credentialed

2. Scope of services that the credential legally allows the applicant to provide, including any restrictions to services for specific building types, construction systems, etc.

3. Classification and/or rank of the credential, or if none, confirmation that no classifications and/or ranks exist

4. Date of initial credential: _____
month date year

5. Date of credential's expiration: _____
month date year

6. Current status of credential:
 Active and in good standing Inactive Lapsed Revoked Other _____

7. Record of disciplinary action against applicant's credential and the current status, or if none, confirmation that no record exists

8. Geographic area in which the credential is valid: _____

9. Name and contact information for the person responsible for the credentialing authority:

Please submit this form to the following address: NCARB
 Education Directorate/BEFA Program
 1801 K Street NW, Suite 700K
 Washington, DC 20006 USA

The credentialing authority is required to submit the original completed form to NCARB. Facsimile transmissions and/or electronic submissions will not be accepted.

The objective of the Broadly Experienced Foreign Architect (BEFA) Program allows foreign architects to demonstrate competence to independently practice architecture in the U.S. and meet the NCARB examination requirement, the Architect Registration Examination® (ARE®), through practice experience in a foreign country.

The BEFA Program is a well-developed, rigorous program that provides an opportunity for highly qualified foreign architects to apply for NCARB certification and obtain registration in a U.S. jurisdiction. For our Member Boards, we are happy to answer any questions or concerns that may promote a better understanding and acceptance of the BEFA Program.

1. A detailed description of the current BEFA process;

Completion of the BEFA Program is a multi-step process and all steps are required.

- * **Step 1:** Eligibility - To be eligible applicants must;
 - Have a professional degree from an accredited/validated/officially recognized architecture program,
 - Hold current credential as an architect in a country (other than the United States or Canada) that has a formal record-keeping method for disciplinary action for architects,
 - And have completed a minimum of seven years comprehensive, unlimited practice as a credentialed architect over which the applicant exercised responsible control in the country in which he/she is registered.

BEFA Eligibility Verification Form (Form 262) provides more information on documentation requirements.

- * **Step 2:** NCARB Record – An eligible applicant is required to establish and maintain an active NCARB Record prior to beginning the program.
- * **Step 3:** BEFA Dossier – An eligible applicant must submit a dossier to demonstrate competence to independently practice architecture in the United States, while protecting the public health, safety, and welfare.

There is a minimum project requirement of three completed projects (other than one- and two-family dwellings, farm buildings, and structures or additions not requiring governmental building permits) completed in the country in which the applicant is registered.

They must provide detailed written description of specific examples of experience as a credentialed architect and provide supporting documentation that is relevant to the experience areas. Comprehensive practice and responsible control must be clearly explained both in their written descriptions and in their supporting documentation. They must also annotate the drawings of such projects describing the general nature of modifications, if any, necessary to comply with typical U.S. building codes and laws including accessibility laws.

- * **Step 4:** Interview – Applicants who pass the dossier review must participate in an interview with the BEA Committee, the committee responsible for reviewing applicants for both the BEA Program and the BEFA Program. The purpose of the interview is to verify their responsibility over the development, management, and

implementation of each submitted project, to verify their understanding of U.S. licensing and professional conduct requirements, and to verify their knowledge of U.S. building codes and laws.

- * **Step 5: Final Evaluation of Record** – Upon successful completion of the program, they must submit a Credential Verification Form to update information that may have changed since beginning the program (which is typically over one year). Staff performs a final evaluation of the applicant's NCARB Record before the NCARB Certificate is granted.

2. What measures are taken to assure state boards the foreign architect is competent to practice in the U.S.?

The BEA Committee reviews all applicants individually. Comments from these independent reviews are compiled by NCARB staff and discussed among the committee as a whole and voted on. Their review is based upon demonstration of competency in all areas tested on the ARE[®] including knowledge of U.S. building codes and regulations.

3. What prompted the program's inception?

The creation of BEFA Program inception was a result of an expressed interest in a path for foreign architects who, if deemed eligible, could obtain NCARB certification in support of registration in our Member Boards. Without the BEFA Program as a path to an NCARB Certificate, foreign architects would encounter enumerable difficulties in obtaining registration in a Member Board jurisdiction.

4. How was the program developed?

The program was developed by the BEA Committee and implemented in 2003. The process is similar to the BEA Program in that the applicant submits a dossier of practice experience which is reviewed by the BEA Committee. This process was adopted for the BEFA Program. However, the basis for review and objective for the BEA and BEFA are very distinct. The BEA is strictly a review of an applicant's education deficiency (reviewed against the *NCARB Education Standard*) with the objective of obtaining an NCARB Certificate for reciprocity. For the BEFA, the basis for review is competency in all areas tested on the ARE[®] with the objective of obtaining NCARB certification based on their practice in their foreign country.

5. What significant changes to the program have occurred since it was implemented?

The only significant change in the BEFA Program since its implementation was the elimination of the eligibility requirement to require an applicant's foreign country to offer reasonable reciprocal credentialing opportunities to U.S. architects. The committee felt that this requirement was unfairly holding the applicant responsible for something they could not control or influence. Resolution 2010-01 regarding this eligibility requirement was presented to the Member Boards and passed with overwhelming support.

6. Have there been arguments made against such a program?

There have been no arguments made against the BEFA Program since implementation.

The committee, as well as Member Boards who have had the opportunity to observe the process, have been extremely impressed with the level of knowledge, competency, skill, and experience demonstrated by BEFA applicants. As of 30 June 2011, 12 applicants have successfully completed the BEFA Program, seven last year alone. Currently 36 Member Boards accept an NCARB Certificate granted by satisfaction of the BEFA Program. With an increased awareness and knowledge of the program, and the trend of increased acceptance of the program from Member Boards, we anticipate continued growth in the BEFA Program.



FOREIGN ARCHITECTS FIND
BEFA IMPORTANT TO SUCCESS
IN UNITED STATES





LEFT THE BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) PROGRAM ALLOWED STEFAN BEHNISCH, ARCHITECT AND PARTNER OF STEFAN BEHNISCH ARCHITECTS, TO BECOME LICENSED IN THE UNITED STATES. HE IS CURRENTLY INVOLVED IN PROJECTS IN CALIFORNIA, MASSACHUSETTS, AND MARYLAND.

RIGHT STEFAN BEHNISCH RECEIVED HIS NCARB CERTIFICATE THROUGH THE BEFA PROGRAM.

"The NCARB Certificate makes it possible to ensure that clients choosing my firm would get my architecture and benefit from my knowledge and my experience."

– Stefan Behnisch, Dipl.-Ing. Arch,
Hon: FAIA, AIA, BDA, RIBA, NCARB

The Broadly Experienced Foreign Architect (BEFA) program allows foreign architects—who meet the eligibility requirements—to demonstrate competence to practice independently, and to earn the NCARB Certificate so they can become licensed in a U.S. jurisdiction. Stefan Behnisch, an architect currently licensed in Germany, received his NCARB Certificate in 2009 and found it to be a beneficial credential to his business. He is currently involved in projects in California, Massachusetts, and Maryland.

WHY DID YOU PURSUE AN NCARB CERTIFICATE THROUGH THE BEFA PROGRAM?

In the past, I depended either on the license of an office partner or a partnering firm. This made me dependent on their understanding of the architecture that I wanted to pursue in the United States. Since my firm is deeply involved in the design of sustainable buildings, our partner offices at times considered the imminent process of innovation as perhaps too risky or too tiresome. Therefore, I decided to pursue NCARB certification and each jurisdiction's license myself in order to have the choice of which partnering firm I wanted to work with and not which firm happened to have a license where I wanted to design and realize a project. The best way for me to do this was through the BEFA program.

WHAT WAS YOUR EXPERIENCE GOING THROUGH THE PROCESS?

The process itself was a bit rigorous and lengthy, but in the end it worked out well. It's important to focus on key projects that demonstrate competency to practice architecture in the United States. The BEFA program is a good and fair way for people who are licensed abroad to obtain an NCARB Certificate to pursue licensure in the United States.

WHEN DID YOU COMPLETE THE BEFA PROGRAM AND RECEIVE YOUR NCARB CERTIFICATE?

I completed the BEFA program with an interview in Kansas City in April 2009 and was able to get my license in Massachusetts shortly after receiving my NCARB Certificate.

WHAT ADVICE WOULD YOU GIVE TO FOREIGN ARCHITECTS WHO ARE INTERESTED IN GOING THROUGH THE BEFA PROGRAM TO BECOME NCARB CERTIFIED?

If you want to work as an architect and not just as a so-called "designer," and if you really want to practice architecture and not just design, then it is absolutely necessary to have a license. Otherwise, you will always be dependent on architects who are registered in the project location. By nature, architects of record who have to sign drawings will only sign what they are convinced works and that is not always innovative architecture. **DC**

ABOUT BEFA

Foreign architects are eligible to apply for an NCARB Certificate through the BEFA program if they:

- Hold a professional architecture degree from an accredited/validated/officially recognized architecture program
- Are currently credentialed as an architect in a country other than the United States and Canada that:
 - Has a formal record-keeping method for disciplinary actions for architects
 - Provides reasonable reciprocal credentialing opportunities for U.S. architects
- Have completed a minimum of seven years of comprehensive and unlimited practice as a credentialed architect in the country in which credentialed

The BEFA process requires establishment of an NCARB Record, preparation of a dossier to demonstrate experience, and a personal interview.

Please note not all U.S. jurisdictions accept an NCARB Certificate issued through the BEFA program for reciprocal registration. Applicants should confirm reciprocal registration requirements directly with the individual registration board. For summaries of registration requirements and links to each registration board's web site, go to: <http://www.ncarb.org/Reg-Board-Requirements>

For further information about the BEFA program including detailed information about the program eligibility process, schedule, and fees, go to: <http://www.ncarb.org/BEFA>. Please contact Michelle Kinasiewicz, Assistant Director, Education at 202/461-3946 or mkinasiewicz@ncarb.org for additional information.

BROADLY EXPERIENCED ARCHITECT (BEFA) PROGRAM

BEFA Experience Dossier and Interview Process

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Further Information

Education Directorate staff is available to answer questions regarding BEFA program eligibility and program requirements. For these and other BEFA program-related questions, please contact the NCARB Education Directorate. Staff is not able to pre-review projects and/or dossier submittals.

Michelle Kinasiwicz, AIA, NCARB, LEED AP ^{BD+C} Assistant Director, Education	202/461-3946	mkinasiwicz@ncarb.org
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Craig A. Schwarz Manager, Education	202/879-0537	cschwarz@ncarb.org
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For questions related to your NCARB Record, please contact Customer Service:

Customer Service	202/879-0520	customerservice@ncarb.org
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For general questions, please contact NCARB:

NCARB	202/783-6500	customerservice@ncarb.org
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PROGRAM INTRODUCTION

NCARB Certification Requirements and the BEFA Program

The BEFA program allows foreign architects the opportunity to demonstrate competence to independently practice architecture, while protecting the public health, safety, and welfare to meet the examination requirement of NCARB certification. A “Foreign Architect” as defined by the *Handbook of Interns and Architects*, (p.6) is an individual who holds a current registration, license, or certificate in good standing in a country other than the United States or Canada allowing him/her to engage in the unlimited practice of architecture (defined as the ability to provide any architectural services on any type of building).

Reciprocity

Many architects apply for an [NCARB Certificate](#) to seek reciprocal registration in other U.S. jurisdictions. Reciprocal registration requirements vary and not all jurisdictions accept an NCARB Certificate issued upon satisfaction of the examination requirement through the BEFA program. The NCARB web site has links to each [jurisdiction’s web site](#) and a summary of registration requirements. Because requirements may change, it is important to confirm requirements, including reciprocity requirements, with the jurisdiction in which you are seeking registration.

BEFA Eligibility and Program Purpose

To be eligible for the BEFA program, you must satisfy the following requirements outlined in the [Handbook for Interns and Architects](#), Chapter 3: Requirements for Certification of Foreign Architects:

1. Have graduated with a professional degree in architecture from an accredited/validated/officially recognized architecture program. The BEFA applicant is required to describe such program or submit information describing the program from the accreditation/validation/recognition authority. The applicant is required to have an official transcript of his/her educational record sent directly to NCARB from the school. Where there is doubt about the nature of the professional degree, an Educational Evaluation Services for Architects (EESA) evaluation may be required;
2. Be credentialed in a foreign country that has a formal record-keeping mechanism for disciplinary actions in the practice of architecture. The applicant is required to describe the process by which he/she was credentialed or submit information describing the credentialing process from the credentialing authority that granted the credential, and to arrange for independent verification by the credentialing authority directly to NCARB showing that the applicant’s credential has been granted and is currently in good standing. The applicant is also required to describe the process by which and the reasons for which disciplinary actions may be taken against architects and the system in which these actions are recorded, or to submit information provided by the disciplinary authority in this regard. The applicant shall secure a written statement from his/her credentialing authority stating that the applicant either has no record of a disciplinary action or if such record exists, describing such action and its current status. This statement must be sent directly to NCARB from the credentialing authority; and
3. Have completed a minimum of seven (7) years of comprehensive practice as a credentialed architect over which he/she exercised responsible control in the foreign country in which he/she is credentialed.

PROGRAM PROCESS

Steps of the Process

The BEFA program is a multi-step process. Many factors, including time to prepare and submit your dossiers, time for review of your dossiers, and the committee meeting schedule, determine the time to complete the program.

Dossiers are reviewed in the order in which they are received. If the number of applicants exceeds the review capacity of the committee, your dossier may be reviewed during a subsequent review cycle.

Step 1 BEFA Eligibility Verification

To be considered for the BEFA program, you must submit the [BEFA Eligibility Verification Form](#), which can be found on our web site, the non-refundable BEFA Eligibility Verification fee, and all required supporting documents.

Effective 1 July 2011, applicants will have an eligibility window of 18 months from the date of their eligibility confirmation letter to prepare and submit their dossiers. Applicants who do not submit

within the eligibility window will be required to complete and submit another BEFA Eligibility Verification Form (Form 262) and associated fee.

PROGRAM PROCESS (continued)

Step 2 NCARB Record

You are required to establish and maintain an active [NCARB Record](#) once NCARB has confirmed eligibility for the BEFA Program. If you already hold an NCARB Record you should confirm with [Customer Service](#) that your record is active and provide any required information. All BEFA applicants are also required to satisfy the training requirement for NCARB certification. Record evaluation of training is required before a certificate may be granted. You are required to maintain an active NCARB Record throughout the BEFA program.

Step 3 BEFA Experience Dossier

The BEFA Experience Dossier allows you to demonstrate competence to independently practice architecture while protecting the public health, safety, and welfare, through drawings, photographs, and descriptions and annotations of projects. The BEFA Experience Dossier must demonstrate your knowledge and competence in the following Divisions of the 4.0 ARE®:

- | | |
|---|--------------------------------------|
| 1. Programming, Planning & Practice | 5. Structural Systems |
| 2. Site Planning & Design | 6. Building Systems |
| 3. Building Design & Construction Systems | 7. Construction Documents & Services |
| 4. Schematic Design | |

Although you may have completed the minimum number of years of practice to be eligible for the BEFA program, you should only select experience that is relevant to demonstrating competence to independently practice architecture.

Please note the dossier is not a portfolio of your professional qualifications and achievements; these may fulfill eligibility requirements; however they are not the focus of the dossier.

Submission - Four identical complete dossiers and four identical CD-ROMs (see **EXPERIENCE DOSSIER FORMAT & SUBMISSION REQUIREMENTS**, p.8) must be submitted to:

BEFA Program/Education Directorate
NCARB
1801 K Street, NW, Suite 700K
Washington, DC 20006

All submissions become part of your NCARB Record. NCARB reserves the right to verify information and/or documentation submitted.

All Experience Dossiers and related materials become the property of NCARB and will not be returned once they are forwarded to the committee. You are required to retain a master copy of your dossier and encouraged to retain all documents submitted for your personal record. Dossiers will be shipped several times during the BEFA program process; NCARB is not responsible for dossiers and/or the condition of dossiers.

It is your responsibility to ensure that dossiers conform to all requirements and that all information and documentation are accurate and complete. You are encouraged to clarify any questions you may have with the Education Directorate prior to submitting your dossiers.

Step 4 BEFA Experience Dossier Format Review

Prior to review by the committee, your dossiers will be reviewed by NCARB staff to determine if they conform to format and submission requirements. This review is not an evaluation of dossier content for demonstration of competence to practice architecture independently in the U.S.

If your dossiers conform to format and submission requirements they will be forwarded to the committee for review. If your dossiers do not conform to requirements they will not be reviewed and will be returned.

The Education Directorate is available to clarify questions you may have regarding format and

submission requirements; however it is your responsibility to review your entire dossier prior to submission to ensure that it meets all requirements. NCARB will not pre-review projects and/or dossier submittals.

PROGRAM PROCESS (continued)

Step 5 BEFA Experience Dossier Review

If your dossiers conform to format and submission requirements they will be reviewed by the BEA Committee to determine if you have demonstrated competence to practice architecture independently in the U.S. You do not participate in the review.

If the committee determines that you have demonstrated competence to practice architecture independently in the U.S., you will be invited for an interview. If the committee determines that you have not demonstrated competence, an interview will not be scheduled (see **Options for Unsuccessful Applicants**, below).

Step 6 Interview

The purpose of the interview is to verify information in your dossiers and your role and responsibility in projects in your dossiers. In preparing your dossiers, it is important to select projects for which you were personally responsible and through which you gained experience in relation to specific Divisions of the ARE®.

Interviews are held at BEA committee meetings in major U.S. cities several times a year. An interview location and date will be provided no later than four weeks of the result of your Dossier Review; further information is provided in advance of the interview to allow time for you to make travel and hotel reservations. Schedules are established in advance and requests for schedule changes will not be accommodated.

Step 7 Final Evaluation of Record and Certification

A final evaluation of your NCARB Record is required to ensure that you have provided all required information before your NCARB Certificate may be issued. Please contact the [Records Directorate](#) for any questions related to your NCARB Record and Final Evaluation.

Dossier Review Results and Interview Results

You will be notified by letter of Dossier Review results and Interview results within four weeks of the committee meeting at which the review or interview was held. Results are not conveyed by telephone.

The Education Directorate is available to clarify questions you may have regarding the results of the Dossier Review or Interview; however it is your responsibility to ensure that your dossier meets all program requirements. Direct communication with the BEA Committee is not permitted at any time.

Options for Unsuccessful Applicants

If you are unsuccessful at the Dossier Review or Interview, you may:

- Prepare and submit new dossiers to demonstrate competence
- Prepare and submit new dossiers after gaining additional experience
- Take one or more relevant Divisions of the [ARE®](#). A passing grade will be treated as remedying the deficiency in question.
- Meet the requirements set forth in Chapter 1 of the *Handbook for Interns and Architects*

Program Fees

The Eligibility Verification fee is due upon submission of the Eligibility Verification Form, the Experience Dossier Review fee is due upon dossier submission, and the Interview fee is due two weeks prior to your scheduled interview. Current [BEFA Experience Dossier Review and Interview fees](#) are available on the NCARB web site.

Please note that fees, submission deadlines, review and interview schedules, and BEFA Experience Dossier Content and Format Requirements are subject to change. You are required to meet the current requirements including fees at the time of dossier submission.

- Checks made payable to NCARB BEFA Program:
BEFA Program/Education Directorate
NCARB
- Credit card payment::
NCARB Accounting Department
Telephone: 202/454-2224

PROGRAM PROCESS (continued)

Program Fees

Please note the following:

- Payment must be sent under separate cover; payment must not be included with your dossiers.
- BEFA program fees do not include NCARB Record application or NCARB Certificate application fees.
- You are responsible for all other expenses including preparation and submission of dossiers, return shipment of dossiers (if applicable), individual travel, lodging, and related expenses for the interview.
- The Dossier Review fee includes one Format Review fee.
- The Dossier Review fee is non-refundable once your dossiers are sent to the committee for review.
- The Format Review fee is non-refundable.

EXPERIENCE DOSSIER OBJECTIVE & DESCRIPTION

Demonstration of Competence

The objective of the Experience Dossier is to allow you to demonstrate comprehensive practice experience to meet the examination requirement for NCARB certification. Dossiers must include a detailed written description of specific examples of experience as a credentialed architect and provide supporting documentation (i.e. construction documents, sketches, graphic documentation) that is relevant to the experience areas. It is important to select practice experience for which you were personally responsible, that meets the definitions of *comprehensive practice* and *responsible control*, and relates to the Divisions of the ARE. The projects included in the dossier must be projects that have been completed in the foreign country where the applicant was credentialed for the project’s duration.

Comprehensive Practice means an architectural practice that regularly involves familiarity with all of those areas tested on the Architect Registration Examination, including programming, design, technical and construction documents production, construction administration.

Responsible Control means that amount of control over and detailed professional knowledge of the content of technical submissions during their preparation as is ordinarily exercised by U.S. registered architects applying the required professional standard of care.

Dossier Base Forms and Organization

Following is a summary of items required to be included in your dossier, quantity of each, and placement in dossiers. A complete description of each form follows (see **Dossier Base Forms Description**, below): all forms included on CD-ROM

	Form	Purpose	Quantity	Placement
1. General Forms	1a ARE® Division Checklist	Overview of ARE® Divisions	Maximum one page	Cover
	1b Content Checklist	Confirms all required documents included	Maximum one page	First Page
	1c Resume	Summarizes professional experience	Maximum one page	Second Page
	1d Registration Form	Confirms registration, practice, and project eligibility	One per project or experience	Third Page
2. Demonstration of Competence	2a Experience Area Evaluation Form (EAEF)	Written description of experience that fulfills each Experience Area	One per Experience Area, no limit	After the Registration Form
	2b Index to Documentation Form	Cross references supporting Experience Documentation	One per EAEF, no limit	After each EAEF
3. Experience Documentation	3a Project Form	Confirms project eligibility and your role and responsibility	One per project or experience, no limit	Before each project or experience

3b	Experience Documentation	Projects and experiences through which you gained competence	No limit	For each Experience Area
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EDUCATION DOSSIER OBJECTIVE & DESCRIPTION (continued)

- Dossier Base Forms Description** You are encouraged to review all forms and instructions prior to dossier preparation. You are responsible for ensuring that your dossiers comply with all the requirements.
- 1. General Forms**
- 1a-1d General Forms**
General forms include ARE® Division Checklist, Content Checklist, Resume, and Registration Form and require information necessary to confirm registration, comprehensive practice and responsible control, and project eligibility. Please ensure that all required information is provided, and if required all forms are signed and dated.
- 2. Demonstration of Competence**
- 2a Experience Area Evaluation Form**
The Experience Area Evaluation Form is designed for you to provide detailed descriptions of the practice experience gained in each project included in the dossier, as it relates to the ARE® Division Statement and ARE® Content Area(s) of each Experience Area. For description of the Division Statements and Content Area(s), you must refer to the Experience Area Criteria page of each Experience Area. You must describe their practice experience in their own words; descriptions should not be direct restatements of the Division Statements and/or Content Area definitions.
- You must clearly describe in detail your role and level of responsibility for all experience presented in your dossier and its relevance to the Experience Area. Work and professional decisions made by others must not be implied by any means to be your own work or decisions. It is important that you do not rely upon a title alone, such as “Project Architect” or a single statement of authorship as evidence of your level of responsibility for a project.
- 2b Index to Documentation Form**
The Index to Documentation Form is designed for you to provide a clear and direct cross reference to the location of all supporting Experience Documentation. This allows you to use one set of Experience Documentation to demonstrate competence in multiple Experience Areas.
- Experience Area Criteria**
Each Experience Area includes an ARE Division Statement and associated Content Areas, which outline the various criteria for which you will need to demonstrate knowledge and competence. You are required to demonstrate competence in all Content Areas.
- 3. Experience Documentation**
- 3a Project Form**
Experience must meet the definitions of *comprehensive practice* and *responsible control* and must be in the country in which you are credentialed.
- Projects in other settings are not eligible to be included in your dossier. Projects completed prior to registration are not eligible for inclusion in the dossier. Projects completed in a U.S. jurisdiction are not eligible.
- Projects which are the result of a group effort must include a description of your specific individual responsibilities. The complete and correct names of institutions, businesses, individuals, etc. must be provided for all documentation.
- 3b Experience Documentation**
Experience Documentation are samples of your practice experience and projects you provide to demonstrate competence. Examples of Experience Documentation may include but are not limited to: text, graphic, and photographic documentation of conceptual/schematic documents, code review documents, programming documents, design development documents, proposal documents, presentation documents, approval documents, contract negotiation documents, contract documents, contracts, etc.

EDUCATION DOSSIER OBJECTIVE & DESCRIPTION (continued)

Annotation of Documentation

You must annotate your documentation to include detailed information about the significance of each document and to identify key elements within each document that are related to the Content Areas of the Divisions of the ARE and the way in which it demonstrates your competence in all Experience Areas. You are also required to describe the general nature of modifications, if any, necessary to comply with typical U.S. building codes and laws including accessibility laws.

Annotation may be handwritten, inserted blocks of text, or in another form that is clear and legible to the reviewer. The purpose of annotation is to:

- Explain personal experience and involvement with a specific aspect of a project
- Point out key aspects of a specific document
- Highlight critical areas of design and decision-making or problem resolution
- Summarize key points of the document relative to the Experience Area Evaluation Form

You should only include documentation, descriptions, and annotations that are directly relevant to each Experience Area. Extraneous and superfluous documentation decrease the effectiveness of the dossier. For example, copies of an entire set of construction documents are not required if just a few sheets are sufficient to demonstrate competence.

Note: All documents and materials submitted in Experience Dossiers remain confidential unless you grant permission to NCARB for use in BEFA program materials. All submissions and submission materials become property of NCARB and will not be returned.

EXPERIENCE DOSSIER FORMAT & SUBMISSION REQUIREMENTS

Format and Submission Requirements

Dossiers must conform with the following format requirements:

1. Quantity requirements:
 - a. Four (4) identical complete dossiers must be submitted. Dossiers must conform to all format and submission requirements.
 - b. Four (4) identical CD-ROMs with a bookmarked PDF of the dossier must be submitted. CD-ROMs must be labeled with your name and NCARB Record number.
2. Dossier binder requirements:
 - a. 8½ inch x 11 inch size, portrait format, three-ring binder, maximum three-inch diameter rings.
 - b. Binder thickness/ring diameter must be appropriate for the amount of documents included.
 - c. Binders less than three-inch diameter rings are acceptable.
 - d. Binders greater than three-inch diameter rings are not acceptable.
3. Organization requirements:
 - a. Each binder must contain all dossier documents.
 - b. Dossier documents may not be divided into separate binders.
 - c. Dossiers must be well organized.
 - d. Individual divisions of dossiers must be divided using individual tab sheets with projecting tabs keyed to the Experience Area Evaluation Forms.
 - e. Documentation used to support the Experience Area Evaluation Forms must be clearly referenced, paginated, and annotated.
 - f. No more than one copy of supporting documentation may be included, even if the documentation is referenced in multiple Experience Areas; individual documentation may be referenced in multiple Experience Areas.
 - g. Entire sets of documents such as construction documents, contracts, etc. must not be included; representative examples of extensive documents must be selected.
4. Document format requirements:
 - a. All documents must be either 8½ x 11 inch pages or 11 x 17 inch pages folded to 8½ x 11 inches; documents of other sizes may not be included.
 - b. All standard forms must be 8½ x 11 inch pages portrait format.
 - c. 8½ x 11 inch page documentation of experience should be portrait format and 11 x 17 inch page documentation should be landscape format.
 - d. All 8½ x 11 inch size documents (including indices, forms, etc.) must be two-sided.
 - e. All documents must be copies; original documents and work must not be submitted.
 - f. Documents may not be submitted in plastic sleeves.
 - g. The minimum font size for all documents (indices, forms, etc.), other than Experience Documentation that may be reduced from larger documents, is 10 points. Samples of construction documents reduced to 8 ½ x 11 inch or 11 x 17 inch page are not required to conform to the minimum font size.

If your dossiers do not conform to format and submission requirements they will not be reviewed by the committee and will be returned to you.

The Education Directorate is available to clarify questions you may have regarding format and submission requirements; however it is your responsibility to review your entire dossier prior to submission to ensure that it meets all requirements. NCARB will not pre-review projects and/or dossier submittals.

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
National Council of Architectural Registration Boards

BEFA Applicant (name):	
NCARB no:	
Reviewer (name):	
Committee meeting:	
Review Due Date:	

BEFA Experience Areas:

- 1. Programming, Planning & Practice**
- 2. Site Planning & Design**
- 3. Building Design & Construction Systems**
- 4. Schematic Design**
- 5. Structural Systems**
- 6. Building Systems**
- 7. Construction Documents & Services**

Notes to the Reviewer:

1. *Please refer to the NCARB Evaluation of Record included with the applicant's BEFA file for information on the applicant's education, state(s) of registration, and professional experience.*
2. *The purpose of the Experience Dossier is to allow BEFA applicants to document foreign experience as a registered architect to satisfy the examination/registration requirement of NCARB Certification requirements. The reviewer/interviewer should use the Architect Registration Examination® (ARE®) Division Statements and Content Areas as a guide when reviewing a dossier or in the preparation of questions for an interview.*
3. *Please respond Yes or No to each question and provide comments in Yes or No column.*
4. *Review forms are for internal use only and are not released to applicants; however, comments from the form may be communicated to applicants in response to the applicant's questions about the review results, specifically rejection of dossiers. Reviewers are encouraged to note and record specific examples, projects, items, etc. upon which decisions are based. Use of bullet point/summary list form is encouraged to emphasize key information and specific references.*
5. *Review forms should be returned by e-mail to cschwarz@ncarb.org as an MSWord file (not PDF) so that they can be combined with other reviewers' comments and formatted for printing. A hard copy should be returned with the dossier.*

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
National Council of Architectural Registration Boards

BEFA Applicant (name):	
NCARB no:	
Reviewer (name):	
Committee meeting:	
Review Due Date:	

BEFA DOSSIER REVIEW

(Evaluation of the content of the candidate's dossier and of learning through experience)

1. Programming, Planning & Practice:			
The application of project development knowledge and skills relating to architectural programming; environmental, social, and economic issues; codes and regulations; and project and practice management.			
1. PROGRAMMING & ANALYSIS			
Assess client needs and requirements to develop master plan and program. Document design objectives including site characteristics, spatial and functional relationships, and building systems considerations. Establish preliminary project scope, phasing, budget, and schedule.			
2. ENVIRONMENTAL, SOCIAL, & ECONOMIC ISSUES			
Obtain and review site and building surveys. Assess physical, environmental, social, and economic issues and project impact. Develop project concepts utilizing sustainable principles, alternative energy systems, and new material technologies. Apply basic design principles and historic precedent.			
3. CODES & REGULATIONS			
Identify, analyze, and incorporate building codes, specialty codes, zoning, and other regulatory requirements. Manage regulatory approval process.			
4. PROJECT & PRACTICE MANAGEMENT			
Develop scope of services and project delivery method. Assess project budget and financing. Identify project team members including consultants. Document project meetings. Manage project schedule and design progress. Assist with construction procurement. Manage legal issues relating to practice including fees, insurance and professional services contracts.			
5. SITE ZONING (VIGNETTE)			
Delineate areas suitable for the construction of buildings and other site improvements responding to regulatory restrictions and programmatic requirements. Define a site profile and maximum buildable envelope based on zoning regulations and environmental constraints.			
<u>DOCUMENTATION</u> – Does the applicant's documentation of foreign experience satisfy the examination deficiency in Programming, Planning & Practice?			
YES		NO	
Comments:		Comments:	
<u>DESCRIPTION</u> – Does the applicant's description of foreign experience satisfy the examination deficiency in Programming, Planning & Practice?			
YES		NO	
Comments:		Comments:	
<u>SATISFACTION OF DEFICIENCY</u> – Has the applicant satisfied the examination deficiency in Programming, Planning & Practice?			
YES		NO	
Comments:		Comments:	

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
National Council of Architectural Registration Boards

BEFA Applicant (name):	
NCARB no:	
Reviewer (name):	
Committee meeting:	
Review Due Date:	

2. Site Planning & Design:	
The application of knowledge and skills of site planning and design including environmental, social, and economic issues, project and practice management.	
1. PRINCIPLES Review and assess sites. Incorporate the implication of human behavior, historic precedent, and design theory in the selection of systems, materials, and methods related to site design and construction.	
2. ENVIRONMENTAL ISSUES Interpret site and environmental conditions. Assess and apply systems, materials, and construction methods. Incorporate principles of sustainability. Assess design impact on human behavior.	
3. CODES & REGULATIONS Incorporate building codes, specialty codes, zoning, and other regulatory requirements in site design and construction.	
4. MATERIALS & TECHNOLOGY Analyze the implication of design decisions in the selection of systems, materials, and methods incorporated in site design and construction.	
5. PROJECT & PRACTICE MANAGEMENT Assess and administer site design, including construction sequencing, scheduling, cost, and risk management.	
6. SITE GRADING (VIGNETTE) Modify a site's topographical characteristics responding to programmatic and regulatory requirements.	
7. SITE DESIGN (VIGNETTE) Design a site, including building placement, parking, and vehicular and pedestrian circulation, responding to programmatic, functional, environmental, and setback requirements utilizing general site planning principles.	
DOCUMENTATION – Does the applicant’s documentation of foreign experience satisfy the examination deficiency in Site Planning & Design?	
YES Comments:	NO Comments:
DESCRIPTION – Does the applicant’s description of foreign experience satisfy the examination deficiency in Site Planning & Design?	
YES Comments:	NO Comments:
SATISFACTION OF DEFICIENCY – Has the applicant satisfied the examination deficiency in Site Planning & Design?	
YES Comments:	NO Comments:

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
National Council of Architectural Registration Boards

BEFA Applicant (name):	
NCARB no:	
Reviewer (name):	
Committee meeting:	
Review Due Date:	

3. Building Design & Construction Systems:	
The application of knowledge and skills of building design and construction, including environmental, social, and economic issues, project and practice management.	
1. PRINCIPLES Incorporate the implications of human behavior, historic precedent, and design theory in the selection of systems, materials, and methods related to building design and construction.	
2. ENVIRONMENTAL ISSUES Consider the principles of sustainable design including adaptive re-use, thermal and moisture protection, and hazardous material mitigation.	
3. CODES & REGULATIONS Incorporate building and specialty codes, zoning, and other regulatory requirements in building design and construction systems.	
4. MATERIALS & TECHNOLOGY Analyze the implication of design decisions in the selection of systems, materials, and methods incorporated in building design and construction.	
5. PROJECT & PRACTICE MANAGEMENT Assess the implication of construction sequencing, scheduling, cost, and risk management in the selection of systems, materials, and methods.	
7. ACCESSIBILITY/RAMP (VIGNETTE) Design a ramp and stairway connecting two levels that complies with accessibility and code requirements.	
8. STAIR DESIGN (VIGNETTE) Design a stairway connecting multiple levels that complies with accessibility and code requirements.	
9. ROOF PLAN (VIGNETTE) Design a sloped-roof plan for the removal of rainwater and locate accessories and equipment.	
<u>DOCUMENTATION</u> – Does the applicant’s documentation of foreign experience satisfy the examination deficiency in Building Design & Construction Systems?	
YES Comments:	NO Comments:
<u>DESCRIPTION</u> – Does the applicant’s description of foreign experience satisfy the examination deficiency in Building Design & Construction Systems?	
YES Comments:	NO Comments:
<u>SATISFACTION OF DEFICIENCY</u> – Has the applicant satisfied the examination deficiency in Building Design & Construction Systems?	
YES Comments:	NO Comments:

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
National Council of Architectural Registration Boards

BEFA Applicant (name):	
NCARB no:	
Reviewer (name):	
Committee meeting:	
Review Due Date:	

4. Schematic Design	
The application of knowledge and skills required for the schematic design of buildings and interior space planning.	
1. INTERIOR LAYOUT (VIGNETTE) Design an interior space plan and furniture arrangement responding to program, code, and accessibility requirements.	
2. BUILDING LAYOUT (VIGNETTE) Develop a schematic design for a two-story building addressing program, code, site, and environmental requirements.	
DOCUMENTATION – Does the applicant’s documentation of foreign experience satisfy the examination deficiency in Schematic Design?	
YES Comments:	NO Comments:
DESCRIPTION – Does the applicant’s description of foreign experience satisfy the examination deficiency in Schematic Design?	
YES Comments:	NO Comments:
SATISFACTION OF DEFICIENCY – Has the applicant satisfied the examination deficiency in Schematic Design?	
YES Comments:	NO Comments:

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
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BEFA Applicant (name):	
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Committee meeting:	
Review Due Date:	

5. Structural Systems:	
Identification and incorporation of general structural and lateral force principles in the design and construction of buildings.	
1. GENERAL STRUCTURES	
A. Principles Apply general structural principles to the design and construction of buildings.	
B. Materials & Technology Analyze the implications of design decisions in the selection of systems, materials, and construction details related to general structural design.	
C. Codes & Regulations Incorporate building codes, specialty codes, and other regulatory requirements in the design of general structural systems.	
2. SEISMIC FORCES	
A. Principles Apply lateral forces principles to the design and construction of buildings to resist seismic forces.	
B. Materials & Technology Analyze the implications of design decisions in the selection of systems, materials, and construction details related to seismic forces.	
C. Codes & Regulations Incorporate building codes, specialty codes, and other regulatory requirements related to seismic forces.	
3. WIND FORCES	
A. Principles Apply lateral forces principles to the design and construction of buildings to resist wind forces.	
B. Materials & Technology Analyze the implications of design decisions in the selection of systems, materials, and construction details related to wind forces.	
C. Codes & Regulations Incorporate building codes, specialty codes, and other regulatory requirements related to wind forces.	
4. LATERAL FORCES - GENERAL	
A. Principles Apply lateral forces principles to the design and construction of buildings.	
B. Materials & Technology Analyze the implications of design decisions in the selection of systems, materials, and construction details related to lateral forces.	
5. STRUCTURAL LAYOUT (VIGNETTE) Design a schematic framing plan for a one-story building with a multi-level roof.	
DOCUMENTATION – Does the applicant’s documentation of foreign experience satisfy the examination deficiency in Structural Systems?	
YES Comments:	NO Comments:
DESCRIPTION – Does the applicant’s description of foreign experience satisfy the examination deficiency in Structural Systems?	
YES Comments:	NO Comments:
SATISFACTION OF DEFICIENCY – Has the applicant satisfied the examination deficiency in Structural Systems?	
YES Comments:	NO Comments:

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
National Council of Architectural Registration Boards

BEFA Applicant (name):	
NCARB no:	
Reviewer (name):	
Committee meeting:	
Review Due Date:	

6. Building Systems:	
The evaluation, selection, and integration of mechanical, electrical, and specialty systems in building design and construction.	
1. CODES & REGULATIONS Incorporate building codes, specialty codes, and other regulatory requirements in the design of mechanical, electrical, and specialty systems.	
2. ENVIRONMENTAL ISSUES Apply sustainable design principles to the selection, design and construction of building systems.	
3. PLUMBING	
A. Principles Analyze and design plumbing systems.	
B. Materials & Technology Evaluate and select materials and construction details related to plumbing systems.	
4. HVAC	
A. Principles Analyze and design heating, ventilating, and air conditioning systems.	
B. Materials & Technology Evaluate and select materials and construction details related to heating, ventilating, and air conditioning systems.	
5. ELECTRICAL	
A. Principles Analyze and design electrical systems.	
B. Materials & Technology Evaluate and select materials and construction details related to electrical systems.	
6. LIGHTING	
A. Principles Analyze and design natural and artificial lighting systems.	
B. Materials & Technology Evaluate and select materials and construction details related to natural and artificial lighting systems.	
7. SPECIALTIES Evaluate, select, and design specialty systems for:	
A. Acoustics	
B. Communications & Security	
C. Conveying Systems	
D. Fire Detection & Suppression	
8. MECHANICAL & ELECTRICAL PLAN (VIGNETTE) Develop a reflected ceiling plan that integrates ceiling, lighting, mechanical, and structural systems and incorporates life safety considerations.	
DOCUMENTATION – Does the applicant’s documentation of foreign experience satisfy the examination deficiency in Building Systems?	
YES Comments:	NO Comments:
DESCRIPTION – Does the applicant’s description of foreign experience satisfy the examination deficiency in Building Systems?	
YES Comments:	NO Comments:
SATISFACTION OF DEFICIENCY – Has the applicant satisfied the examination deficiency in Building Systems?	

