CALIFORNIA ARCHITECTS BOARD

March 7, 2012

Woodbury University

Burbank, CA

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

REVISED
NOTICE OF BOARD MEETING

March 7, 2012
9:30 a.m. – 5:00 p.m.
Woodbury University
Ahmanson Main Space
7500 Glenoaks Boulevard
Burbank, California
(818) 767-0888

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

A. Call to Order – Roll Call – Establishment of a Quorum

B. President's Remarks

C. Public Comment Session

D. Approve the December 7-8, 2011, Board Meeting Minutes

E. Executive Officer's Report
   1. Update to February 2012 Monthly Report
   2. Discuss and Possible Action on Legislation Regarding Senate Bill 975 (Wright), Assembly Bill 1822 (Berryhill), and Interior Designers

F. Strategic Plan
   1. Review and Approve 2012 Strategic Plan
   2. Review and Approve Implementation of Committee Procedures
   3. Finalize Action on Consolidation of Examination Committee and Professional Qualifications Committee

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G. Closed Session – Disciplinary Decisions and Exam Development Issues [Closed Session Pursuant to Government Code Sections 11126(c)(1) and (3)]

H. Western Conference of Architectural Registration Boards (WCARB)
   1. Report on National Council of Architectural Registration Boards (NCARB)
   2. Review of the 2012 Joint Regional Annual Meeting of WCARB
   3. Discuss and Possible Action on NCARB Resolutions
   4. Discuss and Possible Action on 2012 Elections

I. Update and Possible Action Regarding the Release of California Supplemental Examination Results

J. Discuss and Possible Action on Board and NCARB Examination Security/Confidentiality Policies, Including Business and Professions Code Section 123

K. Regulatory and Enforcement Committee Report
   1. Update and Possible Action on Certified Access Specialist Institute (CASI) Inquiry on Architects Practice Act Issues
   2. Update and Possible Action on Informing Planning Departments of Unlicensed Practice Issues Regarding Non-Exempt Projects

L. Update on January 23-24, 2012, Landscape Architects Technical Committee Meeting

M. Review of Schedule

N. Adjournment - The Board will adjourn in memoriam to Norma Sklarek, architect Board member from 2003 to 2007 who passed away February 6, 2012.

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 Marilyn Lyon, or in her 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 her discretion.

Agenda Item D

APPROVE THE DECEMBER 7-8, 2011 BOARD MEETING MINUTES

The Board is asked to approve the minutes of the December 7-8, 2011, Board meeting.

MINUTES

REGULAR MEETING

CALIFORNIA ARCHITECTS BOARD

December 7-8, 2011

San Diego, CA

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

President Pasqual Gutierrez called the Board meeting to order on December 7, 2011, at 9:09 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
Fermin Villegas

Board Members Absent
Jeffrey Heller
Michael Merino
Hraztan Zeitlian

Guests Present
Kurt Cooknick, Director of Regulation and Practice, The American Institute of Architects, California Council (AIACC)
Jon Wreschinsky, President, California Council American Society of Landscape Architects (CCASLA)

Staff Present
Doug McCauley, Executive Officer
Vickie Mayer, Assistant Executive Officer
Justin Sotelo, Program Manager, Examination/Licensing Unit
Trish Rodriguez, Program Manager, Landscape Architects Technical Committee (LATC)
Marccus Reinhardt, Administration Analyst
Hattie Johnson, Enforcement Officer
Robert Carter, Architect Consultant
Don Chang, Legal Counsel, Department of Consumer Affairs (DCA)

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

B. PRESIDENT'S REMARKS

Mr. Gutierrez welcomed everyone to the meeting. He stated the Board would be conducting regular business today and tomorrow the Board would be conducting strategic planning facilitated by Daniel Iacofano. Mr. Gutierrez briefly summarized the agenda items the Board would be discussing for members of the public.

C. PUBLIC COMMENT SESSION

Jon Wreschinsky, landscape architect and president of the CCASLA thanked the members of the Board present on behalf of the four CCASLA chapters and landscape architects in California for its efforts in relation to Senate Bill 543, which extended the sunset date for the Board and LATC.

Mr. Wreschinsky reminded the Board that CCASLA has previously raised the question about the issue of landscape architects stamping drawings submitted to the Division of the State Architect (DSA). He further stated that since there is a new State Architect, the CCASLA would again be raising the question to DSA.

D. APPROVE THE SEPTEMBER 15, 2011 BOARD MEETING MINUTES

Mr. Gutierrez called for a motion to approve the September 15, 2011, Board Meeting Minutes.

- **Sheran Voigt moved to approve the September 15, 2011, Board Meeting Minutes.**

  Marilyn Lyon seconded the motion.

  The motion passed 6-0.

E. EXECUTIVE OFFICER'S REPORT

Doug McCauley presented the Board members with a list of tentative dates for 2012 Board meetings which are: March 1; June 14; September 13; and December 5 - 6. Mr. McCauley also stated the March 1, 2012, meeting date was tentative pending the availability of Mr. Iacofano, the strategic planning session facilitator.

Mr. McCauley stated one of the objectives Mr. Gutierrez had when he first became president was to improve the production of the newsletter, which for various reasons (e.g., furloughs, staff vacancies, etc.) had declined. Mr. McCauley also stated that staff were on target for producing four newsletters this year with the latest issue (fall) in the final production stage at the DCA.

Mr. McCauley informed Board members the hiring freeze the Board has had to contend with the past few years was finally lifted. He advised that justifications for hiring will no longer need Cabinet level review, but can now be approved at the DCA level. He added this allows the Board to now begin filling long vacant positions to relieve workload issues.

Mr. McCauley reminded Board members one of the key objectives from the 2011 Strategic Plan was to have a liaison assigned to each of the various collateral organizations. He also stated that Board

members would be providing a report for their respective organization at the strategic planning session tomorrow. Mr. McCauley stated another objective for staff was to identify best practices and cost savings measures, which staff has already started implementing.

Mr. McCauley informed the Board the regulatory package pertaining to the repeal of the Comprehensive Intern Development Program (CIDP) has been sent to DCA to begin the review process. He briefly explained what the process involved before the package is submitted to the Office of Administrative Law.

F. ELECTION OF 2012 BOARD OFFICERS

Mr. Gutierrez asked Nominations Committee member Jon Baker to present this agenda item. Mr. Baker deferred the item to Mr. McCauley for presentation.

Mr. McCauley stated the recommendations from the Nominations Committee for the 2012 officers were: Marilyn Lyon for president; Sheran Voigt for vice-president; and Hraztan Zeitlian for secretary. He informed the Board it could approve the slate of candidates or develop its own slate of candidates.

- **Jon Baker moved to approve the recommended slate of officers for 2012.**

  Fermin Villegas seconded the motion.

  The motion passed 6-0.

G. SELECT THE 2011 OCTAVIUS MORGAN DISTINGUISHED SERVICE AWARD RECIPIENTS

Mr. McCauley stated that this award, named after the first Board president, is given by the Board to recognize the dedicated volunteers who have helped with the examination or have served on committees. The Board reviewed this year's recommendations and identified three individuals to receive the award for 2011.

- **Sheran Voigt moved to approve that Denis Henmi, Phyllis Newton, and Richard Tannahill be awarded the Octavius Morgan Distinguished Service Award for 2011.**

  Iris Cochlan seconded the motion.

  The motion passed 6-0.

H. 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 three disciplinary cases and closed session minutes. The Board took the following actions: 1) considered the Proposed Decision in the Matter of the Citation Against Phillip R. Felix; 2) considered the Stipulated Settlement and Disciplinary Order in the Matter of the Statement of Issues Against Scott Spencer; 3) considered the Settlement of Citation in the Matter of the Citation Against Office of Mobile Design, Jennifer Siegal; and 4) approved the September 15, 2011, Board meeting closed session minutes.

I. REVIEW AND APPROVE RECOMMENDATION REGARDING THE RELEASE OF CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE) RESULTS

Mr. Gutierrez asked Justin Sotelo to present this agenda item.

Mr. Sotelo stated that at the previous two Board meetings there had been discussion about the release of CSE results to candidates. He stated historically, oral examination results had been released to candidates 30 days after the date of their examination, and periodically there were wait periods for results due to necessary statistical analyses. He added that it was now possible with the test vendor, Psychological Services, LLC (PSI), for results to be released to candidates at the test center immediately after their exam is finished.

Mr. Sotelo reminded the Board that at its September 15, 2011, meeting the Board voted to continue releasing 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 centers. Additionally, he stated the Board asked staff to provide a recommendation at its December 7-8, 2011, meeting on the release of the CSE results based on the issues discussed at the September 2011 Board meeting. Mr. Sotelo informed the Board that staff met with the exam development vendor, Office of Professional Examination Services (OPES), and due to the items/issues listed on the agenda item cover sheet, staff recommended beginning the immediate release of CSE results to candidates effective on June 1, 2012. He also added that periodic statistical analysis would still be required in the future which would occasionally cause CSE results to be held, but that candidates are made aware of this in the CSE Handbook and on the Board's website.

Mr. Gutierrez clarified the recommendation as presented by Mr. Sotelo as asking the Board to consider moving the implementation date of the immediate release of CSE results from February 1, 2012, to June 1, 2012. Mr. Sotelo confirmed Mr. Gutierrez' clarification as accurate.

Mr. Baker strongly disagreed with the recommendation and stated that there are numerous multiple-choice exams for certificate programs where the candidates receive their results immediately after finishing the exam. He indicated the CSE was different from the Architect Registration Examination (ARE) graphic divisions and does not believe the immediate release of CSE results should be postponed. He stated his belief that the information from the statistics is being over analyzed by the test vendor and unnecessarily delaying the release of CSE results to candidates. He opined that candidates should be provided results the minute they finish the CSE and it should commence immediately. Ms. Lyon agreed with Mr. Baker's conclusions and opinion and stated the process for immediately releasing results is taking too long.

Vickie Mayer explained that the vendor would have to complete some required programming to begin immediate release of CSE results and it could potentially be finished by February 1, 2012. She further explained that because of the timing for launch of the next new test form, the immediate release of CSE results would only occur for approximately 30 days before a new analysis phase would begin due to the release of the new March exam form, which will delay the release of CSE results for 60 to 90 days while the analysis is being performed. She suggested that if the Board did not wish to have the new test items analyzed, then it could be possible to begin the immediate release of CSE results February 1, 2012.

Mr. Baker asked why new test items, which are only released with every new version of the CSE, could not be introduced as nonscorable items during prior test administrations and separately analyzed for performance, thus allowing those items that do count to be scored more timely. Ms. Mayer explained that during each release of the CSE there are approximately 100 new scorable items and a certain number of nonscorable items, which must be analyzed. She added that the analysis process requires a minimum number of candidates before the analysis can be performed, after which the results can be released to candidates. She further explained that during the release of the first CSE test form, a pool of 400 candidates was necessary before conducting the analysis. Ms. Mayer stated there was an issue in reaching this amount of candidates and that created the delay. She added that the pool of candidates was reduced in the release of the second test form, but still required more than 60 days to complete the analysis due to issues that arose. Ms. Mayer further stated the next test form is scheduled for March 2012 and would also require an analysis phase.

Mr. Baker asked why the new form (Form C), which will be launching in March, could not use previously tested and analyzed questions from the previous test forms. Ms. Mayer explained that there are an insufficient number of items in the test item bank. She stated the plan was to launch Form A followed by Form B, and then concurrent with the release of Form C reintroduce Form A. She further stated, the Form A reintroduction may be delayed to allow the development of a sufficient candidate pool for the Form C statistical analysis. Ms. Mayer indicated that gradually a sufficient pool of test items would be developed and there could be a reduced need for future statistical analyses. She stated this approach was agreed to by the Examination Committee and PSI.

Mr. Baker asked how frequently the CSE is administered and how long a candidate must wait to retake the CSE should they fail. Mr. McCauley responded that the CSE is continuously administered and that candidates must wait six months before it may be retaken. He added this is similar to the National Council of Architectural Registration Boards' (NCARB) ARE requirement. Mr. Baker also asked how over exposure could occur when candidates must wait at least six months between retakes and why were new test items not included as part of the pre-test to assist in developing the test bank. Ms. Mayer responded that new test items are being pre-tested during CSE administrations. She also informed the Board the number of candidates who are taking the CSE is declining, which can contribute to a longer analysis process.

Mr. Baker expressed his concerns about the process for how the CSE is being administered and cycled. He stated a better plan should have been developed for how new test items would be integrated with existing ones so it would be easier to initialize the immediate release of CSE results to candidates. Ms. Mayer explained that OPES stated the analysis may eventually no longer be necessary after a sufficient test bank had been developed and is performing adequately. Mr. Baker stated his displeasure with OPES for having initiated a process where entirely new test forms are being administered and a year later candidates still cannot get their results more timely.

Mr. Gutierrez asked how many times the release of CSE results could be interrupted by analysis should the Board delay the implementation of the immediate release of CSE results until June and is it conceivable the delay or the analysis could be eliminated altogether by that time. Mr. Sotelo responded that it is recommended an analysis be performed each time a new test form is released and depending on how the test bank develops and its performance, there may be a reduced necessity for analysis. Ms. Mayer added that staff could contact the vendor to see whether the analysis could be eliminated. She indicated, however, that there could arise potential issues related to scoring and test item performance.

Mr. Gutierrez stated that candidates may not necessarily be impacted by delay should the Board decide to wait until June for the immediate release of CSE results. He added that if the test vendor can grant assurances there would be no further delays after June 1, 2011, then the Board could show candidates how the CSE has evolved into a modern computer-delivered exam with no waiting for results (streamlining the licensing process) and is a vast improvement over the older format.

Kurt Cooknick posed two questions to the Board: 1) how would the Board communicate information about the immediate release of CSE results to candidates; and 2) what about reciprocity candidates for whom receiving a commission may depend on the immediate release of CSE results.
Mr. Gutierrez responded to Mr. Cooknick's second question by indicating there are alternate methods an individual can utilize to work on a California project such as partnering with a California licensee.

Mr. Baker made a recommendation that staff work with the test vendor to develop an improved process for implementing new test forms and test items to prevent future delays in the release of CSE results to candidates. He opined that a new process should allow for multiple forms to be simultaneously administered without the need to withhold results for statistical analyses. Ms. Mayer added that holding results is not unique to the CSE and that NCARB also does not immediately release test results.

- **Sheran Voigt moved to accept the recommendation to release CSE results on-site at the test centers beginning June 1, 2012, and request the test vendor to develop a process for future analysis of test items that does not create an interruption or delay in the release of results.**

  Marilyn Lyon seconded the motion.

Mr. Cooknick stated the Little Hoover Commission just released a report about how the regulatory process in California is hampering business. He added that primarily candidates taking the CSE now have an expectation the CSE results should be immediately released when their exam is finished. He also added these types of candidates view the delay in releasing results an unnecessary artificial hindrance in obtaining their license and advancement.

Mr. Baker stated his disagreement with the motion. He added that the benchmark of "it's better now" is unacceptable. He noted the release plan developed by OPES is ineffective and a better plan which would have minimized or eliminated the delay to candidates for their results should have been implemented. He opined the delay to candidates was completely avoidable. Ms. Mayer explained that the vendor believed there would be a higher number of candidates testing in order to begin the statistical analysis. Mr. Baker further added that candidates are getting licensed in other states and later taking the CSE because of the artificial delays and the bureaucratic process in California.

Mr. Gutierrez offered an amendment to the motion "requiring" the test vendor to develop a process for future analysis of test items rather than "request." Marilyn Lyon accepted this amendment to the motion.

The motion passed 5-1 (Jon Baker opposed).

J. REPORT ON NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

Mr. Gutierrez asked Mr. Baker to present this agenda item.

Mr. Baker reported that the NCARB quarterly meeting was held last week in New Mexico. He stated that as a regional director he also serves as the board liaison to the Committee on Internship and is also the co-chair for Intern Development Program (IDP) Advisory Committee. He further stated his responsibility for one of the NCARB long-range strategic issues related to continuing education (CE).

Mr. Baker reported that at the annual meeting last year a resolution was passed by the Member Boards to develop a model CE program at the NCARB level which could be recommended to individual state boards. He stated the recommendation would be for a specific type of CE (health, safety, and welfare) with a 12 hour minimum in order to provide consistency among the state boards' requirements. He added that currently requirements vary greatly from state to state and this creates a burden on licensees to track the individual state requirements when they are licensed in multiple jurisdictions. Mr. Baker further stated that NCARB has been working with The American Institute of Architects (AIA) to examine the quality of the CE programs and establish a minimum benchmark for the quality of health, safety, and welfare CE programs. Mr. Baker also reported that NCARB has been attempting to define their role in the process of developing a consistent national CE standard.