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
National Council of Architectural Registration Boards

BEFA Applicant (name):	
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Reviewer (name):	
Committee meeting:	
Review Due Date:	

YES Comments:	NO Comments:

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
National Council of Architectural Registration Boards

BEFA Applicant (name):	
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Reviewer (name):	
Committee meeting:	
Review Due Date:	

7. Construction Documents & Services:	
Application of project management and professional practice knowledge and skills, including the preparation of contract documents and contract administration.	
1. CODES & REGULATIONS Incorporate building codes, specialty codes, zoning, and other regulatory requirements in construction documents and services.	
2. ENVIRONMENTAL ISSUES Incorporate sustainable design principles, adaptive reuse concepts, alternative energy systems, new material technologies, and hazardous material mitigation in construction documents.	
3. CONSTRUCTION DRAWINGS & PROJECT MANUAL Prepare and coordinate construction drawings including building systems, product selection, and constructability. Prepare, coordinate, and review general and supplementary conditions and technical specifications.	
4. PROJECT & PRACTICE MANAGEMENT	
A. Cost Prepare estimates of probable construction cost. Consider cost implications of design decisions.	
B. Scheduling & Coordination Prepare and manage project schedule and coordinate all contract documents including those of consultants.	
C. Project Delivery (including submittals) Establish project delivery method. Provide contract administration documentation and services.	
D. Contracts & Legal Issues Review and administer professional services and construction contracts. Consider issues pertaining to practice including risk management and professional and business ethics.	
5. BUILDING SECTION (VIGNETTE) Delineate a building section that integrates structural, mechanical, and lighting.	
<u>DOCUMENTATION</u> – Does the applicant’s documentation of foreign experience satisfy the examination deficiency in Construction Documents & Services?	
YES Comments:	NO Comments:
<u>DESCRIPTION</u> – Does the applicant’s description of foreign experience satisfy the examination deficiency in Construction Documents & Services?	
YES Comments:	NO Comments:
<u>SATISFACTION OF DEFICIENCY</u> – Has the applicant satisfied the examination deficiency in Construction Documents & Services?	
YES Comments:	NO Comments:

BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) DOSSIER REVIEW
National Council of Architectural Registration Boards

BEFA Applicant (name):	
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Committee meeting:	
Review Due Date:	

SATISFACTION OF DEFICIENCIES – Has the applicant satisfied all examination deficiencies, as defined by the ARE® Division Statements and Content Areas?	
YES Comments:	NO Comments:

RECOMMENDATION	
INTERVIEW – Should the applicant be invited for an interview?	
YES Comments:	NO Comments:

CCR 121 Reciprocity Requirements - Summary

U.S. Candidates Must:

- a) Hold a current and valid license or registration as an architect in another U.S. jurisdiction (i.e., state, territory or possession of the United States)
- b) Have passed a written architectural licensing examination administered by that U.S. jurisdiction on or before January 1, 1966 *and* have engaged in the practice of architecture as a licensed architect for five or more years in one or more U.S. jurisdiction **OR** have passed an examination prepared by NCARB, comparable to the ARE (as determined by the Board)
- c) Have completed IDP of NCARB or IAP of Canada; **OR** submit a) proof of licensure in another U.S. jurisdiction, b) 3 years of documented architectural practice as a licensed architect in another U.S. jurisdiction, and c) documentation of five years of education equivalents; **OR** hold a current and valid Certification by NCARB
- d) Pass the CSE

Canadian Candidates Must:

- a) Hold a current and valid registration as an architect in a Canadian province
- b) Hold a current and valid Certification by NCARB
- c) Pass the CSE

U.K. Candidates Must:

- a) Hold a current and valid registration as an architect in the U.K.
- b) Hold a current and valid Certification issued on or before December 31, 1996 by NCARB
- c) Pass the CSE

§ 121 Form of Examinations; Reciprocity

All candidates for an architectural license shall be required to take and successfully complete the Architect Registration Examination (ARE) and the California Supplemental Examination subject to the following provisions:

- (a) (1) A candidate who is licensed as an architect in another United States jurisdiction, (i.e., state, territory or possession of the United States) either by having passed a written architectural licensing examination administered by that United States jurisdiction on or before January 1, 1966 and who has engaged in the practice of architecture as a licensed architect for five or more years in one or more United States jurisdiction or by having passed an examination prepared by the National Council of Architectural Registration Boards (NCARB), comparable to the ARE (as determined by the Board), shall be eligible for licensure upon passing the California Supplemental Examination as specified in Section 124 of these regulations.
 - (2) Effective January 1, 2005, such candidate shall prior to licensure (1) complete the Intern Development Program (IDP) of the National Council of Architectural Registration Boards (NCARB), as defined in the most recent edition of NCARB's Intern Development Program Guidelines (currently the 2003-2004 edition), or the Internship in Architecture Program (IAP) of Canada (currently the 1999 edition); or (2) submit to the Board (A) proof of licensure in another U.S. jurisdiction, (B) an Employment Verification Form on his or her own behalf documenting three years of architectural practice as a licensed architect in another U.S. jurisdiction, and, (C) documentation of five years of education equivalents. Both documents referred to in the preceding sentence are hereby incorporated by reference. A candidate who holds a current and valid Certification by NCARB shall be exempt from the IDP/IAP/CIDP requirement and the requirement to submit items (A) through (C) prescribed in this subdivision upon receipt in the Board office of the candidate's current and valid NCARB blue cover Certification file transmitted by NCARB.
- (b) (1) A candidate who is registered as an architect in a Canadian province and who holds a current and valid Certification issued by the National Council of Architectural Registration Boards shall be eligible for licensure upon passing the California Supplemental Examination as specified in Section 124 of these regulations.
 - (2) A candidate who is registered as an architect in the United Kingdom and who holds a current and valid Certification issued on or before December 31, 1996 by the National Council of Architectural Registration Boards shall be eligible for licensure upon passing the California Supplemental Examination as specified in Section 124 of these regulations.

Subdivision (a)(2), which contains provisions for the IDP/IAP/CIDP requirement, shall become inoperative on January 1, 2011, and, as of January 1, 2011, is repealed, unless a later enacted regulation, which becomes operative on or before January 1, 2011, deletes or extends the date on which it becomes inoperative and is repealed.

§ 30 Federal Employer Identification Number or Social Security Number Required of Licensee

- (a) Notwithstanding any other provision of law, any board, as defined in Section 22, and the State Bar and the Department of Real Estate shall at the time of issuance of the license require that any licensee provide its federal employer identification number, if the licensee is a partnership, or his or her social security number for all others.
- (b) Any licensee failing to provide the federal identification number or social security number shall be reported by the licensing board to the Franchise Tax Board and, if failing to provide after notification pursuant to paragraph (1) of subdivision (b) of Section 19528 of the Revenue and Taxation Code, shall be subject to the penalty provided in paragraph (2) of subdivision (b) of Section 19528 of the Revenue and Taxation Code.
- (c) In addition to the penalty specified in subdivision (b), a licensing board may not process any application for an original license unless the applicant or licensee provides its federal employer identification number or social security number where requested on the application.
- (d) A licensing board shall, upon request of the Franchise Tax Board, furnish to the Franchise Tax Board the following information with respect to every licensee:
 - (1) Name.
 - (2) Address or addresses of record.
 - (3) Federal employer identification number if the entity is a partnership or social security number for all others.
 - (4) Type of license.
 - (5) Effective date of license or a renewal.
 - (6) Expiration date of license.
 - (7) Whether license is active or inactive, if known.
 - (8) Whether license is new or a renewal.
- (e) For the purposes of this section:
 - (1) "Licensee" means any entity, other than a corporation, authorized by a license, certificate, registration, or other means to engage in a business or profession regulated by this code or referred to in Section 1000 or 3600.
 - (2) "License" includes a certificate, registration, or any other authorization needed to engage in a business or profession regulated by this code or referred to in Section 1000 or 3600.
 - (3) "Licensing board" means any board, as defined in Section 22, the State Bar, and the Department of Real Estate.
- (f) The reports required under this section shall be filed on magnetic media or in other machine-readable form, according to standards furnished by the Franchise Tax Board.
- (g) Licensing boards shall provide to the Franchise Tax Board the information required by this section at a time that the Franchise Tax Board may require.
- (h) Notwithstanding Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code, the social security number and federal employer identification number furnished pursuant to this section shall not be deemed to be a public record and shall not be open to the public for inspection.

Business and Professions Code

- (i) Any deputy, agent, clerk, officer, or employee of any licensing board described in subdivision (a), or any former officer or employee or other individual who in the course of his or her employment or duty has or has had access to the information required to be furnished under this section, may not disclose or make known in any manner that information, except as provided in this section to the Franchise Tax Board or as provided in subdivision (k).
- (j) It is the intent of the Legislature in enacting this section to utilize the social security account number or federal employer identification number for the purpose of establishing the identification of persons affected by state tax laws and for purposes of compliance with Section 17520 of the Family Code and, to that end, the information furnished pursuant to this section shall be used exclusively for those purposes.
- (k) If the board utilizes a national examination to issue a license, and if a reciprocity agreement or comity exists between the State of California and the state requesting release of the social security number, any deputy, agent, clerk, officer, or employee of any licensing board described in subdivision (a) may release a social security number to an examination or licensing entity, only for the purpose of verification of licensure or examination status.
- (l) For the purposes of enforcement of Section 17520 of the Family Code, and notwithstanding any other provision of law, any board, as defined in Section 22, and the State Bar and the Department of Real Estate shall at the time of issuance of the license require that each licensee provide the social security number of each individual listed on the license and any person who qualifies the license. For the purposes of this subdivision, "licensee" means any entity that is issued a license by any board, as defined in Section 22, the State Bar, the Department of Real Estate, and the Department of Motor Vehicles.

Assembly Bill No. 664

CHAPTER 610

An act to add Section 6060.6 to the Business and Professions Code, and to amend Section 1161.2 of the Code of Civil Procedure, relating to the State Bar of California.

[Approved by Governor October 6, 2005. Filed with
Secretary of State October 6, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AB 664, Jones. Administration of the State Bar.

(1) Existing law requires that an applicant for the issuance or renewal of a license to practice law, supply his or her social security number or, if a partnership, its federal employer identification number.

This bill would authorize, in specified circumstances, submission of a federal tax identification number or another identification number, as determined by the State Bar of California, in place of the applicant's social security number.

(2) In a summary proceeding for the possession of real property, existing law requires the court clerk to mail a specified notice to each defendant named in the eviction action. This notice is required to include, among other things, the name and telephone number of the county bar association and the name and telephone number of an office funded by the federal Legal Services Corporation that provides legal services to low-income persons in the county in which the action is filed.

This bill would permit that notice to include the name and telephone number of qualified legal services projects that receive specified funds distributed by the State Bar of California, in lieu of a legal services office funded by the federal Legal Services Corporation.

The people of the State of California do enact as follows:

SECTION 1. Section 6060.6 is added to the Business and Professions Code, to read:

6060.6. Notwithstanding Section 30 of this code and Section 17520 of the Family Code, the Committee of Bar Examiners may accept for registration, and the State Bar may process for an original or renewed license to practice law, an application from an individual containing a federal tax identification number, or other appropriate identification number as determined by the State Bar, in lieu of a social security number, if the individual is not eligible for a social security account number at the time of application and is not in noncompliance with a judgment or order for support pursuant to Section 17520 of the Family Code.

SEC. 2. Section 1161.2 of the Code of Civil Procedure, as amended by Chapter 75 of the Statutes of 2005, is amended to read:

1161.2. (a) The clerk may allow access to limited civil case records filed under this chapter, including the court file, index, and register of actions, only as follows:

- (1) To a party to the action, including a party's attorney.
- (2) To any person who provides the clerk with the names of at least one plaintiff and one defendant and the address of the premises, including the apartment or unit number, if any.
- (3) To a resident of the premises who provides the clerk with the name of one of the parties or the case number and shows proof of residency.
- (4) To any person by order of the court, which may be granted ex parte, on a showing of good cause.
- (5) To any other person 60 days after the complaint has been filed, unless a defendant prevails in the action within 60 days of the filing of the complaint, in which case the clerk may not allow access to any court records in the action, except as provided in paragraphs (1) to (4), inclusive.

(b) For purposes of this section, "good cause" includes, but is not limited to, the gathering of newsworthy facts by a person described in Section 1070 of the Evidence Code. It is the intent of the Legislature that a simple procedure be established to request the ex parte order described in subdivision (a).

(c) Upon the filing of any case so restricted, the court clerk shall mail notice to each defendant named in the action. The notice shall be mailed to the address provided in the complaint. The notice shall contain a statement that an unlawful detainer complaint (eviction action) has been filed naming that party as a defendant, and that access to the court file will be delayed for 60 days except to a party, an attorney for one of the parties, or any other person who (1) provides to the clerk the names of at least one plaintiff and one defendant in the action and provides to the clerk the address, including any applicable apartment, unit, or space number, of the subject premises, or (2) provides to the clerk the name of one of the parties in the action or the case number and can establish through proper identification that he or she lives at the subject premises. The notice shall also contain a statement that access to the court index, register of actions, or other records is not permitted until 60 days after the complaint is filed, except pursuant to an order upon a showing of good cause therefor. The notice shall contain on its face the name and telephone number of the county bar association and the name and telephone number of an office or offices funded by the federal Legal Services Corporation or qualified legal services projects that receive funds distributed pursuant to Section 6216 of the Business and Professions Code, that provide legal services to low-income persons in the county in which the action is filed. The notice shall state that these numbers may be called for legal advice regarding the case. The notice shall be issued between 24 and 48 hours of the filing of the complaint, excluding weekends and holidays. One copy of the notice shall be addressed to "all occupants" and mailed separately to the subject

premises. The notice shall not constitute service of the summons and complaint.

(d) Notwithstanding any other provision of law, the court shall charge an additional fee of fifteen dollars (\$15) for filing a first appearance by the plaintiff. This fee shall be added to the uniform filing fee for actions filed under this chapter.

(e) This section does not apply to a case that seeks to terminate a mobilehome park tenancy if the statement of the character of the proceeding in the caption of the complaint clearly indicates that the complaint seeks termination of a mobilehome park tenancy.



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

July 18, 2011

Mr. Richard Woonacott, Deputy Director - Division of Legislative & Policy Review
California Department of Consumer Affairs
1625 North Market Boulevard, Suite S204
Sacramento, CA 95834

RE: Business and Professions Code section (BPC) 30 - Reciprocity

Dear Richard:

I am writing to follow up on our conversation regarding Business and Professions Code section (BPC) 30 and its impact on candidates from other nations seeking licensure in California.

Our national association has informed us that BPC 30 is precluding candidates from Canada from becoming licensed as architects in California. Our research indicates that this contention is accurate, and is also an issue for all boards and bureaus under the Department of Consumer Affairs (DCA).

Since architecture is an increasingly global practice, and due to the shortage of architects that California firms encounter during robust economic conditions, the ability to hire architects from Sweden, Japan, etc. is invaluable. Being able to operate at maximum capacity enables California firms to export architectural services to other states and nations (rather than having to outsource functions outside of California or miss opportunities for new business all together).

The remedy would be to amend BPC 30 to permit applicants to provide an Individual Taxpayer Identification Number in lieu of a Social Security Number. Doing so provides the identifier needed for purposes of BPC 30, which is to have a means to find candidates in the event they have unpaid family support and/or tax obligations. I have asked the Franchise Tax Board to review the proposal and have been assured they have not identified any problems that would impact its legislative potential.

I should note that our research has discovered that the State Bar of California (Bar) has a specific statute to address BPC 30. BPC 6060.6 authorizes the Bar to process an application from an individual "containing a federal tax identification number, or other appropriate identification number as determined by the State Bar, in lieu of a social security number, if the

2420 DEL PASO ROAD,
SUITE 105
SACRAMENTO,
CA 95834

916-574-7220 T
916-575-7283 F

cab@dca.ca.gov
www.cab.ca.gov

July 18, 2011

Mr. Richard Woonacott, Deputy Director - Division of Legislative & Policy Review

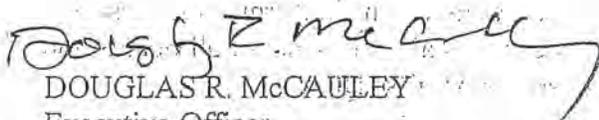
Page 2

individual is not eligible for a social security account number at the time of application and is not in noncompliance with a judgment or order for support pursuant to Section 17520 of the Family Code."

I raised this issue previously when Scott Reid was Chief Deputy Director and received DCA's support. Mr. Reid raised the issue to the State and Consumer Services Agency, where it was rejected, but no feedback was provided. I am hopeful that under the Brown Administration this issue can be reconsidered and sponsored by the DCA on behalf of all the boards and bureaus.

I have attached some background from legal counsel to the National Council of Architectural Registration Boards. I would be pleased to discuss this with you further so that a legislative remedy can be pursued in 2012.

Sincerely,


DOUGLAS R. McCAULEY
Executive Officer

cc: Brian Stiger, Director - Department of Consumer Affairs
Bill Gage, Chief Consultant - Senate Business, Professions and Economic Development Committee
G. V. Ayres, Consultant - Senate Business, Professions and Economic Development Committee
Ross Warren, Chief Consultant - Assembly Business and Professions Committee
Julie D'Angelo Fellmeth, Administrative Director - Center for Public Interest Law

Attachment

MEMORANDUM

TO: Daniel Taylor
FROM: Jarrett Barrios 
DATE: September 25, 2000
RE: Access to Social Security Numbers for the
Licensing of Foreign Architects

Massachusetts, among other states, requires architects and other professionals to provide a social security number to obtain licenses to practice within the Commonwealth.¹ Historically, a foreign architect -- someone living abroad or residing here temporarily with no intent of emigrating -- could apply for a social security number to satisfy this requirement.

In May of 1996, the Internal Revenue Service introduced a new type of taxpayer identification number called the Individual Taxpayer Identification Number ("ITIN"). The ITIN was instituted for issuance to non-immigrant aliens as a means of distinguishing them from citizens, lawful permanent residents and others legally authorized to work in the United States.

The introduction of the ITIN was not coordinated with state agencies. Many of these agencies had incorporated the words "social security number" into their licensure statutes. Accordingly, the inability of non-immigrant licensees to obtain -- or retain -- their social security numbers meant these licensees could no longer fulfill the requirements of these states. The ITIN did not satisfy the plain language of state statutes which required "social security numbers."

It was suggested to you, Carl Sapers and Charlie Baker of this firm that recent legislative activity may have corrected this unintended consequence of the IRS reform. I was asked to research the scope and impact of such legislation, and particularly to determine whether this "fix" actually "fixed" our problem.

The legislation which Hill & Barlow's AIA contact referenced is titled "Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998." P.L. 105-306 (Oct. 28, 1998). Section 5 of this Act, "Eligibility of Nonresident Aliens to Renew Professional Licenses," amends relevant sections of the 1996 Welfare Reform Act which, when passed in 1996, explicitly banned, inter alia, the issuance of professional licenses to foreign nationals.²

¹ Most notably, California requires this social security number. The California Board of Architectural Examiners recently denied a Canadian architect renewal of his license to practice in California because he could no longer comply with Section 30 of the state's business code, requiring him to provide a "social security number".

² Title IV of the Welfare Reform Act bans any alien "who is not a qualified alien" from receiving any Federal public benefit. P. L. 104-193 § 401(a). Federal benefit explicitly includes professional license issued by the United States or by appropriated funds of the United States. Id. at § 401(c)(1)(A).

Legislative history on the Welfare Reform Act made this intent manifest. "Noncitizens who are 'not qualified aliens' (generally illegal immigrants and students) are ineligible for all Federal public benefits [which] include professional license[s]." H. Conf. Rpt. 104-725.

The 1998 corrective legislation amended the Welfare Reform Act to permit "the issuance of a professional license to, or the renewal of a professional license by a foreign national not physically present in the United States." P.L. 105-306 §5(a) & (b). The intent of Congress, described in the House Way & Means Committee Report, was to "allow such nonresidents to obtain or renew professional licensure while abroad... It is the intent of the Committee that this amendment provide clarification for States that issue professional licenses [in light of the fact that] several professional societies have complained that States are misapplying the 1996 law by restricting access by foreign nationals to professional licenses in the United States." H. Rpt. 105-735 § II(5)(described in "Reason for Change").

Clearly, this legislation remedies one problem facing foreign architects: the ban on federal professional licenses. Nonetheless, by amending the Welfare Reform Act and not reaching the related, but separate, question of access to social security numbers, this remedy does not appear to solve the problem identified in the Haeryung Shin memorandum: the problem of architects' accessing a social security number, or persuading a state agency to accept an ITIN.¹ Accordingly, foreign architects would continue to need assistance in the state legislature or administration to authorize acceptance of ITINs, or to permit these workers to obtain a social security number.

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¹ This concern would appear to persist. Despite the admonition of the House Ways & Means Report that the 1998 law intends to "provide clarification for States that issue professional licenses," it fails to clarify or even mention the ancillary problem of the social security numbers.

Social Security Numbers For Noncitizens



Does a noncitizen need a Social Security number?

Unless you are a noncitizen who wants to work in the United States, you probably do not need a Social Security number.

Generally, only noncitizens authorized to work in the United States by the Department of Homeland Security (DHS) can get a Social Security number. Social Security numbers are used to report an individual's wages to the government and to determine a person's eligibility for Social Security benefits. You need a Social Security number to work, collect Social Security benefits and receive some other government services.

Lawfully admitted noncitizens can get many benefits and services without a Social Security number. You do not need a number to get a driver's license, register for school, obtain private health insurance, or to apply for school lunch programs or subsidized housing.

Some organizations use Social Security numbers to identify you in their records. Most, however, will identify you by some other means if you request it.

We cannot assign you a Social Security number solely so you can get a driver's license or a service that requires a credit check.

Although many companies, such as banks and credit companies, may ask for your Social Security number, you generally are not required to provide one if you don't have one.

How can I get a Social Security number and card?

There are two ways you can apply:

- You can apply in your home country before you come to the United States when filing an application for an immigrant visa with the U.S. Department of State. In almost all cases, if you apply for a Social Security number and card with your immigrant visa application, you do not have to visit a Social Security office in the

United States. (For more information, see www.socialsecurity.gov/ssnvisa); or

- You can visit a Social Security office in person.

If you are not an immigrant or did not apply for a Social Security number on your immigrant visa application, you must have your papers from DHS showing your U.S. immigration status and authorization to work in the United States. Then you should apply for a Social Security number and card by visiting an office. We recommend you wait 10 days after arriving in the United States to apply for a Social Security number. This will make it easier for us to verify your DHS documents online, which will speed processing of your Social Security number application. Applying for a Social Security number and card is free. To apply:

- Complete an *Application For A Social Security Card* (Form SS-5);
- Show us at least two original documents proving your:
 - Identity;
 - Work-authorized immigration status;
 - Age; and
- Take your completed application and original documents to your local Social Security office.

All documents must be either originals or copies certified by the issuing agency. We cannot accept photocopies or notarized copies of documents. We also cannot accept a receipt showing you applied for the document.

We may use one document for two purposes. For example, we may use your DHS work permit as proof of both your identity and work-authorized immigration status. Your birth certificate or passport may serve as proof of age. ***However, you must provide at least two separate documents.***

We will mail your number and card as soon as we have all of your information and have verified your documents with the issuing offices.

Identity and work-authorized immigration status

To prove your identity and work-authorized immigration status, show us your current U.S. immigration documents and your unexpired foreign passport. Acceptable immigration documents include your:

- Form I-551 (includes machine-readable immigrant visa);
- Form I-94 (*Arrival/Departure Record*) showing DHS work authorization; or
- Form I-766 (*Employment Authorization Card*).

Exchange visitors: If you are a J-1 or J-2 exchange visitor, we also need to see your DS-2019, *Certificate of Eligibility for Exchange Visitor Status*. If you are a J-1 student, student intern, or international visitor, you must provide a letter from your sponsor. The letter should be on sponsor letterhead with an original signature that authorizes your employment.

International students: If you are an F-1 or M-1 student, we need to see your Form I-20, *Certificate of Eligibility for Nonimmigrant Student Status*. For information on other documents students must provide, ask for *International Students And Social Security Numbers* (Publication No. 05-10181).

Age

You must present your foreign birth certificate if you have it or can get it within 10 business days. If not, we can consider other documents, such as your passport or a document issued by DHS, as evidence of your age.

What if I need a number for other reasons?

If you are not authorized by DHS to work in the United States, you can get a Social Security number only if you can prove you need it for a valid non-work reason. That might happen, for example, if a state or federal law requires you to have a Social Security number to obtain benefits to which you have already established entitlement.

If you need a number for tax purposes and you are not authorized to work in the United States, you can apply for an *Individual Taxpayer Identification Number* from the Internal Revenue Service (IRS). Visit IRS in person or call the IRS toll-free number, **1-800-TAXFORM (1-800-829-3676)**, and request Form W-7, *Application For An Individual Taxpayer Identification Number*.

If a business or government agency asks you for a Social Security number and you are not authorized to work in the United States, ask if they can identify you in some other way. In most cases, you will be able to get the service or license you need without a Social Security number.

Contacting Social Security

For more information and to find copies of our publications, visit our website at www.socialsecurity.gov or call toll-free, **1-800-772-1213** (for the deaf or hard of hearing, call our TTY number, **1-800-325-0778**). We treat all calls confidentially. We can answer specific questions from 7 a.m. to 7 p.m., Monday through Friday. We can provide information by automated phone service 24 hours a day.

We also want to make sure you receive accurate and courteous service. That is why we have a second Social Security representative monitor some telephone calls.

SOCIAL SECURITY ADMINISTRATION

Application for a Social Security Card

Applying for a Social Security Card is free!

USE THIS APPLICATION TO:

- Apply for an original Social Security card
- Apply for a replacement Social Security card
- Change or correct information on your Social Security number record

IMPORTANT: You MUST provide a properly completed application and the required evidence before we can process your application. We can only accept original documents or documents certified by the custodian of the original record. Notarized copies or photocopies which have not been certified by the custodian of the record are not acceptable. We will return any documents submitted with your application. For assistance call us at 1-800-772-1213 or visit our website at www.socialsecurity.gov.

Original Social Security Card

To apply for an original card, you must provide at least two documents to prove age, identity, and U.S. citizenship or current lawful, work-authorized immigration status. If you are not a U.S. citizen and do not have DHS work authorization, you must prove that you have a valid non-work reason for requesting a card. See page 2 for an explanation of acceptable documents.

NOTE: If you are age 12 or older and have never received a Social Security number, you must apply in person.

Replacement Social Security Card

To apply for a replacement card, you must provide one document to prove your identity. If you were born outside the U.S., you must also provide documents to prove your U.S. citizenship or current, lawful, work-authorized status. See page 2 for an explanation of acceptable documents.

Changing Information on Your Social Security Record

To change the information on your Social Security number record (i.e., a name or citizenship change, or corrected date of birth) you must provide documents to prove your identity, support the requested change, and establish the reason for the change. For example, you may provide a birth certificate to show your correct date of birth. A document supporting a name change must be recent and identify you by both your old and new names. If the name change event occurred over two years ago or if the name change document does not have enough information to prove your identity, you must also provide documents to prove your identity in your prior name and/or in some cases your new legal name. If you were born outside the U.S. you must provide a document to prove your U.S. citizenship or current lawful, work-authorized status. See page 2 for an explanation of acceptable documents.

LIMITS ON REPLACEMENT SOCIAL SECURITY CARDS

Public Law 108-458 limits the number of replacement Social Security cards you may receive to 3 per calendar year and 10 in a lifetime. Cards issued to reflect changes to your legal name or changes to a work authorization legend do not count toward these limits. We may also grant exceptions to these limits if you provide evidence from an official source to establish that a Social Security card is required.

IF YOU HAVE ANY QUESTIONS

If you have any questions about this form or about the evidence documents you must provide, please visit our website at www.socialsecurity.gov for additional information as well as locations of our offices and Social Security Card Centers. You may also call Social Security at 1-800-772-1213. You can also find your nearest office or Card Center in your local phone book.

EVIDENCE DOCUMENTS

The following lists are examples of the types of documents you must provide with your application and are not all inclusive. Call us at 1-800-772-1213 if you cannot provide these documents.

IMPORTANT : If you are completing this application on behalf of someone else, you must provide evidence that shows your authority to sign the application as well as documents to prove your identity and the identity of the person for whom you are filing the application. We can only accept original documents or documents certified by the custodian of the original record. Notarized copies or photocopies which have not been certified by the custodian of the record are not acceptable.

Evidence of Age

In general, you must provide your birth certificate. In some situations, we may accept another document that shows your age. Some of the other documents we may accept are:

- U.S. hospital record of your birth (created at the time of birth)
- Religious record established before age five showing your age or date of birth
- Passport
- Final Adoption Decree (the adoption decree must show that the birth information was taken from the original birth certificate)

Evidence of Identity

You must provide current, unexpired evidence of identity in your legal name. Your legal name will be shown on the Social Security card. Generally, we prefer to see documents issued in the U.S. Documents you submit to establish identity must show your legal name AND provide biographical information (your date of birth, age, or parents' names) **and/or** physical information (photograph, or physical description - height, eye and hair color, etc.). If you send a photo identity document but do not appear in person, the document must show your biographical information (e.g., your date of birth, age, or parents' names). Generally, documents without an expiration date should have been issued within the past two years for adults and within the past four years for children.

As proof of your identity, you must provide a:

- U.S. driver's license; or
- U.S. State-issued non-driver identity card; or
- U.S. passport

If you do not have one of the documents above or cannot get a replacement within 10 work days, we may accept other documents that show your legal name and biographical information, such as a U.S. military identity card, Certificate of Naturalization, employee identity card, certified copy of medical record (clinic, doctor or hospital), health insurance card, Medicaid card, or school identity card/record. For young children, we may accept medical records (clinic, doctor, or hospital) maintained by the medical provider. We may also accept a final adoption decree, or a school identity card, or other school record maintained by the school.

If you are not a U.S. citizen, we must see your current U.S. immigration document(s) and your foreign passport with biographical information or photograph.

WE CANNOT ACCEPT A BIRTH CERTIFICATE, HOSPITAL SOUVENIR BIRTH CERTIFICATE, SOCIAL SECURITY CARD STUB OR A SOCIAL SECURITY RECORD as evidence of identity.

Evidence of U.S. Citizenship

In general, you must provide your U.S. birth certificate or U.S. Passport. Other documents you may provide are a Consular Report of Birth, Certificate of Citizenship, or Certificate of Naturalization.

Evidence of Immigration Status

You must provide a current unexpired document issued to you by the Department of Homeland Security (DHS) showing your immigration status, such as Form I-551, I-94, or I-766. If you are an international student or exchange visitor, you may need to provide additional documents, such as Form I-20, DS-2019, or a letter authorizing employment from your school and employer (F-1) or sponsor (J-1). We CANNOT accept a receipt showing you applied for the document. If you are not authorized to work in the U.S., we can issue you a Social Security card only if you need the number for a valid non-work reason. Your card will be marked to show you cannot work and if you do work, we will notify DHS. See page 3, item 5 for more information.

HOW TO COMPLETE THIS APPLICATION

Complete and sign this application LEGIBLY using ONLY black or blue ink on the attached or downloaded form using only 8 ½" x 11" (or A4 8.25" x 11.7") paper.

GENERAL: Items on the form are self-explanatory or are discussed below. The numbers match the numbered items on the form. If you are completing this form for someone else, please complete the items as they apply to that person.

4. Show the month, day, and full (4 digit) year of birth; for example, "1998" for year of birth.

5. If you check "Legal Alien Not Allowed to Work" or "Other," you must provide a document from a U.S. Federal, State, or local government agency that explains why you need a Social Security number and that you meet all the requirements for the government benefit. NOTE: Most agencies do not require that you have a Social Security number. Contact us to see if your reason qualifies for a Social Security number.

6., 7. Providing race and ethnicity information is voluntary and is requested for informational and statistical purposes only. Your choice whether to answer or not does not affect decisions we make on your application. If you do provide this information, we will treat it very carefully.

9.B., 10.B. If you are applying for an original Social Security card for a child under age 18, you MUST show the parents' Social Security numbers unless the parent was never assigned a Social Security number. If the number is not known and you cannot obtain it, check the "unknown" box.

13. If the date of birth you show in item 4 is different from the date of birth currently shown on your Social Security record, show the date of birth currently shown on your record in item 13 and provide evidence to support the date of birth shown in item 4.

16. Show an address where you can receive your card 7 to 14 days from now.

17. WHO CAN SIGN THE APPLICATION? If you are age 18 or older and are physically and mentally capable of reading and completing the application, you must sign in item 17. If you are under age 18, you may either sign yourself, or a parent or legal guardian may sign for you. If you are over age 18 and cannot sign on your own behalf, a legal guardian, parent, or close relative may generally sign for you. If you cannot sign your name, you should sign with an "X" mark and have two people sign as witnesses in the space beside the mark. Please do not alter your signature by including additional information on the signature line as this may invalidate your application. Call us if you have questions about who may sign your application.

HOW TO SUBMIT THIS APPLICATION

In most cases, you can take or mail this signed application with your documents to any Social Security office. Any documents you mail to us will be returned to you. Go to

<https://secure.ssa.gov/apps6z/FOLO/fo001.jsp> to find the Social Security office or Social Security Card Center that serves your area.

PROTECT YOUR SOCIAL SECURITY NUMBER AND CARD

Protect your SSN card and number from loss and identity theft. DO NOT carry your SSN card with you. Keep it in a secure location and only take it with you when you must show the card; e.g., to obtain a new job, open a new bank account, or to obtain benefits from certain U.S. agencies. Use caution in giving out your Social Security number to others, particularly during phone, mail, email and Internet requests you did not initiate.

PRIVACY ACT STATEMENT

Collection and Use of Personal Information

Sections 205(c) and 702 of the Social Security Act, as amended, authorize us to collect this information. The information you provide will be used to assign you a Social Security number and issue a Social Security card.

The information you furnish on this form is voluntary. However, failure to provide the requested information may prevent us from issuing you a Social Security number and card.

We rarely use the information you supply for any purpose other than for issuing a Social Security number and card. However, we may use it for the administration and integrity of Social Security programs. We may also disclose information to another person or to another agency in accordance with approved routine uses, which include but are not limited to the following:

1. To enable a third party or an agency to assist Social Security in establishing rights to Social Security benefits and/or coverage;
2. To comply with Federal laws requiring the release of information from Social Security records (e.g., to the Government Accountability Office and Department of Veterans' Affairs);
3. To make determinations for eligibility in similar health and income maintenance programs at the Federal, State, and local level; and
4. To facilitate statistical research, audit or investigative activities necessary to assure the integrity of Social Security programs.

We may also use the information you provide in computer matching programs. Matching programs compare our records with records kept by other Federal, State, or local government agencies. Information from these matching programs can be used to establish or verify a person's eligibility for Federally-funded or administered benefit programs and for repayment of payments or delinquent debts under these programs.

Complete lists of routine uses for this information are available in System of Records Notice 60-0058 (Master Files of Social Security Number (SSN) Holders and SSN Applications). The Notice, additional information regarding this form, and information regarding our systems and programs, are available on-line at www.socialsecurity.gov or at any local Social Security office.

This information collection meets the requirements of 44 U.S.C. §3507, as amended by Section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take about 8.5 to 9.5 minutes to read the instructions, gather the facts, and answer the questions. You may send comments on our time estimate to: SSA, 6401 Security Blvd., Baltimore, MD 21235-6401. **Send only comments relating to our time estimate to this address, not the completed form.**

SOCIAL SECURITY ADMINISTRATION

Application for a Social Security Card

Form Approved
OMB No. 0960-0066

1	NAME TO BE SHOWN ON CARD	First	Full Middle Name	Last
	FULL NAME AT BIRTH IF OTHER THAN ABOVE	First	Full Middle Name	Last
	OTHER NAMES USED			

2	Social Security number previously assigned to the person listed in item 1	<input type="text"/>							
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3	PLACE OF BIRTH (Do Not Abbreviate) City State or Foreign Country	Office Use Only	4	DATE OF BIRTH MM/DD/YYYY
		FCI		

5	CITIZENSHIP (Check One)	<input type="checkbox"/> U.S. Citizen	<input type="checkbox"/> Legal Alien Allowed To Work	<input type="checkbox"/> Legal Alien Not Allowed To Work (See Instructions On Page 3)	<input type="checkbox"/> Other (See Instructions On Page 3)
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6	ETHNICITY Are You Hispanic or Latino? (Your Response is Voluntary) <input type="checkbox"/> Yes <input type="checkbox"/> No	7	RACE Select One or More (Your Response is Voluntary)	<input type="checkbox"/> Native Hawaiian	<input type="checkbox"/> American Indian	<input type="checkbox"/> Other Pacific Islander
				<input type="checkbox"/> Alaska Native	<input type="checkbox"/> Black/African American	<input type="checkbox"/> White
				<input type="checkbox"/> Asian		

8	SEX	<input type="checkbox"/> Male	<input type="checkbox"/> Female
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9	A. PARENT/ MOTHER'S NAME AT HER BIRTH	First	Full Middle Name	Last
	B. PARENT/ MOTHER'S SOCIAL SECURITY NUMBER (See instructions for 9 B on Page 3)	<input type="text"/>	<input type="text"/>	<input type="text"/>

				<input type="checkbox"/> Unknown
--	--	--	--	----------------------------------

10	A. PARENT/ FATHER'S NAME	First	Full Middle Name	Last
	B. PARENT/ FATHER'S SOCIAL SECURITY NUMBER (See instructions for 10B on Page 3)	<input type="text"/>	<input type="text"/>	<input type="text"/>

				<input type="checkbox"/> Unknown
--	--	--	--	----------------------------------

11	Has the person listed in item 1 or anyone acting on his/her behalf ever filed for or received a Social Security number card before?	<input type="checkbox"/> Yes (If "yes" answer questions 12-13)	<input type="checkbox"/> No	<input type="checkbox"/> Don't Know (If "don't know," skip to question 14.)
-----------	---	--	-----------------------------	---

12	Name shown on the most recent Social Security card issued for the person listed in item 1	First	Full Middle Name	Last

13	Enter any different date of birth if used on an earlier application for a card	MM/DD/YYYY
-----------	--	------------

14	TODAY'S DATE MM/DD/YYYY	15	DAYTIME PHONE NUMBER Area Code Number
-----------	-----------------------------------	-----------	---

16	MAILING ADDRESS (Do Not Abbreviate)	Street Address, Apt. No., PO Box, Rural Route No.		
		City	State/Foreign Country	ZIP Code

17	YOUR SIGNATURE	18	YOUR RELATIONSHIP TO THE PERSON IN ITEM 1 IS:			
			<input type="checkbox"/> Self	<input type="checkbox"/> Natural Or Adoptive Parent	<input type="checkbox"/> Legal Guardian	<input type="checkbox"/> Other Specify _____

DO NOT WRITE BELOW THIS LINE (FOR SSA USE ONLY)									
NPN		DOC		NTI		CAN		ITV	
PBC	EVI	EVA	EVC	PRA	NWR	DNR	UNIT		
EVIDENCE SUBMITTED						SIGNATURE AND TITLE OF EMPLOYEE(S) REVIEWING EVIDENCE AND/OR CONDUCTING INTERVIEW			
						DATE			
						DATE			



- [Individuals](#)
- [Businesses](#)
- [Charities & Non-Profits](#)
- [Government Entities](#)
- [Tax Professionals](#)
- [Retirement Plans Community](#)
- [Tax Exempt Bond Community](#)

General ITIN Information

Individuals Topics

- [Abusive Tax Shelters](#)
- [Appeal a Tax Dispute](#)
- [Taxpayer Rights](#)
- [More Topics ...](#)

IRS Resources

- [Compliance & Enforcement](#)
- [Contact My Local Office](#)
- [e-file](#)
- [Forms and Publications](#)
- [Newsroom](#)
- [Frequently Asked Questions](#)
- [Taxpayer Advocate Service](#)
- [Where To File](#)

What is an ITIN?

An Individual Taxpayer Identification Number (ITIN) is a tax processing number issued by the Internal Revenue Service. It is a nine-digit number that always begins with the number 9 and has a range of 70-88 in the fourth and fifth digit. Effective **April 12, 2011**, the range was extended to include 90-92 and 94-99 in the fourth and fifth digit, example 9XX-90-XXXX.

IRS issues ITINs to individuals who are required to have a U.S. taxpayer identification number but who do not have, and are not eligible to obtain a Social Security Number (SSN) from the Social Security Administration (SSA).

ITINs are issued regardless of immigration status because both resident and nonresident aliens may have a U.S. filing or reporting requirement under the Internal Revenue Code.

Individuals must have a filing requirement and file a valid federal income tax return to receive an ITIN, unless they meet an exception.

What is an ITIN used for?

ITINs are for federal tax reporting only, and are not intended to serve any other purpose. IRS issues ITINs to help individuals comply with the U.S. tax laws, and to provide a means to efficiently process and account for tax returns and payments for those not eligible for Social Security Numbers (SSNs).

An ITIN does not authorize work in the U.S. or provide eligibility for Social Security benefits or the Earned Income Tax Credit.

Who needs an ITIN?

IRS issues ITINs to foreign nationals and others who have federal tax reporting or filing requirements and do not qualify for SSNs. A non-resident alien individual not eligible for a SSN who is required to file a U.S. tax return only to claim a refund of tax under the provisions of a U.S. tax treaty needs an ITIN.

Other examples of individuals who need ITINs include:

- A nonresident alien required to file a U.S. tax return
- A U.S. resident alien (based on days present in the United States) filing a U.S. tax return
- A dependent or spouse of a U.S. citizen/resident alien
- A dependent or spouse of a nonresident alien visa holder

How do I know if I need an ITIN?

If you do not have a SSN and are not eligible to obtain a SSN, but you have a requirement to furnish a federal tax identification number or file a federal income tax return, you must apply for an ITIN.

If you have an application for a SSN pending, do not file Form W-7. Complete Form W-7 only if the Social Security Administration (SSA) notifies you that a SSN cannot be issued.

To obtain a SSN, see Form SS-5, Application for a Social Security Card. To get Form SS-5 or to find out if you are eligible to obtain a SSN, go to [Social Security Administration Website](#) or contact a SSA office. By law, an alien individual cannot have both an ITIN and a SSN.

IRS processes returns showing SSNs or ITINs in the blanks where tax forms request SSNs. IRS no longer accepts, and will not process, forms showing "SSA205c," "applied for," "NRA," blanks, etc.

How do I apply for an ITIN?

Use the latest revision of Form W-7, [Application for IRS Individual Taxpayer Identification Number](#) to apply. Attach a valid federal income tax return, unless you qualify for an exception, and include your original, notarized, or certified proof of identity and foreign status documents.

Because you are filing your tax return as an attachment to your ITIN application, you should not mail your return to the address listed in the Form 1040, 1040A or 1040EZ instructions. Instead, send your return, Form W-7 and proof of identity and foreign status documents to:

Internal Revenue Service
Austin Service Center
ITIN Operation
P.O. Box 149342
Austin, TX 78714-9342

You may also apply using the services of an IRS-authorized [Acceptance Agent](#) or visit an IRS [Taxpayer Assistance Center](#) in lieu of mailing your information to the IRS in Austin. Taxpayer Assistance Centers (TACs) in the United States provide in-person help with ITIN applications on a walk-in or appointment basis. Applicants outside the United States should contact an overseas IRS office to find out if that office accepts Form W-7 applications. The IRS's ITIN Unit in Austin issues all numbers by mail.

When should I apply for an ITIN?

You should complete Form W-7 as soon as you are ready to file your federal income tax return, since you need to attach the return to your application.

If you meet one of the exceptions to the tax filing requirement, submit Form W-7, along with the documents that prove your identity and foreign status and the required supplemental documents to substantiate your qualification for the exception, as soon as possible after you determine that you are covered by that exception.

You can apply for an ITIN any time during the year; however, if the tax return you attach to Form W-7 is filed after the return's due date, you may owe interest and/or penalties. You should file your current year return by the prescribed due date to avoid this.

Where can I get help with my ITIN application?

You may call the IRS toll-free at 1-800-829-1040 for information and help in completing your Form W-7 and your tax return, or to check on the status of your application six weeks after submitting Form W-7.

Assistance is also available at IRS [Taxpayer Assistance Centers](#) in the United States to provide in-person help with ITIN applications on a walk-in or appointment basis. Applicants outside the United States may contact an overseas IRS office to find out if that office accepts Form W-7 applications.

You may also use the services of an IRS-authorized [Acceptance Agent](#).

How and when can I expect to receive my ITIN?

If you qualify for an ITIN and your application is complete, you will receive a letter from the IRS assigning your tax identification number, usually within six weeks. If you have not received your ITIN or other correspondence six weeks after applying, you may call the IRS toll-free number at 1-800-829-1040 to request the status of your application.

Page Last Reviewed or Updated: November 01, 2011

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Instructions for Form W-7

(Rev. January 2011)



Department of the Treasury
Internal Revenue Service

(Use with the January 2010 revision of Form W-7.)

Application for IRS Individual Taxpayer Identification Number

Section references are to the Internal Revenue Code unless otherwise noted.

General Instructions

Purpose of Form

Use Form W-7 to apply for an IRS individual taxpayer identification number (ITIN). An ITIN is a nine-digit number issued by the U.S. Internal Revenue Service (IRS) to individuals who are required for U.S. tax purposes to have a U.S. taxpayer identification number but who do not have and are not eligible to get a social security number (SSN).

The ITIN is for federal tax purposes only. It does not entitle you to social security benefits and does not change your immigration status or your right to work in the United States. Also, individuals filing tax returns using an ITIN are not eligible for the earned income credit (EIC).

SSNs. Do not complete Form W-7 if you have an SSN or you are eligible to get an SSN. You are eligible for an SSN if you are a U.S. citizen or if you have been admitted by the United States for permanent residence or U.S. employment.

To get an SSN, see Form SS-5, Application for a Social Security Card. To get Form SS-5 or to find out if you are eligible to get an SSN, go to www.socialsecurity.gov or contact a Social Security Administration (SSA) office.

If you have an application for an SSN pending, do not file Form W-7. Complete Form W-7 only if the SSA notifies you that an SSN cannot be issued.

If the SSA will not issue you an SSN, you must get a letter of denial and attach it to your Form W-7. This applies whether you are attaching Form W-7 to your federal tax return or requesting an ITIN under one of the exceptions. However, students, professors, and researchers, see information for box "f" on page 3.

Who Must Apply

Any individual who is not eligible to get an SSN but who must furnish a taxpayer identification number must apply for an ITIN on Form W-7. Examples include the following.

- A nonresident alien individual eligible to get the benefit of reduced withholding under an income tax treaty. See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.
- A nonresident alien individual not eligible for an SSN who is required to file a U.S. tax return or who is filing a U.S. tax return only to claim a refund.
- A nonresident alien individual not eligible for an SSN who elects to file a joint U.S. tax return with a spouse who is a U.S. citizen or resident alien.
- A U.S. resident alien (based on the substantial presence test) who files a U.S. tax return but who is not eligible for an SSN. For information about the substantial presence test, see Pub. 519, U.S. Tax Guide for Aliens.
- An alien spouse claimed as an exemption on a U.S. tax return who is not eligible to get an SSN.
- An alien individual eligible to be claimed as a dependent on a U.S. tax return but who is not eligible to get an SSN. To determine if an alien individual is eligible to be claimed as a dependent on a U.S. tax return, see Pub. 501, Exemptions, Standard Deduction, and Filing Information, and Pub. 519.

- A nonresident alien student, professor, or researcher who is required to file a U.S. tax return but who is not eligible for an SSN, or who is claiming an exception to the tax return filing requirement.
- A dependent/spouse of a nonresident alien holding a U.S. visa who is not eligible for an SSN.

Deceased Taxpayers

When requesting an ITIN for a deceased taxpayer, the deceased must meet all of the requirements established to get an ITIN. Also, you must write "Deceased" across the top of the Form W-7 and attach the additional documentation shown in the following chart.

IF you are:	THEN you must attach:
The surviving spouse filing an original or amended joint return with your deceased spouse	<ul style="list-style-type: none">• Form W-7,• A U.S. individual income tax return,• Documentation substantiating the identity and foreign status of the deceased, and• A copy of the certificate of death.
The court-appointed executor or administrator of the deceased's estate filing an original tax return on behalf of the deceased	<ul style="list-style-type: none">• Form W-7,• A U.S. individual income tax return,• Documentation substantiating the identity and foreign status of the deceased*, and• A court certificate showing your appointment.
Neither the surviving spouse nor the court-appointed executor or administrator of the deceased's estate	<ul style="list-style-type: none">• Form W-7,• A U.S. individual income tax return,• Documentation substantiating the identity and foreign status of the deceased*,• Form 1310 (if a refund is due), and• A copy of the certificate of death.

* If the Form W-7 is for a deceased individual under 18 years of age, one of the documents proving identity and/or foreign status must be a birth certificate, unless a passport is submitted.

ITIN not needed for Forms 4868, 1040-ES, or 1040-ES (NR).

If you are filing an application for an extension of time to file using Form 4868, or making an estimated tax payment using Form 1040-ES or Form 1040-ES (NR), do not file Form W-7 with those forms. Enter "ITIN TO BE REQUESTED" wherever your SSN or ITIN is requested. An ITIN will be issued only after you file a tax return and meet all other requirements.

Additional Information

Publications. In addition to Pubs. 501, 515, and 519 mentioned earlier, see Pub. 1915, Understanding Your IRS Individual Taxpayer Identification Number (ITIN), for more information.

These publications are available free from the IRS. To order the publications, call 1-800-TAX-FORM (1-800-829-3676) if you are in the United States. If you have a foreign address, write to:

Internal Revenue Service
1201 N. Mitsubishi Motorway
Bloomington, IL 61705-6613

You also can get these publications at IRS.gov.

Telephone help. If, after reading these instructions and our free publications, you are not sure how to complete your application or have additional questions, call 1-800-829-1040 if you are in the United States. If you are outside the United States, call 267-941-1000 (not a toll-free number) or contact our overseas offices in Beijing, Frankfurt, London, or Paris.

How To Apply

Your application must include all of the following.

1. Your completed Form W-7.

Note. If you submit a Form W-7, all later ITIN notices and correspondence that you receive will be in English. If you prefer to receive them in Spanish, please submit Form W-7(SP).

2. Your original, completed tax return(s) for which the ITIN is needed. Attach Form W-7 to the front of your tax return. If you are applying for more than one ITIN for the same tax return (such as for a spouse or dependent(s)), attach all Forms W-7 to the same tax return. After your Form W-7 has been processed, the IRS will assign an ITIN to the return and process the return.

TIP *There are exceptions to the requirement to include a U.S. tax return. If you claim one of these exceptions, you must submit the documentation required instead of a tax return. See the Exceptions Tables beginning on page 6.*

3. The original documents, or certified or notarized copies of documents, that substantiate the information provided on the Form W-7. The supporting documentation must be consistent with the applicant's information provided on Form W-7. For example, the name, date of birth, and country(ies) of citizenship must be the same as on Form W-7, lines 1a, 4, and 6a.

TIP *To avoid any loss of your documents, it is suggested you do not submit the original documentation.*

You can submit copies of original documents if you do any of the following.

- Have the copies certified by the issuing agency or official custodian of the original record.
- Have the copies notarized by a U.S. notary public legally authorized within his or her local jurisdiction to certify that the document is a true copy of the original. To do this, the notary must see the valid, unaltered, original document and verify that the copy conforms to the original. Consular offices at U.S. Embassies and Consulates overseas may not certify true copies of foreign public documents and will refer applicants to the foreign authority that issued the document.
- Have the copies notarized by a foreign notary. However, foreign notaries are only acceptable as outlined by the Hague Convention. The Hague Convention provides for the simplified certification of public (including notarized) documents to be used in countries that have joined the Convention. A certification will be issued in the form of an "apostille," which will be attached to the copy of the document. If the document originates in a country that is not party to the Convention, applicants should have the document certified by the foreign authority that issued it.

Note. The apostille must stay attached to the copy of the document when it is sent to the IRS.

CAUTION *Photocopies of documents must bear an original authentic certified or notarized seal/stamp placed there by the proper authority. Photocopies of previously notarized or certified documents are not acceptable and will be returned to the applicant.*

TIP *Original documents you submit will be returned to you at the mailing address shown on your Form W-7. You do not need to provide a return envelope. If your original documents are not returned within 60 days, you can call the IRS (see Telephone help above). Copies of documents will not be returned. If you will need your documents for any purpose within 60 days of submitting your ITIN application, you may wish to apply in person at an IRS Taxpayer Assistance Center. See Where To Apply on page 3. Your documents will be*

reviewed by an IRS employee in this office and returned to you immediately.

If you submit an original valid passport (or a notarized or certified copy of a valid passport), you do not need to submit any other documents. Otherwise, you must submit at least two of the documents listed below. The documents must be current*, verify your identity (that is, contain your name), and support your claim of foreign status. If you submit copies of documents that display information on both sides, copies of both the front and back must be attached to the Form W-7. At least one document must contain your photograph, but a photograph is not required if documents are submitted for a dependent under age 14 (under age 18 if a student). Do not attach expired documents.

*Current documents are:

- Civil birth certificates—since civil birth certificates do not contain an expiration date, they are considered current at all times.
- Passports and national identification cards—these documents will be considered current only if their expiration date has not passed prior to the date the Form W-7 is submitted.
- School and medical records—these documents are valid for dependents under the age of 14 (under age 18 if a student) and are considered current only if the date shown on the document is not more than 1 year prior to the date the Form W-7 is submitted.

Supporting Documentation	Can be used to establish:	
	Foreign status	Identity
Passport (the only stand-alone document)	x	x
U.S. Citizenship and Immigration Services (USCIS) photo identification	x	x
Visa issued by U.S. Department of State	x	x
U.S. driver's license		x
U.S. military identification card		x
Foreign driver's license		x
Foreign military identification card	x	x
National identification card (must be current and contain name, photograph, address, date of birth, and expiration date)	x	x
U.S. state identification card		x
Foreign voter's registration card	x	x
Civil birth certificate	x*	x
Medical records (valid only for dependents under age 14 (under age 18 if a student))	x*	x
School records (valid only for dependents under age 14 (under age 18 if a student))	x*	x
* Can be used to establish foreign status only if they are foreign documents.		

Note. Documentation submitted for a dependent must include a civil birth certificate (unless a passport is submitted).

Keep a copy of your application for your records.

When To Apply

Complete and attach Form W-7 when you file the tax return for which the ITIN is needed. However, if you meet one of the exceptions described later under *h. Other*, complete and submit Form W-7 as soon as possible after you determine you are covered by that exception.

Allow 6 weeks for the IRS to notify you of your ITIN (8 to 10 weeks if you submit documents during peak processing periods (January 15 through April 30) or if you are filing from overseas). If you have not received your ITIN or correspondence at the end of that time, you can call the IRS to find out the status of your application (see *Telephone help* on page 2).

Where To Apply

By mail. Mail Form W-7, your tax return (or other documents required by an exception), and the documentation described in item (3) and listed in the chart under *How To Apply* on page 2 to:

Internal Revenue Service
ITIN Operation
P.O. Box 149342
Austin, TX 78714-9342



Do not use the mailing address in the instructions for your tax return.

Private delivery services. If you use a private delivery service to submit your Form W-7, use the following address:

Internal Revenue Service
ITIN Operation
Mail Stop 6090-AUSC
3651 S. Interregional, Hwy 35
Austin, TX 78741-0000

In person. You can apply for an ITIN by bringing your completed forms and documentation to any IRS Taxpayer Assistance Center in the United States or IRS office abroad. Information on our overseas offices can be found in Pub. 1915 or at IRS.gov.

Through acceptance agent. You also can apply through an acceptance agent authorized by the IRS. An acceptance agent can help you complete and file Form W-7. To get a list of agents, visit IRS.gov and enter “*acceptance agent program*” in the search box at the top of the page.

Specific Instructions

If you are completing this form for someone else, answer the questions as they apply to that person.

Reason For Applying

You must check the box to indicate the reason you are completing Form W-7. If more than one box applies to you, check the box that best explains your reason for submitting Form W-7.

Note. If you check box “a” or “f,” then box “h” may also be checked. If applicable, you also must enter the treaty country and treaty article. For more information on treaties, see Pub. 901, U.S. Tax Treaties.

a. Nonresident alien required to get an ITIN to claim tax treaty benefit. Certain nonresident aliens must get an ITIN to claim a tax treaty benefit even if they do not have to file a U.S. tax return. If you check this box to claim the benefits of a U.S. income tax treaty with a foreign country, also check box h. On the dotted line next to box h, enter the appropriate designation for Exception 1 or 2, whichever applies (see *Exception 1* and *Exception 2* under *Exceptions*, later). Identify the exception by its number, alpha subsection, and category under which you are applying (for example, enter “Exception 1d-Pension Income” or “Exception 2d-Gambling Winnings”). Also, enter the name of the treaty country and treaty article number in the appropriate entry spaces below box h and attach the documents required under whichever exception applies. For more details on tax treaties, see Pub. 901.

b. Nonresident alien filing a U.S. tax return. This category includes:

- A nonresident alien who must file a U.S. tax return to report income effectively or not effectively connected with the conduct of a trade or business in the United States, and

- A nonresident alien who is filing a U.S. tax return only to get a refund.

c. U.S. resident alien (based on days present in the United States) filing a U.S. tax return. A foreign individual living in the United States who does not have permission to work from the USCIS, and is thus ineligible for an SSN, may still be required to file a U.S. tax return. These individuals must check this box.

d. Dependent of a U.S. citizen/resident alien. This is an individual who can be claimed as a dependent on a U.S. tax return and is not eligible to get an SSN.

Note. If you live abroad and requested an Adoption Taxpayer Identification Number (ATIN) for a foreign child you adopted or who has been legally placed in your home pending adoption and that request was denied, your dependent may be eligible for an ITIN. When submitting your Form W-7, ensure you include a copy of the legal documents evidencing your relationship to the child.

e. Spouse of a U.S. citizen/resident alien. This category includes:

- A resident or nonresident alien husband or wife who is not filing a U.S. tax return (including a joint return) and who is not eligible to get an SSN but who, as a spouse, is claimed as an exemption, and
- A resident or nonresident alien electing to file a U.S. tax return jointly with a spouse who is a U.S. citizen or resident alien.

f. Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception. This is an individual who has not abandoned his or her residence in a foreign country and who is a bona fide student, professor, or researcher coming temporarily to the United States solely to attend classes at a recognized institution of education, to teach, or to perform research. If you check this box, you must complete lines 6c and 6g and provide your passport with a valid U.S. visa. If you are present in the United States on a work-related visa (F-1, J-1, or M-1), but will not be employed (that is, your presence in the United States is study-related), you can choose to attach a letter from the Designated School Official or Responsible Officer instead of applying with the SSA for an SSN. The letter must clearly state that you will not be securing employment while in the United States and your presence here is solely study-related. This letter can be submitted instead of a Social Security denial letter if you are filing a tax return with this Form W-7 or claiming Exception 2. If you check this box to claim an exception under the benefits of a U.S. income tax treaty with a foreign country, also check box h. On the dotted line next to box h, enter the appropriate designation for Exception 2 (see page 4). Identify the exception by its number, alpha subsection, and category under which you are applying (for example, enter “Exception 2b-Scholarship Income and claiming tax treaty benefits” or “Exception 2c-Scholarship Income”). Also, enter the name of the treaty country and the treaty article number in the appropriate entry spaces below box h (if applicable) and attach the documents required under Exception 2.

g. Dependent/spouse of a nonresident alien holding a U.S. visa. This is an individual who can be claimed as a dependent or a spouse on a U.S. tax return, who is unable, or not eligible, to get an SSN, and who has entered the United States with a nonresident alien holding a U.S. visa.

h. Other. If the reason for your ITIN request is not described in boxes a through g, check this box. Describe in detail your reason for requesting an ITIN and attach supporting documents.

Frequently, third parties (such as banks and other financial institutions) that are subject to information reporting and withholding requirements will request an ITIN from you to enable them to file information returns required by law. If you are requesting an ITIN for this reason, you may be able to claim one of the exceptions described on page 4. Enter on the dotted line next to box h the exception that applies to you. Identify the exception by its number, alpha subsection (if applicable), and

category under which you are applying (for example, enter "Exception 1a-Partnership Interest" or "Exception 3-Mortgage Interest"). Examples of completed Forms W-7 can be found in Pub. 1915. You will not need to attach a tax return to your Form W-7.

Exceptions. For more detailed information regarding the exception(s) that may apply to you, see the *Exceptions Tables* beginning on page 6.

Exception 1. Passive income—third party withholding or tax treaty benefits. This exception may apply if you are the recipient of partnership income, interest income, annuity income, or other passive income that is subject to third party withholding or covered by tax treaty benefits. See the *Exceptions Tables* on page 6 for information on the requirements for claiming Exception 1.

Information returns applicable to Exception 1 may include the following.

- Form 1042-S, Foreign Person's U.S. Source Income Subject to Withholding.
- Form 1099-INT, Interest Income.
- Form 8805, Foreign Partner's Information Statement of Section 1446 Withholding Tax.
- Schedule K-1 (Form 1065), Partner's Share of Income, Deductions, Credits, etc.

Exception 2. Other income.

 *Applicants receiving compensation for personal services performed in the United States, or issued a U.S. visa that is valid for employment, should first apply for an SSN with the SSA. You are not eligible for an ITIN if you are eligible to get an SSN.*

This exception may apply if:

1. You are claiming the benefits of a U.S. income tax treaty with a foreign country and you receive any of the following:
 - a. Wages, salary, compensation, and honoraria payments,
 - b. Scholarships, fellowships, and grants, or
 - c. Gambling income, or
2. You are receiving taxable scholarship, fellowship, or grant income, but not claiming the benefits of an income tax treaty.

See the *Exceptions Tables* on pages 6 through 8 for information on the requirements for claiming Exception 2. Information returns applicable to Exception 2 may include Form 1042-S.

Exception 3. Mortgage interest—third party reporting. This exception may apply if you have a home mortgage loan on real property you own in the United States that is subject to third party reporting of mortgage interest. See the *Exceptions Tables* on page 8 for information on the requirements for claiming Exception 3. Information returns applicable to Exception 3 may include Form 1098, Mortgage Interest Statement.

Exception 4. Dispositions by a foreign person of U.S. real property interest—third party withholding. This exception may apply if you are a party to a disposition of a U.S. real property interest by a foreign person, which is generally subject to withholding by the transferee or buyer (withholding agent). See the *Exceptions Tables* on page 8 for information on the requirements for claiming Exception 4. Information returns applicable to Exception 4 may include the following.

- Form 8288, U.S. Withholding Tax Return for Dispositions by Foreign Persons of U.S. Real Property Interests.
- Form 8288-A, Statement of Withholding on Dispositions by Foreign Persons of U.S. Real Property Interests.
- Form 8288-B, Application for Withholding Certificate for Dispositions by Foreign Persons of U.S. Real Property Interests.

Exception 5. Treasury Decision (TD) 9363. This exception may apply if you have an IRS reporting requirement under TD 9363 and are submitting Form W-7 with Form 13350. See the *Exceptions Tables* on page 8 for information on the requirements for claiming Exception 5.

Line Instructions

Enter N/A (not applicable) on all lines that do not apply to you. **Do not** leave any lines blank.

Line 1a. Enter your legal name on line 1a as it appears on your documents. This entry should reflect your name as it will appear on a U.S. tax return.



Your ITIN will be established using this name. If you do not use this name on the U.S. tax return, the processing of the U.S. tax return may be delayed.

Line 1b. Enter your name as it appears on your birth certificate if it is different from your entry on line 1a.

Line 2. Enter your complete mailing address on line 2. This is the address the IRS will use to return your original documents and send written notification of your ITIN.

Note. If the U.S. Postal Service will not deliver mail to your physical location, enter the U.S. Postal Service's post office box number for your mailing address. Contact your local U.S. Post Office for more information. Do not use a post office box owned and operated by a private firm or company.

Line 3. Enter your complete foreign (non-U.S.) address in the country where you permanently or normally reside if it is different from the address on line 2. If you no longer have a permanent residence, due to your relocation to the United States, enter only the foreign country where you last resided on line 3. If you are claiming a benefit under an income tax treaty with the United States, line 3 must show the treaty country.



Do not use a post office box or an "in care of" (c/o) address instead of a street address on line 2 if you are entering just a "country" name on line 3. If you do, your application will be rejected.

Line 4. To be eligible for an ITIN, your birth country must be recognized as a foreign country by the U.S. Department of State.

Line 6a. Enter the country or countries (in the case of dual citizenship) in which you are a citizen. Enter the complete country name; do not abbreviate.

Line 6b. If your country of residence for tax purposes has issued you a tax identification number, enter that number on line 6b. For example, if you are a resident of Canada, enter your Canadian Social Insurance Number.

Line 6c. Enter only U.S. nonimmigrant visa information. Include the USCIS classification, number of the U.S. visa, and the expiration date in month/day/year format. For example, if you have an F-1/F-2 visa with the number 123456 that has an expiration date of December 31, 2012, enter "F-1/F-2," "123456," and "12/31/2012" in the entry space. Individuals in possession of an I-20/I-94 document(s) should attach a copy to their Form W-7.

Note. If the visa has been issued under a "duration of stay" label by USCIS, enter "D/S" as the expiration date.

Line 6d. Check the box indicating the type of document(s) you are submitting to prove your foreign status and identity. You must submit documents as explained in item (3) under *How To Apply* on page 2. Enter the name of the state or country or other issuer, the identification number (if any) appearing on the document(s), the expiration date, and the date on which you entered the United States. Dates must be entered in the month/day/year format. Also, you may later be required to provide a certified translation of foreign language documents.

Note. If you are submitting a passport, or a certified/notarized copy of a passport, no other documentation is required, but ensure any visa information shown on the passport is entered on line 6c. However, if you are submitting more than one document, enter only the information for the first document on this line. Attach a separate sheet showing the required information for the additional document(s). On the separate sheet, be sure to write your name and "Form W-7" at the top.



The "Entry date in United States" must contain the complete date on which you entered the country (if applicable). If you have not entered the United States, enter "N/A" on this line.

Line 6e. If you ever received a temporary taxpayer identification number (TIN) or an employer identification number (EIN), check the "Yes" box and complete line 6f. If you never had a temporary TIN or an EIN, or you do not know your temporary TIN, check the "No/Do not know" box.

A temporary TIN is a nine-digit number issued by the IRS to persons who file a return or make a payment without providing a TIN. You would have been issued this number if you filed a U.S. tax return and did not have a social security number. This temporary TIN will appear on any correspondence the IRS sent you concerning that return.

An EIN is a nine-digit number (for example, 12-3456789) assigned by the IRS to businesses, such as sole proprietorships.

Line 6f. If you have both a temporary TIN and an EIN, attach a separate sheet listing both. If you were issued more than one temporary TIN, attach a separate sheet listing all the temporary TINs you received. On the separate sheet, be sure to write your name and "Form W-7" at the top.

Line 6g. If you checked reason f, you must enter the name of the educational institution and the city and state in which it is located. You also must enter your length of stay in the United States.

If you are temporarily in the United States for business purposes, you must enter the name of the company with whom you are conducting your business and the city and state in which it is located. You also must enter your length of stay in the United States.

Signature

Who Can Sign the Form W-7

Generally, the applicant is required to sign Form W-7. The following are exceptions to this requirement.

Applicant is a dependent under 18 years of age. If the applicant is a dependent under 18 years of age, his or her parent or court-appointed guardian can sign if the child cannot. The parent or court-appointed guardian must type or print his or her name in the space provided and check the appropriate box that indicates his or her relationship to the applicant. If the individual is signing as a court-appointed guardian, a copy of the court-appointment papers showing the legal guardianship must be attached.

Adults, other than a parent or court-appointed guardian, can sign the Form W-7 only if a Form 2848, Power of Attorney and Declaration of Representative, has been signed by a parent or court-appointed guardian authorizing the individual to sign for the applicant.

Applicant is a dependent 18 years of age or older. If the applicant is 18 years of age or over, the applicant can sign or can appoint his or her parent, a court-appointed guardian, or another individual to sign. The person signing, if other than the applicant, must type or print his or her name in the space provided, check the appropriate box that indicates his or her relationship to the applicant, and attach a Form 2848.

Note. All Powers of Attorney (POAs) submitted to the IRS must be in English. Any POAs received in a foreign language will be considered invalid unless accompanied by a certified English translation. The POA must clearly state the purpose for which it is intended under the "tax matters" section. For more information, go to IRS.gov.

Acceptance Agent's Use ONLY

Enter the 8-digit office code that was issued to you by the ITIN Program Office.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Internal Revenue Code section 6103.

The average time and expenses required to complete and file this form will vary depending on individual circumstances. For the estimated averages, see the instructions for your income tax return.

If you have suggestions for making this form simpler, we would be happy to hear from you. See the instructions for your income tax return.

Exceptions Tables

Exception #1 Third Party Withholding on Passive Income		
Note. Federal tax withholding and/or information reporting must take place within the current tax year.		
Third Party Withholding on Passive Income	Persons who are eligible to claim Exception 1 include:	Documentation you must submit if you are eligible to claim Exception 1:
	1(a) Individuals who are partners of a U.S. or foreign partnership that invests in the United States and that owns assets that generate income subject to IRS information reporting and federal tax withholding requirements; or	1(a) A copy of the portion of the partnership or LLC agreement displaying the partnership's Employer Identification Number and showing that you are a partner in the partnership that is conducting business in the United States.
	1(b) Individuals who have opened an interest-bearing bank deposit account that generates income that is effectively connected with their U.S. trade or business and is subject to IRS information reporting and/or federal tax withholding; or	1(b) A signed letter from the bank on its official letterhead, displaying your name and stating that you have opened a business account that is subject to IRS information reporting and/or federal tax withholding on the interest generated during the current tax year.
	1(c) Individuals who are "resident aliens" for tax purposes and have opened an interest-bearing bank deposit account that generates income subject to IRS information reporting and/or federal tax withholding; or	1(c) A signed letter from the bank on its official letterhead, displaying your name and stating that you have opened an individual deposit account that is subject to IRS information reporting and/or federal tax withholding on the interest generated during the current tax year.
	1(d) Individuals who are receiving distributions during the current tax year of income such as pensions, annuities, royalties, dividends, etc., and are required to provide an ITIN to the withholding agent (for example, an investment company, insurance company, or financial institution, etc.) for the purposes of tax withholding and reporting requirements.	1(d) A signed letter or document from the withholding agent, on official letterhead, showing your name and evidencing that an ITIN is required to make distributions to you during the current tax year that are subject to IRS information reporting or federal tax withholding.

Exception #2 Wages, Salary, Compensation, and Honoraria Payments with Tax Treaty Benefits Claimed; or Scholarships, Fellowships, and Grants with Tax Treaty Benefits Claimed; or Scholarships, Fellowships, and Grants with No Tax Treaty Benefits Claimed; or Gambling Winnings with Tax Treaty Benefits Claimed		
Note. Federal tax withholding and/or information reporting must take place within the current tax year.		
2(a). Wages, Salary, Compensation, and Honoraria Payments	Persons who are eligible to claim Exception 2(a) include:	Documentation you must submit if you are eligible to claim Exception 2(a):
<i>Claiming the benefits of a tax treaty</i>	<p>Individuals claiming the benefits of a tax treaty who:</p> <ul style="list-style-type: none"> • are either exempt or subject to a reduced rate of withholding of tax on their wages, salary, compensation, and honoraria payments, <p style="text-align: center;">and</p> <ul style="list-style-type: none"> • will be submitting Form 8233 to the payer of the income. 	<ul style="list-style-type: none"> • A letter of employment from the payer of the income, or • A copy of the employment contract, or • A letter requesting your presence for a speaking engagement, etc. <p style="text-align: center;">along with:</p> <ul style="list-style-type: none"> • Evidence (information) on the Form W-7 that you are entitled to claim the benefits of a tax treaty, and • A copy of the completed withholding agent's portion of Form 8233 attached to the Form W-7, and a letter from the Social Security Administration (SSA)*, stating that you are ineligible to receive a social security number. <p><small>*If you are present in the United States and are receiving honoraria payments, you do not have to get a letter of denial from the SSA. A letter from the authorized school official stating the purpose of the visit and that the individual will be receiving payment in the form of an honoraria will suffice.</small></p>

Exceptions Tables (continued)

Exception #2 (continued) Wages, Salary, Compensation, and Honoraria Payments with Tax Treaty Benefits Claimed; or Scholarships, Fellowships, and Grants with Tax Treaty Benefits Claimed; or Scholarships, Fellowships, and Grants with No Tax Treaty Benefits Claimed; or Gambling Winnings with Tax Treaty Benefits Claimed		
<p>Note. Federal tax withholding and/or information reporting must take place within the current tax year.</p>		
<p>2(b). Scholarships, Fellowships, and Grants</p> <p><i>Claiming the benefits of a tax treaty</i></p>	<p>Persons who are eligible to claim Exception 2(b) include:</p> <p>Individuals claiming the benefits of a tax treaty who:</p> <ul style="list-style-type: none"> • are either exempt from or subject to a reduced rate of tax on their income from scholarships, fellowships, or grants (that is, foreign students, scholars, professors, researchers, foreign visitors, or any other individual), <p align="center">and</p> <ul style="list-style-type: none"> • will be submitting Form W-8BEN to the withholding agent. 	<p>Documentation you must submit if you are eligible to claim Exception 2(b):</p> <ul style="list-style-type: none"> • A letter or official notification from the educational institution (that is, college or university) awarding the noncompensatory scholarship, fellowship, or grant; or • A copy of a contract with a college, university, or educational institution; <p align="center">along with:</p> <ul style="list-style-type: none"> • A copy of your passport showing the valid visa issued by the U.S. Department of State, and • Evidence (information) on the Form W-7 that you are entitled to claim the benefits of a tax treaty, and • A copy of the W-8BEN that was submitted to the withholding agent, and • A letter from the Social Security Administration* stating that you are ineligible to receive a social security number (SSN). <p>*If you are a student on an F-1, J-1, or M-1 visa who will not be working while studying in the United States, you will not have to apply for an SSN. You will be permitted to provide a letter from the Designated School Official or Responsible Officer stating that you will not be securing employment in the United States or receiving any type of income from personal services.</p>
<p>2(c). Scholarships, Fellowships, and Grants</p> <p><i>Not claiming benefits of a tax treaty</i></p>	<p>Persons who are eligible to claim Exception 2(c) include:</p> <p>Individuals receiving noncompensatory income from scholarships, fellowships, or grants (that is, foreign students, scholars, professors, researchers, or any other individual) that is subject to IRS information reporting and/or withholding requirements during the current year.</p>	<p>Documentation you must submit if you are eligible to claim Exception 2(c):</p> <ul style="list-style-type: none"> • A letter or official notification from the educational institution (that is, college or university) awarding the noncompensatory scholarship, fellowship, or grant; or • A copy of a contract with a college, university, or educational institution; <p align="center">along with:</p> <ul style="list-style-type: none"> • A copy of your passport showing the valid visa issued by the U.S. Department of State, and • A letter from the Designated School Official (DSO) or Responsible Officer (RO) stating that you are receiving noncompensatory income from scholarships, fellowships, or grants that is subject to IRS information reporting and/or federal tax withholding requirements during the current year (this letter must be attached to your Form W-7 or your application for an ITIN will be denied), and • A letter from the Social Security Administration* stating that you are ineligible to receive a social security number (SSN). <p>*If you are a student on an F-1, J-1, or M-1 visa who will not be working while studying in the United States, you will not have to apply for an SSN. You will be permitted to provide a letter from the DSO or RO stating that you will not be securing employment in the United States or receiving any type of income from personal services.</p>

Exceptions Tables (continued)

Exception #2 (continued) Wages, Salary, Compensation, and Honoraria Payments with Tax Treaty Benefits Claimed; or Scholarships, Fellowships, and Grants with Tax Treaty Benefits Claimed; or Scholarships, Fellowships, and Grants with No Tax Treaty Benefits Claimed; or Gambling Winnings with Tax Treaty Benefits Claimed		
<p>Note. Federal tax withholding and/or information reporting must take place within the current tax year.</p>		
2(d). Gambling Income <i>Claiming the benefits of a tax treaty</i>	Persons who are eligible to claim Exception 2(d) include: Nonresident aliens visiting the United States who: <ul style="list-style-type: none"> • have gambling winnings, • are claiming the benefits of a tax treaty for an exempt or reduced rate of federal tax withholding on that income, and • will be utilizing the services of a gaming official as an IRS ITIN Acceptance Agent. 	Documentation you must submit if you are eligible to claim Exception 2(d): Your W-7, which must be submitted through the services of an appropriate gaming official serving as an IRS ITIN Acceptance Agent to apply for an ITIN under Exception 2(d). Note. If you do not secure the services of a gaming official, you may still file Form 1040NR at the end of the tax year with a Form W-7, attaching a copy of Form 1042-S displaying the amount of tax withheld. Your 1040NR return also should display the tax treaty article number and country under which you are claiming the treaty benefits.

Exception #3 Third Party Reporting of Mortgage Interest	
<p>Note. Federal tax withholding and/or information reporting must take place within the current tax year.</p>	
Third Party Reporting of Mortgage Interest	If you are eligible to claim Exception 3, you must submit documentation showing evidence of a home mortgage loan. This would include a copy of the contract of sale or similar documentation showing evidence of a home mortgage loan on real property located in the United States.

Exception #4 Third Party Withholding—Disposition by a Foreign Person of U.S. Real Property Interest	
<p>Note. Federal tax withholding and/or information reporting must take place within the current tax year.</p>	
Third Party Withholding—Disposition by a Foreign Person of U.S. Real Property Interest	A withholding obligation generally is imposed on a buyer or other transferee (withholding agent) when the buyer acquires a U.S. real property interest from a foreign person. In some instances, the foreign person may apply for a withholding certificate to reduce or eliminate withholding on the disposition of real property. If you are eligible to claim Exception 4, you must submit: <ul style="list-style-type: none"> • A completed Form 8288-B, and • A copy of the sale contract. Note. For the seller of the property, copies of Forms 8288 and 8288-A submitted by the buyer should be attached to Form W-7.