Mr. Cooknick asked whether the standardized CE requirement would be tied to licensing. Mr. Baker responded that it is unknown whether at the national level it would be tied to licensure. He did state however, that many states currently require CE as a condition of renewal. Mr. Cooknick added that Governor Brown recently vetoed the court reporters CE and took the position that CE is for those who wish to remain relevant and current in a profession. Mr. Baker stated the purpose of examining CE at a national level is to make it easier for practitioners to comply with state requirements.

Mr. Baker indicated that many architects conduct significant research into new methods, materials, and inventions when designing projects and opined that this is as much CE as any profession receives. He further opined that many CE programs are not rigorous or technically demanding. He stated that some of the issues being faced are how to make CE for architects meaningful, reasonable, and consistently applied.

Mr. Baker stated that in April 2012 NCARB will change the units of experience used in IDP from "training units" to hours. He further stated that the amount of hours for individual training areas within IDP will be changing slightly and that candidates who have not completed the required training units for a given training area will have to meet that training area's new hour requirements.

Mr. Baker reported that NCARB is budgeting to help states send delegates to the 2012 NCARB Annual Meeting. He also stated his frustration with the out-of-state travel situation. He indicated that this prevents opportunities for California representation at the NCARB annual meetings.

Mr. Baker reported that there have been numerous complaints regarding the fee increases to the IDP and ARE programs. He stated that NCARB has prepared a fee history which he is currently reviewing and will share with the Board at a later meeting. He further stated the IDP and ARE programs are heavily subsidized by the fees NCARB Certificate holders pay. He added that it would be cost prohibitive for candidates to charge the actual costs of program administration without

subsidization. He also stated that NCARB is working on methodologies to better balance program funding.

Mr. Baker reported the 2012 Practice Analysis (PA) will be mailed in April to approximately 80,000 recipients. He further reported the 2012 PA will not just be sent to licensees, but will also be sent to owners, developers, contractors, and educators. He added that a variation of the PA will be sent to the American Institute of Architecture Students for their input related to the National Architectural Accreditation Board's accreditation process and could serve as a vehicle for attempting to match the student experience with the accreditation process. Mr. Baker stated that changes to the ARE and IDP programs may result from the PA.

Mr. Baker reported on some general NCARB operations items. He stated the outreach conducted to state boards is an ongoing practice and that NCARB will be visiting every jurisdiction. He added that this provides NCARB with a better understanding of what occurs on the frontline. He also stated that many hours were spent rewriting the NCARB policies in an effort to streamline the process of policies which run NCARB. He added that NCARB is also developing business plans for each directorate, program, and service line which will include: 1) directorate, program, or service line function; 2) related constituency; 3) revenue generation methodology; 4) operational methodology; and 5) annual goals.

Mr. Baker reported that NCARB, in attempting to define its role in the profession of architecture, recently created a forward looking process called Horizon 2020. He stated that Horizon 2020 is presently developing its strategic plan for the multi-year process with the intention of collecting ideas and hosting discussion about how NCARB should present itself and what it does into the future.

K. PROFESSIONAL QUALIFICATIONS COMMITTEE (PQC) REPORT

Mr. Gutierrez asked Mr. Sotelo to present this agenda item.

Mr. Sotelo informed the Board that there has been an interest in understanding the Board's reciprocity requirement, more specifically having a better understanding of the Board's position with regard to the NCARB Broadly Experienced Foreign Architect (BEFA) program. He stated the BEFA program is a mechanism through which a foreign architect can receive an NCARB Certificate.
Mr. Sotelo stated that in response to the interest and questions about BEFA, NCARB was invited to the Board's September 15, 2011, meeting to provide a presentation on the program. He further stated that Derek Haese, Assistant Director of Member Board Relations, provided a very comprehensive presentation which outlined the program requirements and process and stated more information was available in today's meeting packet and on the NCARB website.

Mr. Sotelo reported that 36 Member Boards accept the BEFA NCARB Certificate for licensure and 12 foreign architects have met the requirements and been licensed through the program. He informed the Board that staff was directed to return information about the program and to provide recommendations for implementing a structure to align it with NCARB's BEFA Program. He indicated that the social security number (SSN) requirement, while also a separate issue, is an additional obstacle for foreign architects who would like to become licensed in California.
Mr. Sotelo also stated that the implementation options which the staff developed for the Board's consideration were: 1) pursue a regulatory proposal to amend California Code of Regulations (CCR) section 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 PQC 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 Individual Taxpayer Identification Number (ITIN) in lieu of a SSN for purposes of licensure in California; and 3) further discuss and/or refine course of action with regard to the SSN exemption issue through a strategic plan objective.

Mr. Sotelo stated that a sample exemption to the SSN requirement was provided in the meeting packet for the Board's review should they opt to pursue legislation that would allow the acceptance of an ITIN in lieu of the SSN. Mr. McCauley stated that the acceptance of an NCARB Certificate through BEFA and the SSN requirement are not mutually exclusive issues. He further stated that the SSN requirement is not unique to California and added that several other states have a similar requirement. He added that most (11 of 12) of the individuals who have completed the BEFA process previously had an SSN. He further stated it would be in the Board's interest to pursue a regulatory amendment to create a licensure pathway for those individuals who posses an NCARB Certificate through BEFA. Mr. McCauley stated that the Board could separately address the SSN requirement on a parallel track with a different time sequence.

Mr. Gutierrez asked whether those individuals who have an NCARB Certificate through BEFA would be unable to get a California license without an SSN. Mr. Sotelo responded that under the current regulations California does not accept the BEFA method for obtaining an NCARB Certificate. Mr. Gutierrez clarified the issues before the Board as: 1) accepting BEFA; and 2) whether to pursue legislation for amending existing law related to the SSN requirement. He opined that it would be a positive step forward to begin accepting the BEFA, but indicated his reluctance to pursue changing the requirement for the SSN. He added that perhaps including the acceptance of the ITIN in lieu of the SSN for tax and family support compliance would be a better alternative to not requiring the SSN for licensure. Mr. Cooknick asked whether the ITIN would meet the requirements for both the Franchise Tax Board (FTB) and the Internal Revenue Service (IRS). Mr. McCauley responded that FTB had reviewed the proposal and did not raise any concerns, but the IRS component is a federal issue. Mr. Baker added that the ITIN addresses the taxation issue, while the SSN allows an individual a greater access to government services.

Mr. Gutierrez summarized the staff recommendations for the Board members to consider and opined that staff should conduct additional research into the matter of whether an individual must have an SSN in order to work in California.

- **Jon Baker moved to pursue a regulatory proposal to amend CCR section 121 to allow the Board to recognize NCARB Certification obtained via the BEFA Program and to direct staff to continue evaluating and/or pursuing a legislative proposal to recognize the ITIN in lieu of a SSN for purposes of licensure in California.**

  Sheran Voigt seconded the motion.

  The motion passed 6-0.

Mr. Baker reported on the AIACC, Academy for Emerging Professionals 2011 Architectural Education Summit. He stated that the goal of the summit started out as improving collaboration between the practice and education communities and incorporating candidate input into the process.

He further stated that Mr. Iacofano of Moore, Iacofano, Goltsman (MIG) facilitated what essentially was a strategic planning session whereby areas of overlap, commonality, and conflict were identified to address causal factors which are impeding collaboration. Mr. Baker stated the categories addressed by each of the committees were: 1) increasing diversity; 2) streamlining the licensure process; 3) reviewing barriers to licensure; 4) examining the current expanding definition of architecture; and 5) strengthening relationships with community college students. He stated one issue in particular that was a subject of debate was tiered licensure which he opined runs contrary to the concept of promoting the value of licensure. He further stated that other discussion topics included how to better integrate practice with education and co-op educational programs. Mr. Gutierrez opined that based on his review of the report from the summit, the alternate (non-degree) path to licensure California affords candidates is validated.

L. REGULATORY AND ENFORCEMENT COMMITTEE REPORT

Mr. Gutierrez asked Hattie Johnson to present this agenda item.

Ms. Johnson stated that statistical reports have been provided to the Board at each meeting since December 2010 and reminded the Board that efforts have been undertaken to bolster the performance of the Enforcement Program since 2009. She reported that the enforcement tables in the meeting packet included closed cases for the reporting period from January 2011 until October 2011. She distributed an updated report that included data until November 2011. She said the reports show the number of cases that have been closed by category since the last Board meeting.

Mr. Baker asked why some citations listed in the statistical report that was provided took a year or more to close. Ms. Johnson explained that there could be a number of causes which affect the length a case is processed such as an inability to contact the subject of a complaint due to incorrect address information, failure of the subject to respond, or failure of the complainant to provide the necessary evidence. Mr. McCauley added that each case is different and the circumstances surrounding each case affect the amount of time it takes to close cases. Mr. Baker then inquired about a Statement of Issues case listed in the statistical report that took nearly a year to close. Ms. Johnson responded by explaining the process from the beginning to clarify the time frame for the case. Mr. Gutierrez proposed the statistical data be presented annually as opposed to each Board meeting. Ms. Voigt indicated that there have been other Board members who have requested such information be available at the quarterly Board meetings. Ms. Lyon inquired whether the data collection would be ongoing. Mr. McCauley responded the data collection would occur on a continuous basis with presentation annually as suggested by Mr. Gutierrez.

Mr. McCauley reported on informing planning departments of unlicensed practice issues regarding non-exempt projects. He stated that this was a 2011 Strategic Plan objective which initially was visualized as informal discussions with American Planning Association, California Chapter and the League of California Cities to make them aware of issues that have occurred where a project advances through several project review phases and ultimately when submitted to the building department is rejected because the project was non-exempt and required an architect. He added that the owner then incurs additional costs and delays to project. He further stated the Board later decided to develop a stronger approach whereby a communique would be sent directly to the individual planning departments. Mr. McCauley reminded the Board a letter was presented at the September 15, 2011, meeting and a decision was made to strengthen the letter and include additional constituencies and regulatory agencies. He informed the Board that California Building Officials

(CALBO), during a recent licensing committee meeting, expressed possible interest in a joint communiqué with the Board which would be sent to planning departments. Mr. Gutierrez stated that he had some comments regarding the letter which consisted of a minor edit and suggested adding a list of non-exempt projects in a more prominent location on the Board's website to assist consumers. Mr. McCauley asked the Board for clarification with regard to whom the letter would be distributed. He suggested sending the letter only to planning departments initially and gauging their feedback.

Marilyn Lyon moved to approve a joint letter with CALBO informing planning departments of unlicensed practice issues regarding non-exempt projects.

Sheran Voigt seconded the motion.

The motion passed 6-0.

Mr. Gutierrez presented the next agenda item which included the review and approval of a proposed regulation to amend CCR section 103.

- **Sheran Voigt moved to approve the proposed regulation to amend CCR section 103, Delegation of Certain Functions 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.**

  Iris Cochlan seconded the motion.

  The motion passed 6-0.

Ms. Johnson presented the next agenda item regarding the *Consumer's Guide to Hiring an Architect*.

Ms. Johnson reminded the Board that the current supply of the guide is nearly depleted and was last revised in 2004. She stated the guide has been reviewed by staff and revised taking into consideration common consumer questions and misinterpretations. She further stated the Regulatory and Enforcement Committee reviewed the revisions and made additional recommendations. She added that upon Board approval the guide will be published for distribution and available on the Board's website.

Mr. Gutierrez suggested the guide include in pertinent sections information regarding the 5,600 hour IDP requirement, flood hazard zones, and clarification of the differences between project costs and construction costs. Mr. Baker also suggested including information regarding the owner's responsibilities related to a project. Mr. McCauley stated staff would make the suggested edits as discussed and provide it to the Board president for review.

- **Jon Baker moved to approve the revised text for the *Consumer's Guide to Hiring an Architect* with the edits as discussed.**

  Sheran Voigt seconded the motion.

  The motion passed 6-0.

M. REVIEW AND APPROVE COMMUNICATIONS COMMITTEE'S RECOMMENDATIONS ON STRATEGIC PLAN OBJECTIVES TO FORMULATE COMMUNICATIONS STRATEGIES ON THE VALUE OF AN ARCHITECT LICENSE

Mr. Gutierrez asked Iris Cochlan to present this agenda item. Ms. Cochlan deferred to Marccus Reinhardt.

Mr. Reinhardt explained these objectives were part of the Board's 2011 Strategic Plan assignments for the Communications Committee. He stated one objective was to formulate a strategy to communicate the value of a license to schools and students, and the other objective was to formulate a strategy to communicate the value of a license to consumers with the additional component of conveying the importance of a written contract. He further stated that staff had conducted research and formulated recommendations which were presented to the Committee at its July 28, 2011, meeting and approved. He indicated the recommendations included: 1) expanding the scope of the biannual letters to schools and students; 2) expanding content of the Board's career website to include more information on the value of a license; 3) provide, via videoconference, lunch time presentations to schools; 4) email local chambers of commerce explaining the Board's objective and requesting their cooperation in communicating information to their membership; and 5) distributing copies of the *Consumer's Guide to Hiring an Architect* and the *Design Success* consumer tip information card to local building departments. Mr. Reinhardt asked the Board to approve the Committee's recommendations.

- **Marilyn Lyon moved to approve the Communications Committee recommendations for formulating strategies to communicate the value of an architect license.**

  Sheran Voigt seconded the motion.

  The motion passed 6-0.

N. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT

Mr. Gutierrez asked Trish Rodriguez to present this agenda item.

Ms. Rodriguez informed the Board that the LATC had met on November 16, 2011, via teleconference. She highlighted some items from the meeting agenda, which was included in the Board meeting materials.

Ms. Rodriguez stated the Council of Landscape Architectural Registration Boards (CLARB) held its 2012 elections and two LATC members were elected to positions. She informed that LATC member Stephanie Landregan was elected CLARB vice-president, and LATC member Christine Anderson was elected Region V Director.

Ms. Rodriguez informed the Board that CLARB has a transition plan in-effect for the forthcoming change to the Landscape Architect Registration Examination (LARE) which will now become a fully computer-delivered four division examination. She advised that a regulatory amendment to CCR section 2614 related to exam transition is necessary. Ms. Rodriguez asked the Board to review and approve the proposed regulation amendment 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.

- **Iris Cochlan moved to approve the proposed regulation to amend CCR section 2614, Examination Transition Plan 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.**

  Sheran Voigt seconded the motion.

  The motion passed 6-0.

O. ADJOURNMENT

The meeting adjourned at 12:10 p.m.

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

President Pasqual Gutierrez called the meeting to order on December 8, 2011, at 8:34 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

Board Members Absent
Jeffrey Heller
Michael Merino
Fermin Villegas
Hraztan Zeitlian

Guests Present
Kurt Cooknick, Director of Regulation and Practice, AIACC
Daniel Iacofano, Moore Iacofano Goltsman, Inc. (MIG)

Staff Present
Doug McCauley, Executive Officer
Vickie Mayer, Assistant Executive Officer
Justin Sotelo, Program Manager, Examination/Licensing Unit
Marccus Reinhardt, Administration Analyst
Hattie Johnson, Enforcement Officer
Robert Carter, Architect Consultant
Don Chang, Legal Counsel, DCA

Six members of the Board present constitute a quorum. There being five present at the time of roll, a quorum was not established and the Board met as a subcommittee.

Q. PUBLIC COMMENT SESSION

There were no public comments.

R. STRATEGIC PLANNING SESSION

Mr. Gutierrez turned the meeting over to Mr. Iacofano who facilitated the Board's strategic planning session. The Board reviewed the accomplishments in 2011 and key trends in the profession. Mr. McCauley reported that the notable accomplishments for 2011 included the: 1) completion of the Board's Sunset Review; 2) starting the decommissioning process for CIDP; 3) successful launch of the computer-delivered CSE in February 2011; 4) reduction of Enforcement Unit caseload by 50% and case aging to within DCA specified time frames; and 5) successful completion of several major initiatives despite multiple budget mandates throughout the year in response to requests from DCA, the Department of Finance, and the Administration. Mr. McCauley also reported that there were several projects from the 2011 Strategic Plan which staff had accomplished in addition to legislative and other mandates. He stated other significant accomplishments included: 1) communicating the value of an architect license to consumers; 2) increased transparency with the implementation of electronic meeting packets; and 3) identification and development of best practices and cost savings measures.