Exception #5 Filing Under Treasury Decision (TD) 9363 with Form 13350	
<p>Note. Federal tax withholding and/or information reporting must take place within the current tax year.</p>	
Reporting obligations under TD 9363	If you are eligible to claim Exception 5, you must submit Form W-7 and Form 13350 along with a letter from your employer on corporate letterhead stating you have been designated as the person responsible for ensuring compliance with IRS information reporting requirements.

Application for IRS Individual Taxpayer Identification Number

OMB No. 1545-0074

► See instructions.
 ► For use by individuals who are not U.S. citizens or permanent residents.

An IRS individual taxpayer identification number (ITIN) is for federal tax purposes only.

FOR IRS USE ONLY

Before you begin:

- **Do not submit** this form if you have, or are eligible to get, a U.S. social security number (SSN).
- Getting an ITIN does not change your immigration status or your right to work in the United States and does not make you eligible for the earned income credit.

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, f, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

- a Nonresident alien required to get ITIN to claim tax treaty benefit
 - b Nonresident alien filing a U.S. tax return
 - c U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
 - d Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
 - e Spouse of U.S. citizen/resident alien }
 - f Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
 - g Dependent/spouse of a nonresident alien holding a U.S. visa
 - h Other (see instructions) ►
- Additional information for **a** and **f**: Enter treaty country ► and treaty article number ►

Name (see instructions) Name at birth if different . . . ►	1a First name	Middle name	Last name
	1b First name	Middle name	Last name
Applicant's mailing address	2 Street address, apartment number, or rural route number. If you have a P.O. box, see page 4.		
	City or town, state or province, and country. Include ZIP code or postal code where appropriate.		
Foreign (non-U.S.) address (if different from above) (see instructions)	3 Street address, apartment number, or rural route number. Do not use a P.O. box number.		
	City or town, state or province, and country. Include ZIP code or postal code where appropriate.		
Birth information	4 Date of birth (month / day / year)	Country of birth	City and state or province (optional)
			5 <input type="checkbox"/> Male <input type="checkbox"/> Female
Other information	6a Country(ies) of citizenship	6b Foreign tax I.D. number (if any)	6c Type of U.S. visa (if any), number, and expiration date
	6d Identification document(s) submitted (see instructions) <input type="checkbox"/> Passport <input type="checkbox"/> Driver's license/State I.D.		
	<input type="checkbox"/> USCIS documentation <input type="checkbox"/> Other Issued by: No.: Exp. date: / / Entry date in United States / /		
	6e Have you previously received a U.S. temporary taxpayer identification number (TIN) or employer identification number (EIN)? <input type="checkbox"/> No/Do not know. Skip line 6f. <input type="checkbox"/> Yes. Complete line 6f. If more than one, list on a sheet and attach to this form (see instructions).		
	6f Enter: TIN or EIN ► and Name under which it was issued ►		
Sign Here	6g Name of college/university or company (see instructions) City and state Length of stay		
	Under penalties of perjury, I (applicant/delegate/acceptance agent) declare that I have examined this application, including accompanying documentation and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I authorize the IRS to disclose to my acceptance agent returns or return information necessary to resolve matters regarding the assignment of my IRS individual taxpayer identification number (ITIN), including any previously assigned taxpayer identifying number.		
Keep a copy for your records.	Signature of applicant (if delegate, see instructions)	Date (month / day / year)	Phone number ()
	Name of delegate, if applicable (type or print)	Delegate's relationship to applicant	<input type="checkbox"/> Parent <input type="checkbox"/> Court-appointed guardian <input type="checkbox"/> Power of Attorney
Acceptance Agent's Use ONLY	Signature	Date (month / day / year)	Phone ()
	Name and title (type or print)	Name of company	Fax ()
			EIN Office Code

Agenda Item K.2

REPORT ON THE AMERICAN INSTITUTE OF ARCHITECTS, CALIFORNIA COUNCIL ACADEMY FOR EMERGING PROFESSIONALS' 2011 ARCHITECTURAL EDUCATION SUMMIT

The American Institute of Architects, California Council's (AIACC) Academy for Emerging Professionals (AEP) held its first annual Architectural Education Summit (Summit) at the City College of San Francisco on November 18, 2011. The Summit was intended to serve as a strategic planning session for a five-year initiative to bridge the gap between architectural education and practice in California. Summit objectives included: developing relationships among stakeholders; having the profession reflect the demographics of the state; creating pathways to the profession for underrepresented K-12 and community college students; having accreditation and licensure more closely represent the values of the academy and the marketplace; disencumbering the paths to licensure to more fully integrate the academy and the profession; and establishing a process for gathering metrics annually.

Organizational partners for the event included the Association of Collegiate Schools of Architecture, American Institute of Architecture Students, California Architects Board, and the National Council of Architectural Registration Boards. Other attendees included representatives from: National Architectural Accrediting Board architecture programs in California; California community colleges with architecture programs; chapters of the AIA; National Organization of Minority Architects; Asian American Architects/Engineers Association; Hispanic Architects and Engineers; Women in Architecture; Statewide Education; etc. The Keynote Speaker for the event was Wendy Ornelas, FAIA, Associate Dean and Professor at Kansas State University, and Daniel Iacofano of Moore Iacofano Goltsman Inc. facilitated the event. Board members Jon Baker, Jeffrey Heller, and Marilyn Lyon attended, as well as Doug McCauley, Vickie Mayer, and Justin Sotelo. The Summit included breakout sessions which were tied to the stated objectives and a final findings and strategic planning session; all of which will feed into a final document that captures the work collectively produced at the event.

Attached are key components of the background material provided for the Summit, as well as the statistical data Board staff compiled and provided to AIACC.

At today's meeting, the Board will be provided with a more detailed update on the Summit.



HOSTED BY

**THE ACADEMY FOR EMERGING PROFESSIONALS OF THE
AMERICAN INSTITUTE OF ARCHITECTS CALIFORNIA COUNCIL
AND THE CALIFORNIA ARCHITECTURAL FOUNDATION**

Friday, November 18, 2011 9:30 - 5:00pm | City College of San Francisco



The **2011 Architectural Education Summit** serves as an initiative by the AIACC Academy for Emerging Professionals to bring faculty, students, and administrators from colleges and community colleges across the state together in order to discuss architecture education within the state. Organizational partners within the building and construction industry will also be joining the conversation, including representatives from the Association of Collegiate Schools of Architecture (ACSA), the American Institute of Architecture Students (AIAS), the California Architects Board (CAB), and the National Council of Architecture Registration Boards (NCARB).

This Summit is intended to serve as a strategic planning session for a five-year initiative on architectural education within the state. By bringing stakeholders together, we plan to set in place a multi-year plan to bridge the gap between architectural education and practice in California. Participants will be able to contribute to a variety of discussions centered on developing this plan, with the goal of future collaboration and metrics for evaluating our outcomes.

Summit Objectives:

- To develop stronger relationships between stakeholders
- To create direct paths for K-12 through college students from under represented populations to architecture curriculums in California
- To integrate the values of the academy and the marketplace into accreditation and architectural licensure standards
- To bridge the gap between the academy and the profession
- To establish metrics for re-evaluating our goal during this five-year process

SCHEDULE OF SUMMIT EVENTS:

9:30AM	Arrival and Registration
10:00AM	Welcome
10:30AM	Keynote Wendy Ornelas, FAIA
11:15AM	Problem Statement
12:00PM	Group Formation
12:30PM	Lunch Break
1:30PM	Breakout Sessions
2:30PM	Findings Presentation
3:30PM	Strategic Plan
5:00PM	Adjourn



Keynote Speaker
Wendy Ornelas



Facilitator
Daniel Iacofano

Wendy Ornelas, FAIA is an Associate Dean and Professor at Kansas State University. As a California native, and alumni of Cal Poly, San Luis Obispo, Wendy will be joining the Summit to share her perspective based on her dynamic career as not only an educator, but also a practitioner. From her work at Kansas State, to her work with her firm, Condia + Ornelas Architects, she has earned distinguished recognition. She is the first female and first Latino Fellow in the state of Kansas, a past Director for the Western Central Region of the Association of Collegiate Schools of Architecture, a past member of the IDP Coordinating Committee, a participant in the 2008 Accreditation Review Conference, and served a term as 2009-2010 president of the National Architectural Accrediting Board.

Daniel Iacofano, Ph.D., FAICP, ASLA is a founding principal of MIG with over 30 years of experience in facilitation and community outreach, urban and strategic planning and organization development. Daniel will be leading the Summit participants through our group discussion as they explore areas of interest and commonality between stakeholders tied to architectural education in the state of California. He will also assist the group in developing annual metrics for evaluating the success of the five-year plan, in order to attain an achievable outcome from the Summit proceedings.

Pre-Summit Questionnaire Findings

AIACC Architectural Education Summit
November 18, 2011

*Prepared by MIG, Inc.
November 2011*

Questionnaire Overview

AIACC Architectural Education Summit

Pre-Summit Questionnaire

Purpose

- *Solicit stakeholder opinions, values and preferences related to architectural education and licensure, the future of the profession, and the role of AIACC.*

Survey Instrument

- Online questionnaire
- 23 questions total
- *9 questions:* participant background
- *4 questions:* rank importance and accuracy of specific statements
- *10 questions:* open-ended covering a variety of topics

Process

- Questionnaire duration: 13 days (10/21-11/02)
- Link sent via email to all AIACC members and summit invitees
- Survey accessible via AIACC website

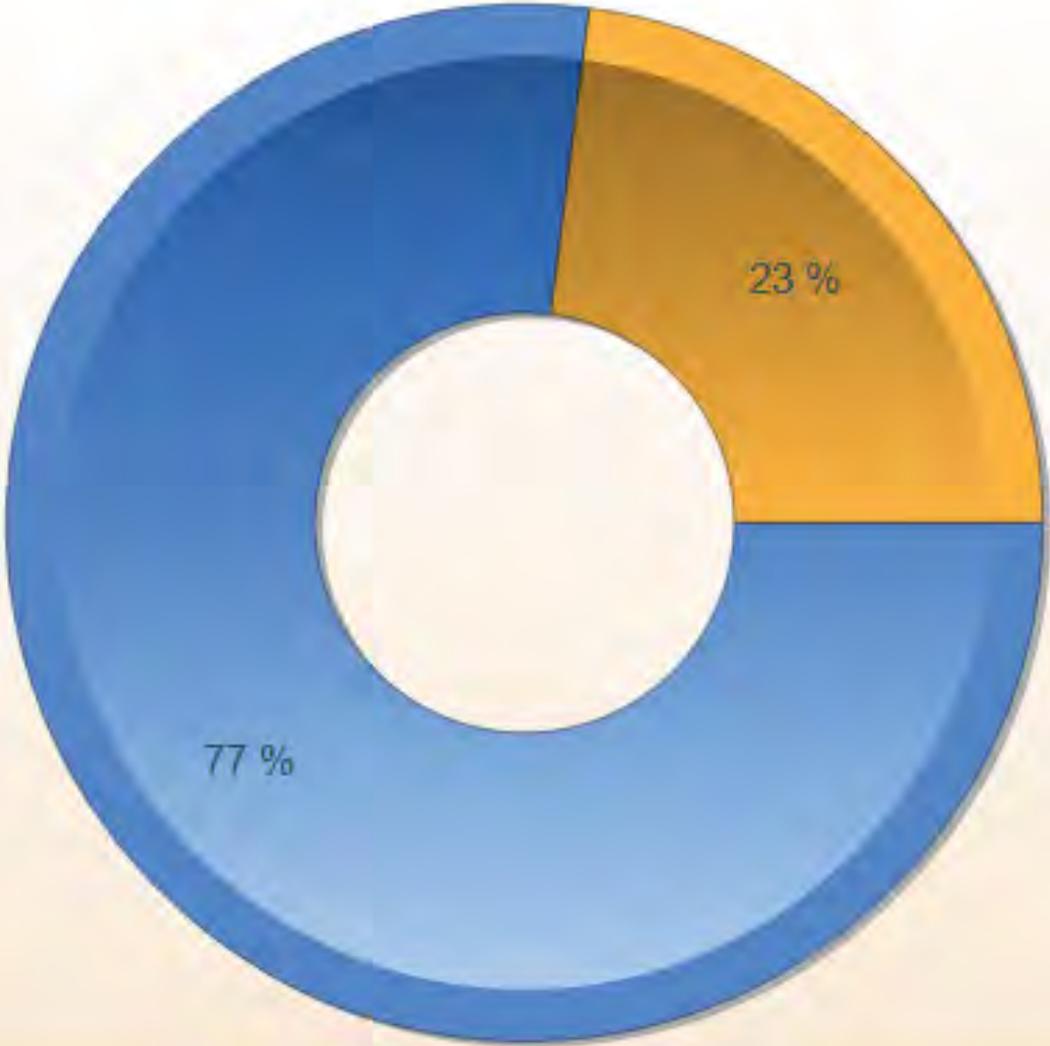
Methodology/Results

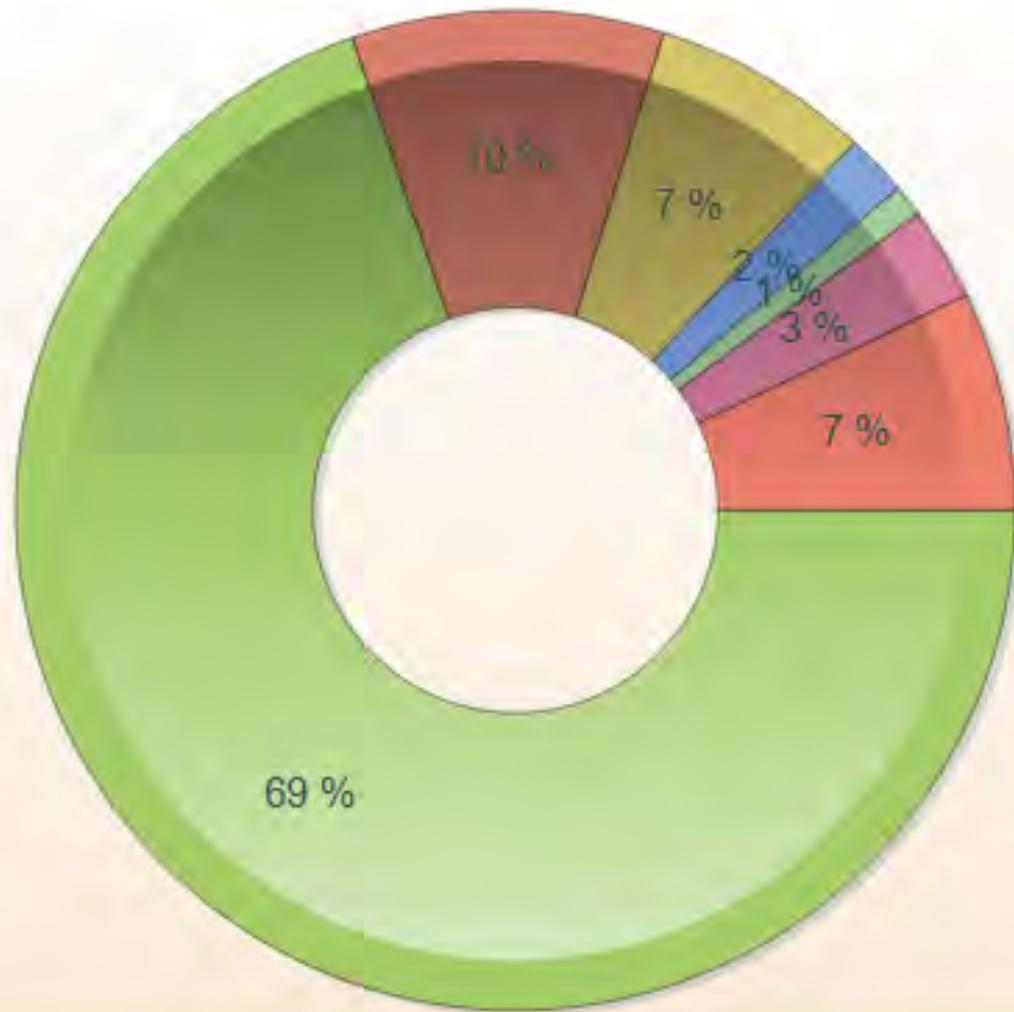
- 514 participants total
- 502 complete responses
- Open-ended results summary:
 - Only complete responses categorized
 - Summary based on number of mentions (count) relative to total number of complete responses (percentage).
 - Percentages do not add up to 100%
 - Response categories are not mutually exclusive

Participant Profile

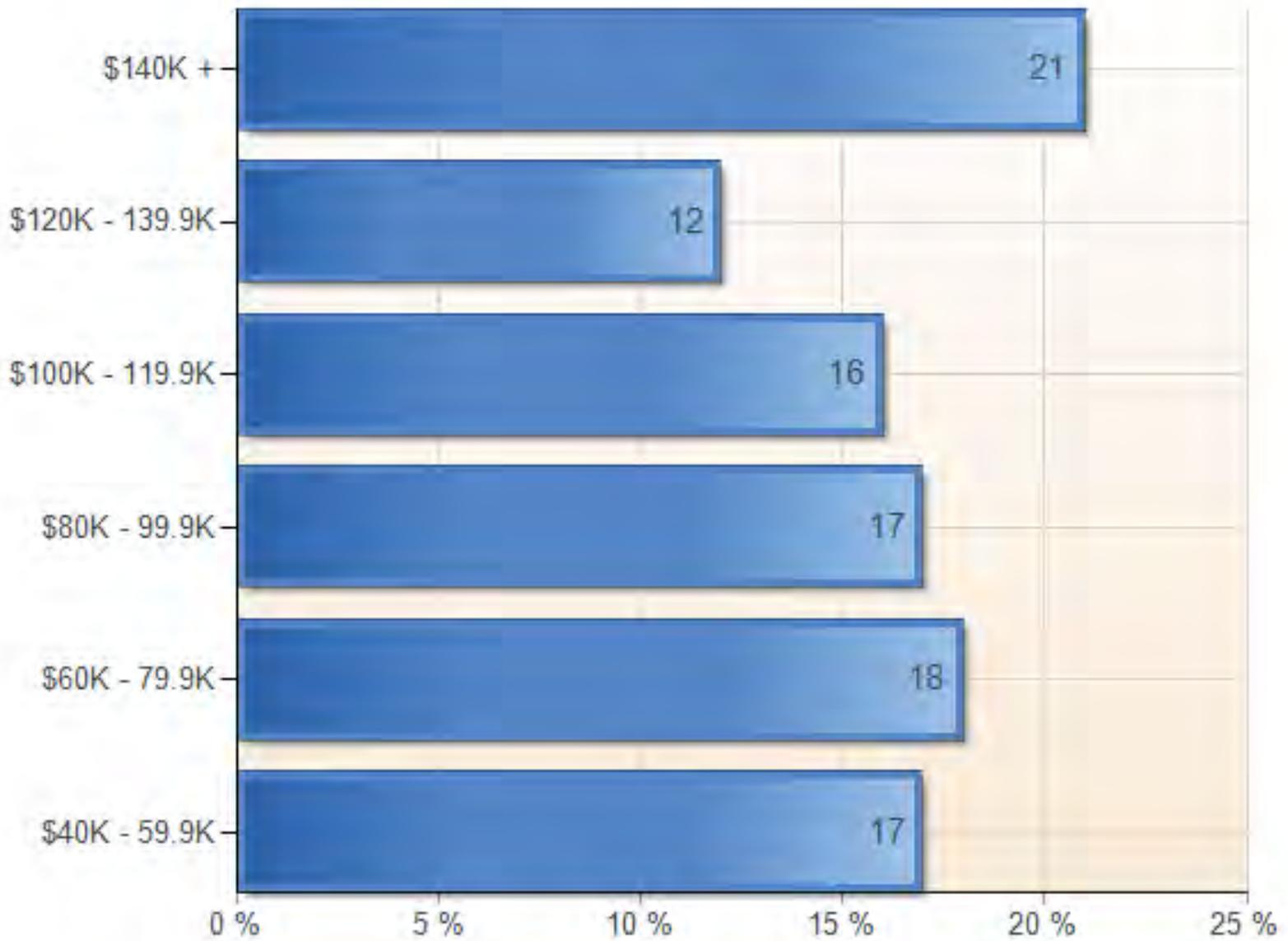
AIACC Architectural Education Summit

Pre-Summit Questionnaire





Income



Participant Profile

	Count	Percentage of complete responses
Practitioner	412	82%
Faculty	82	16%
Student	52	10%

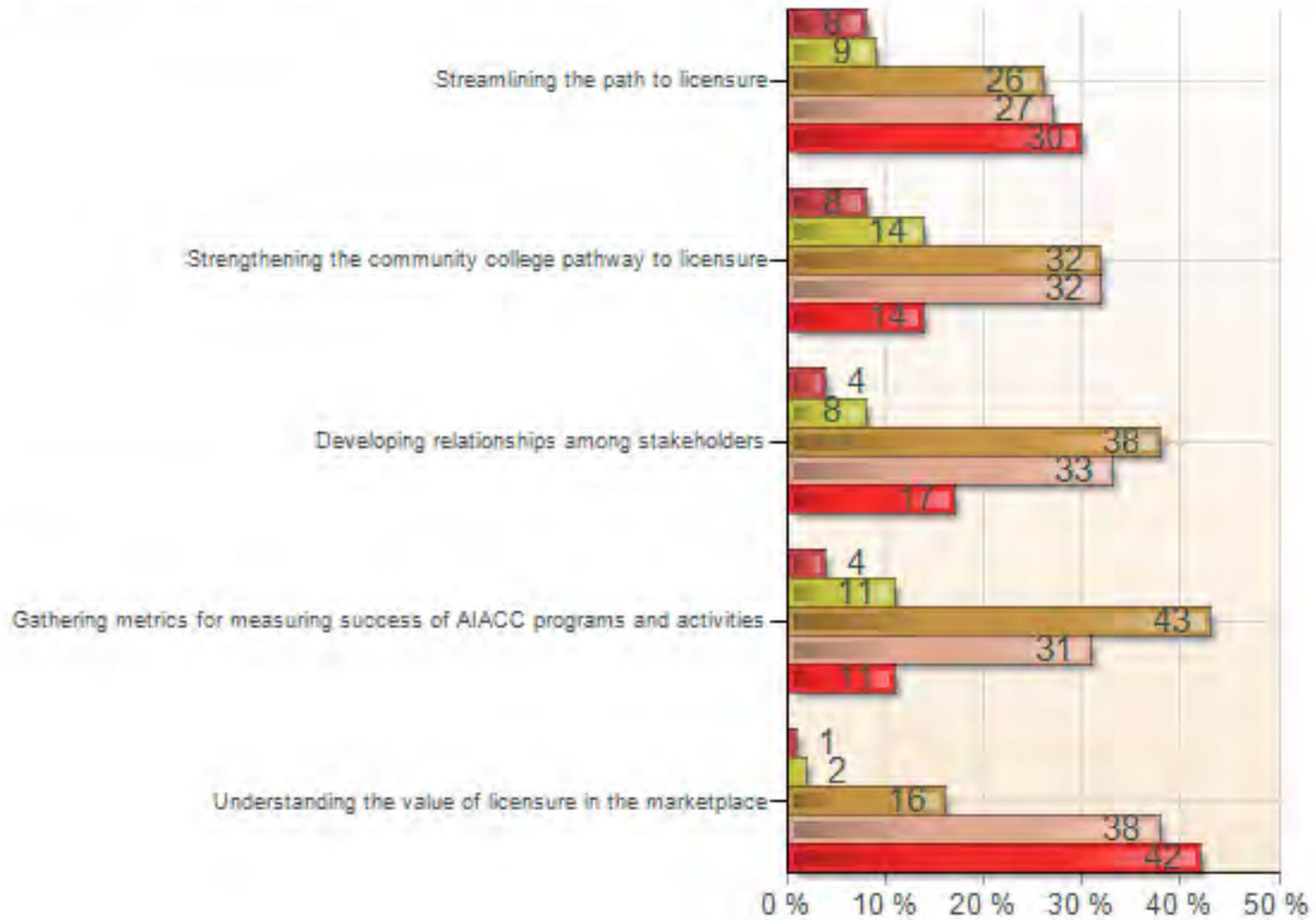
Results: Introductory Questions

AIACC Architectural Education Summit

Pre-Summit Questionnaire

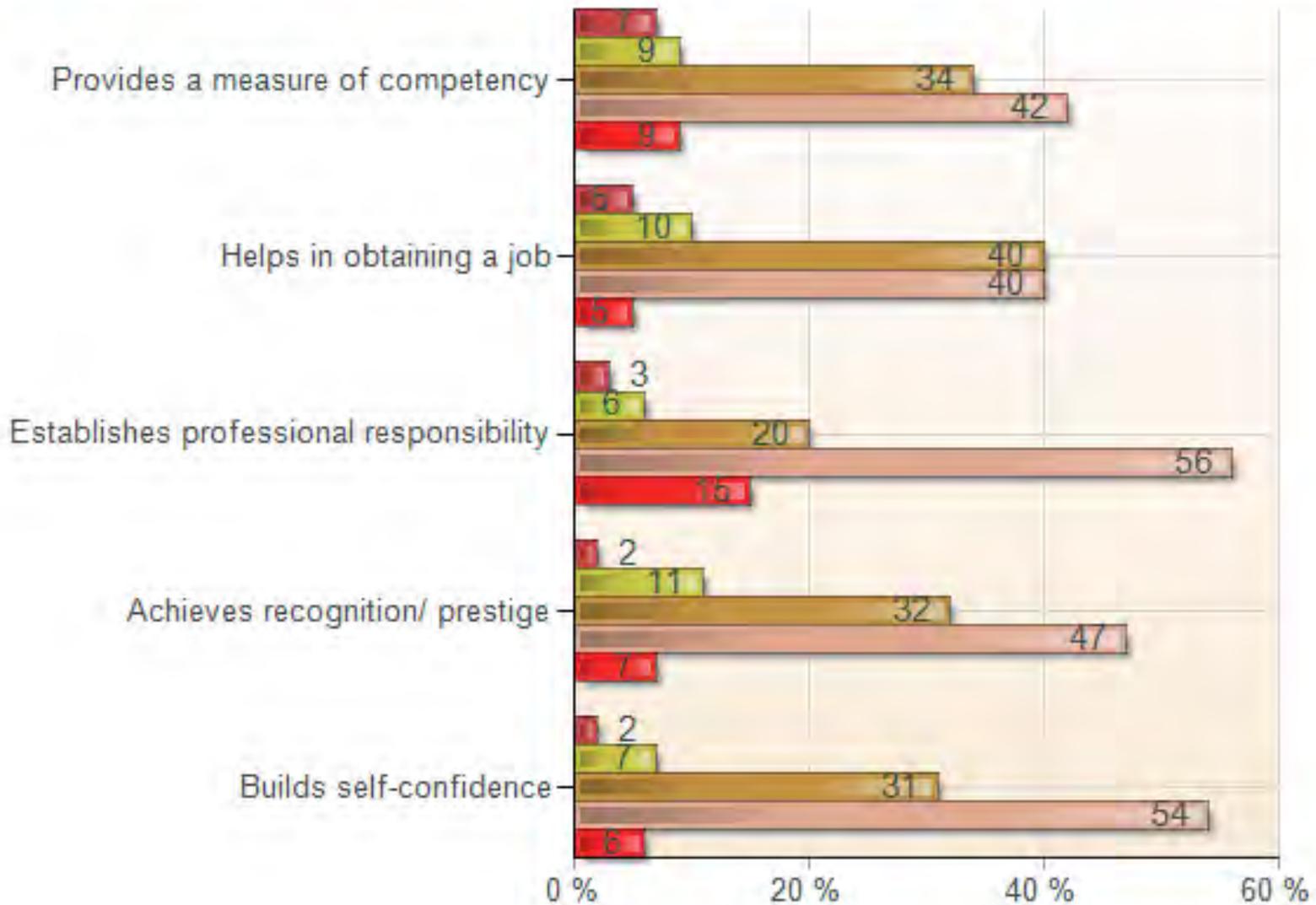
Summit Objectives

■ Not important
 ■ Of least importance
 ■ Important
 ■ Very Important
 ■ Of Utmost Importance



The Value of the License

■ Not Accurate
 ■ Least Accurate
 ■ Accurate
 ■ Very Accurate
 ■ Extremely Accurate



Results: Barriers to Licensure

AIACC Architectural Education Summit

Pre-Summit Questionnaire

What for you was (or is) the greatest barrier to achieving an architectural license? (*question 3*)

Responses	Number of mentions	Percentage of complete responses
Time to study; competing priorities	123	25%
Cost	58	12%
Passing specific exams	49	10%
There are no barriers	48	10%
Test waiting periods; frequency and schedule of testing	37	7%
IDP program requirements	33	7%
The test-taking/licensing process and format (general); complexity of process/requirements	29	6%
Obtaining the needed experience	27	5%
Bureaucracy; excessive paperwork, documentation	24	5%
Perception that license has no/limited benefit or practical value	23	5%
Multiple, excessive tests	22	4%
Lack of reciprocity (foreign training, state credentials)	20	4%

Responses	Number of mentions	Percentage of complete responses
Meeting education requirements; obtaining education needed	18	4%
Lack of self-determination, motivation; fear; other personal challenges	16	3%
Changes in system and requirements; lack of predictability	15	3%
Lack of available or easily accessible information re: licensure	10	2%
Lack of employer support	9	2%
Increased liability resulting from licensure	5	1%
Travel to prepare and study for exams	3	< 1%
Poor/insufficient access to study materials	3	< 1%
Language barriers (exams)	1	< 1%
Equity issues (real or perceived discrimination)	1	< 1%

Question 3: Top Results

What for you was (or is) the greatest barrier to achieving an architectural license?

1. Time to study; competing priorities (25%)
2. Cost (12%)
3. Passing specific exams (10%)
4. There are no barriers (10%)
5. Test waiting periods; frequency and schedule of testing (7%)

What do you believe was (or is) the greatest barrier to achieving an architectural license experienced by your friends and colleagues?
(question 4)

Responses	Number of mentions	Percentage of complete responses
Time to study; competing priorities	90	18%
Lack of motivation, perseverance, commitment, ability to prioritize	54	11%
Cost	54	11%
Passing specific exams	51	10%
Obtaining needed experience	42	8%
IDP program requirements	33	7%
The test-taking schedule and format	27	5%
Perception that license has no/limited benefit or practical value	27	5%
Multiple, excessive tests	24	5%
Bureaucracy; excessive paperwork, documentation	15	3%
Length and complexity of process/requirements	12	2%
Lack of competence/inability to perform as architect or grasp concepts	12	2%

Responses	Number of mentions	Percentage of complete responses
Lack of competence/inability to perform as architect or grasp concepts	12	2%
Lack of employer support	10	2%
Inadequate education	9	2%
Taking the tests in a timely manner	7	1%
Inconsistent standards/Changes in system/requirements	7	1%
Increased liability	4	< 1%
Lack of information/knowledge of process	3	< 1%
Poor/insufficient access to study materials	2	< 1%
No barriers	2	< 1%
Language barriers (exams)	2	< 1%
Equity issues (real or perceived discrimination)	1	< 1%

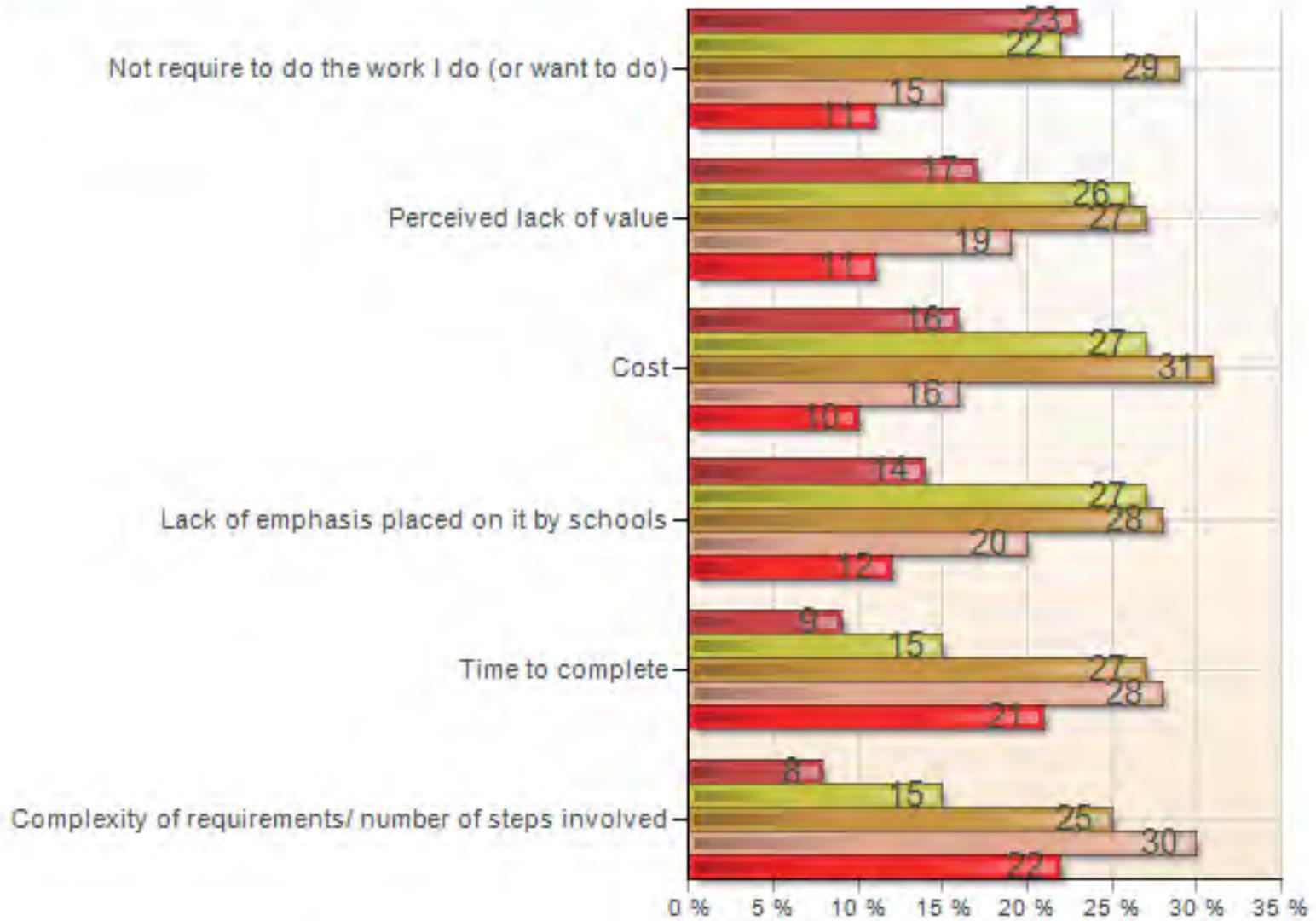
Question 4: Top Results

What do you believe was (or is) the greatest barrier to achieving an architectural license experienced by your friends and colleagues?

1. Time to study; competing priorities (18%)
2. Lack of motivation, perseverance, commitment, ability to prioritize (11%)
3. Cost (11%)
4. Passing specific exams (10%)
5. Obtaining needed experience (8%)

Specific Barriers to Licensure

■ NotAccurate
 ■ LeastAccurate
 ■ Accurate
 ■ Very Accurate
 ■ ExtremelyAccurate



How did your educational program help or hinder your efforts toward gaining an architectural license? (*question 6*)

Responses	Number of mentions	Percentage of complete responses
Generally helpful	84	17%
No help; no emphasis given to licensure; education irrelevant to licensure	59	12%
Degree was the necessary first step; provided general knowledge	53	11%
Limited help or emphasis on licensure or professional practice	39	8%
Provided a strong foundation: practical, well-rounded education covering many areas	34	7%
Neither helped nor hindered; program was neutral on topic of licensure	26	5%
Question not applicable	15	3%
Provided a narrow, generally unhelpful focus on design	15	3%
Provided a (generally) useful focus on vocational and technical issues	14	3%
Provided a useful, practice-based education and emphasis on learning by doing	13	3%
Provided exam practice and licensing information	12	2%
Licensure acknowledged as basic benchmark; program treated licensure as an assumed goal	10	2%
Emphasized the value of the license; focused on licensure	10	2%
Created positive peer and professor influence to become licensed	8	2%
Provided IDP credit opportunities	7	1%
Hindered becoming licensed; licensure discouraged	6	1%

Question 6: Top Results

How did your educational program help or hinder your efforts toward gaining an architectural license?

1. Generally helpful (17%)
2. No help; no emphasis given to licensure; education irrelevant to licensure (12%)
3. Degree was the necessary first step; provided general knowledge (11%)
4. Limited help or emphasis on licensure or professional practice (8%)
5. Provided a strong foundation: practical, well-rounded education covering many areas (7%)

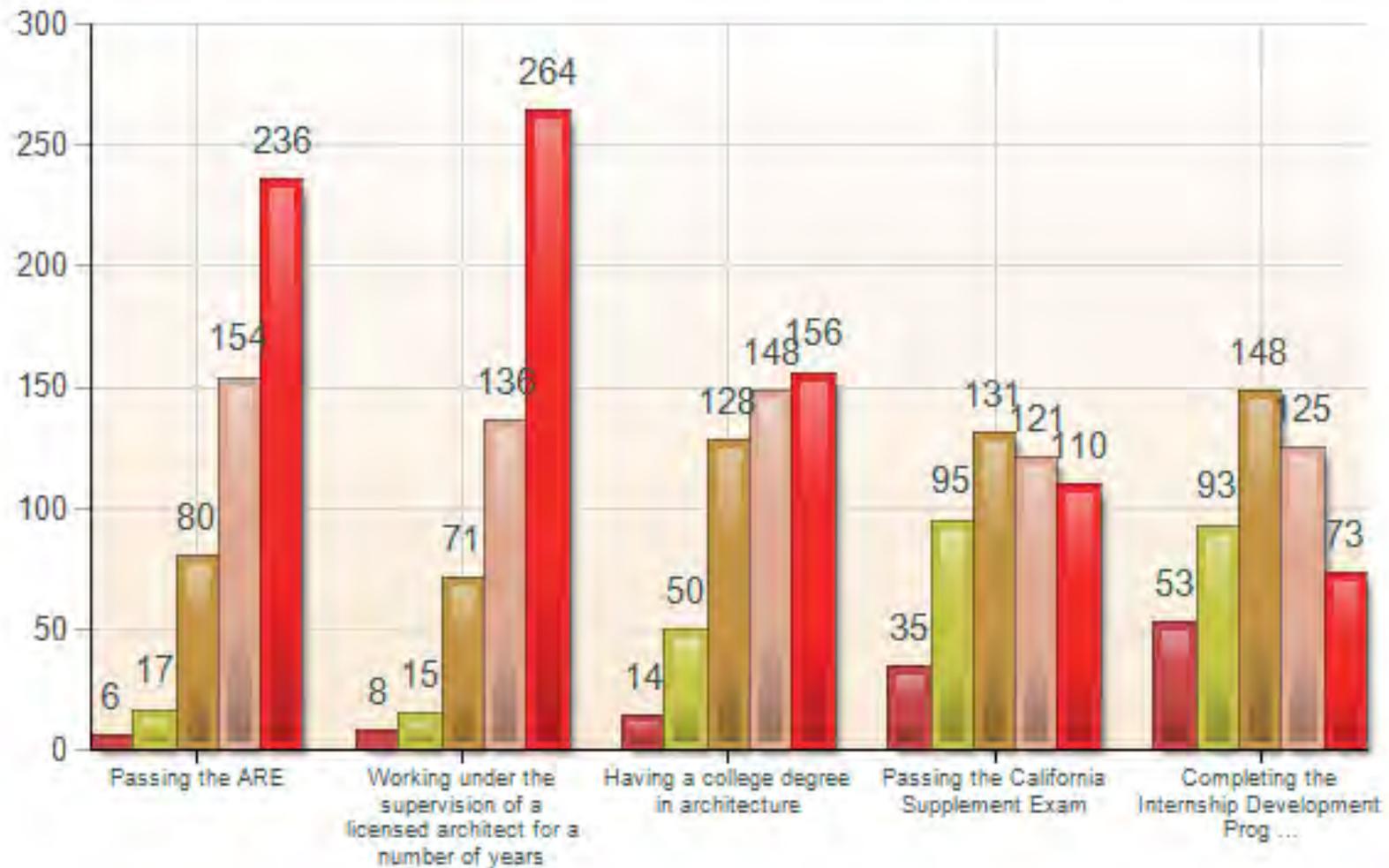
Results: Licensure Requirements

AIACC Architectural Education Summit

Pre-Summit Questionnaire

Acquiring an architectural license in California involves meeting certain requirements. On a scale of 1 to 5, please indicate the level of importance you place on each one of the current requirements for licensure in California.