Mr. Iacofano reported on the issues raised by key stakeholders during the individual interviews conducted in preparation for the session. He then assisted the Board as they identified and established goals for the upcoming year(s). The Board: 1) reviewed and updated the six goal areas of the Strategic Plan (Professional Qualifications, Practice Standards, Enforcement, Public and Professional Awareness, Organizational Relationships, and Organizational Effectiveness and Customer Service); 2) identified several objectives to meet these goals; and 3) established target dates for completion.

MIG will revise the Strategic Plan with the changes made during this session, and the Board will finalize the plan at its next meeting tentatively scheduled for March 1, 2012.

Because the Board met as a subcommittee, agenda items R1 (Review and Approve Implementation of Committee Procedures) and R2 (Finalize Action on Consolidation of Examination Committee and PQC) were deferred until the next Board meeting where a quorum of members is present.

S. REVIEW OF SCHEDULE

The Board selected the following dates in 2012 for Board meetings:

- March 1, 2012 (tentative)
- June 14, 2012
- September 13, 2012
- December 5-6, 2012

T. ADJOURNMENT

The meeting adjourned at 1:30 p.m.

Agenda Item E

EXECUTIVE OFFICER'S REPORT

1. Update to February 2012 Monthly Report (contains information on Board activities since the last Board meeting held December 7-8, 2011

2. Discuss and Possible Action on Legislation Regarding Senate Bill 975 (Wright), Assembly Bill 1822 (Berryhill), and Interior Designers

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

MEMORANDUM

DATE: February 29, 2012

TO: CAB Staff

FROM: Doug McCauley, Executive Officer

SUBJECT: Monthly Report - February 2012

The following information is provided as an overview of Board activities and projects as of February 29, 2012.

ADMINISTRATIVE/MANAGEMENT

Board The next Board meetings are scheduled for: March 7, 2012, at Woodbury University in Burbank; June 14; September 13; and December 5-6. The December meeting will include a strategic planning session.

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. Staff finalized the cover memorandum to accompany the card, which was distributed to building departments and other collateral entities in mid-February.

The next Communications Committee meeting has not been scheduled.

Legislation Effective January 1, 2012, Assembly Bill (AB) 1424 (Chapter 455, Statutes 2011) requires state governmental licensing entities that issue professional or occupational licenses, certificates, registrations, or permits, to suspend, revoke, and refuse to issue a license if a licensee's name is included on the State Board of Equalization (BOE) and Franchise Tax Board's (FTB) lists of the 500 largest tax delinquencies. This bill also requires those licensing entities to collect the social security number or federal taxpayer identification number of each individual applicant of that entity for the purpose of matching those applicants to the names on the lists of the 500 largest tax delinquencies. AB 1424 further requires each application for a new license or renewal of a license to indicate on the application that the law allows the BOE and FTB to share taxpayer information with a board and requires the licensee to pay his or her state tax obligation and that his or her

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license may be suspended if the state tax obligation is not paid. The Board complied with adding the required notification to its initial licensure and online license renewal applications in December 2011. Additionally, the Department of Consumer Affairs (DCA) has arranged with the Employment Development Department (EDD) to include the required notification as an insert with license renewal applications that are automatically generated and distributed by EDD.

Newsletter The next issue of *California Architects* is currently in development. It is expected to be completed in March.

Personnel Jeff Olguin was hired to fill the Continuing Education Analyst position in the Examination/Licensing Unit. His first day was February 1, 2012. Claudia Ortiz was hired to fill a Continuing Education Technician position in the Examination/Licensing Unit. Her first day was February 27, 2012. Munir Chechi was hired to fill the Receptionist/Public Information Technician position. His first day will be March 1, 2012. Efforts are still underway to fill other vacant positions.

Strategic Plan The Board held its strategic planning session on December 8, 2011, in San Diego in conjunction with the Board's regular meeting. Mr. Iacofano the facilitator of the session updated the plan based on the Board's objectives. A draft to the plan will be presented to the Board for final approval at its March 7, 2012 meeting.

Training The following employees have been scheduled for upcoming training:

3/8/2012	Welcome to DCA (Jeff and Claudia)
3/14/2012	Cal-Card (Nancy)
3/14/2012	Procurement (Nancy)
3/20/2012	Basic Project Management (Tim and Jeff)
5/8/2012	Effective Business Writing (Tim)
5/17/2012	Interpersonal Skills for Analysts (Tim and Jeff)
6/28/2012	Research, Analysis, and Problem Solving (Tim and Jeff)
7/10-11/2012	Presentation Skills for Analysts (Tim and Jeff)

Website The following items were posted to the Board's website during February 2012:

- Notice of Meeting for the March 7, 2012, Board meeting
- Advisement regarding the National Council of Architectural Registration Boards' 2012 Practice Analysis

EXAMINATION AND LICENSING PROGRAMS

Architect Registration Examination (ARE) The results for ARE divisions taken by California candidates between October 1, 2011, and December 31, 2011, are shown below.

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		# Divisions	Passed	# Divisions	Failed
Programming, Planning & Practice	198	110	56%	88	44%
Site Planning & Design	169	108	64%	61	36%
Building Design & Construction Systems	165	87	53%	78	47%
Structural Systems	176	128	73%	48	27%
Building Systems	170	97	57%	73	43%
Construction Documents & Services	177	85	48%	92	52%
Schematic Design	200	146	73%	54	27%

The results for ARE divisions taken by California candidates between January 1, 2011, and December 31, 2011, are shown below.

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		# Divisions	Passed	# Divisions	Failed
Programming, Planning & Practice	843	458	54%	385	46%
Site Planning & Design	746	503	67%	243	33%
Building Design & Construction Systems	598	320	54%	278	46%
Structural Systems	710	473	67%	237	33%
Building Systems	663	397	60%	266	40%
Construction Documents & Services	867	493	57%	374	43%
Schematic Design	784	577	74%	207	26%

California Supplemental Examination (CSE) Administration Since its launch on February 1, 2011, the new computer-delivered, multiple-choice format of the CSE has been administered to 1,148 candidates through February 26, 2012. Of those candidates 624 (54%) passed and 524 (46%) failed. The Board, at its December 2011 meeting, voted to begin releasing CSE results to candidates at test sites beginning June 1, 2012, and to have staff work with the

Office of Professional Examination Services (OPES) to develop a process for the future analysis of test items that does not create an interruption or delay in the release of results. Staff is currently working with OPES to address both of these items.

CSE Development The next CSE development cycle is scheduled to begin in March 2012.

Comprehensive Intern Development Program (CIDP) The Board, at its September 15, 2011 meeting voted to repeal the Comprehensive Intern Development Program (CIDP) due to the many improvements to the National Council of Architectural Registrations Boards' (NCARB) Intern Development Program (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).

NCARB 2012 Practice Analysis This April, NCARB will survey more than 80,000 architects, interns, and educators across the country. The survey content will address specific tasks and knowledge/skills related to the pre-design, design, project management, and practice management aspects of the profession, as well as general knowledge and skills. The 2012 Practice Analysis, like the 2007 and 2001 Practice Analyses before it, will be used to drive future updates and modifications to the ARE and to inform the IDP. The Board is assisting NCARB in its efforts to establish a prospective survey pool and has provided the relevant contact information for its approximately 20,000 licensees and posted a notice regarding the Practice Analysis on its website. The Board will continue to promote participation in the survey through other means (i.e., newsletter, email subscriber list, etc.).

Outreach Marccus Reinhardt, Administration Analyst, provided licensing information to candidates at the 2012 ARE Pact Kickoff event held by The American Institute of Architects, San Francisco Chapter on February 16, 2012. The ARE Pact is an annual program designed to help professionals pass the ARE by providing mentoring, peer study groups, and a structured testing schedule. There were approximately 100 candidates who attended the Kickoff.

Professional Qualifications Committee (PQC) The next PQC meeting is tentatively scheduled for April 2012.

Regulation Changes *California Code of Regulations (CCR) sections 109, Filing of Applications; 117, Experience Evaluation; and 121, Form of Examinations; Reciprocity* – The regulations reference guideline/handbook editions for IDP, Intern Architect Program (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 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
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	State and Consumer Services Agency (Agency) approved regulation package
November 30, 2011	Regulation package to OAL
January 11, 2012	Regulation package approved by OAL and filed with the Secretary of State
February 10, 2012	Effective date

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
December 5, 2011	Regulation package to DCA Division of Legislative and Policy Review
January 30, 2012	Regulation package to Agency
February 16, 2012	Regulation package to OAL

ENFORCEMENT PROGRAM

Architect Consultants

Building Official Contact Program: The architect consultants were available on call to Building Officials and in February, 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 February, there were 15 telephone and/or email contacts requesting information, advice, and/or direction. Licensees accounted for 10 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.

Architect consultants Barry Williams and Bob Carter represented the Board at the California Building Officials' (CALBO) 2012 Annual Business Meeting (ABM) on February 13-17, 2012, in Los Angeles/Universal City. CALBO was celebrating its 50th anniversary. The highlight of

the awards luncheon was the presentation of a "special award" to past Board member and Regulatory and Enforcement Committee (REC) Chair John Canestro who was one of the original founders of CALBO. Mr. Carter joined representatives of Contractors' State License Board and Board for Professional Engineers, Land Surveyors, and Geologists in a presentation to the general body on the 16th. There were approximately 150 attendees and the consultants made direct individual contact with 25 of them who had specific questions or issues.

Certified Access Specialist Institute (CASI) CASI represents approximately 150 certified access specialists (CASp) in California, the majority of which are architects and building officials. It is endeavoring to set professional standards and ethics for CASps. As a result, CASI wants to serve its membership by providing them with answers to key questions that have arisen over the past three years CASp has been in existence. Leadership of CASI, Board staff, and staff from the Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) met in August 2011 to discuss CASI's questions regarding CASps. In December 2011, CASI sent the Board and BPELSG three questions. Board staff worked with legal counsel to draft a response to the three questions and will present the response to the Board for consideration at its March 7, 2012, meeting.

Enforcement Statistics	Current Month February 2012	Prior Month January 2012	Prior Year February 2011
Total Cases Received and Opened*:	8	10	13
Complaints with Outside Expert:	0	0	0
Complaints to DOI:	1	0	0
Complaints Pending DOI:	2	1	2
Complaints Pending AG:	6	5	12
Complaints Pending DA:	2	2	3
Total Cases Closed*:	12	34	20
Total Cases Pending*:	82	86	160
Settlement Cases (§5588) Opened:	3	0	3
Settlement Cases (§5588) Pending:	16	16	38
Settlement Cases (§5588) Closed:	3	8	2
Citations Final:	0	5	1

*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.

Planning Department Advisement The Board's 2011 Strategic Plan directs the REC to develop a strategy for working with the League of California Cities and the American Planning Association, California Chapter to inform them of Architects Practice Act (Act) requirements. Following the discussion of this issue at the May 11, 2011, REC and the June 16, 2011, Board meetings, it was determined a letter should be sent to California planning departments advising them of the Act's requirement pertaining to unlicensed individuals submitting plans for non-exempt projects. Board staff drafted and presented the letter to the Board at its December 7, 2011, meeting. CALBO, which had previously expressed an interest in jointly

authoring the letter, voted at its January 2012 meeting to stay "neutral" on this issue and not co-sign the letter. Board staff has also contacted the Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) to ascertain its interest in participating in sending this letter to planning departments. This issue is on BPELSG's March 8, 2012 meeting agenda.

Regulation Changes *CCR section 103, Delegation of Certain Functions* – The Board's 2011 Strategic Plan directed the Regulatory Enforcement Committee (REC) to review and make recommendations regarding Senate Bill (SB) 1111 proposals. This legislation failed to pass, but DCA encouraged boards and bureaus to review nine provisions included in SB 1111 to determine whether they might be utilized to improve their enforcement processes. After reviewing the provisions, the REC recommended to the Board it amend CCR section 103 to allow the Board to delegate authority to the Board's Executive Officer to approve stipulated settlements to revoke or surrender a license. The Board approved the recommendation on September 15, 2011, and on December 7, 2011, directed staff to proceed with the regulatory change.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC)

LATC ADMINISTRATIVE/MANAGEMENT

Committee LATC held a meeting and strategic planning session on January 23-24, 2012, in Berkeley. The next meeting is planned for April 26, 2012, in Sacramento.

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

Outreach LATC member, Stephanie Landregan gave an outreach presentation to 18-20 students on January 30, 2012, at California State Polytechnic University, Pomona. Christine Anderson presented an outreach presentation on February 28, 2012, at University of California, Davis. Staff is currently working on an outreach schedule for the remainder of the 2011/2012 school year that will include universities and community colleges.

Personnel Jacqueline French was hired to fill the Enforcement Coordinator position. Her first day was on January 23, 2012. Interviews were held for Student Assistant positions in January. Erika Vaca and Christopher Mendoza were selected. Ms. Vaca's first day was February 6, 2012 and Mr. Mendoza will start on March 2, 2012.

Training The following employees have been scheduled for upcoming training:

2/16/12 Effective Business Writing (John)
3/1/12 Microsoft Word Level 1 (Maryann)
3/8/12 Welcome to DCA (Jacqueline and Maryann)

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 and display all filed accusation documents. 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) The LARE, which is developed by the Council of Landscape Architectural Registration Boards (CLARB), consists of five sections. The multiple-choice sections (A, B, and D) are computer-delivered and administered in March and September of each year. The graphic performance sections (C and E) are administered as "pencil and paper" format examinations in June and December of each year

.

There were 206 candidates that took sections C and E on December 5 – 6, 2011. Examination results are expected to be included in the February 2012 Monthly Report. The next administration of sections A, B, and D will be on March 5 – 17, 2012, and sections C and E will be June 11 – 12, 2012.

The LARE will transition from a five section (A-E) exam to a four section (1-4) exam commencing with the first administration of sections 1 and 2 on September 10 – 22, 2012. Exam sections 3 and 4 will be administered on December 3 – 15, 2012. 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. On November 3, 2011, an insert was included with the September 2011 examination results to candidates that explained the upcoming LARE changes. A similar insert was included with the December 2011 examination results mailed to candidates in February 2012. A letter will also be mailed to candidates in March 2012, alerting them of the upcoming changes to the LARE. Information regarding these changes has been added to the LATC website. Candidates that are in the middle of examination have been encouraged to complete their exams by June 2012, as they could lose credit for exams already taken.

Staff is preparing a regulatory proposal to amend CCR section 2614; Examination Transition Plan, to allow transitional credit for the new sections of the LARE.

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
November 15, 2011	Final rulemaking file to DCA Legal Office
December 1, 2011	Regulation package to DCA Division of Legislative and Policy Review
January 26, 2012	Agency approved regulation package
February 13, 2012	Regulation package sent to OAL for approval

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. The proposed language was approved by the Board on December 15, 2010. LATC staff is preparing the Notice of Proposed Changes in the Regulations for (OAL) to publish and begin the 45-day public comment period.

LATC ENFORCEMENT PROGRAM

Enforcement Statistics	Current Month February 2012	Prior Month January 2012	Prior Year February 2011
Complaints Opened*:	4	4	0
Complaints to Expert:	0	0	0
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:	2	2	5
Complaints Pending:	35	33	49
Settlement Cases (§5678.5) Opened:	0	0	0
Settlement Cases (§5678.5) Pending:	3	3	0
Settlement Cases (§5678.5) Closed:	0	0	2
Citations Final:	0	0	0

*Includes both complaint and settlement cases

DEPARTMENT OF CONSUMER AFFAIR

CALIFORNIA ARCHITECTS BOARD

BUDGET REPORT
FY 2011/12 Expenditure Projection
January 31, 2012

OBJECT DESCRIPTION	FY 2010-11 ACTUAL EXPENDITURES (MONTH 13)	FY 2010-11 PY EXPENDITURES 1/31/2011	FY 2011-12 BUDGET ALLOTMENT	FY 2011-12 CY EXPENDITURES 1/31/2012	FY 2011-12 PERCENT SPENT	FY 2011-12 Budget office PROJECTIONS TO YEAR END	FY 2011-12 UNENCUMBERED BALANCE
PERSONNEL SERVICES							
Salary & Wages	885,449	520,661	1,067,631	486,082	46%	**852,924**	214,707
Exempt Statutory	88,059	50,613	92,627	53,513	58%	**90,742**	1,885
Temp Help							
Proctors							
Allocated Proctor	6,716	6,443					
Separated Proctor							
Board Members	5,200	3,200	16,036	2,800	17%	**6,000**	10,036
Overtime							
Benefits	407,753	238,568	537,147	228,575	43%	**395,239**	141,908
Salary Savings			(40,823)		0%		(40,823)
TOTAL PERS SVS	**1,393,177**	**819,485**	**1,672,618**	**770,970**	**46%**	**1,344,905**	**327,713**
OPERATING EXPENSES & EQUIPMENT							
General Expense	32,389	22,292	42,401	15,294	36%	**35,000**	7,401
Minor Equipment			23,200	11,202	48%	**23,200**	0
Printing	3,009	2,985	72,101	5,052	7%	**10,000**	62,101
Communication	7,922	4,675	8,496	3,371	40%	**8,496**	0
Postage	26,207	8,502	78,270	19,134	24%	**31,000**	47,270
Insurance							0
Travel In state	48,663	15,626	96,103	14,805	15%	**50,000**	46,103
Travel Out of state							0
Training	1,147	250	20,856	900	4%	**1,500**	19,356
Facilities Ops	124,824	123,715	194,789	114,875	59%	**194,789**	0
C&P Serv. Internal			13,743		0%		13,743
C&P Serv. External	241,404	175,917	220,000	207,854	94%	**210,000**	10,000
Departmental Services IA with OPES*	437,428	259,417	444,204	259,121	58%	**444,204**	0
Interagency Services			321		0%		321
Teale	856	1,500	13,645	335	2%	**1,200**	12,445
Data Processing	9,995	33	10,000	6,240	62%	**10,000**	0
Central Adm. Services	115,088	57,544	176,672	88,336	50%	**176,672**	0
EXAMS							
Exam supplies & freight			9,137		0%		9,137
Exam Site rental	61,678	64,208	104,515		0%		104,515
Exam Contracts*	258,378	136,905	262,395	171,321	65%	**172,200**	90,195
Expert Examiners (SME)	63,226	39,020	70,000	17,698	25%	**65,000**	5,000
ENFORCEMENT**							
Attorney General	49,080	30,258	47,018	26,660	57%	**47,018**	0
Off of Admin Hearings	3,415	600	19,486	6,210	32%	**10,000**	9,486
Evidence/Witness	0		5,723	123	2%	**1,000**	4,723
Court Reporter Servs			2,500	400	16%	**1,000**	1,500
DOI Investigation	660		27,812	16,224	58%	**27,812**	0
Major Equipment							
Vehichle op							
Total OE & E	**1,485,369**	**943,447**	**1,963,387**	**985,155**	**50%**	**1,520,091**	**443,296**
TOTAL EXPENDITURES	**2,878,546**	**1,762,932**	**3,636,005**	**1,756,125**	**48%**	**2,864,996**	**771,009**
NET APPROPRIATION	**2,878,546**	**1,762,932**	**3,636,005**	**1,756,125**	**48%**	**2,864,996**	**771,009**
Scheduled, Other Reimbursement	**(19,325)**	**(470)**	**(5,000)**	**(3,075)**		**(5,000)**	0
Distributed Costs	**(26,000)**		**(26,000)**			**(26,000)**	0
Unscheduled Reimbursement	**(17,435)**	**(4,500)**		**(7,998)**		**(10,000)**	10,000
NET, TOTAL EXPENDITURES	**2,815,786**	**1,757,962**	**3,605,005**	**1,745,052**	**48%**	**2,823,996**	**781,009**

NOTES/ASSUMPTIONS

*Intra-Agency Agreement (IA) with OPES included in Exam Contracts (FY10/11 $73,658 & FY11/12 $102,200).

**Does not include architect consultant contracts (FY10/11 $188,250 & FY11/12 $186,800)

Surplus/Deficit	**21.7%**

2,986,000	**2,124,181**	**Revenue**	**3,641,453**	**22.0%**

0706 - California Architects Board
Analysis of Fund Condition

Prepared 2/22/2012

(Dollars in Thousands)

12-13 Proposed Gov Budget

	ACTUAL 2010-11	CY 2011-12	Governor's Budget BY 2012-13	BY + 1 2013-14	BY + 2 2014-15
BEGINNING BALANCE	$ 2,446	$ 2,481	$ 3,026	$ 2,099	$ 2,476
Prior Year Adjustment	$ 38	$ -	$ -	$ -	$ -
Adjusted Beginning Balance	$ 2,484	$ 2,481	$ 3,026	$ 2,099	$ 2,476
REVENUES AND TRANSFERS					
Revenues:					
125600 Other regulatory fees	$ 1	$ 2	$ 2	$ 2	$ 2
125700 Other regulatory licenses and permits	$ 418	$ 333	$ 318	$ 333	$ 318
125800 Renewal fees	$ 2,374	$ 3,733	$ 2,413	$ 3,733	$ 2,413
125900 Delinquent fees	$ 32	$ 70	$ 40	$ 70	$ 40
141200 Sales of documents	$ -	$ -	$ -	$ -	$ -
142500 Miscellaneous services to the public	$ 1	$ -	$ 1	$ -	$ 1
150300 Income from surplus money investments	$ 8	$ 29	$ 20	$ 25	$ 14
150500 Interest Income From Interfund Loans	$ -	$ -	$ -	$ -	$ -
160400 Sale of fixed assets	$ -	$ -	$ -	$ -	$ -
161000 Escheat of unclaimed checks and warrants	$ 2	$ -	$ 2	$ -	$ 2
161400 Miscellaneous revenues	$ -	$ -	$ -	$ -	$ -
Totals, Revenues	$ 2,836	$ 4,167	$ 2,796	$ 4,163	$ 2,790
	$ -	$ -	$ -	$ -	$ -
Totals, Revenues and Transfers	$ 2,836	$ 4,167	$ 2,796	$ 4,163	$ 2,790
Totals, Resources	$ 5,320	$ 6,648	$ 5,822	$ 6,262	$ 5,266
EXPENDITURES					
Disbursements:					
0840 State Operations	$ 5	$ 4	$ 4	$ -	$ -
1110 Program Expenditures (State Operations)	$ 2,832	$ 3,606	$ 3,712	$ 3,786	$ 3,862
Financial Information System for California (State Ops)	$ 2	$ 12	$ 7		
Total Disbursements	$ 2,839	$ 3,622	$ 3,723	$ 3,786	$ 3,862
FUND BALANCE					
Reserve for economic uncertainties	$ 2,481	$ 3,026	$ 2,099	$ 2,476	$ 1,404
Months in Reserve	8.2	9.8	6.7	7.7	4.3

NOTES:

A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED

B. ASSUMES 2% GROWTH IN EXPENDITURES IN FY 2011-12

C. ASSUMES 1% GROWTH IN INCOME FROM SURPLUS MONEY

UPDATE AND POSSIBLE ACTION ON LEGISLATION REGARDING SENATE BILL 975 (WRIGHT), ASSEMBLY BILL 1822 (BERRYHILL), AND INTERIOR DESIGNERS

SB 975 (Price) is sponsored by the American Council of Engineering Companies – California Chapter, and will clarify that only professional boards authorized to issue licenses for the practice of various professions may require additional continuing education requirements.

There is a growing practice for third party agencies (State Water Resources Control Board, for example) to impose a training class and certificate program on licensed professionals in the course of adopting regulations. These training and certificate requirements are created and imposed outside of, and in addition too, the licensure requirements adopted by state statute and enforced by Department of Consumer Affairs (DCA) professional boards. Licensed professionals must then comply in order to meet the permit requirements, even if the scope of work is clearly already within their professional licensure as determined by their DCA board.

This forced "continuing education" is costly and represents a significant regulatory excess. It imposes requirements on California practitioners that are not replicated in other states, making our state less business friendly as a result. It occurs outside of the state law that sets standards for professional licensure and conduct through DCA. This practice incurs costs to business and individuals, and only benefits the cottage industries of instructors and certificate associations.

SB 975 will avoid the creation of duplicate, overlapping and contradictory practice requirements imposed by other agencies. The bill has been referred to the Senate Business, Professions, and Economic Development Committee.

AB 1822 (Berryhill) is the Board's term-staggering legislation. It seeks to avoid having a large number of terms expire during consecutive years. Currently, three terms (all architects) are scheduled to expire in 2013 and four terms (two architects and two public) are scheduled to expire in 2014. That means a total of seven out of ten terms (and all architects terms) expire in a one year period. This creates a tremendous loss of institutional memory and effectiveness for the Board. To remedy this problem, this proposal restaggers the terms of the gubernatorial appointees to the Board. The bill may be heard in committee on March 23, 2012.

AB 2482 (Ma) was introduced February 24, 2012 and is the latest effort at interior designer legislation. The Board strongly opposed SB 1312 in 2008, which also sought licensing for interior designers. AB 2482 would create the California Registered Interior Designers Board and would authorize the Board to license and regulate interior designers. The measure includes five pages of exemptions and grandfathering, and a 2/3 ownership requirement for architectural business organizations or associations. The bill authorizes citations of up to $10,000 for violations of the act, which contains both "title" and "practice" components. The bill may be heard in committee on March 27, 2012.

<u>Attachments</u>

1. SB 975 (Price)
2. AB 1822 (Berryhill)
3. AB 2482 (Ma)
    a. SB 1312 Letter to Senate Appropriations Committee
    b. SB 1312 – Interior Design Practice Act (National Kitchen and Bath Association)
    c. Dan Walters, *Designer Licensing Bill Touches Off Fierce Duel,* Sacramento Bee, April 14, 2008

SENATE BILL No. 975

Introduced by Senator Wright

January 19, 2012

An act to add Section 101.2 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 975, as introduced, Wright. Professions and vocations: regulatory authority.

Existing law, the Business and Professions Code, provides for the licensure and regulation of various professions and vocations by boards, bureaus, and commissions within the Department of Consumer Affairs.

This bill would provide that those boards, bureaus, and commissions have the sole and exclusive authority in state government to license and regulate the practice of professions and vocations regulated by those boards pursuant to provisions of that code, and that no licensing requirements, as specified, shall be imposed upon a person licensed to practice one of those professions or vocations other than under that code or by regulation promulgated by the applicable board through its authority granted under that code.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

SECTION 1. Section 101.2 is added to the Business and Professions Code, to read:

101.2. (a) (1) The boards specified in Section 101 shall have the sole and exclusive authority in state government to license and

regulate the practice of professions and vocations regulated by those boards pursuant to provisions of this code.

(2) No licensing requirement shall be imposed upon a person licensed to practice a profession or vocation regulated by a board specified in Section 101 other than by this code or by regulation promulgated by the applicable board through its authority granted under this code.

(b) For purposes of this section, "licensing requirements" include, but are not limited to, the following with respect to a profession or vocation licensed and regulated by a board specified in Section 101:

(1) Additional training or certification requirements to practice within the scope of practice of a profession or vocation licensed under this code.

(2) Continuing education requirements for renewal or continuation of licensure.

(3) Any additional requirements beyond those provided in this code or pursuant to regulations promulgated by the applicable board specified in Section 101 through its authority granted under this code.

(c) Nothing in this section shall be construed to do either of the following:

(1) Prohibit parties from contractually agreeing to additional experience, qualifications, or training of a licensee under this code in connection with performance of a contract.

(2) Prohibit a licensee from voluntarily undertaking satisfaction of certification programs not required under this code for licensure by a board specified in Section 101.

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ASSEMBLY BILL No. 1822

Introduced by Assembly Member Bill Berryhill

February 21, 2012

An act to add Section 5515.5 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1822, as introduced, Bill Berryhill. California Architects Board.

Existing law, the Architects Practice Act, provides for the licensure and regulation of architects by the California Architects Board, which consists of 5 architect members appointed by the Governor, 3 public members appointed by the Governor, and 2 public members appointed by the Legislature, as specified. Existing law requires these members to serve 4-year terms.

This bill would provide for the staggering of the terms of the members appointed by the Governor whose terms commence on specified dates by requiring certain of those members to serve 5- and 6-year terms, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

SECTION 1. Section 5515.5 is added to the Business and Professions Code, to read:

5515.5. (a) Notwithstanding Section 130 or 5515, the following provisions shall apply:

(1) Of the three licensed members appointed by the Governor whose terms commence on July 1, 2013, the term of two members shall expire on June 30, 2017, and the term of one member shall expire on June 30, 2019.

(2) Of the two licensed members appointed by the Governor whose terms commence on July 1, 2014, the term of one member shall expire on June 30, 2018, and the term of the other member shall expire on June 30, 2020.

(3) The term of the public member appointed by the Governor that commences on July 1, 2014, shall expire on June 30, 2019.

(4) Of the two public members appointed by the Governor whose terms commence on July 1, 2016, the term of one member shall expire on June 30, 2020, and the term of the other member shall expire on June 30, 2021.

(b) Except as provided in subdivision (a), this section shall not be construed to affect the application of Section 130 or 5515 to the terms of a current or future member of the board.

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ASSEMBLY BILL No. 2482

Introduced by Assembly Member Ma

February 24, 2012

An act to add Chapter 3.7 (commencing with Section 5700) to Division 3 of the Business and Professions Code, to amend Section 13401 of the Corporations Code, and to amend Section 26509 of the Government Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 2482, as introduced, Ma. Registered interior designers.

Existing law defines certified interior designers and interior design organizations, permits a certified interior designer to obtain and use a stamp identifying the designer, and, among other things, makes it an unfair business practice for a person to represent himself or herself as a certified interior designer unless he or she complies with certain requirements.

This bill would create the California Registered Interior Designers Board within the Department of Consumer Affairs. The bill would require the membership of the board to consist of an unspecified number of members who are required to be registered interior designers and an unspecified number of public members. The bill would require the Governor to appoint the public members and the Senate Committee on Rules and the Speaker of the Assembly to appoint unspecified numbers of the licensee members. The bill would provide for the licensure and regulation by the board of persons who engage in the practice of registered interior design, as defined. The bill would require the board to issue a license to a person who meets specified requirements, including, but not limited to, completing an application, paying a

specified fee, submitting proof of successful completion of certain education and work experience, and submitting proof of passage of an examination approved by the board or a specified examination prepared and administered by the National Council for Interior Design. The bill would also require the board to issue a license to, among others, specified certified interior designers or persons with certain interior design experience if they are certified by the National Council for Interior Design or have passed an examination approved by the board or a specified examination administered by the National Council for Interior Design. The bill would enact various provisions regarding the practice of registered interior design, including, but not limited to, practice requirements, license requirements, conditions for license renewals including the completion of continuing education, and grounds for revocation or suspension of a license, among other disciplinary actions.

The bill would authorize licensees, architects, landscape architects, and engineers to join or form business organizations or associations, except as specified, with persons outside their field of practice if certain requirements are met. The bill would authorize a licensee, if required by a local government in relation to the issuance of a permit, to prepare and seal interior design documents to be submitted for certain building permits.

The bill would create the California Registered Interior Designers Board Fund and would authorize the committee to impose various fees on registered interior designers to be deposited in that fund.

The bill would make it unlawful for a person to hold himself or herself out as, or solicit business as, a registered interior designer or use the title "registered interior designer" unless licensed pursuant to these provisions. The bill would also prohibit a person from engaging in the practice of registered interior design without a license. The bill would make a violation of any of these provisions a misdemeanor and, by creating a new crime, would impose a state-mandated local program. The bill would enact related provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

SECTION 1. Chapter 3.7 (commencing with Section 5700) is added to Division 3 of the Business and Professions Code, to read:

Chapter 3.7. Registered Interior Designers

Article 1. General Provisions

5700. The purpose of this chapter is to safeguard life, health, and property, to promote the public welfare by improving the quality of human environmental design, and to establish the practice of registered interior design for persons who hold design education and experience and successfully pass an interior design examination, as provided in this chapter.

5702. For purposes of this chapter, the following terms shall have the following meanings:

(a) "Board" means the California Registered Interior Designers Board.

(b) "Building shell" means the architecture of an existing building, including, but not limited to, the framework, the perimeter and exterior walls, the building core and columns, and other structural, load-bearing elements.