■ Of no importance
 ■ Important
 ■ Very Important
 ■ Of Utmost Importance
■ Not very important



California allows a candidate for licensure to work under the apprenticeship of a licensed architect for a number of years in place of the college degree requirement. Do you believe that California should continue this option? If yes, why? (*question 8*)

	Number of mentions	Percentage of complete responses
Yes	338	67%
Yes, with conditions	20	4%
An important alternative path; helps create equity and access to the profession	55	11%
An important alternative in the face of costly/unaffordable higher education	36	7%
Practice is most valuable; a quality apprenticeship outweighs benefits of a degree	35	7%
An effective way to learn and prepare for licensure	19	4%
Practice can be more valuable and is often more valued than education	19	4%
Education and apprenticeship are both valuable paths	17	3%
Classroom education does not ensure professional competency	14	3%
This path is important to maintaining the integrity of profession and diversity in professional backgrounds	11	2%
Some architectural education should be required	10	2%
Education overemphasizes theory and design	10	2%
Formal education is unrelated to practice	9	2%

California allows a candidate for licensure to work under the apprenticeship of a licensed architect for a number of years in place of the college degree requirement. Do you believe that California should continue this option? If no, why not? (*question 8*)

	Number of mentions	Percentage of total survey responses
No	125	25%
Not sure	37	7%
Education is required for exposure to design theory and to develop critical thinking skills	45	9%
There is no substitute for formal education/obtaining a degree	36	7%
The quality of mentors and apprenticeships vary greatly	17	3%
Apprenticeship path diminishes/weakens the value of profession and its contribution to society	15	3%
Must hold architecture to same standards as other professions	13	3%
Education is required to achieve needed technical knowledge	7	1%
Creates a competitive disadvantage for educated architects	7	1%
Degree demonstrates needed discipline/instills needed values	6	1%
Apprenticeship path limits career options: lack of state reciprocity	5	1%
Few "through the ranks" architects find success in practice	4	< 1%
The licensure path must follow national standards	3	< 1%
This alternative complicates the licensure process	2	< 1%
This alternative creates an employer-controlled process	2	< 1%

Question 8: Top Results

Yes 67%
No 25%

California allows a candidate for licensure to work under the apprenticeship of a licensed architect for a number of years in place of the college degree requirement. Do you believe that California should continue this option? If yes, why? If no, why not?

1. Yes: an important alternative path; helps create equity and access to the profession (11%)
2. No: education is required for exposure to design theory and to develop critical thinking skills (9%)
3. No: there is no substitute for formal education/obtaining a degree (7%)
4. Yes: an important alternative in the face of costly/unaffordable higher education (7%)
5. Yes: practice is most valuable; quality of an apprenticeship outweighs benefits of a degree (7%)

A growing number of graduates from architectural degree programs choose not to obtain their architectural license and instead use their degree to pursue careers in project management, environmental design, communications, computer-aided design and design technology, among other fields. Do you see this as a positive or negative trend? (*question 9*)

	Number of mentions	Percentage of total participants
Positive trend	306	61%
Negative trend	88	18%
Neither positive nor negative	42	8%
Both positive and negative	31	6%
Architectural education is a strong foundation for other careers; demonstrates the value of an education in architecture	95	19%
This is a market-driven trend: there is not enough work in the field	44	9%
This diversifies the field and strengthens its influence	40	8%
A result of poor compensation, more financial reward in other fields	38	8%
This will have a negative impact on the profession and/or architectural education	37	7%
Architectural problem-solving skills are applicable to many fields	34	7%
This is an indication of the decline of the profession	32	6%

	Number of mentions	Percentage of total participants
This benefits other fields and disciplines	29	6%
This strengthens awareness and appreciation of the profession	28	6%
A matter of personal choice	25	5%
Indicative of multiple career paths within the industry	24	5%
Limits competition; increases value of practicing architects	20	4%
Architectural practice is not for everyone; not everyone has skills needed	16	3%
Diversity in practice benefits design, community and the environment	14	3%
Indication of unmatched/insufficient education and licensure system	12	2%
Positive for those not wishing to pursue traditional practice	7	1%
Trend has a negative impact on public welfare	1	< 1%
Indication of an exclusive profession	1	< 1%

Question 9: Top Results

Positive 61%
Negative 18%
Neither 8%

A growing number of graduates from architectural degree programs choose not to obtain their architectural license and instead use their degree to pursue careers in project management, environmental design, communications, computer-aided design and design technology, among other fields. Do you see this as a positive or negative trend?

1. Architectural education is a strong foundation for other careers; trend demonstrates the value of an education in architecture (19%)
2. This is a market-driven trend: there is not enough work in the field (9%)
3. This diversifies the field and strengthens its influence (8%)
4. A result of poor compensation, more financial rewards in other fields (8%)
5. This will have a negative impact on the profession and/or architectural education (7%)

Do you feel that these graduates pursuing careers in related fields should be more formally included in the profession than they currently are? (*question 10*)

	Number of mentions	Percentage of complete responses
No	177	35%
Yes	138	27%
Depends/with conditions	122	24%
No response	57	11%

Results: Increasing Social and Cultural Diversity

AIACC Architectural Education Summit

Pre-Summit Questionnaire

What actions should be taken (by AIACC and others) to increase the social and cultural diversity of the architectural profession in California and throughout the United States? (*question 11*)

	Number of mentions	Percentage of complete responses
Strengthen K-12 outreach and education	80	16%
No action is required; field is becoming diverse naturally	43	9%
Make higher education more affordable and accessible	32	6%
Raise general awareness and knowledge of profession	28	6%
Change perceptions of the field; strengthen its influence	24	5%
Not relevant; increasing diversity is not priority	19	4%
Don't know/not sure	19	4%
Plan diversity conferences, events and programming	17	3%
Provide mentorship	16	3%
Remove perceived barriers to licensure	15	3%
Expand outreach and marketing focused on improving diversity (general)	15	3%
Strengthen architects' presence in and focus on community	15	3%

	Number of mentions	Percentage of complete responses
Improve compensation; pay architects more	13	3%
Increasing diversity is not AIACC's role	11	2%
Target outreach and support to specific populations	11	2%
Strengthen the role of community colleges (ability to transfer to accredited programs, etc.)	10	2%
Focus only on candidate ability and qualifications	9	2%
Encourage greater action by employers and in contracting to increase diversity	8	2%
Expand collaboration with and outreach to other disciplines	3	< 1%
Better define the architectural profession relative to related fields and professions	3	< 1%
Do less; stop targeting groups to enhance diversity	2	< 1%
Create more jobs	2	< 1%

Question 11: Top Results

What actions should be taken (by AIACC and others) to increase the social and cultural diversity of the architectural profession in California and throughout the United States?

1. Strengthen K-12 outreach and education (16%)
2. No action is required; field is becoming diverse naturally (9%)
3. Make higher education more affordable and accessible (6%)
4. Raise general awareness and knowledge of the profession (6%)
5. Change perceptions of the field; strengthen its influence (5%)

How can ties between the architectural profession and the community college system in California be strengthened? (*question 12*)

	Number of mentions	Percentage of complete responses
Create opportunities to transfer directly to accredited programs; remove barriers to transfer	45	9%
Have more architects teach and advise; develop curricula that reflects current practice	37	7%
Offer more architecture courses, including design, architectural history, and code training	34	7%
Create internship opportunities; provide direct exposure to practice	33	7%
Bring in professionals as guest lecturers, reviewers	30	6%
Mentorship	24	5%
Strengthen ties to and visibility of AIA	22	4%
Not important/not needed	20	4%
Grow architecture-related technical and vocational programs; certificate programs in CAD, design, building science, etc.	20	4%

	Number of mentions	Percentage of complete responses
Expand outreach to community college students	19	4%
Strengthen ties between community colleges and accredited schools	17	3%
Advise community college programs and help develop curriculum	10	2%
Provide scholarships and financial assistance	8	2%
Joint programs; Make community colleges a hub of outreach	7	1%
Give accreditation to some classes	7	1%
Strengthen curriculum and community perceptions of community colleges	5	1%
Host design competitions	4	< 1%
Strengthen ties between firms and community colleges	3	< 1%
Change IDP requirements/create a clear path to licensure	2	< 1%
Create/support student chapters of AIA	2	< 1%

Question 12: Top Results

How can ties between the architectural profession and the community college system in California be strengthened?

1. Create opportunities to transfer directly to accredited programs; remove barriers to transfer (9%)
2. Have more architects teach and advise; develop curricula that reflects current practice (7%)
3. Offer more architecture courses, including design, history and code training (7%)
4. Create internship opportunities; provide direct exposure to practice (7%)
5. Bring in professionals as guest lecturers, reviewers (6%)

What can AIACC do to help emerging professionals in architecture acquire their license? (*question 13*)

	Number of mentions	Percentage of complete responses
Focus on prep courses and training programs	86	17%
Reduce cost of study; provide free workshops and study materials	47	9%
Promote the value of licensure; maintain high standards	47	9%
Revise/revisit the IDP	36	7%
Simplify licensure process; reduce paperwork; maintain consistent requirements	33	7%
Provide comprehensive, accessible study materials and resources	27	5%
Provide and encourage mentoring	24	5%
Help candidates navigate the process; centralize licensure information	23	5%
Encourage firm support of licensure; promote related changes in firm culture	22	4%

	Number of mentions	Percentage of complete responses
Change exam content and streamline required exams	21	4%
Help obtain needed experience and exposure to the profession	16	3%
Provide and facilitate study groups and tutoring	15	3%
Revise testing schedule and test availability	10	2%
No help needed; Not AIA's role	8	2%
Provide greater support of local chapters; be more inclusive (multi-level certification, etc)	7	1%
Focus on school system; align curricula with licensing requirements	9	2%
Improve CAB/NCARB coordination and reciprocity	3	< 1%
Overhaul national system	2	< 1%
Remain aligned with national trends	0	< 1%

Question 13: Top Results

What can AIACC do to help emerging professionals in architecture acquire their license?

1. Focus on prep courses and training programs (17%)
2. Reduce cost of study; provide free workshops and study materials (9%)
3. Promote the value of licensure; maintain high standards (9%)
4. Revise/revisit the Intern Development Program (IDP) (7%)
5. Simplify the licensure process; reduce paperwork; maintain consistent requirements (7%)

What data/information would you like to have on hand in order to better guide the discussion at the upcoming summit? (*question 14*)

	Number of mentions	Percentage of complete responses
Statistics on licensure and demographics of licensed architects	45	9%
University statistics and trends (program enrollment, graduation rates, etc.)	35	7%
Information about graduates and emerging professionals: perceptions and participation in field	24	5%
Testing and exam pass rates; licensure candidate success rates	19	4%
Employment data; demand for architects; salary information	17	3%
Overall profile/status of profession	15	3%
Summary of survey findings	9	2%
Data on profession's retention of qualified candidates	9	2%
Information on existing architecture programs and courses	8	2%

	Number of mentions	Percentage of complete responses
Proposed direction for AIA and the profession	8	2%
IDP: trends, impacts, administration	8	2%
Perceptions of the field (clients, employers, students)	8	2%
Licensure steps and requirements; information re: timeline of licensure process	5	1%
Information for job-seekers; in support of career development	5	1%
NCARB and AIACC activities; activities of model professional associations	4	< 1%
Summit purpose, agenda and topics of discussion	3	< 1%
Related legislative updates	1	< 1%
The exams themselves	1	< 1%

Question 14: Top Results

What data/information would you like to have on hand in order to better guide the discussion at the upcoming summit?

1. Statistics on licensure and demographics of licensed architects (9%)
2. University statistics and trends (program enrollment, graduation rates, etc.) (7%)
3. Information about graduates and emerging professionals: perceptions and participation in the field (5%)
4. Testing and exam pass rates; licensure candidate success rates (4%)
5. Employment data; demand for architects; salary information (3%)

CHANGES IN LICENSING REQUIREMENTS

California State Board of Architecture is created in 1901 (March 23); "A" licenses were issued to individuals who could demonstrate that they were practicing architecture in California as of March 23, 1901

September 1901 - the Board began issuing "B" licenses to individuals who had passed either a written or oral exam

NCARB is created in 1919

1929

- the Board's name was changed to the California State Board of Architectural Examiners
- the Board began issuing licenses to individuals who passed both a written and an oral exam

CAB Requires Licensing Exam – 1936

- California has required a licensing exam since 1936.

In 1963, the Act was revised making the actual practice of architecture by an unlicensed individual a misdemeanor; this revision made the Act a true practice act, restricting the practice of architecture to only licensed architects

From 1964 through 1985, the Board also regulated registered building designers. The registration process began in 1964 and continued until 1968. The Board continued to regulate the practice of registered building designers through 1985; however, no new registrations were granted after 1968

NCARB produced the first national exam for architects in 1965

IDP was created jointly in the 1970s by NCARB and AIA

ARE is administered once a year in major cities across the US over a 4 day period 1979 - 1996

Through 1984, the Board also had the authority to issue a temporary certificate to practice architecture to an architect licensed in another state for a stipulated structure in California upon satisfactory evidence of his or her architectural competence and payment of the applicable fee

1987-1989 – administration of CALE in California

ARE is computerized 1997

In 1999, Assembly Bill (AB) 1678 changed the Board's name to the California Architects Board (CAB)

NCARB debut of ARE 3.0 in February 2004

CAB requires IDP and CIDP for all new Candidates - January 1, 2005

- This requirement is not applicable to individuals who were architectural candidates through CAB on or before December 31, 2004 and who remain active in the exam process.
- The CIDP/IDP requirement affects new candidates applying for exam eligibility on or after January 1, 2005, as well as candidates who were previously eligible but who have not taken an exam as a CAB candidate for five or more years and who are re-applying for eligibility on or after January 1, 2005. Candidates who were eligible for the ARE on or before December 31, 2004 and who continue to remain active in the exam process are exempt from the CIDP/IDP requirement. (this last part is stated in the previous bullet)

NCARB implements the “rolling clock” for the ARE - Effective January 1, 2006

- Effective January 1, 2006, NCARB implemented a “rolling clock” provision regarding the validity of ARE scores. Under the provisions of the rolling clock, candidates must pass all nine divisions of the ARE within a five-year period. NCARB has established an exemption provision for candidates who were in the exam process prior to 2006 and have passed one or more ARE division(s).
 - o Candidates who have passed all divisions of the ARE as of January 1, 2006, regardless of the time taken, will have passed the ARE and will not be subject to the new rolling clock provision.
 - o Candidates who have passed one or more, but not all divisions of the ARE by January 1, 2006 will have five years to pass all remaining divisions. A passing score for any remaining division will be valid for five years, after which time the division must be retaken if the remaining ARE divisions have not yet been passed. The five-year period will commence after January 1, 2006 on the date when the first passed division is administered. Divisions passed before January 1, 2006 will not have to be retaken.
 - o Candidates who have not passed any divisions of the ARE by January 1, 2006 will be subject to the five-year rolling clock provision. The five-year period will commence on the date when the first passed division is administered and will apply to all divisions.

NCARB introduces ARE 3.1 In February 2006

CAB Requires Candidates to establish NCARB Record (enroll in IDP) to be eligible for ARE - Effective July 1, 2008

- Candidates applying for eligibility to sit for the ARE must establish an NCARB record (enroll in IDP) prior to being permitted to take the exam

June 2008 NCARB Annual Meeting –Resolution 2008-07 passed requiring interns establishing a new NCARB Record on or after July 1, 2009 to submit IDP training reports of no more than six-months duration within two months of the end of each reporting period (Six-Month Rule)

Transition of ARE 3.1 to 4.0 July 2008 through June 2009

- In July 2008, ARE Version 3.1 was reformatted from nine to seven divisions and was introduced as Version 4.0. Version 4.0 is more integrative and contains six divisions containing both graphic vignettes and multiple-choice questions and one division with only graphic vignettes. Candidates who took and passed at least one division of ARE 3.1 by May 2008 were allowed to continue to take ARE 3.1 through June 2009.

2009 – NCARB launches new IDP e-EVR system

2009 - Emerging Professional's Companion 2009

2009 – 2010 – IDP 2.0 Phases One and Two implemented

July 1, 2010 - the NCARB IDP Six-Month Rule went into effect for all interns

CAB changes the administration of the CSE – February 2011

- Changes to a multiple choice computerized format rather than an oral administered format. Eligible Candidates can schedule the exam at one of the 13 locations in California and 10 out-of-state locations during normal business hours.

CAB votes to discontinue the CIDP requirement - June 16, 2011; the action will take effect upon codification of a regulatory amendment (in progress)

Spring 2012 – IDP 2.0 Phase Three to be implemented

On July 1, 2014, any ARE divisions taken prior to January 1, 2006, will no longer be exempt from the ARE “Rolling Clock” provision; consequently, the validity of the affected ARE division(s) will expire unless all remaining ARE divisions have been successfully completed by June 30, 2014

Licensure Breakdown

Current licensees as of November 8, 2011

Gender	Count
Male	16,297
Female	3,363

a Youngest licensee is 24 30 years of age

b Oldest licensee is 95 years old.

Age Range	Count
Under 20	0
20-25	1 ^a
26-30	49
31-40	1,684
41-50	3,922
51-60	6,788
61-70	4,764
71-80	1,510
81-90	352
91-100	13 ^b
100+	0

Current candidates as of November 8, 2011

Gender	Count
Male	6,188
Female	3,328
Unidentified	286

Status	Count
Active ARE	7,676
Active CSE	2,125 6
Total Active	9,802

Status	Count
Required CIDP	3,328
Completed CIDP	906

* Includes candidates and licensees who required to complete the CIDP/IDP requirement.

Current Licensees

Statistical Data Compiled by California Architects Board for Use at Summit

Year	Cumulative Number^a
1989	16,727
1990	16,854
1991	18,392
1992	18,371
1993	19,732
1994	19,186
1995	20,367
1996	19,684
1997	20,766
1998	20,061
1999	21,120
2000	20,299
2001	21,364
2002	20,763
2003	21,637
2004	21,050
2005	21,842
2006	21,279
2007	21,181
2008	21,638
2009	22,564
2010	20,433
2011 ^b	21,721

^a Number of currently licensed architects as of January 1st each year (includes those with "B" license type).
Numbers are cumulative.

^b Total does not include licensees pending incomplete renewal applications (approximately 200 as of January 1, 2011).

Delinquent Licensees

Statistical Data Compiled by California Architects Board for Use at Summit

Year	Cumulative Number^a
1989	1,748
1990	2,822
1991	1,170
1992	2,026
1993	2,265
1994	3,528
1995	3,003
1996	4,254
1997	3,679
1998	4,742
1999	4,065
2000	5,092
2001	4,381
2002	5,262
2003	4,767
2004	5,629
2005	5,181
2006	5,931
2007 ^b	1,219
2008	1,847
2009	1,206
2010	2,726
2011	2,138

^a Number of delinquent licenses as of January 1st each year (includes those with "B" license type). Numbers are cumulative.

^b Total delinquent licenses for 2007 and forward only include licenses expired less than five years and eligible to renew. Total in prior years include licenses expired since computer conversion in 1988 which included license records since 1969.

Deceased Licensees

Statistical Data Compiled by California Architects Board for Use at Summit

Year	Cumulative Number ^a	Difference
1989	566	0
1990	643	77
1991 ^b	1,150	507
1992 ^b	1,236	86
1993 ^b	1,209	-27
1994	1,293	84
1995	1,324	31
1996	1,414	90
1997	1,445	31
1998	1,549	104
1999	1,585	36
2000	1,689	104
2001	1,735	46
2002	1,811	76
2003	1,843	32
2004	1,921	78
2005	1,963	42
2006	2,058	95
2007	2,091	33
2008	2,170	79
2009	2,219	49
2010	2,298	79
2011	2,352	54

^a Number of deceased licensed architects as of January 1st each year (includes those with "B" license type).
Numbers are cumulative.

^b Data entry error in 1990 appearing in 1991 and corrected records showing in following years. Unable to confirm actual year all records were corrected. Records may have been corrected by 1994 based on pattern of data for following years.

Licenses Issued

Statistical Data Compiled by California Architects Board for Use at Summit

Year	Number^a
1989 ^b	1,339
1990	991
1991	954
1992	874
1993	902
1994	699
1995	629
1996	464
1997 ^c	387
1998 ^c	284
1999	362
2000	377
2001	408
2002	441
2003	389
2004	398
2005	434
2006	480
2007	514
2008	444
2009	500
2010	548

^a Numbers by calendar year.

^b Transition from CALE to ARE

^c Change to computer-delivered testing for ARE.

ARE Divisions Taken

Statistical Data Compiled by California Architects Board for Use at Summit

Year	Number^a
1989	15,248
1990	22,597
1991	19,191
1992	16,214
1993	12,679
1994	11,305
1995	11,622
1996	9,864
1997	1,809
1998	3,305
1999	3,720
2000	4,008
2001	5,080
2002	5,491
2003	6,469
2004	7,899
2005	9,184
2006	7,925
2007	9,016
2008	10,921
2009	11,262
2010	5,187
2011 ^b	3,956

^a Numbers by calendar year. A number of factors can affect totals (e.g., NCARB "Rolling Clock" provision, ARE 4.0 Transition, ARE fee increase, etc.).

^b Includes divisions taken up to September 30, 2011.

Reciprocity Passed CSE

Statistical Data Compiled by California Architects Board for Use at Summit

Year	Number^a
1990 ^b	147
1991	171
1992	164
1993	107
1994	103
1995	78
1996	87
1997	120
1998	127
1999	142
2000	157
2001	125
2002	151
2003	224
2004	146
2005	102
2006	96
2007	127
2008	84
2009	82
2010	77

^a Numbers by calendar year.

^b Total is for 1/2 of year.

Agenda Item L

REGULATORY AND ENFORCEMENT COMMITTEE REPORT

1. Discuss and Possible Action on Enforcement Statistics
2. Discuss and Possible Action on Informing Planning Department of Unlicensed Practice Issues Regarding Non-Exempt Projects (Strategic Plan – Practice Standards, Objective #1)
3. Review and Approve Proposed Regulation to Amend CCR, Title 16, Division 2, Section 103, Delegation of Certain Functions
4. Review and Approve Recommended Changes to the *Consumer's Guide to Hiring an Architect*

Agenda Item L.1

DISCUSS AND POSSIBLE ACTION ON ENFORCEMENT STATISTICS

The Board has been bolstering its enforcement efforts since 2009. In addition, the Department of Consumer Affairs' Consumer Protection Enforcement Initiative provides boards and bureaus with tools to further enhance their efforts.

In 2009, the number of pending complaint cases was 251, whereas, the current number of pending complaints is 112. This can partly be attributed to the increased allocation of enforcement resources to casework.

Enforcement staff has been providing special statistical reports to each Board meeting since December 2010. Attached are tables which depict case aging of cases closed by closure category since the last Board meeting. An updated version containing November statistics will be presented at the meeting.

Board members are asked to review this data for discussion and possible action.

Attachments:

1. Closed Cases and Disciplinary Closed Cases – indicates the number of cases closed, action taken, average number of days to close, and average percentage of case closure days compared to Department of Consumer Affairs' Performance Measures benchmark
2. Comparison of Pending Complaints by Year Received – indicates a comparison of the number of cases pending by the year the complaint was received between Board meetings
3. Quarterly Performance Measures – indicates the number of complaints received and the average number of days for the Board to: open and assign a complaint to an enforcement analyst; intake and investigate a complaint; refer a complaint to discipline; assign a probation monitor when a probation case is initiated; and, respond to probation violations

Closed Cases
January - August 2011

Closing Action	Cases Closed	Average Days to Close	Average % of Case Closure Days Compared to Performance Measure (270 Days)
Cease & Desist Compliance - advertising & practicing without license	75	75	28%
Cease & Desist Non-Compliance - advertising	5	184	68%
Notice of Advisement (Licensee) - no Business Entity Report form, incomplete renewal, contract, willful misconduct	50	236	87%
Notice of Advisement (Unlicensed) - advertising, practicing without license	41	140	52%
Other - duplicate complaint from same complainant, complainant did not respond to request for more information, no jurisdiction, out of business, mediated, complaint withdrawn, denial of license, case to Deputy Attorney General	23	179	66%
No Violation	26	185	69%
Citation - practicing with expired license, practicing without license	16	378	140%

Closed Cases
September - October 2011

Closing Action	Cases Closed	Average Days to Close	Average % of Case Closure Days Compared to Performance Measure (270 Days)
Cease & Desist Compliance - advertising & practicing without license	9	60	23%
Cease & Desist Non-Compliance - advertising	0	0	0%
Notice of Advisement (Licensee) - no Business Entity Report form, incomplete renewal, contract, willful misconduct	5	129	48%
Notice of Advisement (Unlicensed) - advertising, practicing without license	10	175	65%
Other - no jurisdiction, mediated, complainant did not respond to request for more information, opened in error	6	46	17%
No Violation	7	163	60%
Citation - practicing with expired license, practicing without license	3	287	106%

Disciplinary Closed Cases

March - August 2011

Closing Action	Cases Closed	Average Days to Close
Petition to Revoke Probation resulting in license revocation	1	300
Accusation (2 complaint cases)^a	1	1460
Statement of Issues	1	355

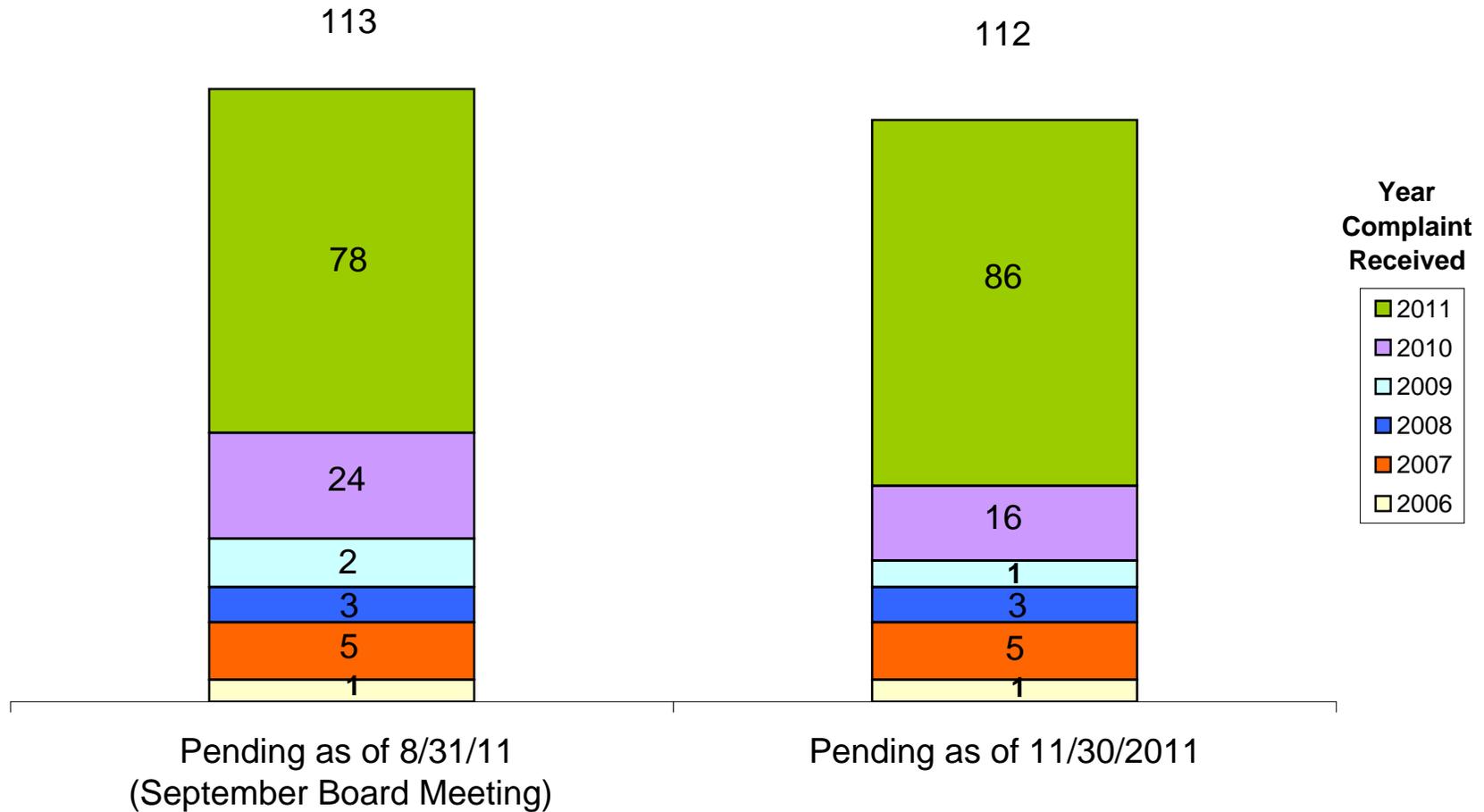
September - October 2011

Closing Action	Cases Closed	Average Days to Close
Accusation^b	1	383

^aComplaint cases were opened on May 18, 2007 and June 25, 2007, alleging negligence and willful misconduct. Both cases required extensive review and investigation by expert consultants. The cases were sent to the deputy attorney general (DAG) on January 27, 2010, requesting an Accusation be filed against the respondent. An Accusation was filed on August 30, 2010. A Stipulated Decision was received from DAG on May 23, 2011 which was adopted by Board on June 16, 2011.

^bCase was opened on July 2, 2009 alleging negligence and willful misconduct. It was sent to the DAG on July 20, 2010 requesting that an accusation be filed against the respondent. An accusation was filed on February 20, 2011. Respondent did not file a Notice of Defense resulting in a default decision, which became final on October 20, 2011 and revoked respondent's architect license.

Comparison of Pending Complaints By Year Received



All cases received prior to 2009 are pending at the Attorney General's Office.

Performance Measures

Q1 Report (July - Sept 2010)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement.

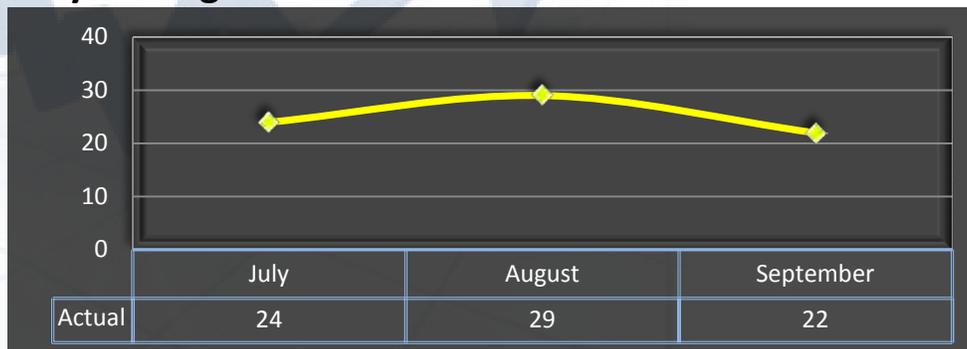
These measures will be posted publicly on a quarterly basis. In future reports, additional measures, such as consumer satisfaction and complaint efficiency, will also be added. These additional measures are being collected internally at this time and will be released once sufficient data is available.

Volume

Number of complaints received.*

Q1 Total: 75

Q1 Monthly Average: 25

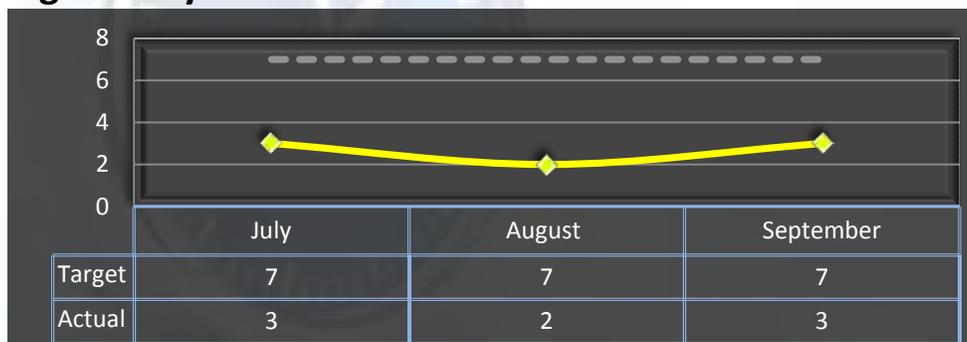


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 7 Days

Q1 Average: 3 Days



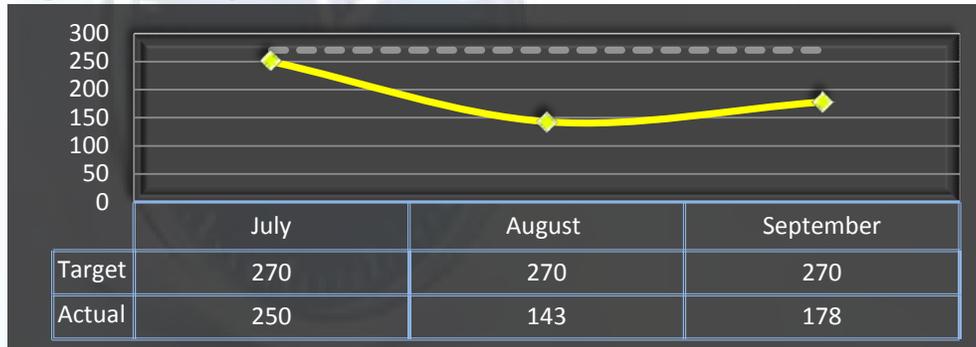
*"Complaints" in these measures include consumer complaints and internally generated complaints.

Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 270 Days

Q1 Average: 224 Days



Formal Discipline

Average cycle time from complaint receipt to closure, for cases sent to the Attorney General or other forms of formal discipline.

Target: 540 Days

Q1 Average: N/A

The Board did not send any cases to the Attorney General this quarter.

Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 10 Days

Q1 Average: N/A

The Board did not have any probation monitoring data to report this quarter.

Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q1 Average: N/A

The Board did not have any probation violation data to report this quarter.

Agenda Item L.2

DISCUSS AND POSSIBLE ACTION ON INFORMING PLANNING DEPARTMENTS OF UNLICENSED PRACTICE ISSUES REGARDING NON-EXEMPT PROJECTS (STRATEGIC PLAN - PRACTICE STANDARDS, OBJECTIVE #1)

The California Architects Board's 2011 Strategic Plan directs the Regulatory and Enforcement Committee (REC) to develop a strategy for informing the League of California Cities (LCC) and the California Chapter American Planning Association (CCAPA) of the Architects Practice Act (Act) requirements.

At its December 16, 2010 Strategic Plan meeting, the Board expressed their desire to further communicate the rules and regulations contained in the Act and the point at which a project becomes "architecture" and requires a licensee. The members determined this could best be accomplished by working with the LCC and the CCAPA. Board member Marilyn Lyon is the Board's liaison to the LCC.

The message should contain information such as:

- Background on the Board's role as a consumer protection agency,
- Basic consumer tips,
- The value of a license (five years of education/experience, three years of structured internship, plus a national and state examination),
- Statutes explaining what constitutes the practice of architecture, and
- An explanation of the projects that would require the services of an architect or registered engineer.

One specific enforcement issue that could be communicated relates to unlicensed practice. The Board is aware that often times unlicensed individuals are hired to design projects that require a licensee. The unlicensed person might provide the design through the planning department approvals; however, plans cannot be permitted because they are not prepared by a licensee. It is only when plans are submitted to the building department that the consumer learns a licensed architect is required.

This issue was presented at the May 11, 2011 REC meeting, where members discussed experiences they had regarding unlicensed individuals presenting plans and documents for non-exempt projects to the planning department. The REC determined that consumers were not being protected. Members also suggested that the problem may be more systemic in that the statute does not delineate when a project becomes "architecture."

The REC agreed to recommend to the Board that it open a dialog with CCAPA to discuss the Board's message shown above, describe the Board's concern regarding unlicensed individuals presenting plans to the planning department for non-exempt projects, and identify whether CCAPA perceives this to be an issue.

At its June 16, 2011 meeting, the Board discussed the definition of the practice of architecture. Members decided that a letter should be sent to jurisdictions' planning departments advising of the requirement for licensure for individuals submitting plans that represent architectural services, and to educate them on the issues.

Staff presented the Board with a draft letter to planning departments at its September 15, 2011 meeting. The Board commented that they felt the draft letter's language was not strong enough. Board members opined that planning departments need to take some responsibility to validate that a licensed architect is providing services for non-exempt project types. Board members also stated that the definition of architectural services, per the Architects Practice Act, should be included in the letter. It was determined that the letter should also be sent to other entities, i.e., redevelopment agencies, mayors, city councils, city managers, California Coastal Commission, etc. Board President Pasqual Gutierrez appointed Jeffrey Heller to work with Board staff to revise the letter and bring it back to the Board at its December 2011 meeting.

To that end, staff worked with Mr. Heller and legal counsel to revise the draft letter addressing the Board's concerns.

The Board is asked to review the revised draft letter and determine how to proceed.

Attachments

1. Draft letter to Planning Departments
2. Business and Professions Code Sections 5500.1 (Practice of Architecture Defined), 5536.1 (Signature and Stamp on Plans and Documents; Unauthorized Practice; Misdemeanor), 5536.2 (Statement of Licensure), 5537 (Exemptions; Dwellings, Garages, Agricultural and Ranch Buildings; Supervision of Licensed Architect or Registered Engineer Required), and 5538 (Planning or Design Affecting Safety of Building or Its Occupants; Nonstructural Store Front or Interior Alterations or Additions Excepted)

Date

Planning Department

Dear Planning Department Chair:

The California Architects Board has become aware of a consumer protection issue rising from planning department review and approval processes in several California jurisdictions. On behalf of the Board, I am writing to alert you to this issue and to seek your assistance in resolving it.

The project review and approval processes of city and county planning and building departments exist to ensure that building projects meet state and local standards to protect the public health, safety, and welfare. A key element of this protection comes from the assurance that the projects being reviewed are designed by properly licensed/registered design professionals.

Business and Professions Code sections (BPC) 5500 and 6700, et. seq., known respectively as the architects' and engineers' "practice acts," define and regulate their respective professional practice. Each of these practice acts clearly define categories of "exempt" project types for which unlicensed persons are allowed to provide design services [Ref.: BPC 5537, 5538 and 6737.1]. The consumer protection issue we are raising at this time does not originate from the review and approval processes for these "exempt" project types, but with the review and approval of "non-exempt" project types that do require licensed/registered design professionals to be responsible for and in control of design services.