(c) "Construction documents" means the detailed working drawings that define the work to be constructed. These documents may include, but are not limited to, partition plans, power and communication plans, reflected ceiling plans, materials and finishes plans, furniture layout plans, and elevations, sections, and details, along with the drawings of associated consultants.

(d) "Contract documents" means the set of documents that form a part of the legal contract for services between two or more parties. These documents may include, but are not limited to, detailed instructions to the contractor, tender forms, construction documents, and specifications.

(e) "Interior design" means a multifaceted profession in which creative and technical solutions are applied within a structure to achieve a built interior environment. These solutions are functional and enhance the quality of life and culture of the occupants. Interior design includes, but is not limited to, both of the following:

(1) The creation of designs, in response to and in coordination with the building shell, that acknowledge the physical location and social context of a project, adhere to code and regulatory requirements, and encourage the principles of environmental sustainability.

(2) The use of a systematic and coordinated methodology, including research, analysis, and integration of knowledge into the creative process, to satisfy the needs of a client, using the resources of the client, in order to produce an interior space that fulfills a project's goals.

(f) "Licensee" means a person licensed pursuant to the provisions of this chapter.

(g) "Nonstructural or nonseismic elements or components" means interior elements or components that are not load bearing, or do not assist in the seismic design, and do not require design computations for a building's structure. These elements or components include, but are not limited to, ceiling and partition systems and elements or components that employ normal and typical bracing conventions but are not part of the structural integrity of the building. These elements or components exclude the structural frame supporting a building.

(h) "Partition" means a wall that does not support a vertical load of a structure other than its own weight, but may support loads attached to it, such as cabinetry, shelving, or grab bars, and does not extend further than the distance from the floor of an interior area of a structure designed for human habitation or occupancy to the underside of the deck of that structure.

(i) "Reflected ceiling plan" means a ceiling design that illustrates a ceiling as if the ceiling was projected downward, and may include, but is not limited to, lighting and other elements.

(j) "Responsible supervisory control" means the direct responsibility for supervising work and the decisionmaking process, including the review, control, and enforcement of compliance with design criteria and life safety requirements.

(k) "Space planning" means the analysis and design of spatial and occupancy requirements, including, but not limited to, preliminary space layouts and final planning for nonload-bearing walls, partitions, panels, and furnishings.

(*l*) "Specifications" means the detailed written description of construction, workmanship, and materials of the work to be undertaken.

5704. The "practice of registered interior design" means the rendering of services to enhance the quality and function of an interior area within a structure designed for human habitation or occupancy, and includes, but is not limited to, all of the following:

(a) An analysis of a client's needs and goals for the interior area and an analysis of the safety requirements applicable to that area.

(b) The formulation of appropriate, functional, and safe preliminary designs, including space planning, for the interior area.

(c) The development and presentation of final designs, including, but not limited to, drawings affecting nonstructural or nonseismic elements or components, that are appropriate for the alteration or construction of the interior area.

(d) The preparation of contract documents for the alteration or construction of the interior area, including, but not limited to, specifications for partitions, materials, finishes, furniture, fixtures, and equipment.

(e) Collaboration with professional engineers registered pursuant to Chapter 7 (commencing with Section 6700) or architects licensed pursuant to Chapter 3 (commencing with Section 5500) for the alteration or construction of the interior area.

(f) The preparation and administration of bids or contract documents for the alteration or construction of the interior area as the agent of a client.

(g) The review and evaluation of problems relating to the design of the interior area during the alteration or construction of the area and upon completion of that alteration or construction.

5706. There is in the Department of Consumer Affairs a California Registered Interior Designers Board in which the administration and enforcement of this chapter is vested.

5708. The board shall license and regulate the practice of registered interior design in the interest and for the protection of the public health, safety, and welfare. The board shall establish a fair and uniform enforcement policy to deter and prosecute violations of this chapter or any rules and regulations adopted pursuant to this chapter that provide for the protection of the consumer.

5710. Protection of the public shall be the highest priority for the board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

5712. (a) The membership of the board shall be composed of ____ members, ____ of whom shall be registered interior designers licensed pursuant to this chapter and ____ members who shall be public members.

(b) The licensee members of the board shall be selected from registered interior designers in good standing who have been licensed and in practice in this state for at least ____ years at the time of appointment, and all of whom shall be residents and in practice in California.

(c) The Governor shall appoint the ____ public members. The Senate Committee on Rules shall appoint ____ licensee members and the Speaker of the Assembly shall appoint ____ licensee members.

(d) The public members of the board shall not be licensees.

(e) The board shall elect a president and secretary from its membership.

5714. (a) The board shall register as a member board with the National Council for Interior Design Qualification.

(b) The board shall appoint a delegate to become a member of the Council of Delegates of the National Council for Interior Design Qualification.

Article 2. Licensure

5720. The board shall issue a license to a person who meets all of the following requirements:

(a) Has not committed any of the acts described in Section 5750.

(b) Completes an application for a license on a form prescribed by the board.

(c) Pays the licensure fee prescribed by the board pursuant to Section 5770.

(d) Submits proof satisfactory to the board of successful completion of one of the following:

(1) A bachelor's degree program in interior design and 3,520 hours of interior design experience under the supervision of a

registered interior designer or other experience approved by the board, including 1,760 hours earned after the degree program is completed.

(2) A bachelor's degree program in any major with no fewer than 60 semester or 90 quarter hours of interior design coursework that culminates in a degree, and with 3,520 hours of interior design experience under the supervision of a registered interior designer or experience approved by the board, including 1,760 hours earned after the degree program and coursework are completed.

(3) No fewer than 60 semester or 90 quarter hours of interior design coursework that culminates in a degree or diploma and 5,280 hours of interior design experience earned after that coursework is completed under the supervision of a registered interior designer or experience acceptable to the board.

(4) No fewer than 40 semester or 60 quarter hours of interior design coursework that culminates in a certificate, degree, or diploma and 7,040 hours of interior design experience earned after that coursework is completed under the supervision of a registered interior designer or experience approved by the board.

(e) Submits proof of passage of the examination prepared and administered by the National Council for Interior Design Qualification or, if required by the board, another examination approved by the board.

5722. The board may issue a license to a person who, at the time of application, holds a valid license to practice registered interior design issued in another state if the education and experience requirements in that state are equivalent to, or more stringent than, the requirements of this chapter, as determined by the board.

5724. (a) The board shall issue a license to a person who is, on the effective date of the act adding this section, a certified interior designer pursuant to Chapter 3.9 (commencing with Section 5800) or previously received interior design certification pursuant to Chapter 3.9 (commencing with Section 5800) and is certified by the National Council for Interior Design Qualification or has passed an examination approved by the board or the Codes, Building Systems and Construction Standards section of the examination administered by the National Council for Interior Design Qualification.

(b) The board shall issue a license to a person who submits an application to the board before January 1, 2016, and submits proof acceptable to the board of 10 years of experience in interior design under the supervision of a registered interior designer or experience approved by the board and passage of an examination approved by the board or the National Council for Interior Design Qualification examination.

(c) The board shall issue a license to a person who submits an application to the board before January 1, 2016, and submits proof acceptable to the board of eight total years of experience in interior design under the supervision of a registered interior designer or experience approved by the board, including no fewer than two years of education in interior design that is acceptable to the board and is certified by the National Council for Interior Design Qualification or has passed an examination approved by the board or the Codes, Building Systems and Construction Standards section of the examination of the National Council for Interior Design Qualification.

5726. Nothing in this chapter shall be construed to prohibit any person who is, on the effective date of the act adding this section, certified pursuant to Chapter 3.9 (commencing with Section 5800) from maintaining the title of "Certified Interior Designer" and from having all privileges granted pursuant to Chapter 3.9 (commencing with Section 5800).

5728. (a) A license issued pursuant to this chapter shall include the full name of the licensee and a serial number and shall be signed by the president and the secretary of the board under seal of the board. The issuance of a license by the board pursuant to this chapter is evidence that the licensee is entitled to all the rights and privileges of a registered interior designer while the license remains unsuspended, unrevoked, and unexpired.

(b) The unauthorized use or display of a license is unlawful.

5730. (a) A license issued pursuant to this chapter shall expire two years after the date of issue.

(b) To renew a license, the licensee shall, on or before the expiration date of the license, do all of the following:

(1) Apply for renewal on a form prescribed by the board.

(2) Pay a renewal fee prescribed by the board pursuant to Section 5770.

(3) Submit proof of compliance with the continuing education requirements established by the board.

(4) Comply with subdivision (b) of Section 5724, if applicable.

(c) After a licensee has satisfied the requirements of subdivision (b), the secretary of the board shall renew the license for two years. The renewed license shall bear the full name of the licensee, the licensee's serial number, the seal of the board, and the signature, or a facsimile thereof, of the secretary or president of the board. The secretary of the board shall record the renewal in the official register of the board.

5732. The board shall, by regulation, require registered interior designers to complete not more than 10 hours of continuing education per renewal period as a condition of renewal of their license.

5734. (a) Except as provided in subdivision (b), a certificate of licensure that is not renewed on or before its expiration date may be renewed at any time within one year of the date of its expiration if the licensee meets the requirements of Section 5732.

(b) The board may, by regulation, authorize the renewal of a license that has not been renewed within one year of the date of its expiration.

5736. The board shall issue, upon application, a retired license to a person licensed by the board who chooses to relinquish or not renew his or her license. A person holding a retired license shall use the title "retired registered interior designer" and shall not practice registered interior design.

5738. The board may deny a license for any violation of this chapter.

Article 3. Practice of Registered Interior Design

5740. (a) A licensee shall sign, date, and seal or stamp, using a seal or stamp described in subdivision (b), all plans, specifications, studies, drawings, and other documents he or she issues for official use pursuant to the practice of registered interior design. The board may adopt regulations specifying the manner in which a licensee may electronically issue those documents.

(b) A licensee shall use a seal or stamp of the design authorized by the board, bearing his or her name, the serial number included

on his or her certificate of licensure, and the legend "registered interior designer."

(c) It is unlawful for a person to seal or stamp a plan, specification, study, drawing, or other document after the license has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.

(d) A plan, specification, study, drawing, or other document prepared by a licensee shall contain a statement that the document was prepared by a person licensed pursuant to this chapter.

5742. Notwithstanding any other provision of law, a licensee may, if required by a city, county, or city and county in relation to the issuance of a permit, prepare and seal interior design documents to be submitted for the issuance of a building permit for interior construction, excluding design of any structural, mechanical, plumbing, heating, air-conditioning, ventilating, electrical, or vertical transportation systems.

5744. A licensee may, in the practice of registered interior design, collaborate with any of the following persons:

(a) An architect licensed pursuant to Chapter 3 (commencing with Section 5500).

(b) An electrical, structural, or mechanical engineer registered and authorized to use that title pursuant to Chapter 7 (commencing with Section 6700).

5746. A person shall not bring or maintain an action in the courts of this state for the collection of compensation for the performance of an act or contract for which a license is required by this chapter without alleging and proving that he or she was duly licensed under this chapter at all times during the performance of the act or contract.

Article 4. Discipline

5750. (a) The board may, by order, suspend, revoke, or place on probation the certificate of a licensee, assess a fine of not more than ten thousand dollars ($10,000) against a licensee, impose the costs of an investigation and prosecution upon a licensee, or take any combination of these disciplinary actions if a licensee does any of the following:

(1) Obtains a license by fraud or concealment of a material fact.

(2) Is found guilty by the board or a court of competent jurisdiction of fraud, deceit, or concealment of a material fact in his or her practice of registered interior design, or is convicted by a court of competent jurisdiction of a crime involving moral turpitude.

(3) Is found mentally ill by a court of competent jurisdiction.

(4) Is found guilty by the board of incompetence, negligence, or gross negligence in the practice of interior design.

(5) Affixes his or her signature, stamp, or seal to plans, specifications, studies, drawings, or other instruments of service that have not been prepared by him or her, or in his or her office, or under his or her responsible supervisory control, or permits the use of his or her name to assist a person who is not a licensed interior designer to evade any provision of this chapter.

(6) Aids or abets an unlicensed person to practice as a registered interior designer.

(7) Violates a law, regulation, or code of ethics pertaining to the practice of registered interior design.

(8) Fails to comply with an order issued by the board or fails to cooperate with an investigation conducted by the board.

(b) An order issued pursuant to this section, and the findings of fact and conclusions of law supporting that order, are public records.

(c) The board shall be subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Division 3 of Title 2 of the Government Code.

(d) For purposes of this section, the following terms have the following meanings:

(1) “Gross negligence” means conduct that demonstrates a reckless disregard of the consequences affecting the life or property of another person.

(2) “Incompetence” means conduct that, in the practice of registered interior design, demonstrates a significant lack of ability, knowledge, or fitness to discharge a professional obligation.

(3) “Negligence” means a deviation from the normal standard of professional care exercised generally by other persons engaging in the practice of registered interior design.

5752. The proceedings for the disciplinary actions described in this article shall be conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with

Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

5754. An order placing a licensee on probation pursuant to Section 5750 may include, but shall be not be limited to, any of the following conditions:

(a) Restriction on the scope of practice of registered interior design of the licensee.

(b) Peer review by peers designated by the board.

(c) Required continuing education or counseling.

(d) Payment of restitution to persons who suffered harm or loss.

Article 4.5. Business Organization or Association

5756. (a) Notwithstanding any other provision of law, persons licensed pursuant to this chapter, architects licensed pursuant to Chapter 3 (commencing with Section 5500), landscape architects licensed pursuant to Chapter 3.5 (commencing with Section 5615), and professional engineers registered pursuant to Chapter 7 (commencing with Section 6700) may join or form a partnership, corporation, or other business organization or association, except a limited liability company or limited liability partnership, with persons outside their field of practice who are not registered or licensed if all of the following requirements are met:

(1) Control and two-thirds ownership of the business organization or association are held by persons registered pursuant to this chapter, architects licensed pursuant to Chapter 3 (commencing with Section 5500), landscape architects licensed pursuant to Chapter 3.5 (commencing with Section 5615), or professional engineers registered pursuant to Chapter 7 (commencing with Section 6700). For purposes of this paragraph, “control” means the direct or indirect possession of power to direct or cause the direction of the management and policies of the business organization or association.

(2) The business organization or association demonstrates to the satisfaction of the board that it is in compliance with the requirements of this section.

(3) The business organization or association otherwise qualifies to do business in this state pursuant to other applicable requirements of state law.

(4) The business organization, if a corporation, obtains a certificate of registration from the board and furnishes to the board a complete list of all shareholders when it first registers with the board, and annually thereafter within 30 days after the annual meeting of the shareholders of the corporation, showing the number of shares held by each shareholder.

(5) The business organization or association, if not a corporation, obtains a certificate of registration from the board and furnishes information similar to that required under paragraph (4), as prescribed by the board by regulation.

(b) A business organization or association providing interior design services shall not perform, promote, or advertise the services of a registered interior designer unless a registered interior designer is an owner of the business organization or association.

(c) A licensee practicing in a business organization or association holding a certificate of registration pursuant to this section remains subject to Section 5750.

(d) If an unlicensed person, or a licensee who is not an owner, and who is employed by or affiliated with a business organization or association that holds a certificate pursuant to this section, is found by the board to have violated a provision of this chapter or a regulation of the board, the board may hold the business organization or association and the licensees who are owners responsible for the violation.

Article 5. Offenses Against the Chapter

5760. (a) It is unlawful for a person to do any of the following:

(1) Hold himself or herself out to the public or solicit business as a licensed registered interior designer in this state without holding a license issued by the board pursuant to this chapter. This paragraph does not prohibit a person who is exempt from this chapter pursuant to Section 5780 from holding himself or herself out to the public or soliciting business in this state as an interior designer.

(2) Advertise or put out any sign, card, or other device that indicates to the public that he or she is a licensed registered interior designer or that he or she is otherwise qualified to engage in the practice of registered interior design, without holding a license issued by the board pursuant to this chapter.

(3) Practice registered interior design, or use the title "registered interior designer," in this state unless he or she holds a license issued by the board pursuant to this chapter.

(4) Violate any provision of this chapter.

(b) This section does not prohibit a person registered or otherwise qualified or approved by a private organization from using a term or title copyrighted or otherwise protected under law by the certifying organization or from providing services customarily associated with that title, or specified by the certifying organization, or as specified in Section 5704, provided that the use of that term or title does not connote licensure under this chapter.

(c) This section does not prohibit a person from providing services as specified in Section 5538, provided he or she does not hold himself or herself out to the public as, or solicit business as, a registered interior designer, unless the person holds a valid license issued by the board pursuant to this chapter.

5762. A person who violates any provision of this chapter is guilty of a misdemeanor, punishable as follows:

(a) For a first violation, the person shall be punished by a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), or by imprisonment in a county jail for not more than six months, or by both that fine and imprisonment.

(b) For a second or subsequent violation, the person shall be punished by a fine of not less than one thousand dollars ($1,000) nor more than two thousand dollars ($2,000), or by imprisonment in a county jail for not more than one year, or by both that fine and imprisonment.

5764. In addition to any other penalty prescribed by law, a person who violates any provision of this chapter or any regulation adopted by the board is subject to a civil penalty of not more than ten thousand dollars ($10,000) for each violation. That penalty shall be imposed by the board at a hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

Article 6. Revenue

5770. (a) The board shall assess fees for licensure and licensure renewal in an amount sufficient to cover the reasonable regulatory cost of administering the provisions of this chapter.

(b) Fees collected pursuant to this chapter shall be collected by the board and deposited into the California Registered Interior Designers Board Fund, which is hereby created.

(c) All money in this fund shall, upon appropriation by the Legislature in the annual Budget Act, be used to carry out the provisions of this chapter.

Article 7. Exemptions

5780. (a) This chapter shall not apply to any of the following:

(1) An architect licensed pursuant to Chapter 3 (commencing with Section 5500) acting within the scope of his or her license.

(2) A professional engineer registered pursuant to Chapter 7 (commencing with Section 6700) acting within the scope of his or her license.

(3) A person engaging in work related to registered interior design as an employee of a registered interior designer if the work does not include responsible supervisory control or supervision of the practice of registered interior design.

(4) A person performing registered interior design work under the responsible supervisory control of a registered interior designer.

(5) A consultant retained by a registered interior designer.

(6) A person who prepares drawings of the layout of materials or furnishings used in registered interior design or provides assistance in the selection of materials or furnishings used in registered interior design, if the preparation or implementation of those drawings, or the installation of those materials or furnishings, is not regulated by a building code or other law, ordinance, rule, or regulation governing the alteration or construction of a structure. The persons exempt from this chapter pursuant to this subdivision include, but are not limited to, a person who prepares drawings of the layout of, or provides assistance in the selection of, any of the following materials:

(A) Decorative accessories.

(B) Wallpaper, wallcoverings, or paint.

(C) Linoleum, tile, carpeting, or floor coverings.
(D) Draperies, blinds, or window coverings.
(E) Lighting or plumbing fixtures that are not part of a structure.
(F) Furniture or equipment.
(7) An employee of a retail establishment providing consultation regarding interior decoration or furnishings on the premises of the retail establishment or in the furtherance of a retail sale or prospective retail sale.
(b) (1) Notwithstanding subdivision (a), a person shall not refer to himself or herself as a registered interior designer without being licensed pursuant to this chapter.
(2) This subdivision does not prohibit a person registered or otherwise qualified or approved by a private organization from using a term or title copyrighted or otherwise protected under law by the certifying organization provided that the use of that term or title does not connote licensure under this chapter.
(c) The exemptions described in this section shall not absolve a person from any civil or criminal liability that might otherwise accrue when engaging in acts described in this section.
5782. This chapter does not prohibit any person from preparing plans, drawings, or specifications for any of the following:
(a) Single-family dwellings of woodframe construction not more than two stories and basement in height.
(b) Multiple dwellings containing no more than four dwelling units of woodframe construction not more than two stories and basement in height.
(c) Garages or other structures appurtenant to buildings described in this section, of woodframe construction not more than two stories and basement in height.
(d) 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.
5784. A structural engineer, defined as a registered civil engineer who has been authorized to use the title structural engineer under the provisions of Chapter 7 (commencing with Section 6700), insofar as he or she practices the profession for which he or she is registered, is exempt from the provisions of this chapter, except that a structural engineer may not use the title “registered interior designer,” unless he or she holds a license as required in this chapter.

5786. This chapter shall not be construed as authorizing a licensed contractor to perform design services beyond those described in Section 5782 or in Chapter 9 (commencing with Section 7000), unless those services are performed by or under the direct supervision of a person licensed to practice registered interior design under this chapter, or a professional or civil engineer licensed pursuant to Chapter 7 (commencing with Section 6700) of Division 3, insofar as the professional or civil engineer practices the profession for which he or she is registered under that chapter.

However, this section does not prohibit a licensed contractor from performing any of the services permitted by Chapter 9 (commencing with Section 7000) of Division 3 within the classification for which the license is issued. Those services may include the preparation of shop and field drawings for work that he or she has contracted or offered to perform, and designing systems and facilities that are necessary to the completion of contracting services that he or she has contracted or offered to perform.

However, a licensed contractor may not use the title "registered interior designer," unless he or she holds a license as required in this chapter.

5788. A professional engineer registered to practice engineering under the provisions of Chapter 7 (commencing with Section 6700), insofar as he or she practices the profession for which he or she is registered, is exempt from the provisions of this chapter, except that a professional engineer may not use the title "registered interior designer," unless he or she holds a license as required in this chapter.

5790. A civil engineer authorized to use that title under the provisions of Chapter 7 (commencing with Section 6700), insofar as he or she practices the profession for which he or she is registered, is exempt from the provisions of this chapter, except that a civil engineer may not use the title "registered interior designer," unless he or she holds a license as required in this chapter.

5792. A landscape architect registered under the provisions of Chapter 3.5 (commencing with Section 5615), insofar as he or she practices the profession for which he or she is registered, is exempt from the provisions of this chapter, except that a landscape architect

may not use the title "registered interior designer," unless he or she holds a license as required in this chapter.

5794. A land surveyor licensed under the provisions of Chapter 15 (commencing with Section 8700) of Division 3, insofar as he or she practices the profession for which he or she is licensed under Chapter 15 (commencing with Section 8700) of Division 3, is exempt from the provisions of this chapter, except that a land surveyor may not use the title "registered interior designer," unless he or she holds a license as required in this chapter.

5796. An architect licensed under the provisions of Chapter 3 (commencing with Section 5500) of Division 3, insofar as he or she practices the profession for which he or she is licensed under Chapter 3 (commencing with Section 5500) of Division 3, is exempt from the provisions of this chapter, except that an architect may not use the title "registered interior designer," unless he or she holds a license as required in this chapter.

5798. 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:

(1) For nonstructural or nonseismic storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment.

(2) For any nonstructural or nonseismic work necessary to provide for the installation of those store fronts, interior alterations or additions, fixtures, cabinet work, furniture, appliances, or equipment.

(3) 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.

SEC. 2. Section 13401 of the Corporations Code is amended to read:

13401. As used in this part:

(a) "Professional services" means any type of professional services that may be lawfully rendered only pursuant to a license,

certification, or registration authorized by the Business and Professions Code, the Chiropractic Act, or the Osteopathic Act.

(b) "Professional corporation" means a corporation organized under the General Corporation Law or pursuant to subdivision (b) of Section 13406 that is engaged in rendering professional services in a single profession, except as otherwise authorized in Section 13401.5, pursuant to a certificate of registration issued by the governmental agency regulating the profession as herein provided and that in its practice or business designates itself as a professional or other corporation as may be required by statute. However, any professional corporation or foreign professional corporation rendering professional services by persons duly licensed by the Medical Board of California or any examining committee under the jurisdiction of the board, the Osteopathic Medical Board of California, the Dental Board of California, the California State Board of Pharmacy, the Veterinary Medical Board, the California Architects Board, the Court Reporters Board of California, the Board of Behavioral Sciences, the Speech-Language Pathology and Audiology Board, the Board of Registered Nursing, *the California Registered Interior Designers Board*, or the State Board of Optometry shall not be required to obtain a certificate of registration in order to render those professional services.

(c) "Foreign professional corporation" means a corporation organized under the laws of a state of the United States other than this state that is engaged in a profession of a type for which there is authorization in the Business and Professions Code for the performance of professional services by a foreign professional corporation.

(d) "Licensed person" means any natural person who is duly licensed under the provisions of the Business and Professions Code, the Chiropractic Act, or the Osteopathic Act to render the same professional services as are or will be rendered by the professional corporation or foreign professional corporation of which he or she is or intends to become, an officer, director, shareholder, or employee.

(e) "Disqualified person" means a licensed person who for any reason becomes legally disqualified (temporarily or permanently) to render the professional services that the particular professional corporation or foreign professional corporation of which he or she is an officer, director, shareholder, or employee is or was rendering.

SEC. 3. Section 26509 of the Government Code is amended to read:

26509. (a) Notwithstanding any other provision of law, including any provision making records confidential, and including Title 1.8 (commencing with Section 1798) of Part 4 of Division 3 of the Civil Code, the district attorney shall be given access to, and may make copies of, any complaint against a person subject to regulation by a consumer-oriented state agency and any investigation of the person made by the agency, where that person is being investigated by the district attorney regarding possible consumer fraud.

(b) Where the district attorney does not take action with respect to the complaint or investigation, the material shall remain confidential.

(c) Where the release of the material would jeopardize an investigation or other duties of a consumer-oriented state agency, the agency shall have discretion to delay the release of the information.

(d) As used in this section, a consumer-oriented state agency is any state agency that regulates the licensure, certification, or qualification of persons to practice a profession or business within the state, where the regulation is for the protection of consumers who deal with the professionals or businesses. It includes, but is not limited to, all of the following:

(1) The Dental Board of California.
(2) The Medical Board of California.
(3) The State Board of Optometry.
(4) The California State Board of Pharmacy.
(5) The Veterinary Medical Board.
(6) The California Board of Accountancy.
(7) The California Architects Board.
(8) The State Board of Barbering and Cosmetology.
(9) The Board for Professional Engineers and Land Surveyors.
(10) The Contractors' State License Board.
(11) The Funeral Directors and Embalmers Program.
(12) The Structural Pest Control Board.
(13) The Bureau of Home Furnishings and Thermal Insulation.
(14) The Board of Registered Nursing.
(15) The State Board of Chiropractic Examiners.
(16) The Board of Behavioral Science Examiners.

(17) The State Athletic Commission.
(18) The Cemetery Program.
(19) The State Board of Guide Dogs for the Blind.
(20) The Bureau of Security and Investigative Services.
(21) The Court Reporters Board of California.
(22) The Board of Vocational Nursing and Psychiatric Technicians of the State of California.
(23) The Osteopathic Medical Board of California.
(24) The Division of Investigation.
(25) The Bureau of Automotive Repair.
(26) The State Board for Geologists and Geophysicists.
(27) The Department of Alcoholic Beverage Control.
(28) The Department of Insurance.
(29) The Public Utilities Commission.
(30) The State Department of Health Services.
(31) The New Motor Vehicle Board.
(32) The California Registered Interior Designers Board.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

O

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Arnold Schwarzenegger
GOVERNOR

April 21, 2008

The Honorable Tom Torlakson, Chairman
Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, CA 95814

RE: Opposition to SB 1312 (Yee) – Licensing of Interior Designers
April 28, 2008 Hearing

Dear Senator Torlakson:

The California Architects Board (Board) is strongly opposed to SB 1312 (Yee) regarding interior design licensing and respectfully requests your "NO" vote at the hearing on the 28th of April.

Simply stated, there is no demonstrated need to license or register interior designers in California. There is no documented threat to the public health, safety, and welfare via the current system in California or nationally. Absent a specific, documented need for public protection, it is completely inappropriate to create an unnecessary, costly, and exclusionary governmental licensing program. In addition, the current statutory means for certifying interior designers via the California Council for Interior Design Certification appears to be working well and was recently validated by the Legislature's Sunset Review process.

Our estimates for the budget for this program are at **$1.4 million**, with additional one-time start up costs of $600,000 (see attached detail). This is a tremendous expenditure for a program that is completely unnecessary. To further underscore the lack of merit of this program, the legislation contains a number of exceptions that render the program meaningless. It is a glorified title act, with all the trappings and expenses of a practice act.

The Board also has concerns about the proposal creating a scope of practice for interior designers. Licensing interior designers to affect the interior of a building could lead to situations where they are unknowingly impacting fire/life safety issues, exiting, ventilation, etc. This could place the public in danger or at greater risk, rather than provide the protection the bill

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purports to offer. Such risk will have additional significant expenses due to the need for increased enforcement because the threat the public and confusion in the marketplace. In addition, there are long established and appropriate exemptions in existing law to enable interior designers to practice. As such, this measure appears to be an effort by one specific segment of the interior design community to influence the marketplace.

For these reasons, we urge you to vote "NO" on SB 1312.

Should you have any questions regarding our position, please contact the Board's Executive Officer Doug McCauley at (916) 574-7220.

Sincerely,

JON ALAN BAKER
President

cc (without attachment):
Members, Senate Appropriations Committee
Bob Franzoia, Staff Director, Senate Appropriations Committee
Amber Throne, Consultant, Senate Republican Caucus
Hadley Johnson, Jr. Deputy, Office of the Legislation Analyst
Laura Zuniga, Deputy Director – Office of Legislative and Regulatory Review – Department of Consumer Affairs
Kitty Williamson – Deputy Director, Office of Administration and Support Services - Department of Consumer Affairs
Board Members

SB 1312 – Interior Design Practice Act

SB 1312 would create a restrictive practice act to control who can practice "registered" interior design in California

The following organizations are **opposed** or **concerned** about the impact of SB 1312.

California Building Officials
National Kitchen and Bath Association – California Chapters (NKBA)
American Institute of Architects – (AIA California Council)
California Architects Board
California Legislative Coalition for Interior Design
Los Rios Community College District
The Interior Design Society
Western Home Furnishings Association
Lumber Association of California & Nevada
National Association of the Remodeling Industry
International Furnishings and Design Association
American Institute of Building Designers
Home Depot
California Retailers Association

Arguments Against SB 1312:

- Allows one interior design organization, the American Society for Interior Design, to designate their own members as registered interior designers under California law and only their members would be allowed to practice registered interior design.

- Would deny access to practice registered interior design to current interior designers who have professional experience but who didn't graduate from specific schools.

- Duplicates existing state law that has been in place since 1992 that has certified 4,300 interior designers in California.

- There is no public health or safety issue that demands enactment of a restrictive practice act. The 1996 Sunset Review Committee concluded this fact.

- Local Building Codes do not restrict interior designers from submitting design plans to local building officials. Local officials already have authority to require an architect or engineer to stamp plans where necessary, and in a survey of 215 building departments, have no plans to restrict individuals who can submit documents. Los Angeles approves 30,000 permits each year that do not require an architect's or engineer's stamp.

- SB 1312 is not needed to protect local building officials from liability – existing provisions of the Government Code already provides this protection.

- SB 1312 will add unnecessary cost and administrative overhead to the interior design industry that must be passed on to the consumer. The California Architects Board estimates SB 1312 will cost $1.4 million to administer plus $600,000 in one time start-up costs.

The Web Site of The Sacramento Bee

Dan Walters: Designer licensing bill touches off fierce duel

By Dan Walters - dwalters@sacbee.com
Published 12:00 am PDT Monday, April 14, 2008

The Capitol has seen countless "scope of practice" battles between competing professional groups, usually of the medical variety.

The epic, years-long duel between podiatrists and orthopedic surgeons over the legal right to perform ankle surgery is the best-known (the podiatrists won) and others have pitted psychologists against psychiatrists over the right to prescribe drugs and dental surgeons against plastic surgeons over facial remodeling.

True to form, another scope of practice conflict has erupted in the Capitol this year, but this time it involves not medicine but who can and cannot design the interiors of homes and commercial buildings.

An organization of interior designers has chosen California as one of many battlegrounds in its decades-long campaign to achieve state- licensed professional status, but is running into fierce opposition from interior designers who would not meet the proposed licensing standards and thus, they say, be denied some business, and from architects who see an incursion into their design business.

The American Association of Interior Designers (AAID) is promoting professionalization bills in a flock of states this year, including Senate Bill 1213, carried by Sen. Leland Yee, D-San Francisco.

San Francisco interior designer Bruce Goff, who tracks legislation for the sponsoring Interior Design Coalition of California, says state licensing would affect only designers who do projects covered by building codes – not those who are primarily decorators – and cites "more and more risk-averse" local building inspectors as creating a need for state licensing.

Goff concedes, however, that what's happening in California is "part of a national effort by interior designers." And, in fact, the education and experience requirements in the Yee bill are virtually identical to those sought by AAID elsewhere.