Here is how the problem manifests itself: Often, client/consumers hire unlicensed persons to design their projects who then submit project drawings to the local planning department to commence the review and approval processes that will ultimately lead to issuance of a construction permit. After an unlicensed person has provided the design services for a non-exempt project type and has secured planning department approvals including discretionary design reviews, the client/consumer is then informed that such "approved plans" cannot be accepted by the building department for review or permitted

for construction because the project type requires a licensed/registered design professional. Now, the client/consumer is faced with potential project delays, additional design and construction costs when the building department cannot accept the project plans that were perceived to be approved.

BPC 5536.2 requires local governments to require a statement of licensure/registration by the preparer of plans and specifications for the issuance of any permit that is a condition precedent to the construction, alteration or repair of any building or structure. It provides in relevant part as follows:

“Each county or city which requires the issuance of any permit as a condition precedent to the construction, alteration, improvement, or repair of any building or structure shall also require as a condition precedent to the issuance of the permit a signed statement that the person who prepared or was in responsible control of the plans and specifications for the construction, alteration, improvement, or repair of the building or structure is licensed under this chapter to prepare the plans and specifications, or is otherwise licensed in this state to prepare the plans and specifications.”

Accordingly, all plans, specifications, and other instruments of service prepared for non-exempt project types which are to be used

- a) for review and approval submissions that will result in construction authorization or issuance of a building permit; or
- b) for review and approval before any person, body or agency having legal authority for project approval during any phase of planning, design or construction of the building or structures

must be prepared by or under the responsible control of, and they must be stamped and signed by, the properly licensed/registered design professional.

Responsible control of a project design must be exercised throughout all stages of project development from the very beginning to end of project closeout. Since planning department approvals are the earliest of many required conditions to be met prior to the issuance of a construction permit and since contemporary planning department approval processes require project design development to go beyond conceptual planning stages, the Board is asking for your department’s cooperation in requiring responsible control of

design at these earliest project stages by ensuring that BPC 5536.1 and 5536.2 are applied and adhered to in your review and approval processes. We would be pleased to serve as a resource to assist in your efforts in this regard.

The Board appreciates your attention to this important issue. If you have any questions, please contact the Board's Enforcement Officer, Hattie Johnson, at Hattie.Johnson@dca.ca.gov or (916) 575-7203.

Sincerely,

PASQUAL GUTIERREZ

President

Attach text of BPC 5500.1, 5536.1 & 2, 5537 and 5538.

**CALIFORNIA ARCHITECTS BOARD
ARCHITECTS PRACTICE ACT**

§ 5500.1 Practice of Architecture Defined

- (a) The practice of architecture within the meaning and intent of this chapter is defined as offering or performing, or being in responsible control of, professional services which require the skills of an architect in the planning of sites, and the design, in whole or in part, of buildings, or groups of buildings and structures.
- (b) Architects' professional services may include any or all of the following:
- (1) Investigation, evaluation, consultation, and advice.
 - (2) Planning, schematic and preliminary studies, designs, working drawings, and specifications.
 - (3) Coordination of the work of technical and special consultants.
 - (4) Compliance with generally applicable codes and regulations, and assistance in the governmental review process.
 - (5) Technical assistance in the preparation of bid documents and agreements between clients and contractors.
 - (6) Contract administration.
 - (7) Construction observation.
- (c) As a condition for licensure, architects shall demonstrate a basic level of competence in the professional services listed in subdivision (b) in examinations administered under this chapter.

§ 5536.1 Signature and Stamp on Plans and Documents; Unauthorized Practice; Misdemeanor

- (a) All persons preparing or being in responsible control of plans, specifications, and instruments of service for others shall sign those plans, specifications, and instruments of service and all contracts therefore, and if licensed under this chapter shall affix a stamp, which complies with subdivision (b), to those plans, specifications, and instruments of service, as evidence of the person's responsibility for those documents. Failure of any person to comply with this subdivision is a misdemeanor punishable as provided in Section 5536. This section shall not apply to employees of persons licensed under this chapter while acting within the course of their employment
- (b) For the purposes of this chapter, any stamp used by any architect licensed under this chapter shall be of a design authorized by the board which shall at a minimum bear the licensee's name, his or her license number, the legend "licensed architect" and the legend "State of California," and which shall provide a means of indicating the renewal date of the license.
- (c) The preparation of plans, specifications, or instruments of service for any building, except the buildings described in Section 5537, by any person who is not licensed to practice architecture in this state, is a misdemeanor punishable as provided in Section 5536.
- (d) The board may adopt regulations necessary for the implementation of this section.

§ 5536.2 Statement of Licensure

Each county or city which requires the issuance of any permit as a condition precedent to the construction, alteration, improvement, or repair of any building or structure shall also require as a condition precedent to the issuance of the permit a signed statement that the person who prepared or was in responsible control of the plans and specifications for the construction, alteration, improvement, or repair of the building or structure is licensed under this chapter to prepare the plans and specifications, or is otherwise licensed in this state to prepare the plans and specifications.

The signature and stamp, as provided for in Section 5536.1, on the plans and specifications by the person who prepared or was in responsible control of the plans and specifications shall constitute compliance with this section.

It is the responsibility of the agency that issues the permit to determine that the person who signed and stamped the plans and specifications or who submitted the signed statement required by this section is licensed under this chapter or is otherwise licensed in this state to prepare the plans and specifications.

This section shall not apply to the issuance of permits where the preparation of plans and specifications for the construction, alteration, improvement, or repair of a building or structure is exempt from this chapter, except that the person preparing the plans and specifications for others shall sign the plans and specifications as provided by Section 5536.1.

§ 5537 Exemptions; Dwellings, Garages, Agricultural and Ranch Buildings; Supervision of Licensed Architect or Registered Engineer Required

(a) This chapter does not prohibit any person from preparing plans, drawings, or specifications for any of the following:

- (1) Single-family dwellings of woodframe construction not more than two stories and basement in height.
- (2) Multiple dwellings containing no more than four dwelling units of woodframe construction not more than two stories and basement in height. However, this paragraph shall not be construed as allowing an unlicensed person to design multiple clusters of up to four dwelling units each to form apartment or condominium complexes where the total exceeds four units on any lawfully divided lot.
- (3) Garages or other structures appurtenant to buildings described under subdivision (a), of woodframe construction not more than two stories and basement in height.
- (4) Agricultural and ranch buildings of woodframe construction, unless the building official having jurisdiction deems that an undue risk to the public health, safety, or welfare is involved.

(b) If any portion of any structure exempted by this section deviates from substantial compliance with conventional framing requirements for woodframe construction found in the most recent edition of Title 24 of the California Code of Regulations or tables of limitation for woodframe construction, as defined by the applicable building code duly adopted by the local jurisdiction or the state, the building official having jurisdiction shall require the preparation of plans, drawings, specifications, or calculations for that portion by, or under the responsible control of, a licensed architect or registered engineer. The documents for that portion shall bear the stamp and signature of the licensee who is responsible for their preparation. Substantial compliance for purposes of this section is not intended to restrict the ability of the building officials to approve

plans pursuant to existing law and is only intended to clarify the intent of Chapter 405 of the Statutes of 1985.

§ 5538 Planning or Design Affecting Safety of Building or Its Occupants; Nonstructural Store Front or Interior Alterations or Additions Excepted

This chapter does not prohibit any person from furnishing either alone or with contractors, if required by Chapter 9 (commencing with Section 7000) of Division 3, labor and materials, with or without plans, drawings, specifications, instruments of service, or other data covering such labor and materials to be used for any of the following:

- (a) For nonstructural or nonseismic storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment.
- (b) For any nonstructural or nonseismic work necessary to provide for their installation.
- (c) For any nonstructural or nonseismic alterations or additions to any building necessary to or attendant upon the installation of those storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, appliances, or equipment, provided those alterations do not change or affect the structural system or safety of the building.

Agenda Item L.3

REVIEW AND APPROVE PROPOSED REGULATION TO AMEND CCR, TITLE 16, SECTION 103, DELEGATION OF CERTAIN FUNCTIONS

The California Architects Board's (Board) 2011 Strategic Plan directs the Regulatory and Enforcement Committee (REC) to review and make recommendations concerning Department of Consumer Affairs' (DCA) proposals regarding Senate Bill (SB) 1111. This legislation failed to pass, but DCA is encouraging boards and bureaus to review the provisions included in SB 1111 to determine whether they might be utilized to improve their enforcement processes.

After reviewing the nine proposals contained in the bill, the Board voted to seek an amendment to CCR section 103 (Delegation of Certain Functions) where the Board would delegate authority to the Executive Officer (EO) to approve stipulated settlements to revoke or surrender a license.

Attached are copies of the Notice of Proposed Changes in the Regulations, the Initial Statement of Reasons, and the Proposed Regulatory Language.

The Board will be asked to review and approve the proposed regulation to amend CCR, Title 16, section 103, Delegation of Certain Functions 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 changes to the language, if needed.

Attachments

1. Notice of Proposed Changes in the Regulations
2. Initial Statement of Reasons
3. Proposed Regulatory Language CCR 103

TITLE 16: CALIFORNIA ARCHITECTS BOARD
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

California Architects Board
2420 Del Paso Road, Suite 105
Sequoia Room
Sacramento, CA 95834
Date****
10:00 am

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on *****. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 5578 of the Business and Professions Code, and to implement, interpret or make specific Section 480 of said Code, and Section 11425.50 of the Government Code, the Board is considering changes to Division 2 of Title 16 of the California Code of Regulations as described in this Notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board's highest priority is consumer protection. The primary methods by which the Board achieves this goal are: issuing architect licenses to eligible applicants; investigating complaints against licensed architects and disciplining licensees for violations of the Architects Practice Act and monitoring licensed architects whose licenses have been placed on probation. In order to enhance its disciplinary function and strengthen its Enforcement Program to better achieve its public protection mandate, the Board is proposing the following change:

Amend Section 103 - Delegation of Certain Functions

Existing law authorizes the Board to hire an Executive Officer.

Existing regulations delegate certain functions to its Executive Officer relative to actions taken in connection with the Administrative Procedures Act.

This regulatory proposal would delegate to the Executive Officer the authority to approve settlement agreements for the revocation or surrender of an architect license.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: Minor.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. The proposed regulatory action affects licensed architects.

Cost Impact on Representative Private Person or Business: The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to the Board are costs associated with any disciplinary order imposed by the Board and legal fees, if the individual is represented by legal counsel.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulation will not affect small businesses. The regulatory proposal affects licensed architects.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the person designated in the Notice under Contact Person or by accessing the Board's website, www.cab.ca.gov.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulation is based is contained in the rulemaking file which is available for public inspection by contacting the person named below. You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Hattie Johnson
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: 916-575-7203
Fax No.: 916-575-7283
E-Mail Address: hattie.johnson@dca.ca.gov

The backup contact person is:

Name: Sonja Ruffin
Address: 2430 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: 916-575-7207
Fax No.: 916-575-7283
E-Mail Address: sonja.ruffin@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.cab.ca.gov.

**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD**

INITIAL STATEMENT OF REASONS

Hearing Date:

Subject Matter of Proposed Regulations: Enforcement

Sections Affected: Amend Section 103

Introduction: The Board's highest priority is consumer protection. The primary methods by which the Board achieves this goal are: issuing architect's licenses to eligible applicants; investigating complaints against licensed architects and disciplining licensees for violations of the Architects Practice Act (Act); and, monitoring licensed architects whose licenses have been placed on probation. The Board is proposing the regulatory change described below in order to enhance its disciplinary function and strengthen its Enforcement Program to better achieve its public protection mandate. The proposed change is the result of extensive reviews of the Board's Enforcement Program, including services rendered by the Department of Consumer Affairs' (DCA) Division of Investigation (DOI) and the Attorney General's Office. The proposed regulatory action will facilitate achievement of the Board and DCA's goal to improve discipline case processing timeframes so that case resolution is completed on average in 12 to 18 months.

Specific Changes and Factual Basis/Rationale:

Section 103-Delegation of Certain Functions – Amend

The regulatory proposal would delegate to the Board's Executive Officer (EO) the authority to approve settlement agreements for revocation or surrender of an architect license.

Under existing law, the Board has delegated to the EO specific duties relative to disciplinary matters including receiving and filing accusations and notices of defense, and issuing subpoenas. The Board has retained for itself the authority to render decisions on proposed decisions prepared by administrative law judges (ALJ) and settlement agreements prepared by deputy attorney generals (DAG). The ALJ's proposed decision is issued after the licensed architect has had an opportunity to dispute the charges at an administrative hearing. The licensed architect and DAG may negotiate a settlement agreement to resolve the case prior to the hearing. In a settlement agreement, the licensed architect admits specific charges and agrees to the proposed disciplinary action. Board members must vote to approve proposed decisions and settlement agreements. The regulatory proposal would enable the Board's EO to approve settlement agreements for revocation or voluntary surrender of the architect's license. Because the licensed architect willingly and voluntarily admitted to the charges and agreed to a proposed disciplinary action that is among the severest the Board can impose, there is little discretion for the Board to exercise in these cases. Staff is unaware of any case in which the Board has not adopted such a settlement agreement.

Delegating to the Board's EO the authority to approve settlement agreements, if the agreed upon action is license revocation or surrender, will shorten the timeframe for these cases, thus adding to consumer protection by allowing orders to become effective in a more timely manner.

Underlying Data:

Technical, theoretical or empirical studies or reports relied upon:

- Department of Consumer Affairs "Consumer Protection Initiative – January 21, 2010"

Business Impact:

This regulation will not have a significant economic impact on businesses; it only impacts licensed architects.

Specific Technologies or Equipment:

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives:

The Board has determined that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective as, or less burdensome to affected private persons than the proposal described in this Notice.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

1. Not amend the regulations. This alternative was rejected because the changes proposed by this regulatory action are based on enforcement processes and procedures, and are necessary to improve the Board's enforcement operations. The regulatory proposal will assist in achieving the Board and DCA goal of reducing the average enforcement completion timeline from the current 33 months to between 12 and 18 months.
2. Amend the regulation. The Board determined that this alternative is the most feasible because the proposed regulatory changes would enhance the Board's ability to protect the public.

CALIFORNIA ARCHITECTS BOARD
PROPOSED REGULATORY LANGUAGE

Article 1. Delegation of Certain Functions

Amend Section 103 as follows:

Section 103, Delegation of Certain Functions.

* * *

The power and discretion conferred by law upon the Board to receive and file accusations; issue notices of hearing, statements to respondent and statements of issues; receive and file notices of defense; determine the time and place of hearings under Section 11508 of the Government Code; issue subpoenas and subpoenas duces tecum; set and calendar cases for hearing and perform other functions necessary to the business-like dispatch of the business of the Board in connection with proceedings under the provisions of Sections 11500 through 11528 of the Government Code, prior to the hearing of such proceedings; [to approve settlement agreements for the revocation or surrender of license](#); and the certification and delivery or mailing of copies of decisions under Section 11518 of the Government Code are hereby delegated to and conferred upon the executive officer of the Board.

Agenda Item L.4

REVIEW AND APPROVE RECOMMENDED CHANGES TO THE *CONSUMER'S GUIDE TO HIRING AN ARCHITECT*

The Board's current supply of the publication, *Consumer's Guide to Hiring an Architect* (Guide), is almost depleted. The Guide was last revised in 2004.

The existing text of the Guide has been reviewed and revised by staff, taking into consideration consumers' common questions and misinterpretations. The Regulatory and Enforcement Committee (REC) reviewed the recommended edits at its May 11, 2011 meeting. The REC made additional recommendations for changes which have been incorporated into the attached draft Guide. The changes are shown in strikethroughs for deleted text and underline for new text in the attachment. After the draft Guide is approved it will be printed for distribution to building departments and the public and posted on the Board's website.

The Board is asked to review and approve the recommended changes to the Guide.

Attachment

Draft Consumer's Guide to Hiring an Architect

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INTRODUCTION

Are you thinking about hiring an architect? Consumers and businesses often wish to construct or modify sites, buildings, or other structures. The best approach is to hire an architect to plan, design, and observe the construction of these projects. Working with an architect helps ensure that your project is designed properly. The California Architects Board (Board) examines, licenses, and regulates more than 202,000 architects. The Board's mission is to protect the welfare of the public by ensuring the professional performance of those architects licensed to practice in the state.

The Board produced this *Consumer's Guide to Hiring an Architect* to help you ~~with~~ understand the sometimes complex and technical nature of architectural services. It provides information on:

- what types of projects require a licensed architect;
- how to find and select an architect;
- what the written contract between you and your architect should contain; and
- how to manage budgeting and construction of your project.

By following the suggestions contained ~~steps laid out~~ in this guide and carefully planning and thoroughly discussing your project beforehand with your architect, you will help ensure ~~develop~~ a successful ~~working relationship and~~ project.

THE PRACTICE OF ARCHITECTURE

California law defines ~~the practice of architecture~~ ~~as the planning of sites, and the design, in whole or in part, of buildings or groups of buildings and structures.~~ Any person who uses the title of architect, or advertises to provide architectural services in California, must be licensed as an architect by the Board.

Obtaining an ~~architect's~~ license requires an ~~architect individual~~ to demonstrate competence by passing ~~a the~~ national examination, ~~a and the California~~ Supplemental Examination ~~required by the State of California~~, as well as providing evidence of at least eight years of education and experience. ~~Architects-Individuals~~ are ~~tested examined~~ for competence ~~in -which include~~ the following areas:

- applicable codes and regulations, and assistance in the governmental review process;
- investigation, evaluation, consultation, and advice;
- planning, schematic and preliminary studies, designs, working drawings, and specifications;
- coordination of services and/or documents by technical and special consultants;
- technical assistance in the preparation of bid documents and agreements between clients and contractors;
- contract administration; and
- construction observation.

SHOULD I HIRE AN ARCHITECT FOR MY BUILDING PROJECT?

For a successful project, it is generally recommended that you hire an architect; however, not every building project requires an architect's services. Current California law provides that persons who are not licensed as architects or registered as civil or structural engineers can design certain types of buildings or ~~portions parts~~ of buildings, ~~which include~~ing:

- ~~S~~single-family dwellings of conventional woodframe construction that are not more than two stories and basement in height;
- ~~M~~multiple dwellings containing no more than four dwelling units that are of conventional woodframe construction, not more than two stories and basement in height, and not more than four dwelling units per lot;
- ~~G~~garages or other structures added to dwellings of woodframe construction that are not more than two stories and basement in height;
- ~~A~~gricultural and ranch buildings of woodframe construction, unless the building official deems that an undue risk to the public health, safety, or welfare is involved;
- ~~N~~onstructural or nonseismic storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment, including nonstructural work necessary to provide for their installation; or
- ~~N~~onstructural or nonseismic alterations or additions to any building necessary for the installation of storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, appliances, or equipment, provided those alterations do not change or affect the structural system or safety of the building.

~~However, B~~efore you hire someone who is not a licensed architect or registered engineer to design a new ~~building structure~~ or alter an existing structure, ~~it is suggested that you~~ consult the building official in your city or county building department. ~~You may save time and money by~~

~~first discussing your project with the building official~~ who ~~can will~~ advise ~~whether you if~~ your project will require a licensed architect or engineer to prepare and submit plans and specifications. In ~~determining whether deciding if~~ you need a licensed architect ~~or engineer~~, the building official will consider existing state laws, ~~the as well as~~ public health, safety, and welfare, ~~and~~. ~~The building official will also consider~~ local environmental and geographical conditions such as snow loads, winds, earthquake activity, tidal action, and soil conditions.

FINDING AND SELECTING AN ARCHITECT

Start by obtaining the names of several architects from more than one source. You can ask for recommendations from people you know, or look ~~on the internet in the yellow pages of the telephone directory under “Architects”~~ for [California licensed architects](#) individuals, firms, and professional associations. You can also receive more information about the practice of architecture and referrals from professional associations such as The American Institute of Architects (AIA) [and its local chapters \(www.aia.org\)](#). ~~Web site at www.aia.org~~

Some architects specialize in designing certain types of structures such as single-family dwellings, multiple residential, commercial, institutional, or industrial structures, while others design a variety of building types. You may find it to your advantage to contact several architects or architectural firms. ~~The CAB does not maintain a referral service and cannot recommend architects; however, CAB can advise you if an architect is currently licensed and whether the Board has taken any disciplinary action against that architect.~~

After receiving referrals and recommendations from various sources, you will need to determine which architect will be able to provide the services you need at a cost you are willing to pay. [The following information will assist you with this process:](#)

BASIC PROJECT CRITERIA

Prior to selecting an architect, you need to develop basic criteria for your project and provide this [information](#) to the architects you are considering. The basic criteria for your project should include, but not necessarily be limited to:

- the size, appearance, and functional requirements of your project;
- the services you expect the architect to perform;
- [your budget for the project](#); ~~what you intend to spend for design fees, if known.~~
- what you intend to spend for construction;
- how the project will be financed and, if known, by whom; [and](#),
- anticipated starting and completion dates of your project;
- ~~how you intend to construct the project.~~

Request For Information/Qualifications

To make sure you [hire a qualified architect](#) ~~get the best person~~ for your project, you should request [the architect provide](#) information [about their](#) ~~on~~ qualifications and experience. ~~from several architects.~~ After reviewing [this information](#) ~~their qualifications~~, you may want to interview a number of architects to determine their understanding of your project and your compatibility. During the selection process, you may want to ask some or all of the following questions:

General Information

- How long have you been in business?
- How many persons are employed by your firm?
- Do you have a valid California architect’s license? If so, what is your license number?
- How have you kept current in your practice?
- Do you intend to use consultants for this project? If so, who do you propose to use? What are their qualifications? What has been your experience with them? [Are they insured?](#)

- What percentage of your practice involves the type of structure I intend to build?
- Do you carry insurance? If so, what type(s)? How long have you carried each type and what are the policy limits?

Experience

- Have you recently designed the type of structure I intend to build? ~~How many times?~~
- When and what was your most recent project?
- May I see examples of your previous projects that are similar to my project (sketches, photos, plans)?
- May I have the names, addresses, and telephone numbers of the clients for these previous similar projects?
- What was the actual construction cost versus budgeted cost for these projects?

Services

- What services did you provide for these clients during the design, bidding, and construction phases?
- What services do you propose to provide for my project during each of these phases?
- Who will provide these services, you or your employees?
- What services will you not provide or are provided by others?
- What does construction observations services entail? How often will you be on site? What is your role during site visits/during construction?

Fees

- ~~What will the fee schedule be?~~
- How will your fees for my project be determined and what services do the fees cover?
- Will you provide probable construction cost estimates for my project?
- If consultants (civil, structural, mechanical, electrical, geotechnical, testing and inspection, interior design, landscape architecture, etc.) are necessary, are their fees included in your basic fee or are they separate services?
- What additional costs (e.g., permit and other governmental fees) or services (e.g., time spent obtaining necessary permits and other approvals) do you anticipate for my project?
- How do you establish your fees for additional services and reimbursable expenses?
- Will there be a charge for redesign if it is necessary to meet the construction budget?
- Will there be additional charges for changes required by the building department or other government agency?
- How are additional charges computed for design changes requested by me or requested by a contractor?

Time

- Can you meet my proposed schedule?

Disputes

- How will we handle any dispute that may arise between us?

MAKING THE FINAL DECISION

It is wise to check the references that each architect gives you and ask the following questions:

- Did the architect adhere to required schedules and budgets?
- Were you pleased with the architect's services and your working relationship with the architect?
- Did the architect listen to your concerns and attempt to resolve them?
- Would you hire the architect again?
- What problems surfaced during the project? How were they handled? Were they resolved to your satisfaction?
- Did the architect have a productive relationship with the contractor and others involved in the construction of your project?

If possible, visit the projects the architects have used as examples of their services.

~~In addition, you may call the Board or visit the Web site at www.cab.ca.gov to verify the license status of any architect(s) you are considering. Upon written or telephone inquiry, the Board will also inform you of any public complaints, or enforcement or disciplinary action against an architect. Although the Board does not maintain a referral service and cannot recommend architects; it can advise if an architect is currently licensed and whether the Board has taken any enforcement and/or disciplinary action against that architect. You can contact the Board by telephone or visit its website at www.cab.ca.gov.~~

THE CONTRACT FOR DESIGN SERVICES

Since January 1, 1996, California law has required that any architect who agrees to provide architectural services to a client must have a written contract. The contract must be signed by the architect and client prior to commencing services, unless the client knowingly states in writing that the services can be started before the contract is signed, or the client states in writing, after being informed about the statutory provision, that he or she does not want a written contract.

Although there are these few exceptions to the requirement for a written contract, However, the Board recommends that you always insist upon ~~have~~ a written contract ~~for design services~~ with the architect to document the terms and conditions that will govern your relationship. Many architects prepare their own contracts or have them prepared by an attorney; others use standard form agreements published by The American Institute of Architects (AIA) ~~standard forms of agreement appropriate to the type of project and services required~~.

Whatever contract is used for professional services, it is a legal document that binds you and the architect to certain obligations for the life of the project and, in some cases, beyond project completion. It should include the specific services that you and your architect have agreed upon and the conditions under which these services are to be rendered. Otherwise, issues could arise that may be both expensive and time consuming to resolve.

Review the contract carefully. It is your responsibility, along with the architect's, to understand and follow the contract. You have the right to question and negotiate changes in the terms of the contract before signing it, even if it is a printed standard form. Because it is a binding legal document, you may wish to have your legal counsel review the contract before you sign it. You, ~~the owner~~, should retain an original copy of the signed contract. In addition, you should not make agreements with other parties regarding your project without first notifying the architect ~~with whom you have the primary agreement~~.

MANDATORY ITEMS FOR THE WRITTEN CONTRACT

California law (Business and Professions Code Section 5536.22) requires that a written contract for architectural services contain, at a minimum, the following items:

1. a description of services to be provided by the architect to the client;
2. a description of any basis of compensation applicable to the contract and method of payment agreed upon by both parties (e.g., hourly rate, flat fee, percentage of construction cost);
3. the name, address, and license number of the architect and the name and address of the client;
4. a description of the procedure that the architect and the client will use to accommodate additional services; and
5. a description of the procedure to be used by either party to terminate the contract.

ADDITIONAL RECOMMENDED ITEMS IN THE WRITTEN CONTRACT

Beyond those items required by law, the Board recommends that a contract for architectural services be as clear and complete as possible in defining the goals and the expectations of both parties for the project. The contract could include the following:

- the ~~title and~~ address of the project and, if applicable the project's title;
- a narrative description of the project including any unique or special requirements;
- ~~a definition of~~ the project schedule with critical time frames for events such as funding cycles, third-party approvals, completion of design services, start and completion of construction, occupancy date, etc.;
- an estimated construction budget and a description of what it includes;
- a provision for fee and construction budget cost escalation or contingencies for changes in the project scope during design and construction phases or for delays to schedules;
- ~~a provision for fee and construction budget cost escalation or contingencies for delay in schedules.~~
- an understanding ~~clarification~~ of when the client's approval must be given in order for the architect to proceed to the next phase;
- an itemized listing and description of the architect's basic services;
- ~~and~~ the proposed fee; ~~for these basic services.~~
- a definition of additional services and procedures for authorization and compensation;
- a definition of reimbursable expenses and the procedures for authorization and compensation;
- a definition of the procedure for documenting all changes in project scope, cost, and schedule;
- a listing of the project consultants, if known, that may be needed (i.e., engineering, geotechnical, landscape, etc.), and ~~a definition of~~ the procedure for hiring and compensating them;
- a schedule of when fee payments are due and in what amounts;
- a definition of the amount of any required retainer fee and how and, when, ~~and where~~ it will be applied to the total fee for services;
- how final payment is computed if the contract is terminated;
- a clarification of who is responsible for keeping project account records and when they may be reviewed;
- whether construction observation services are included; and a description of the intent and scope of these services, and if they are part of basic or additional services;
- whether assistance with bidding and/or establishing a contract between a contractor and owner will be provided and if it is part of basic or additional services;
- a clarification of who owns, can use or reuse the project documents, including electronic files, at completion of the project or if the architect is terminated; ~~a clarification on ownership, use, or reuse of the project documents.~~
- a procedure for handling disputes between the parties should the need arise (for example, arbitration, ~~or~~ mediation, or civil action). (Be aware an architect has a right to file a Design Professional's Lien and/or a Mechanic's Lien in the event the agreed-upon fees are not paid. See page XX.)

KEEPING RECORDS

It is important to keep the written contract and a written record of all verbal communication with your architect related to the project. Do not assume your architect will interpret everything you discuss with him or her the same way you do. When you have a meeting or discussion with the architect about your project, write the architect a memo or email confirming your understanding of that meeting or discussion. These memos can help to prevent misunderstandings from occurring and may prove invaluable should a problem or dispute occur. Include the date and time of your conversation in the memo or email, as well as the date you write it.

You may also want to write memos or notes to yourself about the progress of the project. Photographs or videotapes taken at regular intervals (with notes as to the dates that the photos are taken) can be very useful in establishing a historical record of the project.

Keep detailed financial records by ensuring the architect provides detailed invoices. Also keep records of the date and amount of each payment you make. Require the architect to obtain your written approval at designated phases and before additional costs are incurred.

Make sure that you receive a copy of all documents you sign, and keep a copy of all documents you give to your architect.

FINANCIAL ISSUES

Before you sign the written contract, clearly establish the total amount of money (including contingency funds) you are willing to pay for the design and construction of your project, the frequency of progress payments you will make to your architect, and the amounts and schedule for these payments. Make sure this fee schedule is recorded accurately in the written contract, and that you make each payment to the architect as called for in the contract. If you have obtained a loan for your project, ensure that it covers both the cost of your architect's services and the construction cost.

Payment schedules should reflect the services to be provided on your project. Be wary of excessive advances or retainer fees to begin services. Make the final payment when the services are complete in accordance with your contract and you are satisfied with the services your architect has provided you.

Careful planning and discussion with your architect regarding services and payments, as well as accurate record keeping, will develop open communication and lead to a successful working relationship.

RELEASE OF PLANS

The official copy of the plans maintained by the building department of the city or county is open for inspection as a public record. However, a copy may only be duplicated with the permission of the architect and the original or current owner.

CONSTRUCTION HINTS

Unless you are experienced in construction, you probably should not attempt to build your project yourself. A properly licensed and experienced building contractor should perform the construction. ~~Therefore, it is important for you to ensure that the construction documents (building plans and specifications) you receive from the architect are complete enough for you to obtain bids from one or more contractors, and for the contractor to construct your project.~~ Contact the Contractors State License Board at (800) 321-2752 or www.cslb.ca.gov to verify [a contractor's](#) license ~~are~~ and [to](#) access consumer information.

A building permit does not guarantee that the plans your architect gives you are sufficient for construction. Discuss the plans with your architect and your contractor to ensure that they are suitable for bidding and construction purposes.

WHAT TO DO IF A PROBLEM OCCURS WITH YOUR PROJECT

You, ~~the consumer,~~ have a right to receive ~~careful~~competent and professional service from the architect you have hired. However, ~~e~~Even if you have read and followed this guide and have done everything possible to prevent problems, you may still encounter difficulties. ~~What should you do?~~

In the event a problem should arise, you should ~~F~~first, discuss the problem thoroughly and calmly with your architect. If you believe the architect is violating your written contract, review the contract and other relevant documentation with the architect. If your contract has a dispute resolution procedure, you should comply with it or take civil action as appropriate. You may also file a complaint with the Board. ~~If you and your architect are still unable to settle the problem, your next step should be to call or write the Board~~

DESIGN PROFESSIONALS' LIENS

Design professionals have a right to record a lien before construction begins. A design professionals' lien is a separate remedy available only to architects, professional engineers, and land surveyors who provide services during the planning phase of a private work project under a written agreement with the owner. The lien is on the property for which the project is planned and may not be recorded until a building permit or other governmental approval associated with the project has been obtained in connection with the services rendered by the design professional.

A design professionals' lien is not available for a single-family, owner-occupied residence with construction costs of less than \$100,000 in value.

MECHANICS' LIENS

Once construction commences, an architect may have the right to record a mechanics' lien against your property for any unpaid fees. Like design professionals' liens, a mechanic's lien is a separate remedy available to certain persons that bestow labor, services, materials, etc. to a private project. The law governing mechanics' liens is very complex. In the event of a dispute with your architect that results in the recording of a mechanics' lien, you may wish to consult legal counsel.

WHAT CONSTITUTES A COMPLAINT?

The Board has the power, duty, and authority to investigate alleged violations of the provisions of the Architects Practice Act (Business and Professions Code, Division 3, Chapter 3, Section 5500 et. seq.) ~~(Architects Practice Act)~~. The Board is also given specific authority to receive and investigate complaints against its licensees and to discipline violators accordingly. Do not hesitate to call or write the Board about any questions or concerns you may have. The Board may ~~take~~s action against architects for:

- fraud in obtaining a license-;
- impersonation or use of an assumed or corporate name-;
- aiding unlawful practice-;

- signing someone else's plans or permitting the misuse of their name;
- fraud in the practice of architecture;
- negligence or misconduct;
- failure to accurately represent qualifications;
- conflict of interest; and/or,
- incompetence or recklessness.

Disciplinary and enforcement actions may include license revocation, license suspension, license probation, citations, civil injunctions, and/or referral to local district attorneys for criminal prosecution.

The Board may also investigate complaints about unlicensed individuals attempting to provide architectural services.~~practice involving projects not exempted by state law.~~

HOW TO FILE A COMPLAINT

You may contact the Board at the address listed in this booklet. If you telephone the Board, you will be sent a complaint form with instructions for filing a complaint against an architect or unlicensed person. Complaint information and forms are also available online at ~~on the Board's Web site at~~ www.cab.ca.gov. You will need to ~~F~~fill out the form and return it to the Board with any evidence to support your complaint. If you submit a letter, fully describe your complaint. Submit copies of all documentation that you believe will substantiate your complaint. Keep the originals of these documents, as well as a copy of your complaint letter. Include your name, address, and telephone number so that the Board can contact you if more information is required.

You have the right to remain anonymous if you so choose by requesting it at the time you file your complaint. However, anonymity may add some difficulty or may prevent the Board from fully investigating your complaint and/or prosecuting the case.

HOW WILL THE BOARD RESPOND?

You are encouraged to notify the Board as early as possible; so that Board staff can help you resolve the problem.

After the Board receives your complaint, you will be formally notified of its receipt and that the Board is beginning the review process. If necessary, you will be asked to provide additional information. If the Board believes that the complaint has merit it will begin the investigation by evaluating the professional and/or technical aspects of your complaint. A letter ~~is~~will be sent to the architect approximately 10 days after receipt of your complaint requesting a response to the allegations.~~The letter to the architect requests him or her to respond with an explanation of his or her side of the situation.~~

~~If your complaint concerns something outside the Board's jurisdiction, you will be notified if another state or local agency might be able to assist you. **The Board does not have authority to recover monies for consumers.**~~ The Board may only take action where there is a violation of the Architects Practice Act. If your complaint concerns something outside the Board's jurisdiction,

[you will be notified if another state or local agency might be able to assist you.](#) If you are seeking recovery of money for alleged damages, you should consider other avenues of redress (i.e., arbitration, small claims court, civil, or criminal action) [as the Board does not have the authority to recover money damages for you. The Department of Consumer Affairs has several publications available at \[dca.ca.gov\]\(http://dca.ca.gov\) concerning small claims court.](#)

The Board gives priority to complaints involving a person's life, health, safety, or welfare.

SPECIAL PROVISIONS IN THE EVENT OF A NATURAL DISASTER

In the event of a declared disaster such as an earthquake, fire, or flood, additional provisions of state law become effective.

PENALTIES FOR UNLICENSED PRACTICE

When responding to advertisements or solicitations offering architectural services, disaster victims should verify whether the person offering services has a valid license. Only persons licensed by the Board may call themselves architects and provide architectural services.

During a declared state of emergency, the penalty against an unlicensed person who represents that he or she is an architect in connection with the offer or performance of architectural services for the repair of damage to a structure caused by a natural disaster is increased and punishable by a fine up to \$10,000 and/or imprisonment.

REQUIREMENTS FOR RECONSTRUCTION

Individuals are advised to contact their local building officials for clarification of the requirements for repair or reconstruction of their project. It may not be possible to recreate the home or business as it existed before the disaster if it was designed years ago to conform to building codes that have since been changed. In some instances, substantial design or redesign services may be necessary to meet current code requirements.

RELEASE OF COPY OF PLANS

If damage to residential real property is caused by a natural disaster declared by the Governor, and if the damage may be covered by insurance, the architect or other person who prepared the plans originally used for the construction or remodeling of the property must release a copy of the plans to the homeowner, the homeowner's insurer, or a duly authorized agent of either upon request. The plans may only be used for verifying the amount of damage for insurance purposes.

The architect may charge a reasonable fee to cover the reproduction costs of providing a copy of the plans. The plans cannot be used to rebuild any part of the property without prior written consent of the architect or other person who prepared the plans. If prior written consent is not provided, the architect will not be liable if the plans are subsequently used by the homeowner or anyone else to rebuild any part of the property.

~~There is a procedure defined in Health and Safety Code sections 19850-19853 for the release of non-residential property plans by the building department. Release is conditioned on the requesting party submitting a signed affidavit containing all of the following provisions:~~

- ~~1. That the copy of the plans shall only be used for the maintenance, operation, and use of the building.~~
- ~~2. That drawings are instruments of professional service and are incomplete without the interpretation of the certified, licensed, or registered professional of record.~~
- ~~3. That Business and Professions Code section 5536.25(a) states in part that a licensed~~

~~architect who signs plans, specifications, reports, or documents shall not be responsible for damage caused by subsequent changes to, or use of, those plans, specifications, reports, or documents where the subsequent changes or uses are not authorized by the licensed architect who originally signed the plans.~~

IMMUNITY FOLLOWING AN EARTHQUAKE

California has a Good Samaritan Law for licensed architects, engineers, and land surveyors who, at the request of a public official, provide safety inspection services, without compensation, at the scene of a declared national, state, or local emergency caused by an earthquake. This law provides that the “Good Samaritan” architects who provide these services are immune from liability. This immunity applies only for an inspection that occurs within 30 days of the declared emergency.

WHERE TO NOTIFY THE BOARD

California Architects Board
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
(916) 574-7220
(800) 991-2223
www.cab.ca.gov
cab@dca.ca.gov

REVIEW AND APPROVE COMMUNICATIONS COMMITTEE'S RECOMMENDATIONS ON STRATEGIC PLAN OBJECTIVES TO FORMULATE COMMUNICATIONS STRATEGIES ON THE VALUE OF AN ARCHITECT LICENSE

The California Architects Board's 2011 Strategic Plan directed the Communications Committee to formulate two strategies for communicating the value of a license. The first strategy was aimed at informing deans, professors, and students of universities, as well as community colleges. The second strategy was aimed at informing consumers and California chambers of commerce and included the additional component to communicate information about the importance of a written contract.

Staff researched and compiled various methods to achieve these objectives. The Committee at its July 28, 2011, meeting was asked to consider the following staff recommendations:

- Expand the scope of the content in the biannual letter to students to include more information about the value of the license;
- Expand the content on the Board's career website to include more information about the value of a license;
- Provide lunch-time presentations on the value of a license at accredited schools and community colleges via video conferencing;
- Publish the updated R.K. Stewart article on the Board's career website;
- Email local chambers of commerce explaining the Board's objective and requesting their cooperation in communicating information to their membership;
- Distribute copies of the "Consumer's Guide to Hiring an Architect" and "Design Success" consumer tip card to local building officials and chambers of commerce; and
- Use broadcast emails to communicate information to local chambers of commerce as needed.