Critics see the drive as a way for one faction of designers to carve out a lucrative niche for themselves, screening out competitors who don't meet its licensing standards on one hand while intruding on architects' practices on the other.

"This bill would for the first time restrict many thousands of designers in the state of

California from practicing a profession in which they have engaged in without complaint for years," the National Kitchen and Bath Association said in a letter to Sen. Mark Ridley-Thomas, D-Los Angeles, who chairs the Senate committee that will decide the Yee bill's initial fate.

"Interior designers often are an integral part in the design process, and frequently work with architects in planning and designing interior spaces," the American Institute of Architects also told Ridley-Thomas in its opposition letter. "However, their knowledge, acquired through education and experience, does not include the whole building system, and this knowledge is necessary to protect the health, safety, and welfare of the public."

All of the factions have, of course, retained experienced Capitol lobbyists to wage their professional turf battle.

There is an underlying philosophical point in this duel, as in all of the political struggles over scope of practice: Is there any real public interest at stake here, or, as is so often the case, is it merely an economic rivalry?

It's been evident in the medical scope of practice battles that the potential effect on patients' health of allowing someone to perform some medical procedure was the least influential element in the outcome.

In this case, one must wonder whether licensing interior designers is of any material benefit to the public or, as Indiana Gov. Mitchell Daniels said as he vetoed a similar bill last year, "the principal effect ... will be to restrain competition and limit new entrants into the occupation."

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Agenda Item F

STRATEGIC PLAN

1. Review and Approve 2012 Strategic Plan

2. Review and Approve Implementation of Committee Procedures

3. Finalize Action on Consolidation of Examination Committee and Professional Qualifications Committee

Agenda Item F.1

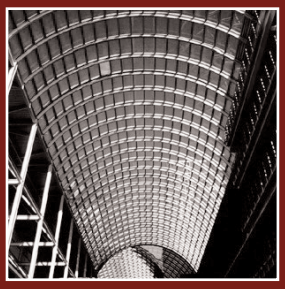
REVIEW AND APPROVE 2012 STRATEGIC PLAN

On December 8, 2011, the Board participated in a strategic planning session to update its Strategic Plan for 2012. The session was facilitated by Daniel Iacofano of Moore Iacofano Goltsman, Inc. (MIG). The Board reviewed and updated the six goal areas (Professional Qualifications, Practice Standards, Enforcement, Public and Professional Awareness, Organizational Relationships, and Organizational Effectiveness and Customer Service). Objectives were identified to meet the goals and target dates were set for completion of each.

MIG updated the plan based on the Board's session. Attached is a copy of the updated plan showing all of the changes in underline and ~~strikeout~~.

At this meeting the Board is asked to review and approve the 2012 Strategic Plan.

2012 STRATEGIC PLAN



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~~These external factors ~~identified at the sessions are:~~have been grouped in nine categories (see Appendix B for details):

- 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~~25.

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).

Recent Accomplishments

Through strategic action and ongoing collaboration, CAB has successfully accomplished a long list of its top priorities in recent years. Some examples include implementation and assessment of the Comprehensive Intern Development Program (CIDP) [see below], stronger outreach to students and interns, enhancing the Board's relationship with the National Council of Architectural Registration Boards (NCARB), etc. This section briefly reviews key accomplishments as identified by the Board during its 2012 strategic planning session.

Sunset Review

The Board successfully completed the Sunset Review process this year. In September 2010, CAB submitted its required sunset report to the Senate Business, Professions, and Economic Development Committee. In this report, CAB described actions it has taken since the Board's prior review to address the recommendations of Joint Legislative Sunset Review Committee, and outlined the programmatic and operational changes, enhancements and other important policy decisions or regulatory changes made by CAB. There were no findings or follow-up actions from the Legislature and the Board received the maximum possible extension to its sunset date.

Elimination of CIDP

The CIDP was designed as an overlay to the national program to enrich the internship experience by fostering a stronger context for mentoring and learning. It encouraged better communication between the intern and supervisor, while enhancing accountability by requiring interns to submit evidence-based documentation of practical intern experience in the form of work samples and written narratives. The Board analyzed the effectiveness of CIDP and the need for this supplemental requirement in light of the vast improvements to NCARB's Intern Development Program (IDP) in the last few years, culminating in IDP 2.0. In June 2011, the Board voted to discontinue the CIDP. The action will take effect upon codification of a regulatory amendment.

California Supplemental Examination (CSE) Format

CAB conducted an objective study of the CSE and possible format options. Based on study results, CAB approved transitioning the CSE from an oral format to a computer-based, multiple choice format, which was launched in February 2011. The new exam format is much more accessible to candidates, as it is available six days a week, year round at 13 different sites throughout California, rather than the previous oral format, which was offered six times per year alternating between the Bay Area and Orange County. For out-of-state candidates, there are 10 additional exam sites across the United States. Transitioning to a computerized format has increased defensibility of CSE results, and helped to expand the Board's capacity to serve candidates while preserving resources.

Improving Enforcement

Through its enforcement staff, contracted architect consultants, the Division of Investigation, and the Office of the Attorney General, CAB takes action against licensees and unlicensed individuals who have potentially violated the law. The Board has continued to improve the timeliness of its actions.

E-newletter

In its ongoing effort to improve communication with licensees, students and others, CAB has transitioned to an electronic-only newsletter. This is an essential tool for communicating with constituencies about the value of the architectural license, and distributing information related to examinations and regulatory changes in a timely and effective fashion. Based on the number of hits it is receiving, the newsletter's readership is expanding under the new format.

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-LICENSURE 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 (CE) 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. Objectives identified by the Board as critical are shown in blue highlight and priority in yellow highlight in the pages that follow.

Professional Qualifications ..... 15~~3~~
Practice Standards ..... 17~~5~~
Enforcement ..... 18~~6~~
Public and Professional Awareness ..... 19~~7~~
Organizational Relationships ..... 20~~18~~
Organizational Effectiveness and Customer Service ..... 21~~19~~

Professional Qualifications

GOAL: Ensure the professional qualifications of those practicing architecture by setting requirements for education, experience, and examinations.

ONGOING RESPONSIBILITIES	LEAD RESPONSIBILITY
Analyze and recommend educational and experience requirements.	Professional Qualifications Committee
Work toward interstate/international reciprocal recognition with other architectural registration jurisdictions.	Professional Qualifications Committee
Review and make recommendations to revise the Architects Practice Act and CAB's regulations to reflect current practice.	Professional Qualifications Committee
Provide advice and input to the academic community and National Architectural Accrediting Board (NAAB) regarding the quality and comprehensiveness of architectural curricula.	Professional Qualifications Committee
Oversee the content, development, and administration of the CSE.	Examination Committee
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.	Professional Qualifications Committee/ Examination Committee
Administer CIDP/IDP.	Professional Qualifications Committee
Work with NCARB, AIA/AIACC to refine CIDP/IDP as appropriate.	Professional Qualifications Committee
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.	Professional Qualifications Committee/ Examination Committee
Monitor sustainable development and green building trends and the importance of these issues to consumers.	Professional Qualifications Committee
Monitor implementation of the Certified Access Specialist Program.	Professional Qualifications Committee

OBJECTIVES	LEAD RESPONSIBILITY	TARGET DATE
~~1. Monitor the development and administration of the new computer-based CSE.~~	~~Examination Committee~~	~~December 2011~~
~~2. Pursue the elimination of IDP sunset date (BPC section 5552.5) from the Architects Practice Act.~~	~~Professional Qualifications Committee~~	~~December 2011~~
~~3. Develop recommendation regarding the continuance of CIDP in light of the changes made to NCARB's IDP and other related factors.~~	~~Professional Qualifications Committee~~	~~December 2011~~

OBJECTIVES (cont.)	LEAD RESPONSIBILITY	TARGET DATE
1~~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
2~~5~~. Develop a continuing education strategy and framework based on NCARB research and data.	Professional Qualifications Committee	December 2012
3. Develop a system to audit completion of coursework on disability access requirements pursuant to Assembly Bill 1746 (Chapter 240, Statutes of 2010).	Professional Qualifications Committee	December 2012
4. Review AIACC's 2011 Architectural Education Summit Report to determine potential follow-up items for CAB.	Professional Qualifications Committee	December 2012
5. Urge NCARB to explore the feasibility of establishing a "broadly experienced internship" pathway.	Professional Qualifications Committee	December 2012
6. Pursue a regulatory amendment to establish a pathway for candidates holding an NCARB certificate through the Broadly Experienced Foreign Architect (BEFA) Program.	Professional Qualifications Committee	June 2013
7. Execute contract renewal with NCARB for the ARE.	Staff	June 2013
8~~6~~. ~~Encourage DCA to seek~~ Sponsor 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 201~~2~~3
9. Conduct and complete an occupational analysis of the practice of architecture in California to be used for the ongoing development of the CSE.	Examination Committee	December 2013
10~~7~~.~~Address CSE content and align with CAB and~~ Conduct a national audit of NCARB's and CAB's ~~practice analyses.~~ test specifications to determine appropriate content of the CSE.	Examination Committee	January 2014

Practice Standards

GOAL: Establish regulatory standards of practice for California architects.

ONGOING RESPONSIBILITIES	LEAD RESPONSIBILITY
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.	**Regulatory & Enforcement Committee**
Monitor methods of practice and proposed changes in laws that may impact architectural practice and assess their impact on the regulatory process.	Regulatory & Enforcement Committee
Review need to enact additional rules of professional conduct.	Regulatory & Enforcement Committee
Monitor impact of emerging technology and global trends on goals and objectives.	Regulatory & Enforcement Committee
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.	Regulatory & Enforcement Committee
Monitor the application of alternative project delivery methods and tools for their potential effect on the public's health, safety, and welfare.	Regulatory & Enforcement Committee
Communicate with building officials regarding the statutory requirements for architects' stamps and signatures.	Regulatory & Enforcement Committee

OBJECTIVES	LEAD RESPONSIBILITY	TARGET DATE
~~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.~~	~~Regulatory & Enforcement Committee~~	~~December 2011~~
1~~2~~. ~~Determine the appropriateness of "gag" clauses in civil settlement agreements~~Pursue an amendment to clarify consumers' rights with respect to confidentiality.	Regulatory & Enforcement Committee	December 201~~1~~3

Enforcement

GOAL: Protect consumers by preventing violations and effectively enforcing laws, codes, and standards when violations occur.

ONGOING RESPONSIBILITIES	LEAD RESPONSIBILITY
Coordinate efforts with NCARB on regulatory and enforcement issues.	Regulatory & Enforcement Committee
Oversee effectiveness of building official contact program.	Regulatory & Enforcement Committee
Actively enforce laws and regulations pertaining to unlicensed activity.	Regulatory & Enforcement Committee/Staff
Monitor impacts of new technology on enforcement procedures.	Regulatory & Enforcement Committee
Implement identified alternative enforcement tools.	Regulatory & Enforcement Committee
Review literature regarding the impact of technology on the profession.	Regulatory & Enforcement Committee
Maintain CAB presence at CALBO and International Code Council (ICC) chapters.	Regulatory & Enforcement Committee
Monitor the enforcement of penalties and continue to explore creative ways of collecting fines due.	Regulatory & Enforcement Committee
Monitor DCA's enforcement legislation.	Regulatory & Enforcement Committee

OBJECTIVES	LEAD RESPONSIBILITY	TARGET DATE
~~1. Participate in the DCA Enforcement Academy.~~	~~Staff~~	~~March 2011~~
~~2. Execute new architect consultant contract.~~	~~Staff~~	~~June 2011~~
~~3. Review and make recommendation regarding DCA's proposals (Senate Bill 1111).~~	~~Regulatory & Enforcement Committee~~	~~September 2011~~
1~~4~~. Review DCA's best practices, analyze, and adjust CAB's enforcement procedures where appropriate.	Regulatory & Enforcement Committee	December 201~~1~~2
~~5. Utilize DCA recommended enforcement performance measures as appropriate.~~	~~Regulatory & Enforcement Committee~~	~~December 2011~~
~~6. Review, update, and publish Consumer's Guide to Hiring an Architect.~~	~~Regulatory & Enforcement Committee~~	~~December 2011~~
2~~7~~. Monitor fingerprint requirement for licensees to determine its potential application to CAB.	Regulatory & Enforcement Committee	December 201~~1~~2
3. Define "instruments of service" for a potential regulatory proposal.	Regulatory & Enforcement Committee	December 2012
4. Initiate a conversation with AIACC to explore the feasibility of a QBS enforcement process.	Regulatory & Enforcement Committee	December 2012

Public and Professional Awareness

GOAL: Increase public and professional awareness of CAB's mission, activities, and services.

ONGOING RESPONSIBILITIES	LEAD RESPONSIBILITY
Monitor CAB Communications Plan and recommend expanded communication vehicles as needed.	Communications Committee
Disseminate information to licensees, candidates, consumers, government agencies, students, schools, and others about the value of the architectural license.	Staff
Fine tune, update, and promote written materials and CAB's website.	Communications Committee
Maintain a presence at schools of architecture to inform students about licensing requirements.	Staff
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.	Communications Committee
Implement recommendations for greater use of electronic communication.	Communications Committee
Continue CAB's school and student outreach programs.	Communications Committee
Expand the consumer content on CAB's website.	Communications Committee/Regulatory & Enforcement Committee

OBJECTIVES	LEAD RESPONSIBILITY	TARGET DATE
~~1. Expand the consumer content on CAB's Website.~~	~~Communications Committee/ Regulatory & Enforcement Committee~~	~~December 2011~~
~~2. Formulate a communications strategy informing consumers via chambers of commerce on value of licensure, importance of a contract, etc.~~	~~Communications Committee~~	~~December 2011~~
~~3. Formulate a communications strategy informing deans, professors, and students of universities and community colleges of the value of an architect license.~~	~~Communications Committee~~	~~December 2011~~
1. Establish a social media presence through the use of Facebook and other tools.	Communications Committee	December 2012
2. Review and finalize CAB schools presentation materials.	Communications Committee	December 2012
3. Prepare a concise CAB mission statement for use in all communications.	Communications Committee	December 2012
4. Expand the CAB e-news distribution list.	Communications Committee	December 2012

Organizational Relationships

GOAL: Improve effectiveness of relationships with related organizations in order to further CAB's mission and goals.

ONGOING RESPONSIBILITIES	LEAD RESPONSIBILITY
Maintain working relationship with NCARB.	**Executive Committee**
Maximize involvement in NCARB and WCARB and obtain appointments to committees and elected office positions.	Executive Committee
Maintain working relationship with AIA, AIACC, and other professional architectural organizations.	Executive Committee
Work with AIACC to advance CAB's goals and objectives.	**Executive Committee**
Maintain working relationship with DCA and other state agencies.	**Executive Committee**
Maintain communications with allied organizations (i.e., contractors, engineers, building officials, and insurance providers).	Executive Committee
Maintain communication with educational community through liaison program.	Executive Committee
Recruit qualified potential representatives for CAB committees.	Executive Committee
Maintain relationships with major organizations representing primary constituencies including CAB Board member liaisons as needed.	Executive Committee
Monitor proposed legislation which directly or indirectly affects architectural practice.	Executive Committee
Ensure programs, activities, and services are accessible to persons with disabilities.	Staff
Integrate best practices, relevant information, and strategies between CAB and LATC.	Staff
Continue to hold CAB meetings at campuses, including community colleges; engage faculty in dialogues regarding the value of licensure.	Executive Committee

OBJECTIVES	LEAD RESPONSIBILITY	TARGET DATE
~~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.~~	~~Executive Committee~~	~~December 2011~~
~~2. Establish a CAB liaison to participate in AIACC discussions related to IPD.~~	~~Regulatory & Enforcement Committee~~	~~December 2011~~
~~3. Participate in AIACC discussions on key practice issues.~~	~~Executive Committee~~	~~December 2011~~
~~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.~~	~~Executive Committee~~	~~June 2012~~
1. Review CAB's liaison program and determine its future focus for agencies and schools.	Executive Committee	December 2012

Organizational Effectiveness and Customer Service

GOAL: Enhance organizational effectiveness and improve the quality of customer service in all programs.