The Committee agreed with staff's methods to meet the two objectives and recommended the Board adopt them.

The Board is asked to review and approve the Committee's strategy recommendations for communicating the value of a license and the importance of a contract to accomplish these Strategic Plan objectives.

Agenda Item N

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT

1. Update on November 16, 2011 LATC Meeting
2. Review and Approve Proposed Regulation to Amend CCR, Title 16, Division 26, Section 2614, Examination Transition Plan

Agenda Item N.1

UPDATE ON NOVEMBER 16, 2011 LATC MEETING

The Landscape Architects Technical Committee met on November 16, 2011, in Sacramento and via telephone conference. Attached is the notice of the meeting. The LATC's Program Manager, Trish Rodriguez, will provide an update of the meeting.

NOTICE OF MEETING

Landscape Architects Technical Committee
November 16, 2011
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
(916) 575-7230
9:30 a.m. – 3:00 p.m.

The Landscape Architects Technical Committee (LATC) will hold a meeting as noted above and via telephone conference at the following locations:

Stephanie Landregan
University of California, Los Angeles
Department of the Arts
10995 Le Conte Avenue, #414
Los Angeles, CA 90024
(310) 825-9414

David Taylor
Projector Doctor
13880 Stowe Drive
San Diego, CA 92064
(619) 518-7971

The LATC will hold a meeting open to the public as noted above. The agenda items may not be addressed in the order noted. The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Maryann Moya at (916) 575-7230, emailing latc@dca.ca.gov, or sending a written request to LATC, 2420 Del Paso Road, Suite 105, Sacramento, California, 95834. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation. Please contact Maryann Moya (916) 575-7230 for additional information related to the meeting. Notices and agendas for LATC meetings can be found at www.latc.ca.gov

- A.** Call to Order – Roll Call – Establishment of a Quorum
Chair's Remarks
Public Comment Session
- B.** Approve July 19, 2011 LATC Summary Report
- C.** Program Manager's Report
- D.** Update on Sunset Review – Senate Bill 543
- E.** Report on Council of Landscape Architectural Registration Boards (CLARB)
 - 1. Elections results
 - 2. Discuss Landscape Architect Registration Examination Transition

- F.** Review and Approve Proposed Amendment to California Code of Regulations, Title 16, Division 26, Section 2614 Examination Transition Plan and Make Recommendation to the Board
- G.** University of California (UC) Extension Programs' Certification
 - 1. Review Timetable and Possible Action on Extending UC Extension Programs' Certification Expiration Date
 - 2. Appoint Review Committee
 - 3. Discuss Training Plan
- H.** Review and Approve Complaint Disclosure Procedures
- I.** Review Tentative Schedule and Confirm Future LATC Meeting Dates

Adjourn

Agenda Item N. 2

REVIEW AND APPROVE PROPOSED REGULATION TO AMEND CCR TITLE 16, DIVISION 26, SECTION 2614 EXAMINATION TRANSITION PLAN

The Council of Landscape Architectural Registration Boards (CLARB) is the national test vendor that supplies the Landscape Architect Registration Examination (LARE), the licensing examination, to the LATC. In September 2012, CLARB will implement modest structural changes to the LARE to better align the content of the LARE with current practice. The new exam will consist of four rather than five sections and will move to a fully computerized model. According to CLARB the changes expected to take effect in late 2012 result from a 2010 task analysis study, advancements in testing technology, and evolution of the marketplace. The changes to the exam will include the following:

- Minor content changes will be consistent with the current landscape architectural practice.
- The content will be presented through four rather than five sections to better align with current practice, but will not reduce the content currently tested.
- All sections will be delivered entirely by computer. CLARB's exam development committees are currently working on creating new computerized problems for the content currently tested in the graphic exams (Sections C and E) and Section D using a mix of multiple-choice questions and advanced item types. CLARB will not use CAD software; rather the candidate will interact with on-screen graphics.

CLARB has developed a transition plan for previous sections passed by candidates who have already started the exam process. The regulations need to be amended to provide credit to candidates for the new exam. The attached regulatory proposal would modify CCR section 2614, Examination Transition Plan to add new language necessary to be consistent with the transition plan used by CLARB as the new version of the LARE is launched in September 2012.

At the November 16, 2011 LATC meeting, Committee members reviewed the proposed language to amend CCR section 2614 and recommended the Board proceed with the regulatory change. Attached is a copy of the Notice of Proposed Changes, Initial Statement of Reasons, and Originally Proposed Language. The Board is asked to review and approve the proposed regulation and delegate authority to the Executive Officer to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical changes to the language, if needed.

Attachments:

1. Notice of Proposed Changes
2. Initial Statement of Reasons
3. Originally Proposed Language

**STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

NOTICE IS HEREBY GIVEN that the California Architects Board (Board), is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the office of the California Architects Board, 2420 Del Paso Road, Suite 105, Sacramento, California 95834, on February 6, 2012. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on February 6, 2012, or must be received by the Board at the hearing.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret or make specific sections 5650 and 5651 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

Amend Section 2614 – Examination Transition Plan

BPC section 5630 authorizes the Board to adopt, amend, modify, or repeal rules and regulations that govern the examination of applicants for licenses to practice landscape architecture in California. BPC sections 5650 and 5651 entitles any person who meets the qualifications set forth in the article to an examination for a license to practice architecture subject to the rules and regulations governing examinations.

Existing regulations specify the transition plan for previous divisions of the licensing examination to the current divisions of the Landscape Architect Registration Examination (LARE). The proposed amendment of section 2614 permits current candidates to continue to take the current version of the LARE through June 2012. The proposed language outlines the transition plan effective with the first administration of the LARE, September 2012. In addition, the proposed language outlines the transition plan effective September 2012 for candidates who are not successful in passing all divisions under the current LARE and who will be required to transition to the new LARE.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State

None

Nondiscretionary Costs/Savings to Local Agencies

None

Local Mandate

None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement

None

Business Impact

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: N/A

Impact on Jobs/New Businesses

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs

None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulation would not affect small businesses because it only affects candidates for examination and licensure.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative which it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of reasons for the proposed action and has made available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834, or by telephoning the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the person, named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below (or by accessing the website listed below).

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Trish Rodriguez
Address: California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7230
Fax No.: (916) 575-7283
E-mail Address: trish.rodriguez@dca.ca.gov

The backup contact person is:

Name: Vickie Mayer
Address: California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7222
Fax No.: (916) 575-7283
E-mail Address: vickie.mayer@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.

**CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
INITIAL STATEMENT OF REASONS**

Hearing Date: **February 6, 2012**

Subject Matter of Proposed Regulation: **Examination Transition Plan**

Sections Affected: California Code of Regulations (CCR), Title 16, Division 26, Section 2614

As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the California Architects Board (Board). Business and Professions Code (BPC) section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary in order to carry out the provisions under the Landscape Architects Practice Act.

SPECIFIC PURPOSE OF AMENDMENT

Section 2614 – Examination Transition Plan

This proposal would amend section 2614 by adding subsections (f)(1) – (4), thus establishing a transition plan for those candidates who passed sections of previously administered landscape architect licensing examinations into the current Landscape Architect Registration Examination (LARE). The existing regulation sets forth the transition plan for previous divisions of the licensing examination to the divisions of the LARE through June 2012.

FACTUAL BASIS/RATIONALE

BPC section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that govern the examination of applicants for licenses to practice landscape architecture in California. BPC section 5650 describes the qualifications for eligibility for the licensing examination. BPC section 5651 requires that the Board administer a written examination that ascertains the professional qualifications of all applicants for licenses to practice landscape architecture. BPC section 5652 authorizes the LATC to issue a landscape architecture license upon successful completion of the licensing examination.

The Council of Landscape Architectural Registration Boards (CLARB) is the national test vendor that supplies the LARE, the licensing examination, to the LATC. In September 2012, CLARB will implement modest structural changes to the LARE to better align the content of the LARE with current practice. The new exam will consist of four (1-4) rather than five (A-E) sections and will move to a fully computerized model. Candidates in the exam process who have passed Sections C and D will receive credit for Section 3. Candidates who have passed Sections D and E will receive credit for Section 4. If a candidate passes either C or D but not both, the candidates must take Section 3. If a candidates passes either D or E but not both, the candidate must take Section 4.

According to CLARB the changes expected to take effect in late 2012 result from a recent task analysis research, advancements in testing technology, and evolution of the marketplace. The changes to the exam are provided by CLARB on attachments A-C and will include the following:

- Minor content changes will be consistent with the current landscape architectural practice.
- The content will be presented through four rather than five sections to better align with current practice, but will not reduce the content currently tested.
- All sections will be delivered entirely by computer. CLARB's exam development committees are currently working on creating new computerized problems for the content currently tested in the graphic exams (Sections C and E) and Section D using a mix of multiple-choice questions and advanced item types. CLARB will not use CAD software; rather the candidate will interact with on-screen graphics.

This proposal would modify CCR section 2614 to add new language necessary to be consistent with the transition plan used by CLARB as the new version of the LARE is launched in September 2012.

UNDERLYING DATA

CLARB September 2012 LARE Transition – Frequently Asked Questions
LARE Transition Chart

BUSINESS IMPACT

This regulation will not have a significant adverse economic impact on directly affecting business, including the ability of California businesses to compete with business in other states, because it affects only candidates for examination and licensure.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

This regulation does not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

**CALIFORNIA CODE OF REGULATIONS
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
ORIGINALLY PROPOSED LANGUAGE**

California Code of Regulations, Title 16, Division 26

Amend Section 2614 as follows:

§ 2614. Examination Transition Plan

- (a) A candidate who has received Board credit for any section of the Uniform National Examination for Landscape Architects (hereafter UNE) shall be given credit for those sections as those sections correspond to the 1992 Landscape Architect Registration Examination (hereafter LARE) sections in accordance with the following transition chart:

Previous Sections Passed UNE	Credit to 1992 LARE
Section 1 Professional Practice	Section 1 Legal and Administrative Aspects of Practice
Section 2 Design	Section 2 Programming and Environmental Analysis Section 3 Conceptualization Section 4 Design Synthesis
Section 4 Design Implementation	Section 5 Integration of Technical and Design
Section 5 Grading and Drainage	Section 6 Grading and Drainage
Section 6 California Section	Section 8 California Section

- (b) (1) A candidate who has received Board credit for any section of the 1992 LARE shall be given credit for those sections as those sections correspond to sections of the Professional Examination for Landscape Architects (hereafter PELA) in accordance with the following transition chart:

Previous Sections Passed 1992 LARE	Credit to PELA
---	-----------------------

Section 1 Legal and Administrative Aspects of Practice Section 2 Programming and Environmental Analysis Section 7 Implementation of Design	Section 1 Objective
Section 4 Design Synthesis	Section 2 Design
Section 5 Integration of Technical Design Section 6 Grading and Drainage	Section 3 Construction Documents
Section 8 California Section	Section 4 California Section

(2) A candidate who is transferring credit from the UNE or 1992 LARE to the PELA and has not previously received Board credit for Section 8 (California) of the LARE shall be required to take and pass either Section 1 (Objective) or Section 4 (California) of the PELA. A candidate who has been granted transfer credit from the LARE to Section 1 of the PELA may not apply such transfer credit to fulfill his or her requirement to have passed the California Section of the PELA.

(c) (1) A candidate who has received Board credit for any section of the PELA shall be given credit for the corresponding sections of the 1997 through 1998 LARE and the California Section in accordance with the following transition chart:

Previous Sections Passed PELA	Credit to 1997 through 1998 LARE and California Section
Section 1 Objective	Section 1 Legal and Administrative Aspects of Practice Section 2(7) Analytical and Technical Aspects of Practice, and California Section
Section 2 Design	Section 3 Conceptualization and Communication Section 4 Design Synthesis
Section 3 Construction Documents	No Transition Credit
Section 4 California Section	California Section
No Transition Credit	Section 5 Integration of Technical Design Requirements Section 6 Grading and Drainage

(2) To receive Board credit for Section 2 (7) – Analytical and Technical Aspects of Practice of the 1997 through 1998 LARE, a candidate shall either have passed Section 1 – Objective of the PELA or have received credit for both Section 2 – Programming and Environmental Analysis and Section 7 – Implementation of Design Through the Construction Process of the pre-1997 LARE, either by having previously passed those sections of the pre-1997 LARE or by having received transition credit from the UNE.

(d) (1) A candidate who has received credit for any section of the LARE which was administered on or before December 31, 1998 shall be given credit for the corresponding sections of the LARE administered on or after June 1999 in accordance with the following transition chart:

Previous Sections Passed 1998 and Prior LARE	Credit to June 1999 through 2005 LARE
Section 1 Legal and Administrative Aspects of Practice	Section A Legal and Administrative Aspects of Practice
Section 2 Analytical and Technical Aspects of Practice	Section B Analytical Aspects of Practice
Section 3 Conceptualization and Communications; and Section 4 Design Synthesis	Section C Planning and Site Design
Section 5 Integration of Technical and Design Requirements	Section D Structural and Materials and Methods of Construction
Section 6 Grading and Drainage	Section E Grading, Drainage and Stormwater Management

(2) A candidate shall receive credit for Section C of the LARE administered on or after June 1999 only if the candidate has passed both Sections 3 and 4 of the LARE administered on or before December 31, 1998. A candidate who has passed either Section 3 or 4 of the LARE administered on or before December 31, 1998, but not both, shall be required to pass Section C of the LARE administered on or after June 1999.

(e) Effective April 2006 the LARE was reformatted and the sections renamed. Credits and conversions provided for the June 1999 through June 2005 sections remain:

Previous Sections Passed June 1999-2005 LARE	Credit to April 2006 and thereafter LARE
---	---

Section A Legal and Administrative Aspects of Practice	Section A Project and Construction Administration
Section B Analytical Aspects of Practice	Section B Inventory, Analysis and Program Development
Section C Planning and Site Design	Section C Site Design
Section D Structural and Materials and Methods of Construction	Section D Design and Construction Documentation
Section E Grading, Drainage and Stormwater Management	Section E Grading Drainage and Stormwater Management

(f) (1) Effective September 2012 the LARE was restructured from five sections to four and the sections renamed.

(2) A candidate who has received credit for any section of the LARE which was administered April 2006 through June 2012 shall be given credit for the corresponding sections of the LARE administered on or after September 2012 in accordance with the following transition chart:

<u>Previous Sections Passed April 2006 through June 2012 LARE</u>	<u>Credit to September 2012 and thereafter LARE</u>
<u>Section A Project and Construction Administration</u>	<u>Section 1 Project and Construction Administration</u>
<u>Section B Inventory, Analysis and Program Development</u>	<u>Section 2 Inventory and Analysis</u>
<u>Section C Site Design; and Section D Design and Construction Documentation</u>	<u>Section 3 Design</u>
<u>Section D Design and Construction Documentation; and Section E Grading, Drainage and Stormwater Management</u>	<u>Section 4 Grading, Drainage and Construction Documentation</u>

(3) A candidate shall receive credit for Section 3 of the LARE administered on or after September 2012 only if the candidate has passed both Sections C and D of the previous LARE administered April 2006 through June 2012. A candidate who has passed either Section C or D of the prior LARE administered April 2006

through June 2012, but not both, shall be required to pass Section 3 of the LARE administered on or after September 2012.

(4) A candidate shall receive credit for Section 4 of the LARE administered on or after September 2012 only if the candidate has passed both Sections D and E of the previous LARE administered April 2006 through June 2012. A candidate who has passed either Section D or E of the prior LARE administered April 2006 through June 2012, but not both, shall be required to pass Section 4 of the LARE administered on or after September 2012.

NOTE: Authority cited: Section 5630, Business and Professions Code.

Reference: Sections 5650 and 5651, Business and Professions Code.

Agenda Item O

ADJOURNMENT

Time: _____

Agenda Item P

CALL TO ORDER -- ROLL CALL -- ESTABLISHMENT OF A QUORUM

Roll is called by the Board Secretary or, in his/her absence, by the Board Vice President or, in his/her absence, by a Board member designated by the Board President.

Business and Professions Code Section 5524 defines a quorum for the Board:

Six of the members of the Board constitute a quorum of the Board for the transaction of business. The concurrence of five members of the Board present at a meeting duly held at which a quorum is present shall be necessary to constitute an act or decision of the Board, except that when all ten members of the Board are present at a meeting duly held, the concurrence of six members shall be necessary to constitute an act or decision of the Board.

BOARD MEMBER ROSTER

Jon Alan Baker

Iris Cochlan

Pasqual V. Gutierrez

Jeffrey D. Heller

Marilyn Lyon

Michael Merino

Fermin Villegas

Sheran Voigt

Hraztan Zeitlian

Agenda Item Q

PUBLIC COMMENT SESSION

Members of the public may address the Board at this time. The Board President may allow public participation during other agenda items at his discretion.

Agenda Item R

STRATEGIC PLANNING SESSION

At this meeting, the Board is scheduled to update its strategic plan, which will be facilitated by Daniel Iacofano of Moore Iacofano Goltsman, Inc. Attached is an agenda for the session and the 2011 Strategic Plan as a reference.

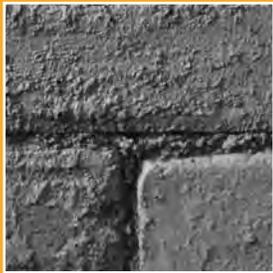
California Architects Board

STRATEGIC PLANNING AGENDA

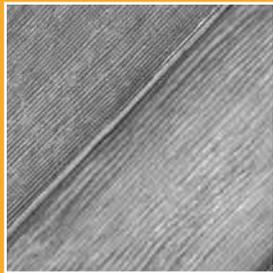
*San Diego, CA
December 8, 2011*

8:30 am	I. Welcome and Introduction A. Purpose and Introduction B. Agenda Overview
	II. Progress Report on the Board 2011 Strategic Plan: Review of Accomplishments
	III. Environmental Scan: A. Trends, Challenges and Opportunities B. Liaison Status Reports
	IV. Review and Discussion of Strategic Issues
	V. Review and Discussion of Board Mission, Vision, and Goals
9:45 am	<i>Break</i>
10:00	VI. Action Plan Development – Session I
11:30	<i>Lunch</i>
1:00 pm	VI. Action Plan Development -- Session II
2:30	<i>Break</i>
2:45	VI. Action Plan Development -- Session III
3:30	VII. Summary of Strategic Planning Priorities, Actions, and Immediate Next Steps
3:45	Wrap-Up
4:00	<i>Close</i>

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STRATEGIC PLAN



11

California Architects Board

Public Protection Through Examination, Licensure, and Regulation

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Introduction

Each day, millions of Californians work and live in environments designed by licensed architects. The decisions of architects about scale, massing, spatial organization, image, materials, and methods of construction impact not only the health, safety, and welfare of the present users, but of future generations as well. To safeguard the public health, safety, and welfare; reduce the possibility of building failure; encourage sustainable and quality design; and provide access for persons with disabilities, those who are authorized to design complex structures must meet minimum standards of competency. It is equally necessary that those who cannot meet minimum standards by way of education, experience, and examination be prevented from misrepresenting themselves to the public.

The California Architects Board (CAB) was created by the California Legislature in 1901 to safeguard the public's health, safety, and welfare. The activities of CAB benefit consumers in two important ways.

First, regulation protects the public at large. The primary responsibility of an architect is to design buildings that meet the owner's requirements for function, safety, and durability; satisfy reasonable environmental standards; and contribute esthetically to the surrounding communities. To accomplish this, the architect's design must satisfy the applicable requirements of law and also must be a correct application of the skills and knowledge of the profession. It should be emphasized that the results of faulty design may be injurious not only to the person who engages the architect but also to third parties who inhabit or use the building.

Second, regulation protects the consumer of services rendered by architects. The necessity of ensuring that those who hire architects are protected from incompetent or dishonest architects is self-evident.

CAB is one of the boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA), which is part of the State and Consumer Services Agency under the aegis of the Governor. DCA is responsible for consumer protection and representation through the regulation of licensed professions and the provision of consumer services. While DCA provides administrative oversight and support services, CAB has policy autonomy and sets its own policies, procedures, and regulations.

CAB is composed of ten members: five public and five architects. The five architect members are all appointed by the Governor. Three of the public members are also gubernatorial appointees; while one public member is appointed by the Assembly Speaker and the other is appointed by the Senate Rules Committee. Board members may serve up to two four-year terms. Board members fill non-salaried positions but are paid \$100 a day for each meeting day they attend and are reimbursed travel expenses.

Effective July 1, 1997, the Board of Landscape Architects' regulatory programs came under the direct authority of DCA. During the period of July 1, 1997 through December 31, 1997, CAB exercised all delegable powers under the provisions of an interagency agreement between CAB and DCA. Effective January 1, 1998, CAB assumed administrative responsibility for regulating landscape architects. Under the enabling legislation, the Legislature created the Landscape Architects Technical Committee (LATC) which acts in an advisory capacity to CAB. The Committee, which consists of five licensed landscape architects, performs such duties and functions that have been delegated to it by CAB.

Background on Strategic Planning

To meet the changing demands of an increasingly diverse population, growing interstate and international economic transitions, and changing public expectations, CAB takes an active role in planning its future. Like other regulatory agencies, CAB must be responsive to the public interest while at the same time working within resource constraints.

CAB first convened a special meeting of its members and senior staff on October 17 and 18, 1994, to conduct a strategic planning process for the organization. CAB spent the next six months refining the plan and developing an action plan to implement the goals the organization had identified as central to meeting its mission and vision. On April 19, 1995, CAB approved its first strategic plan. CAB reviews and amends the plan annually and the CAB Executive Committee monitors plan implementation on a regular basis.

In each subsequent year, CAB has reviewed and updated the strategic plan in response to changing conditions, needs, and priorities. At each session, the Board reviews progress on objectives over the previous year, updates the environmental scan in response to changing economic and technological climates, reviews its mission and values statements, and strategizes to meet the challenges of the coming year.

CAB's committees and task forces are charged with developing detailed descriptions of the key strategies used to implement each objective.

The LATC develops its own strategic plan for regulating landscape architects. Its plan is reviewed and approved by CAB, and the LATC is responsible for implementing its own strategic plan. The LATC adopted its first strategic plan on April 16, 1998; subsequently, the LATC strategic plan was approved by CAB at its meeting on May 14, 1998. The LATC continues to update its plan annually.

CAB External Environment

In developing its strategic plan, CAB assesses the external factors which significantly impact the field of architecture in general and CAB's mission in particular. The nine external factors identified at the sessions are:

- Consumer and client issues
- Architectural practice
- Architectural education and training
- Construction industry
- Economy
- Government approach
- Interstate and international practice
- Demographics
- Information technology

Although these external factors influence architecture throughout the U.S., the setting for architectural practice in California is distinct from that of other states in terms of the breadth, magnitude, and complexity of the individual circumstances that create its context. California's physical size, large and diverse

population, varied landscape and climate, high seismicity, distinctive legal framework, and massive economy create an unusually demanding context for architectural practice.

Additionally, the varying interplay of these conditions for specific projects gives rise to more complicated settings for the conduct of architectural practice in this state. These factors are delineated in detail in Appendix B beginning on page 24.

In 2001, CAB conducted a job analysis survey of the profession to identify and quantify the minimum architectural skills and competencies necessary to ensure the public health, safety, and welfare. The survey results assigned top importance to issues that related to (in order of importance):

- Laws, codes, regulations, and standards
- Communication of design solutions for project implementation
- Relationships with relevant regulatory agencies
- Role of architect in relation to client and users
- Program information related to design solution
- Integration of appropriate building systems and materials
- Relationships with consultants and team members

A review of these items revealed that laws, codes, regulations, and standards ranked highest in this latest survey, followed by design solutions and scope, and architect's role in relation to regulatory agencies and client. Water infiltration followed by codes and regulations ranked highest in a survey conducted more than a decade earlier. This suggests that the profession is becoming more sophisticated and is accepting an expanded level of challenge. Building mechanics and technical considerations are still very important, but they have been joined by concerns dealing with universal design, regulations and regulatory agencies, and the expanding role of the architect as he/she interacts with clients, users, and other consultants.

In 2007, CAB conducted another job analysis survey of the profession which was used to develop a new test plan and examination items for the California Supplemental Examination (CSE).

Key Strategic Issues

While discussing the external environment, a number of issues were identified by CAB in the areas of education, experience, examinations, and the current supply of architects. CAB recognizes that these broader issues are interrelated and require attention. CAB has identified six specific key issues facing the organization: enforcement, post-licensure competency, internship, information technology, education, and the National Council of Architectural Registration Boards' (NCARB) relations. CAB determined the details of each issue and methods by which it may address each of them.

ENFORCEMENT

CAB's enforcement staffing and budget have increased, with more resources dedicated to setting professional standards and investigating consumer complaints. The Joint Committee on Boards, Commissions & Consumer Protection has recommended that CAB ensure that a greater percentage of its budget be applied toward enforcement.

While the Regulatory and Enforcement Committee (REC) has made great strides in improving the complaint handling and disciplinary processes, complex policy questions regarding responsible control and construction observation need to be addressed. Other key enforcement issues include:

- Compliance with building codes especially those affecting occupant health and safety and accessibility for people with disabilities;
- Potential increase in unlicensed practice activity;
- Rules governing architectural business names and use of the terms "architect," "architecture," and "architectural," as well as associations of licensed architects with unlicensed individuals; and
- Definition of responsible control in light of building information modeling (BIM), electronic document preparation, geographically remote project staff, etc.

POST-LICENSE COMPETENCY

In fall 1998, CAB conducted five customer focus group meetings to gather broad-based input for the annual update of the Board's strategic plan. During the focus group meetings, some questions were raised about the post-licensure competency of architects. As a result, the Board created the Task Force on Post-Licensure Competency to study this issue, to consider CAB's role in ensuring licensees' continued competency, and to investigate possible solutions, including the possibility of mandatory continuing education for all California-licensed architects.

In March 2000, CAB contracted with Professional Management and Evaluation Services, Inc., to conduct a scientifically-defensible statewide study of the post-licensure competency and professional development of California architects in order to provide CAB with valid and reliable data upon which to make future policy decisions about these issues.

The survey was sent to California-licensed architects; allied design professionals (engineers and landscape architects); California general building contractors; regulators (building officials, plan checkers, and planners); end-users (clients and developers); and forensic, insurance, and legal professionals. Numerous scientific analyses were conducted to determine that the data were reliable.

Based on the results of the survey and the recommendations of the Task Force on Post-Licensure Competency, CAB concluded that: 1) overall, California architects did not have serious or significant post-licensure competency problems; 2) at the present time, a broad-based, mandatory continuing education program was not warranted; and 3) CAB will continue to review the need for targeted actions to correct or improve identified areas of potential competency problems as they relate to public health, safety, and welfare. The identified areas of potential competency problems include:

- Coordination of consultants' work products to avoid conflicts in documentation and additional costs and time delays;
- Appropriate review and check of documents to avoid design conflicts, schedule delays, and increased costs;
- Appropriate observation procedures during site visits to identify potential construction problems and avoid added cost and time;
- Clear communication of technical instructions, design decisions, and changes to consultants in a timely manner to minimize errors and to meet schedule;
- Code issues that span multiple areas; and
- Business/contract management competency.

INTERNSHIP

Over the years, CAB has sought to set appropriate standards of entry into the practice in order to balance the need to protect the public with the need to ensure that unreasonable barriers to entering the practice are not established. CAB is concerned about the minimum level of competency of its candidates as derived through their internship. Virtually all architectural licensing boards have a three-year experience requirement in addition to the five-year educational requirement (or the equivalent). Presently, 49 U.S. jurisdictions require completion of the Intern Development Program (IDP) as prescribed by NCARB. Completion of IDP not only helps ensure the minimal competence of architectural candidates, but also facilitates interstate and international practice.

CAB has determined the public would benefit from a required structured internship program. The goals of such a program are to: 1) improve the competency of entry-level architects, and 2) facilitate reciprocity. To this end, CAB sought regulatory changes to require completion of IDP effective January 1, 2005. In response to concerns over the "seat-time" (number of hours) nature of IDP, CAB also implemented a requirement for a component, which provides evidence and documentation regarding the intern's experience. The evidence-based program developed by CAB is called Comprehensive IDP (CIDP).

In 2006, CAB held a workshop titled *Preparing Candidates for Successful Internships* to solicit perspectives from educators and practitioners regarding how to best prepare candidates for successful internships and, ultimately, for careers in architecture.

As a result of recent changes made by NCARB to IDP, CAB continues to assess its internship requirement.

INFORMATION TECHNOLOGY

Rapid changes in information technology continue to have dramatic impact on the profession of architecture. As the profession adapts to these changes, CAB needs to monitor how changes in practice necessitate changes in regulation. Electronic seals, plan checking, permitting, and data transfer are some of the issues CAB must address. Additionally, the increased use of BIM has raised questions of responsibility, control of documents, and quality of work.

CAB must continue to utilize the most advanced technologies to manage and improve its internal operations. The Governor has made “electronic government” (e-government) a priority, so CAB must be prepared to address electronic application filing, license renewal, and expanded information dissemination.

CAB charged the REC with continuing to monitor the impact of emerging technologies in the field of architecture on CAB’s ability to ensure public health, safety, and welfare.

EDUCATION

CAB’s main area of responsibility regarding education is the establishment of requirements for licensure. CAB currently requires five years of educational equivalents as a condition for licensure, but defines educational equivalents in a number of ways, including work experience under an architect.

CAB’s role with architectural education is identified as:

- Setting educational requirements for licensure in California.
- Influencing national education policy through collateral organizations.
- Providing students and candidates information on licensing.
- Serving as an information resource to the state’s architectural education community.

CAB has determined that the state’s architectural schools comprise one of its key constituent groups. The October 1999 Education Summit identified the need for CAB to establish an ongoing relationship with the state’s architectural programs to coordinate communication and to provide needed information. CAB held the 2001 Education Forum in conjunction with The American Institute of Architects, California Council’s (AIACC) Monterey Design Conference at the Asilomar Conference Center. The Education Forum reinforced the belief that CAB should continue to work in partnership with schools of architecture and the AIACC to facilitate information exchange and problem solving. The 2002 Architectural Educator/Practitioner Workshop, held in October at Woodbury University, also showed the value in collaborating with schools. CAB also held an Architectural Educators/Practitioners Workshop in February 2006 at California State Polytechnic University, Pomona. CAB will continue to fine-tune its relationship with the schools and work to better inform students about licensure, professional practice, and the Board.

NCARB RELATIONS

CAB's goal is to influence NCARB's decision-making to benefit its constituency – the public of California. That public includes licensees who are certificate holders, candidates who are taking the national exam, and interns participating in IDP. To that end, CAB members devote hundreds of hours working on NCARB committees creating the exam, improving IDP, negotiating international agreements, etc. At the same time, CAB provides input on how it believes NCARB can build on its successes and continue to improve. Fortunately, the NCARB Board of Directors and their staff have become more responsive and are moving to improve their services, but CAB feels more needs to be done.

CAB continues to seek leadership positions and build on relationships established by previous Board members and to increase its presence on NCARB committees and on the NCARB regional counterpart, the Western Conference of Architectural Registration Boards (WCARB). CAB will continue to work with other large states (e.g., Florida, Texas, New York) and with WCARB member boards, recognizing common ground in practice and recognizing reciprocity as an issue of consumer protection.

Mission

The mission of the CAB is to protect the public health, safety, and welfare through the regulation of the practice of architecture and landscape architecture in the state by:

- Ensuring that those entering the practice meet standards of competency by way of education, experience, and examination;
- Establishing standards of practice for those licensed to practice;
- Requiring that any person practicing or offering to practice architecture be licensed;
- Protecting consumers and users of architectural services;
- Enforcing the laws, codes, and standards governing architectural practice in a fair, expeditious, and uniform manner;
- Empowering consumers by providing information and educational materials to help them make informed decisions; and
- Overseeing the activities of the LATC to ensure it regulates the practice of landscape architecture in a manner which safeguards the well being of the public and the environment.

Vision

CAB will play a major role in ensuring that architects provide quality professional services.

- California architects will possess the knowledge, skills, and abilities enabling them to meet the expectations of clients and consumers.
- California architects will be competent in all areas of practice and will adhere to professional standards of technical competency and conduct.
- Candidates will have access to the necessary education and training opportunities.
- Consumers will have access to an adequate supply of architects and will have the information they need to make informed choices for procuring architectural services.

Values

CAB will strive for high quality in all its programs, making it an effective and efficient architectural regulatory organization.

To that end, CAB will:

- Be participatory, through continuing involvement with NCARB and other organizations;
- Be professional, by treating all persons who interact with CAB as valued customers;
- Focus on prevention, providing information and education to consumers, candidates, clients, licensees, and others;
- Be progressive, utilizing the most advanced means for providing services; and
- Be proactive, exercising leadership among consumer protection and professional practice groups.

Goals

CAB has established six goals, which provide the framework for the results it wants to achieve in furtherance of its mission.

PROFESSIONAL QUALIFICATIONS

Ensure the professional qualifications of those practicing architecture by setting requirements for education, experience, and examinations.

PRACTICE STANDARDS

Establish regulatory standards of practice for California architects.

ENFORCEMENT

Protect consumers by preventing violations and effectively enforcing laws, codes, and standards when violations occur.

PUBLIC AND PROFESSIONAL AWARENESS

Increase public and professional awareness of CAB's mission, activities, and services.

ORGANIZATIONAL RELATIONSHIPS

Improve effectiveness of relationships with related organizations in order to further CAB's mission and goals.

ORGANIZATIONAL EFFECTIVENESS AND CUSTOMER SERVICE

Enhance organizational effectiveness and improve the quality of customer service in all programs.

Constituencies and Needs

As indicated in the table below, CAB has different constituencies who depend on it for meeting their various needs. In addition, CAB obtains useful information and feedback from these groups that helps to further its mission.

INDIVIDUALS	CONSTITUENCY NEEDS	CONSTITUENCY CONTRIBUTIONS
Public – users of facilities	Safety, welfare, accessibility to persons with disabilities, and recourse	Comments on the quality of services rendered
Clients – procurers of services	Enforcement, regulation of practice, and recourse, qualified architects	Comments on the quality of services rendered
Students	Information and coordination with schools, and preparation for CIDP/IDP	Comments about the clarity of the licensing process
Candidates	Fair exams, access to licensure, and information	Comments about the clarity of the licensing process
Interns	Fair exams, access to licensure, and information	Comments about the clarity of the licensing process, regulation of the profession and practice trends
Licensees	Regulation of practice and unlicensed practice and information	Comments about the clarity of the licensing process
Building Officials	Maintaining standards, regulation, and information	Comments regarding the quality of projects submitted by registered architects
ORGANIZATIONS	CONSTITUENCY NEEDS	CONSTITUENCY CONTRIBUTIONS
Legislature	Protection of the public interest and efficient administration of program	Comments on clarity, fairness and appropriateness of regulation
Executive Branch	Protection of the public interest and efficient administration of program	Comments on clarity, fairness and appropriateness of regulation
Office of Emergency Services	Screening and recruitment of inspectors and response to declared emergencies	Comment on public health, safety and welfare issues
Federal Emergency Management Agency	Support and information	Comment on public health, safety and welfare issues
Seismic Safety Commission	Information dissemination, collaboration, setting minimum practice standards, and response to earthquakes	Comment on public health, safety and welfare issues
Division of the State Architect	Support and information	Comment on public health, safety and welfare issues

Constituencies and Needs (cont.)

ORGANIZATIONS	CONSTITUENCY NEEDS	CONSTITUENCY CONTRIBUTIONS
California Building Officials (CALBO) and Office of Statewide Health, Planning, and Development	Information and coordination	Comment on public health, safety and welfare issues
NCARB	Information, participation, and support	Information and support
AIA; AIACC; and other professional architectural organizations	Regulation of the profession, information, and interstate/international reciprocity	Information and support
Architectural Schools	Information and coordination	Information and support
Association of Collegiate Schools of Architecture	Information and coordination	Enforcement of Architects Practice Act provisions
DCA	Support and information	Information and support
Office of the Attorney General	Information and coordination	Information and support
Board for Professional Engineers, Land Surveyors, and Geologists	Information and coordination	Information and support
Contractors State License Board	Information and coordination	Information and support

Action Plan

The Action Plan is a dynamic framework for the many activities CAB performs in promoting and meeting its goals. The goals and objectives are assigned to committees, subcommittees, task forces, staff, or individuals as appropriate who create more detailed action plans in order to meet the goals and objectives set by CAB.

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Professional Qualifications

GOAL: Ensure the professional qualifications of those practicing architecture by setting requirements for education, experience, and examinations.

ONGOING RESPONSIBILITIES

Analyze and recommend educational and experience requirements.

Work toward interstate/international reciprocal recognition with other architectural registration jurisdictions.

Review and make recommendations to revise the Architects Practice Act and CAB's regulations to reflect current practice.

Provide advice and input to the academic community and National Architectural Accrediting Board (NAAB) regarding the quality and comprehensiveness of architectural curricula.

Oversee the content, development, and administration of the CSE.

Review the Architect Registration Examination (ARE) and the CSE to ensure they fairly and effectively test the knowledge, skills, and abilities of importance to architectural practice in California.

Administer CIDP/IDP.

Work with NCARB, AIA/AIACC to refine CIDP/IDP as appropriate.

Explore ways to incorporate and emphasize knowledge of building codes and accessibility requirements in CIDP/IDP, ARE, and CSE, specifically Business and Professions Code section (BPC) 5550.1.

Monitor sustainable development and green building trends and the importance of these issues to consumers.

Monitor implementation of the Certified Access Specialist Program.

LEAD RESPONSIBILITY

Professional Qualifications Committee

Professional Qualifications Committee

Professional Qualifications Committee

Professional Qualifications Committee

Examination Committee

Professional Qualifications Committee/
Examination Committee

Professional Qualifications Committee

Professional Qualifications Committee

Professional Qualifications Committee/
Examination Committee

Professional Qualifications Committee

Professional Qualifications Committee

OBJECTIVES

1. Monitor the development and administration of the new computer-based CSE.
2. Pursue the elimination of IDP sunset date (BPC section 5552.5) from the Architects Practice Act.
3. Develop recommendation regarding the continuance of CIDP in light of the changes made to NCARB's IDP and other related factors.

LEAD RESPONSIBILITY

Examination Committee

Professional Qualifications
Committee

Professional Qualifications
Committee

TARGET DATE

December 2011

December 2011

December 2011

OBJECTIVES (cont.)

	LEAD RESPONSIBILITY	TARGET DATE
4. Continue the dialogue with AIACC and the educational institutions regarding the scope of architectural educational programs, preparation of students for architectural licensure, and the supply of architects.	Executive Committee	June 2012
5. Develop a continuing education strategy and framework based on NCARB research and data.	Professional Qualifications Committee	December 2012
6. Encourage DCA to seek legislation to amend BPC section 30 to accept individual taxpayer identification numbers in lieu of social security number requirement for foreign-licensed professionals.	Professional Qualifications Committee	December 2012
7. Address CSE content and align with CAB and NCARB practice analyses.	Examination Committee	January 2014

Practice Standards

GOAL: Establish regulatory standards of practice for California architects.

ONGOING RESPONSIBILITIES

Identify areas of practice that require attention by CAB and make recommendations for revising standards of practice contained in the Architects Practice Act and regulations.

Monitor methods of practice and proposed changes in laws that may impact architectural practice and assess their impact on the regulatory process.

Review need to enact additional rules of professional conduct.

Monitor impact of emerging technology and global trends on goals and objectives.

Monitor impact of building code adoption and analyze implications on exemptions defined in BPC section 5537, as it relates to materials and methods of construction.

Monitor the application of alternative project delivery methods and tools for their potential effect on the public's health, safety, and welfare.

Communicate with building officials regarding the statutory requirements for architects' stamps and signatures.

LEAD RESPONSIBILITY

Regulatory & Enforcement Committee

OBJECTIVES

1. Develop a strategy for working with the League of California Cities and the California Chapter American Planning Association to inform them of Architects Practice Act requirements.
2. Determine the appropriateness of "gag" clauses in civil settlement agreements.

LEAD RESPONSIBILITY

Regulatory & Enforcement Committee

Regulatory & Enforcement Committee

TARGET DATE

December 2011

December 2011

Enforcement

GOAL: Protect consumers by preventing violations and effectively enforcing laws, codes, and standards when violations occur.

ONGOING RESPONSIBILITIES

- Coordinate efforts with NCARB on regulatory and enforcement issues.
- Oversee effectiveness of building official contact program.
- Actively enforce laws and regulations pertaining to unlicensed activity.
- Monitor impacts of new technology on enforcement procedures.
- Implement identified alternative enforcement tools.
- Review literature regarding the impact of technology on the profession.
- Maintain CAB presence at CALBO and International Code Council (ICC) chapters.
- Monitor the enforcement of penalties and continue to explore creative ways of collecting fines due.
- Monitor DCA's enforcement legislation.

LEAD RESPONSIBILITY

- Regulatory & Enforcement Committee
- Regulatory & Enforcement Committee
- Regulatory & Enforcement Committee/Staff
- Regulatory & Enforcement Committee

OBJECTIVES

1. Participate in the DCA Enforcement Academy.
2. Execute new architect consultant contract.
3. Review and make recommendation regarding DCA's proposals (Senate Bill 1111).
4. Review DCA's best practices, analyze, and adjust CAB's enforcement procedures where appropriate.
5. Utilize DCA recommended enforcement performance measures as appropriate.
6. Review, update, and publish Consumer's Guide to Hiring an Architect.
7. Monitor fingerprint requirement for licensees to determine its potential application to CAB.

LEAD RESPONSIBILITY

- Staff
- Staff
- Regulatory & Enforcement Committee

TARGET DATE

- March 2011
- June 2011
- September 2011
- December 2011
- December 2011
- December 2011
- December 2011

Public and Professional Awareness

GOAL: Increase public and professional awareness of CAB's mission, activities, and services.

ONGOING RESPONSIBILITIES

Monitor CAB Communications Plan and recommend expanded communication vehicles as needed.

Disseminate information to licensees, candidates, consumers, government agencies, students, schools, and others.

Fine tune, update, and promote written materials and CAB's Web site.

Maintain a presence at schools of architecture to inform students about licensing requirements.

Use CAB newsletter to communicate with licensees on such topics as: 1) changes in state regulations, including building code changes, access compliance, and license requirements; and 2) current and upcoming issues such as BIM, IDP, integrated project delivery (IPD), sustainable design, etc.

Implement recommendations for greater use of electronic communication.

Continue CAB's school and student outreach programs.

LEAD RESPONSIBILITY

Communications Committee

Staff

Communications Committee

Staff

Communications Committee

Communications Committee

Communications Committee

OBJECTIVES

1. Expand the consumer content on CAB's Web site.
2. Formulate a communications strategy informing consumers via chambers of commerce on value of licensure, importance of a contract, etc.
3. Formulate a communications strategy informing deans, professors, and students of universities and community colleges of the value of an architect license.

LEAD RESPONSIBILITY

Communications Committee/
Regulatory & Enforcement
Committee

Communications Committee

Communications Committee

TARGET DATE

December 2011

December 2011

December 2011

Organizational Relationships

GOAL: Improve effectiveness of relationships with related organizations in order to further CAB's mission and goals.

ONGOING RESPONSIBILITIES

- Maintain working relationship with NCARB.
- Maximize involvement in NCARB and WCARB and obtain appointments to committees and elected office positions.
- Maintain working relationship with AIA, AIACC, and other professional architectural organizations.
- Work with AIACC to advance CAB's goals and objectives.
- Maintain working relationship with DCA and other state agencies.
- Maintain communications with allied organizations (i.e., contractors, engineers, building officials, and insurance providers).
- Maintain communication with educational community through liaison program.
- Recruit qualified potential representatives for CAB committees.
- Maintain relationships with major organizations representing primary constituencies including CAB Board member liaisons as needed.
- Monitor proposed legislation which directly or indirectly affects architectural practice.
- Ensure programs, activities, and services are accessible to persons with disabilities.
- Integrate best practices, relevant information, and strategies between CAB and LATC.
- Continue to hold CAB meetings at campuses, including community colleges; engage faculty in dialogues regarding the value of licensure.

LEAD RESPONSIBILITY

- Executive Committee
- Staff
- Staff
- Executive Committee

OBJECTIVES

1. Implement Board Liaison Program with identified targeted organizations (e.g., building officials) including report backs to allow greater visibility and collaboration and foster two-way communication.
2. Establish a CAB liaison to participate in AIACC discussions related to IPD.
3. Participate in AIACC discussions on key practice issues.
4. Continue dialogue on enforcement issues involving CALBO, the Division of the State Architect, the Occupational Safety and Health Administration, the Board for Professional Engineers and Land Surveyors, and others, with the goal of improving the effectiveness of enforcement procedures.

LEAD RESPONSIBILITY

- Executive Committee
- Regulatory & Enforcement Committee
- Executive Committee
- Executive Committee

TARGET DATE

- December 2011
- December 2011
- December 2011
- June 2012

Performance Measures

CAB measures its performance by the (1) competence of the architects it licenses, (2) quality of services CAB provides, and (3) competitiveness of the marketplace.

COMPETENCE OF ARCHITECTS

Architects are expected to possess certain knowledge, skills, and abilities. Consumers and clients desire architectural services to be delivered by well-qualified architects. These are the qualities an architect should possess to meet those expectations. CAB's role is to focus on those areas that directly impact public health, safety, and welfare.

TECHNICAL EXPERTISE

- Ability to prepare a clear and complete set of working drawings
- Ability to take a concept and work with the client to get it built
- Knowledge of regulatory requirements, including safety, access, and code issues
- Project sustainability
- Understanding of building systems, including materials, structures, and technologies
- Knowledge of how a building is built

LEGAL AND ETHICAL PERFORMANCE

- Knowledge of legal requirements
- Utilize written contracts
- Follow rules of conduct
- Meet contractual obligations

COMMUNICATION SKILLS

- Graphic communication skills
- Oral communication skills
- Written communication skills

CREATIVE ABILITIES

- Design ability, creativity, and knowledge of current design trends

LEADERSHIP SKILLS

- Community leadership
- Project management
- Consensus building

MANAGEMENT SKILLS

- Budget and financial management
- On-time delivery
- Contract administration

CAB can utilize the following methods and benchmarks to measure whether it is improving the competence of California architects:

- Number and type of complaints
- Focus group meetings with various constituent and user groups
- Building official surveys

QUALITY OF CAB SERVICES

CAB has many constituencies it must serve. They are delineated in the Constituencies and Needs section beginning on page 10. One of CAB's goals is to enhance organizational effectiveness and improve the quality of customer service in all programs.

The following methods and benchmarks can provide a basis to measure CAB's performance:

- Number and type of complaints
- Focus group meetings with various constituent groups
- Building official surveys

COMPETITIVENESS OF THE MARKETPLACE

CAB needs to ensure that consumers operate in a fair, competitive marketplace that provides them with a choice of qualified architects. CAB must protect the public's health, safety, and welfare while being careful not to over-regulate the marketplace. It appears that CAB has not set unreasonable barriers to entering the practice given the large number of architects available.

The following methods and benchmarks can provide a basis to measure CAB's performance:

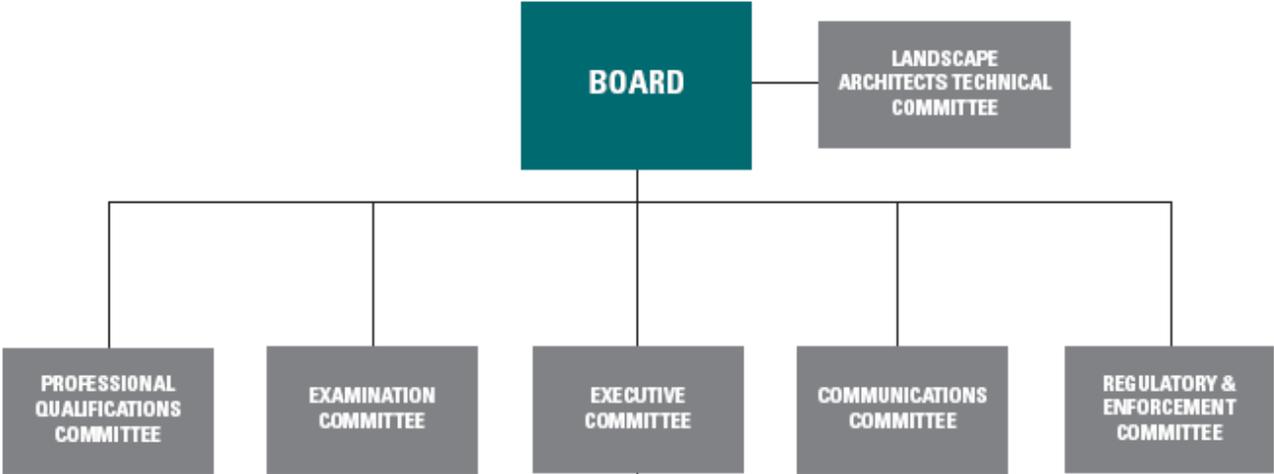
- Comparison with other jurisdictions (per capita, distribution, etc.)
- Exam pass rates
- Trends
- Number of qualified architects

Appendices

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Organizational Structure

CAB has developed the organizational structure below to implement its strategic plan. CAB will establish subcommittees and task forces as needed.



External Factors Influencing CAB

Every annual update to CAB's strategic plan is preceded by an environmental scan. From an examination of CAB's external environment CAB members and staff identify the potential issues and challenges, which may affect CAB's ability to carry out its mission over the long term. The following trends and assumptions help form the foundation of CAB's strategic plan.

CONSUMER AND CLIENT ISSUES

- The potential expansion of public works projects will expand opportunities for architects.
- Clients of architectural services are demanding higher levels of service and quality and expect lower costs.
- Concerns about climate change and energy efficiency, drought conditions, and the environment have made green building standards a mainstream issue. Increasingly, clients are demanding that architects utilize "sustainable" or "green" building materials and strategies.
- Demand for application of sustainable design practices and use of sustainable materials and technologies will require architects and other design professionals to acquire relevant knowledge and skills.
- Clients are increasingly awarding jobs based on competitions, ultimately affecting the quality of products and services.
- New computer software has resulted in more clients attempting drawings or other aspects of architecture on their own, without the use of a licensed architect.

ARCHITECTURAL PRACTICE

- The trend toward specialization in architectural practice will continue.
- Fewer practitioners have close ties to academia than in years past.
- The increasing use of alternative project delivery, including IPD and the application of BIM, will impact the assignment of responsible control and liability.
- The use of public/private partnerships is increasing in light of public sector budget constraints.
- The growing number of unlicensed professionals facilitating the application of IPD and BIM may have negative implications for project quality.
- More architects are practicing outside the limits of their primary expertise.
- International practice opportunities are increasing.
- Potential gaps in the supply of architects resulting from the recent economic downturn may lead to an increase in unlicensed practice in the future.
- The marketplace is experiencing increased pressures to lower fees, increase services, and operate in a compressed time frame environment.
- Changes in technology, alternative project delivery methods, regulations, among other factors, continue to redefine the standard of care.
- The ability to practice architecture is increasingly restricted by the ability to obtain professional liability insurance.
- Use of the legislative process to impact architectural practice is increasing.
- Construction defect liability is an issue in the Legislature.
- The number of turn-key and design/build projects continues to increase, thereby increasing potential conflicts of interest between contractors and owners. Responsible control is taken out of the hands of the architect and leaves the owner without a clear advocate.

- The use of program/construction managers is on the rise.
- As the role of construction manager in project delivery grows, so does the potential threat to public health, safety, and welfare, as construction managers are not regulated.
- The use of team approaches to project management and development is increasing.
- The Internet allows architects to work on projects at great distances from their home offices.
- The role of principal has evolved from mentor into business manager.
- Architects' salaries are low relative to business and high-tech fields.
- An increasing number of principals are spending less time on traditional architectural functions and more time on business development, client relations, and operating the business.
- Consolidation of architectural firms continues.
- Building security will be a growing concern in the foreseeable future.
- Increasingly, architects are signing blueprints that are created outside of their realm of observation, often outside of the country.

ARCHITECTURAL EDUCATION AND TRAINING

- The increasing cost of education is further reducing the number of architects and creating a gap between education and practice.
- License and examination fee increases, changing requirements, and modifications to exam format and structure are creating challenges for those interested in becoming licensed.
- Increasingly, architecture students are choosing not to take the licensure exam, which may reflect a change in the perception of the license as a gateway to professional practice.
- Architectural education needs to evolve to address new technologies, building systems, and practice trends.
- There is a growing need for partnership among academia, practitioners, and CAB.
- Internships will need to focus on public health, safety, and welfare items, such as construction methods, life safety, Americans with Disabilities Act compliance, and construction document coordination.
- NAAB appears to have reduced its focus on ensuring that students effectively demonstrate four of the core competencies related to architectural practice.
- Global outsourcing may reduce potential internship opportunities.
- Technology is increasingly used to provide continuing education opportunities.

CONSTRUCTION INDUSTRY

- Changes in model codes affect local standards and review processes.
- Codes remain in flux.
- Materials' specifications are changing.
- The shift to metric standard continues.
- Trend toward new configurations of professional teams to include designing, building, and construction. This can result in an unclear definition of the architect's responsibility (e.g., in relation to construction defects).
- Building technologies have remained the same, but there are changes in building materials (e.g., straw bale and adobe blocks in residential construction).
- Demand for "green" (environmentally sensitive, energy efficient) architecture is increasing.

- While the construction management function is expanding, it is still unregulated, potentially affecting the public's health, safety, and welfare.
- The construction industry lacks qualified craftspeople to meet current demands.

ECONOMY

- Economic cycles are less predictable, resulting in more rapid fluctuations affecting job security and the demand for qualified professionals.
- Fiscal conservatism continues to influence the economic decision-making of consumers and clients, resulting in fewer business opportunities for practicing architects.
- Greater competition for jobs has the potential to impact the quality of services and consumer protection.
- International investors are becoming a bigger factor in the California economy.
- Growing international practices and outsourcing of architectural services puts downward pressure on labor costs and quality of service.
- More clients are demanding faster project delivery.
- Alternative careers (e.g., entertainment, computers) are expanding.
- The economic downturn may result in the loss of quality architects from the profession.
- The quality of plan checking is likely to be affected by downsized local building departments.

GOVERNMENT

- The Sunset Review process has been re-instituted and is underway.
- Uncertainty in the political realm continues.
- State-mandated furloughs are resulting in a decrease in CAB's capacity to oversee the licensure process and enforce licensure requirements.
- Severe State budget constraints are likely to continue.
- Efforts to restructure and streamline government continue.
- In 2004, Sunset Review recommended that CAB allocate more funding towards addressing enforcement issues, diverting funding from possible research and development efforts.
- Not all reportable civil action judgments, settlements, arbitration awards, or administrative actions with values greater than \$5,000 in cases involving architects are being reported to CAB as required by law.
- Unregulated construction management may have a negative effect on architectural control.
- Electronic service delivery using the Internet is increasingly common.
- Changes in the California Legislature make it important to renew contacts and develop new relationships.

INTERSTATE AND INTERNATIONAL PRACTICE

- The practice of architecture is becoming increasingly interstate and international in nature. Architects are using foreign firms to do construction documents. The opening of the international marketplace, symbolized by the North American Free Trade Agreement and General Agreement on Tariffs and Trade, broadens the scope of trade.
- This trend increases the need for greater uniformity of licensing requirements as more out-of-state consultants are hired and technology increases the ease of communications and information transfer.

- There is increased foreign investment in California businesses and infrastructure.
- NCARB continues to emphasize consistency in licensing requirements to achieve reciprocity.

DEMOGRAPHICS

- California's population continues to become more diverse. All regions of California are projected to continue to grow.
- California's population is aging and individuals of the "baby boom" generation are beginning to retire, resulting in a decrease in the number of experienced, practicing architects.
- California's population is growing in high-risk areas (e.g., flood plains, earthquake-prone regions).
- California's infrastructure, roads, utilities, and housing supply are not keeping pace with its growing population.
- Increased elderly and young populations affect needed services.
- Increased cultural diversity affects consumers, regulators, and the education system.
- Increase in population affects natural resources (e.g., air, water, and space), infrastructure, and the education system.

INFORMATION TECHNOLOGY

- Electronic technology greatly expands both opportunities and challenges for communication and control over the preparation of technical documents.
- Technology also impacts the regulatory environment, as products such as engineering software and prototype plans become increasingly available.
- Changes in technology necessitate changes in regulation of architects to address issues such as computer-aided design, supervision/apprenticing of interns, etc.
- Technology has put less emphasis on paper documents.
- Some architects lack technological competency. Their challenge is to learn how to manage and regulate the technology properly.
- Technological innovations in modeling and engineering have created opportunities for new designs and new structures.
- Technology is impacting record documentation and the assignment of liability and negligence.
- Web-based project management will continue to impact project delivery, thereby making document control, accuracy, and integrity more critical.
- The adoption of BIM techniques has introduced new concerns regarding consumer protection and user safety in buildings.

Communications Plan

To support its strategic priorities, the California Architects Board (CAB) conducts information and outreach activities. This plan presents key messages, existing communications channels, and preliminary strategies for improving external communications.

AUDIENCES

CAB provides information to six main audiences:

- Consumers (clients of architects)
- Candidates and pre-candidates (interns and students)
- Professionals (licensed architects)
- Building officials
- Allied professionals (other design and construction professional associations and licensing boards)
- Architectural education community

CONSUMERS (CLIENTS OF ARCHITECTS)

Messages and Key Information

Consumers need information on how to choose the right architect and how to address complaints during or after projects. Other important consumer information includes:

- Guidelines on hiring architects, including criteria
- Consumer rights
- Assistance available from CAB

This information requires greater visibility and needs to be targeted more directly to specific audiences based on the importance of data as it relates to the public's health, safety, and welfare.

Existing Communications Channels

- Consumer's Guide to Hiring an Architect (print and Web site)
- Information sheets (print and Web site)
- Post-disaster forums and press releases
- Press releases

Preliminary Strategies

- Articles in trade association and consumer magazines
- Articles in local newspapers (home sections)
- Outreach via related associations, such as local boards of realtors
- Liaison with Department of Consumer Affairs (DCA)

CANDIDATES AND PRE-CANDIDATES (INTERNS AND STUDENTS)

Messages and Key Information

Candidates for examinations and those considering the profession need accurate, timely information. Students need information and guidance about the necessary requirements of the practice of

architecture, and exam candidates need detailed information about the licensure process to avoid costly mistakes. Other important information includes:

- Education requirements
- Experience requirements
- Written and supplemental examination requirements
- License requirements
- Practice limitations for those without licenses
- Background on CAB
- Standards of practice information
- Other states' requirements (e.g., in regard to reciprocity)

Existing Communications Channels

- Architectural Careers Web site and bookmark
- Candidate's Handbook (Web site)
- Comprehensive Intern Development Program (CIDP) Handbook
- National Council of Architectural Registration Boards Web site and documents
- The American Institute of Architects, California Council (AIACC), Construction Specifications Institute (CSI), and Society of American Registered Architects (SARA) meetings, chapter meetings, and publications
- Seminar presentations

Preliminary Strategies

- Expand information and applications available on CAB's Web site
- Provide more information to students and provide it earlier in their educational endeavors
- Create and distribute a poster to schools to display information referencing CAB's Web site and available publications

PROFESSIONALS (LICENSED ARCHITECTS)

Messages and Key Information

Licensed professionals require up-to-date information to stay current in the field and provide quality architectural services. This pertains especially to sole practitioners and unaffiliated architects.

Important information topics include:

- Architects Practice Act (law and regulations)
- Standards of practice
- Disciplinary actions
- Issues of practice (e.g., codes, professional trends, etc.)

Existing Communications Channels

- CAB's quarterly newsletter (Web site)
- Architects Practice Act with Rules and Regulations (Web site)
- AIACC, CSI, and SARA meetings, chapter meetings, and publications

Preliminary Strategies

- Upgrade graphics on reports and publications
- Develop contact plan for AIACC (Executive Committee) and its chapters
- Expand publication dissemination to licensees
- Update the CIDP/IDP Communication Plan

BUILDING OFFICIALS

Messages and Key Information

Building officials need to know which plans require professionals, and who are licensed architects. Other information needed by these agencies includes:

- Architects Practice Act (laws and regulations)
- Guidance in interpreting the Act
- Licensee information
- Disciplinary actions

Existing Communications Channels

- Building Official Information Guide (print)
- Architects Practice Act with Rules and Regulations (Web site)
- California Building Officials (CALBO) meetings
- Tables at CALBO meetings
- International Conference of Building Officials (ICBO) chapter meetings
- Visits to building officials
- Annual surveys

Preliminary Strategies

- Work with ICBO to create code pamphlets

ALLIED PROFESSIONALS

(OTHER DESIGN AND CONSTRUCTION PROFESSIONAL ASSOCIATIONS AND LICENSING BOARDS)

Messages and Key Information

Professional associations for design and construction industries (e.g., contractors, engineers, geologists, and building industry associations) need to be kept informed of CAB's activities which may impact their organizations and the industries they represent. Likewise, the state licensing boards which regulate those industries need to be kept informed of activities that may impact their boards and the professions they regulate.

Existing Communications Channels

- Newsletters
- Web site
- DCA Executive Officers Council
- Web site links to affiliated professionals' Web sites

- Architectural/engineering meetings

Preliminary Strategies

- Interact with Board for Professional Engineers, Land Surveyors, and Geologists and Contractors State License Board (Executive Committee)

ARCHITECTURAL EDUCATION COMMUNITY

Messages and Key Information

California schools with architectural programs (i.e., colleges, universities, and community colleges) and high schools need to know about licensure and candidate information. These include:

- Examination/licensure requirements
- Candidate exam pass rates
- CIDP/IDP
- CAB programs

Existing Communications Channels

- Candidate's Handbook (Web site)
- Summary of Architect Registration Examination pass rates by school
- Education forums

Preliminary Strategies

- Expand education forums
- Meet at schools when possible
- Distribute CIDP Handbook

GRAPHIC STANDARDS

CAB will maintain and update its graphic standards to ensure clarity, consistency, and accuracy of information in all printed materials and publications.

WEB SITE

The Internet is being used effectively as a tool to reach all audiences through links to and from related sites. The current site functions well and has outstanding graphics. CAB will continue to improve Web site access, ease of use, and value to users.

Agenda Item R.2 & R.3

2. REVIEW AND APPROVE IMPLEMENTATION OF COMMITTEE PROCEDURES

3. FINALIZE ACTION ON CONSOLIDATION OF EXAMINATION COMMITTEE AND PQC

The Board's 2011 Strategic Plan charges the Executive Committee with reviewing committee appointment and membership procedures and charges, and making recommendations for improvement, including training.

In preparation for the Committee's discussion of this issue, staff researched the committee procedures for related organizations and drafted a "white paper" on the subject. The paper covered issues such as: appointment process; qualifications of committee members; chairmanships; term limits; and committee jurisdiction.

At the April 15, 2011 Committee meeting, the paper was discussed and the Committee largely agreed with its contents. Minor edits were suggested for the document. At the June 16, 2011 Board meeting, the revised white paper was presented. The Board agreed with its contents, but there was discussion regarding term and chair limits. One suggestion was that committee chairs not serve more than two or three years as a chair. The Board agreed to refer the issue to a task force to discuss the issue further and develop a recommendation for the Board's consideration.

Board President Pasqual Gutierrez appointed Marilyn Lyon, Michael Merino, and himself as members of the Task Force on Committee Procedures. The Task Force met via teleconference on August 30, 2011 and developed a recommendation for the Board's consideration that included proposals to:

1. Set Maximum Lengths and Limits of Terms on Committee Appointments
2. Set Chairmanship Term Limits on Committees
3. Rotate Membership on Committees
4. Finalize the Consolidation of the Examination Committee into the Professional Qualifications Committee (PQC)

The Board reviewed and approved the Task Force's recommendations at its September 15, 2011 meeting. The Board agreed that the implementation of the committee procedures and the consolidation of the committees be formalized at the Board's next Strategic Planning session in December 2011.

Staff worked with Task Force member Gutierrez and developed an implementation plan and committee member tracking charts (attachments). Below is a list of the documents created to implement the committee procedures:

1. Committee Procedures and Implementation Plan – includes the term limits on committee appointments and chairmanships and consolidation of Examination Committee and PQC.

The Implementation Plan includes the basic steps, assumptions, and issues for the Board's consideration when finalizing the plan.

2. Committee Appointments and Terms – includes listing of all committee members and chairs, date appointed to Board and term ending date, year appointed to committee, year term ends on committee applying eight year maximum rule, and year(s) served as chair and vice chair. Highlighted members indicate term on committee eight years or more.
3. Chairmanship Appointments – includes listing of all committee chairmanship appointments for 2011 and application of chair rotations for 2012 with eligible members to serve in vice chair positions.

Also attached is a list of each of the Board's committees and their charges.

The Board is asked to review the attached documents and finalize the committee procedures and consolidation of the committees during the Strategic Planning session. Once the procedures are finalized, the language will be incorporated into the *Board Member Administrative Procedure Manual*.

COMMITTEE PROCEDURES AND IMPLEMENTATION PLAN

1. Committee Procedures

- **Term Limits on Committee Appointments**

An individual may serve a term of up to four years on a standing committee(s) (Professional Qualifications, Regulatory and Enforcement, and Communications Committee or any new standing committee formed by the Board in the future). After serving four years on a committee(s), a member may submit a Request for Reappointment for an additional four years on the same committee. The request should address the following statements of purpose:

- How many times the committee met during the member's term and how many meetings the member attended;
- What the committee accomplished during the member's term and what were his or her contributions; and
- Why the member wishes to continue to serve.

A committee member may not serve more than eight consecutive years on a committee. If the member wants to be appointed to the same committee after eight years, the member is required to be off the committee for one year before being appointed back to the committee. The member may serve on another committee after eight years without a one year break in service. Except where otherwise provided by the Board, length of service on individual committees shall be determined independently and only be subject to the limitations of service for that committee.

- **Chairmanship Term Limits on Committees**

The chairmanship of committees shall consist of three positions (chair, vice-chair and advising chair) with terms of one year each. The appointments and rotations of chairmanship positions are as follows:

- A new vice-chair shall be appointed by the Board President to each standing committee each year.
- The vice-chair shall serve one year and then advance to chair.
- The chair shall serve one year and then advance to advising chair (exception: if vice-chair terms off the Board, the standing chair shall serve a second one year term).
- The advising chair shall serve one year and be eligible for appointment to another committee's chairmanship, but not as vice-chair for the same committee until after one year (exception: if chair terms off the Board during their term as chair, the standing advising chair shall serve as chair for the remainder of that year, followed by one more year as advising chair).

2. Consolidation of Examination Committee and Professional Qualifications Committee

Examination Committee shall be consolidated into the Professional Qualifications Committee and formalized at the next Strategic Planning session as an organizational restructuring.

IMPLEMENTATION PLAN

Basic Steps to Follow to implement Committee Procedures:

1. Implementation of committee procedures to be effective beginning with 2012 committee appointments. Committee members' prior service will be considered when applying eight year term limit.
2. Prepare and send thank you letters to current members of all committees who have served at least eight years advising them of new policy on committee appointments and term limits and the benefits. Include information on reappointment after one year break in service and invitation to apply to serve on a different committee. Prepare and send similar letters to current members who have served less than eight years and request confirmation of their desire to continue service.
3. Advise Board members who are current committee Chairs and Vice-Chairs (if applicable) of their appointments to Advising Chairs and Chairs positions as appropriate.
4. Survey all Board members of their desire to serve on committees and Vice-Chair positions.
5. Recruit individuals to serve in vacant committee member positions (recruitment process to be determined by Board-see detail below).
6. Tabulate results from Board members and external responses for recruitment.
7. Board President in consultation with Vice President and Executive Officer makes final selection for each Vice-Chair and committee member vacant position.
8. Prepare and send appointment letters to all new members and Vice-Chairs.
9. Create and maintain log to track all Board member, committee, and chair appointments and terms.
10. Create and maintain log to track committee meeting dates, committee member attendance, and accomplishments to be used by members seeking reappointment.
11. Prepare and send reminder letters to committee members approaching their fourth year of service and advise of process to seek reappointment.
12. Respond to requests for supporting data for reappointment requests.

Assumptions

1. Committee terms begin January 1st and end December 31st of each year regardless of appointment date.
2. Board members may serve on more than one committee and in more than one chairmanship positions (Chair, Vice-Chair and Advising Chair) concurrently.
3. Request for Reappointment process does not apply to Board members serving on committees.
4. If Vice-Chair position is vacated due to Board member's term ending on Board, the President, in consultation with Vice President and Executive Officer appoints a new Vice-Chair to serve remaining term.

Issues to Consider

1. Adding non-Board members (both architect and public members) to committees has always provided a valued diversity of opinion. Possible recruitment efforts may include: Board staff sending a communiqué to current committee members, as well as The American Institute of Architects, California Council; Society of American Registered Architects; U.S. Green Building Council; Construction Specifications Institute; academia (via schools of architecture); etc. requesting recommendations for possible candidates. Board President can then consider such recommendations when making appointments.
2. Modify requirements for reappointment request to include only the rationale for the member's wishes to continue to serve on the committee as verification of qualitative statements would be difficult, if not impossible, to validate.
3. Exception for Chair to remain on a committee for one year as Advising-Chair if total term on committee exceeds eight years at time of initial implementation of committee procedures.

COMMITTEE APPOINTMENTS AND TERMS

PQC	Appointed to Board	Board Term Ends	Year Appointed to Committee	Year Term Ends Applying 8 Year Limit ^a	Chair	Vice Chair
Jeffrey Heller, Chair	12/2/2002	6/30/2013	2003	2010	2011	
Pasqual Gutierrez, Vice Chair	10/2/2006	6/30/2014	2007	2014	2009, 2010	2011
Jon Alan Baker	12/15/2005	6/30/2013	2006	2013	2007, 2008	
Gordon Carrier		5/29/2003	1996	2003		
Raymond Cheng		5/31/2002	1996	2003		
Allan Cooper			2003	2010		
Betsy Dougherty			2006	2013		
Glenn Gall			2006	2013		
Kevin Jensen		11/11/2005	2004	2011		
Christine Lampert		4/18/2002	1996	2003		
Kirk Miller		9/4/2006	1998	2005		
Paul Neel			1996	2003		
Alan Rudy			2008 ^b	2015		
R. K. Stewart			1998	2005		
Barry Wasserman			1996	2003		
Examination^c						
Marilyn Lyon, Chair	6/7/2006	6/30/2012	2007	2014	2009-2011	2008
Charles Brown			2002	2009		
Glenn Gall			2002	2009		
Denis Henmi		6/1/2006	2002	2009		
Richard Holden			2002	2009		
George Ikenoyama			2002	2009		
Christine Lampert		4/18/2002	2002	2009		
James McGlothlin			2002	2009		
Carol Tink-Fox			2002	2009		
Communications						
Iris Cochlan, Chair	11/16/2005	6/30/2012	2006	2013	2011, 2006-2009	2010
Sheran Voigt, Vice Chair	6/7/2006	6/30/2014	2006	2013	2010	2011
Richard Conrad			1998	2005		
Cynthia Easton			1998	2005		
Jack Paddon			1998	2005		
Ronald Ronconi			1998	2005		
Jamie Stitzel			2006	2013		
REC^d						
Sheran Voigt, Chair	6/7/2006	6/30/2014	2007	2014	2011	
Michael Merino, Vice Chair	6/7/2006	6/30/2013	2006	2013		2011
Fermin Villegas	3/11/2011	6/30/2014	2011	2018		
Richard Conrad			1995	2002		
Fred Cullum			2000	2007		
Robert De Pietro			1995	2002		
Robert George			1999	2006		
Phyllis Newton, Esq.			2006	2013		
Larry Segrue			2004	2011		

^aCommittee term ends 12/31 of year indicated after applying eight year term limit to initial committee appointment. Yellow highlight signifies member on committee eight years or more and must be off committee.

^bNeeds to reapply for 4 years in 2012 to serve 2012-2015

^cExamination Committee renamed in 2002. Some members' terms commenced prior to 2002.

^dRegulatory & Enforcement Committee renamed in 1995. Some members' terms commenced prior to 1995.

CHAIRMANSHIP APPOINTMENTS

	Appointed to Board	Board Term Ends	Year Appointed to Committee	Year Term Ends Applying 8 Year Limit ^a	Chair	Vice Chair
PQC 2011						
Jeffrey Heller, Chair ^b	12/2/2002	6/30/2013	2003	2010	2011	
Pasqual Gutierrez, Vice Chair	10/2/2006	6/30/2014	2007	2014	2009, 2010	2011
PQC 2012						
Advising Chair TBD						
Pasqual Gutierrez, Chair	10/2/2006	6/30/2014	2007	2014	2009, 2010	2011
Vice-Chair TBD (eligible-Marilyn, Sheran, Jon, Iris, Michael, Fermin, Hraztan)						
Examination 2011						
Marilyn Lyon, Chair	6/7/2006	6/30/2012	2007	2014	2009-2011	2008
Examination 2012						
Marilyn Lyon, Advising Chair ^c	6/7/2006	6/30/2012	2007	2014	2009-2011	2008
Chair TBD (eligible-Pasqual, Sheran, Jon, Iris, Jeff, Michael, Fermin, Hraztan)						
Vice-Chair TBD (eligible-Pasqual, Sheran, Jon, Iris, Jeff, Michael, Fermin, Hraztan)						
Communications 2011						
Iris Cochlan, Chair	11/16/2005	6/30/2012	2006	2013	2011, 2006-2009	2010
Sheran Voigt, Vice-Chair	6/7/2006	6/30/2014	2006	2013	2010	2011
Communications 2012						
Iris Cochlan, Advising Chair ^c	11/16/2005	6/30/2012	2006	2013	2011, 2006-2009	2010
Sheran Voigt, Chair	6/7/2006	6/30/2014	2006	2013	2010	2011
Vice-Chair TBD (eligible-Pasqual, Marilyn, Jon, Jeff, Michael, Fermin, Hraztan)						
REC 2011						
Sheran Voigt, Chair	6/7/2006	6/30/2014	2007	2014	2011	
Michael Merino, Vice Chair	6/7/2006	6/30/2013	2006	2013		2011
REC 2012						
Sheran Voigt, Advising Chair	6/7/2006	6/30/2014	2007	2014	2011	
Michael Merino, Chair	6/7/2006	6/30/2013	2006	2013		2011
Vice-Chair TBD (eligible-Pasqual, Marilyn, Jon, Iris, Jeff, Fermin, Hraztan)						

^aCommittee term ends 12/31 of year indicated after applying eight year term limit to initial committee appointment.

^bServed eight years on committee not eligible for Advising Chair.

^cAdvising Chair term only six months due to Board member term expiring.

California Architects Board Committees and Charges (2011)

Each of the Board's committees is assigned one or more goal areas from the Strategic Plan. The committees provide policy recommendations to the Board and guidance to staff as to the best means for carrying out the Board's objectives. The parameters of the committees were most recently specified in the Board's 2010 Sunset Review Report as follows:

The *Executive Committee* is charged with coordinating and leading the Board's public awareness program, organizational relationships, organizational development, and customer service efforts. It takes the lead in: 1) increasing public and professional awareness of the Board's mission, activities, and services; 2) improving the effectiveness of the Board's relationships with related organizations to further its mission and goals; and, 3) enhancing the Board's organizational effectiveness and improving the quality of customer service in all of the Board's programs. The Executive Committee consists of four members: the President, Vice President, Secretary, and one additional Board member.

The *Professional Qualifications Committee* was formed in 1996 as a result of a need identified during strategic planning. The Committee is charged with 1) ensuring the professional qualifications of those practicing architects by setting requirements for education, experience, and examination; 2) reviewing the Board's national examination to ensure that it fairly and effectively tests the knowledge, skills, and abilities of importance to architectural practice in California; 3) analyzing and making recommendations on educational and experience requirements relative to entry-level qualifications; and 4) reviewing the practice of architecture to ensure the Architects Practice Act accurately reflects areas of practice.

The *Examination Committee* is charged with: 1) providing general California Supplemental Examination (CSE) oversight; 2) working with the Board's testing experts, examination vendors, and subject matter experts to provide valid, defensible, and efficient examinations; and 3) addressing broad examination policy issues.

The *Regulatory and Enforcement Committee* is charged with: 1) making recommendations on practice standards and enforcement issues; 2) making recommendations regarding the establishment of regulatory standards of practice for architects; 3) recommending and establishing policies and procedures designed to protect consumers by preventing violations and enforcing standards when violations occur; and 4) informing the public and licensees of the Board's standards and enforcement programs.

The *Communications Committee* is charged with: 1) overseeing all of the Board's communications and identifying strategies to effectively communicate to key audiences; 2) serving as the editorial body for the Board's newsletter, *California Architects*; and 3) providing strategic input on enhancing the use of the Internet to communicate with the Board's stakeholders. The Communications Committee oversees a variety of outreach programs, such as programs to communicate with students, faculty, and Deans.

Agenda Item S

REVIEW OF SCHEDULE

December 2011

7-8	Board Meeting/Strategic Planning Session	San Diego
26	<i>Christmas Holiday Observed</i>	<i>Office Closed</i>

January 2012

2	<i>New Year's Day Observed</i>	<i>Office Closed</i>
16	<i>Martin Luther King, Jr. Day</i>	<i>Office Closed</i>
23-24	Landscape Architects Technical Committee (LATC) Meeting/ Strategic Planning Session	Berkeley

February

20	<i>Presidents' Day</i>	<i>Office Closed</i>
24-25	Council of Landscape Architectural Registration Boards (CLARB) Spring Meeting	Coral Gables, FL

March

TBD	Board Meeting	TBD
5-18	Landscape Architects Registration Examination (LARE) Sections A, B, & D Administration	Various
9-10	Western Conference of Architectural Registration Boards Joint Regions 3 & 6 Meeting	Seattle, WA

April

May

17-19	The American Institute of Architects National Convention	Washington, DC
28	<i>Memorial Day</i>	<i>Office Closed</i>

June

TBD	Board Meeting	TBD
11-12	LARE Sections C & E Administration	Various
20-22	National Council of Architectural Registration Boards Annual Meeting and Conference	Minneapolis, MN

July

4	<i>Independence Day</i>	<i>Office Closed</i>
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August

Continued on Reverse

Board Meeting

December 7-8, 2011

San Diego, CA

September 2012

TBD

3

13-15

Board Meeting
Labor Day
CLARB Annual Meeting

TBD
Office Closed
San Francisco

October

November

12

22-23

Veteran's Day Observed
Thanksgiving Holiday

Office Closed
Office Closed

December

TBD

25

Board Meeting
Christmas

TBD
Office Closed

Agenda Item T

ADJOURNMENT

Time: _____