ONGOING RESPONSIBILITIES	LEAD RESPONSIBILITY
Monitor legislation that impacts architectural practice as it relates to the public health, safety, and welfare.	Executive Committee
Monitor implementation of CAB strategic plan.	Executive Committee
Monitor and identify changes and trends in practice.	Executive Committee
Monitor and improve customer service.	Executive Committee
Monitor and improve organizational effectiveness.	Executive Committee
Utilize former CAB members on committees and task forces to maintain organizational memory.	**Executive Committee**
Conduct new CAB Board member orientation program through one-on-one sessions, printed materials, and use of veteran members as "mentors."	Executive Committee
Conduct annual budget briefing sessions.	Executive Committee
Monitor State budget conditions and maintain clear budget priorities.	Executive Committee
Utilize benchmarking and best practices research, as appropriate.	**Executive Committee**
Initiate specialized staff training to support strategic plan implementation.	Staff
Link strategic plan, budget, and evaluation.	Executive Committee
Utilize website to solicit feedback from licensees.	Communications Committee
Develop succession plans for key staff positions.	Staff
Continue efforts to make CAB operations open and transparent to the public.	Executive Committee

OBJECTIVES	LEAD RESPONSIBILITY	TARGET DATE
~~1. Publish CAB meeting packets and approved meeting minutes on Board's Website.~~	~~Staff~~	~~June 2011~~
1~~2~~. ~~Recommend~~ Sponsor legislation to re-stagger~~ing of~~ Board member terms~~, through the Sunset Review process~~.	Executive Committee	December 201~~1~~2
~~3. Complete sunset review process.~~	~~Executive Committee~~	~~December 2011~~
~~4. Review committee appointment and membership procedures and charges, and make recommendations for improvement, including training.~~	~~Executive Committee~~	~~December 2011~~
~~5. Identify and implement best practices and cost-saving measures.~~	~~Executive Committee~~	~~January 2012~~
2. Develop a list of potential improvements to streamline candidates' licensure process.	Executive Committee	December 2012
3. Work with DCA to implement the BreEZe system.	Staff	January 2014

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~~11. 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:

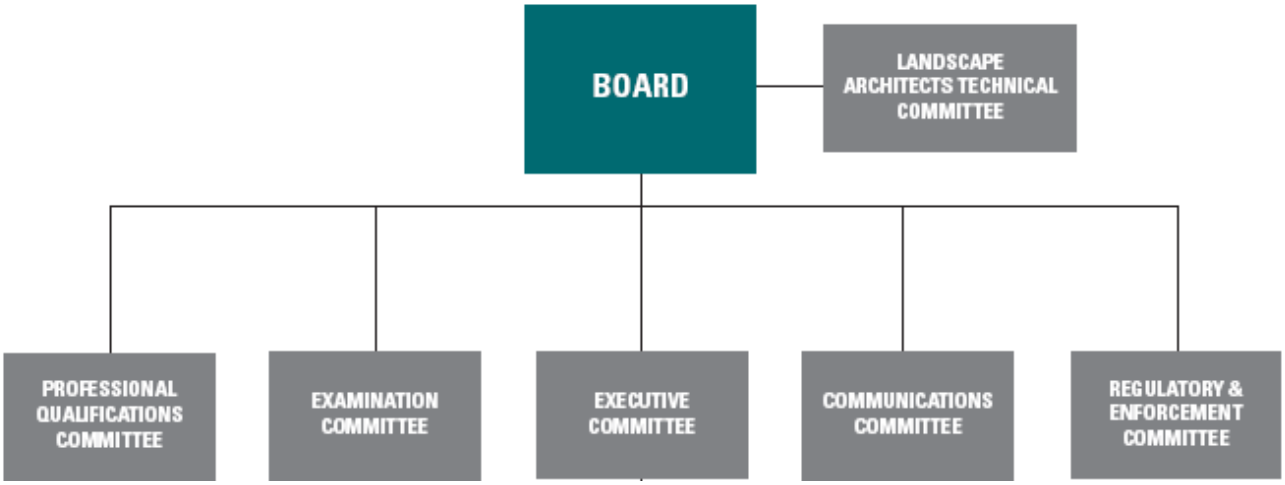
- Comparison with other jurisdictions (per capita, distribution, etc.)
- Exam pass rates
- Trends
- Number of qualified architects

Appendices

A. Organizational Structure ..... ~~23~~24
B. External Factors Influencing CAB ..... ~~24~~25
C. Communications Plan ..... ~~28~~29

Appendix A: Organizational Structure

CAB has developed the organizational structure below to implement its strategic plan. CAB will establish subcommittees and task forces as needed.



Appendix B: 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.
- Consumer expectations are on the rise, and c~~C~~lients 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.
- Firms continue to reinvent themselves in response to market changes and new trends in practice.
- 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.
- Architectural practice is expanding beyond its traditional scope, and m~~M~~ore 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.
- There is a perception that practicing architects are not keeping pace with technological changes.
- 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 strategic issues and changes in the field, including 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.

Appendix C: 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 website)
- Information sheets (print and website)
- 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 website and bookmark
- Candidate's Handbook (website)
- Comprehensive Intern Development Program (CIDP) Handbook
- National Council of Architectural Registration Boards website 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 website
- 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 website 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 (website)
- Architects Practice Act with Rules and Regulations (website)
- 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 (website)
- 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
- Website
- DCA Executive Officers Council
- Website links to affiliated professionals' websites

- 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 (website)
- 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.

WEBSITE

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 website access, ease of use, and value to users.

2. REVIEW AND APPROVE IMPLEMENTATION OF COMMITTEE PROCEDURES

3. FINALIZE ACTION ON CONSOLIDATION OF EXAMINATION COMMITTEE AND PQC

The Board's 2011 Strategic Plan charged 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 was asked to review the attached documents and finalize the committee procedures and consolidation of the committees during its Strategic Planning session; however, it was tabled until the next Board meeting due to the absence of some of the members. At this meeting, the Board will be asked again to consider taking action on the two items. 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 Followto implementCommittee 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 adviseof 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		

[a]Committee 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.

[b]Needs to reapply for 4 years in 2012 to serve 2012-2015

[c]Examination Committee renamed in 2002. Some members' terms commenced prior to 2002.

[d]Regulatory & Enforcement Committee renamed in 1995. Some members' terms commenced prior to 1995.

CHAIRMANSHIP APPOINTMENTS

PQC 2011	Appointed to Board	Board Term Ends	Year Appointed to Committee	Year Term Ends Applying 8 Year Limit[a]	Chair	Vice Chair
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)						

[a]Committee term ends 12/31 of year indicated after applying eight year term limit to initial committee appointment.

[b]Served eight years on committee not eligible for Advising Chair.

[c]Advising 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 G

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

As of February 28, 2012, there were no items to be considered in closed session.

Agenda Item H

WESTERN CONFERENCE OF ARCHITECTURAL REGISTRATION BOARDS (WCARB)

1. Report on National Council of Architectural Registration Boards (NCARB)

2. Review of the 2012 Joint Regional Annual Meeting of WCARB

3. Discuss and Possible Action on NCARB Resolutions

4. Discuss and Possible Action on 2012 Elections

Agenda Item H.1

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 H.2

REVIEW OF THE 2012 JOINT REGIONAL ANNUAL MEETING OF WCARB

The 2012 Joint Regional Meeting of WCARB is being held as a joint meeting with regions 3 and 6 March 9-10, 2012.

The Board is asked to review and discuss the relevant issues for the meeting.

NCARB Joint Regional Meeting-Regions 3 and 6

Seattle, WA
March 8-10, 2012

AGENDA

Thursday, March 8, 2012

3:00 p.m. to 5:00 p.m.	Hospitality Room/Registration Desk Open	Hospitality Suite
6:00 p.m.	Transit to the Space Needle	
6:30 p.m. to 9:30 p.m.	Icebreaker	Space Needle
9:00 p.m.	Transit back to the Monaco Hotel	

Friday, March 9, 2012

7:00 a.m. to 8:30 a.m.	Breakfast Buffet	Paris Foyer
8:00 a.m. to noon	Registration Desk Open	Location TBD
9:00 a.m. to 9:20 a.m.	Welcome from Chair – Jeanne Jackson	Paris Ballroom
	Welcome from Washington Board	
9:20 a.m. to Noon	NCARB – discussion	
Noon to 1:30 p.m.	Lunch	Sazerac Restaurant
1:30 p.m. to 3:00 p.m.	Regional Meetings	Athens/Vienna
3:15 p.m. to 5:30 p.m.	Educational Seminar	Location TBD
	(Living Building Challenge Lecture offsite)	
6:30 p.m. to 9:30 p.m.	Regional Dinners	Location TBD
9:30 p.m.	Return to Monaco Hotel	

Saturday, March 10, 2012

7:30 a.m. to 9:00 a.m.	Breakfast Buffet	Paris Foyer
9:00 a.m. to 11:00 a.m.	NCARB Plenary	Paris Ballroom
	Introductions	
	President's remarks	
	1st VP Remarks	
	Chief Executive Officer Remarks	
	Resolutions—Review/Discussion	
	Town Hall	
Noon	Box Lunches	Paris Foyer
11:00 a.m. to 5:00 p.m.	Regional meetings	
	Region 3	Athens
	Region 6	Vienna
Saturday evening	Dinner on your own	

Adjournment of general sessions at luncheon end; Adjournment of Regional meetings at the pleasure of Regional Chair

Agenda Item H.3

DISCUSS AND POSSIBLE ACTION ON NCARB RESOLUTIONS

The Board will discuss resolutions that will be acted upon at the 2012 NCARB Annual Meeting and Conference. The resolutions will be provided under separate cover when received from NCARB.

Agenda Item H.4

DISCUSS AND POSSIBLE ACTION ON 2012 ELECTIONS

The Board will discuss 2012 WCARB and NCARB elections. Attached are the candidates' election material.

BakerNowicki
design studio

January 7, 2012

NCARB Members
(via electronic distribution)

Re: National Elections

Greetings,

During our up-coming Annual Meeting in Minneapolis, the membership will conduct its annual elections for officers on the national board. These important positions will be instrumental in many long range strategic decisions facing NCARB and our profession. With new leadership in our recently selected CEO, completion and integration of the pending Practice Analysis into all of our programs, improvements to our ARE service line with the engagement of our newly empaneled exam vendors and the recent collaborative efforts with our colleagues at AIA, there is an emerging opportunity for significant advancement of or core mission.

It is my pleasure to offer my candidacy for the office of Secretary. As Regional 6 Director for the past two years, it has been my pleasure to participate with the Board on a number of important issues. I believe that through ongoing participation and commitment to the success of NCARB my continued role as secretary can bring a practical perspective to these issues based on my 30 years of professional practice. It is my hope that you will support my advancement to this office.

I have served on the California since 2005 including two terms as board president. During this time I have also actively served WCARB and NCARB in various capacities:

- NCARB Board Member - Region 6 Director 2010-Present
- Continuing Education Strategic Workgroup 2011-2012
- Chair, IDP Advisory Committee 2011-2012
- Board Liaison to IDP 2011-2012
- Governance Policies Workgroup 2010-2011
- Board Liaison to COE 2010-2011
- ARE Committee 2009-2010
- WCARB Regional Chair 2007-2009
- NCARB Regional Chairs Committee 2007-2009
- WCARB Region-6 Executive Committee 2006-2009

Many of the current NCARB initiatives are already improving NCARB's processes and ability to serve licensees. But, as we look to the future, our recently completed strategic plan has pointed

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NCARB toward future opportunities that have the potential to expand our levels of service and the rigor of our examination and internship programs.

For example, recent progress has been made to align continuing education requirements among member boards to simplify the process of maintaining reciprocity by practitioners. NCARB's potential role in CE will be the subject of considerable investigation. Other Long Range Strategic Issues under review include Fiscal Stability of the Council, Facilitating Reciprocity, and Building the Value of Licensure and the NCARB Certificate. Each of us brings a unique and relevant perspective that will help find suitable and creative responses to these issues. But only through meaningful discussion with member boards can successful strategies be developed that benefit the practitioners we serve.

For these reasons, I am requesting your support for this position and look forward to continuing my service to you and the Council. Attached for your reading enjoyment is my resume.

Thank you,

Jon Alan Baker, FAIA, LEED AP
Partner

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San Diego, CA 92101

619.795.2450
www.bndesignstudio.com

Jon Alan Baker, FAIA, LEED AP

R E S U M E

Bio General

Partner, BakerNowicki Design Studio, LLP
San Diego, California

Specializing in the design of educational, medical and long term care facilities Jon's professional experience covers 30-years of professional practice. He holds an NCARB certificate and is licensed to practice architecture in 9 states.

In November, 2005, Mr. Baker was appointed by Gov. Arnold Schwarzenegger to the California Architect's Board. During his term of office, he has chaired the CAB Professional Qualifications Committee and Executive Committee. He was elected President of the CAB for two terms (2007 & 2008). At the National level with the National Conference of Architectural Boards (NCARB), Mr. Baker was elected in 2008 (and re-elected in 2009) to the position of Regional Chair for the Western Conference of 12 states. In 2010, Mr. Baker was elected to the NCARB Board of Directors as Region 6 Director. Mr. Baker has been successful in developing strong relationships with the National components improving California's standing and influence on a National level.

In 2009, Mr. Baker was inducted into the AIA College of Fellows by the American Institute of Architects in recognition of his career-long achievements in advancing the profession of architecture. He is the former President of the American Institute of Architects (AIA), San Diego Chapter including 8-years as a board member. He also served two years on the board of the AIA California Council.

Mr. Baker is a current board member for two non-profits: Jr. Achievement for San Diego & Imperial Counties and The Poway Unified School District Educational Foundation.

As a LEED Accredited Professional, Mr. Baker provides professional leadership in the design of sustainable facilities and contributes to the implementation of sustainable practices among his firm and clients that influence the development of Green and environmentally responsible design.

Architecture

Mr. Baker's professional experience in Healthcare and Educational Architecture encompasses the programming, management, design and production of a broad range of large-scale, complex building types including medical facilities, outpatient facilities, Senior Care & CCRC's, facilities for K-12, community colleges and university campus'.

His extensive experience includes both public and private projects and has included all phases of project development, from programming and design through construction and occupancy, assuring the careful and deliberate execution of each project. Mr. Baker has extensive experience in the alternative delivery of design and construction projects including Fast-Track, Design-Build, Lease Lease-Back, Construction Management, and all aspects of publicly bid construction delivery. With over 25-years of specialization in healthcare and educational architecture, Mr. Baker has extensive experience with all California State agencies governing their design including OSHPD, DSA, CDE, OPSC, and DTSC.

Education

School of Architecture, Cal Poly
Pomona, California

Professional Experience

James Caulkins Architect	1977-1979
Tucker Sadler Associates	1979-1981
Paul Thoryk Architect	1981-1983

NTD Architecture	1983-2011
BakerNowicki Design Studio	2011-Present

Professional Registrations

Architect, State of California, 1983
Architect, State of Nevada, 1987
Architect, State of Ohio, 2004
Architect, State of Idaho, 2004
Architect, State of Florida, 2005
Architect, State of Arizona, 2008
Architect, State of New Mexico, 2008
Architect, State of Oregon, 2010
NCARB Certified, 1987

Professional Appointments

California Architects Board	2005-Present
President	2007-2009
Executive Committee	2006-Present
Chair, Professional Qualifications Committee	2006
National Conference of Architectural Registration Boards (NCARB)	
NCARB Board Member - Region 6 Director	2010-Present
WCARB Regional Chair	2007-2010
NCARB Regional Chairs Committee	2007-2010
WCARB Region-6 Executive Committee	2006-2010
Education Foundation - Poway Unified School District	2003-present
Board of Directors	
Jr. Achievement of San Diego & Imperial Counties	2007-2011
Board of Directors	

Professional Affiliations

ACE Arrowhead School Conference
- Annual Planning Committee, 1990-1992
- Conference Chair, 1992

American Institute of Architects, California Council
- Director 1994-1996
- School Facilities Steering Comm. (1993 Chair), 1992-1996
- Schools Task Force 1990-1992

American Institute of Architects, San Diego Chapter
- Chair, AIA/AGC Joint Commission 2008-2011
- Board President 1995
- Board of Directors, 1987-1995
- Commissioner of Governmental Affairs 1990-1992
- Legislative Interaction Committee, Chair 1989

City Architect's Advisory Committee, San Diego
- Founding Chair, 1990-1991

California Building Industry Association, San Diego
- Commercial Industrial Council, 1986-1990
- Progress 88 - Schools Task Force, 1988

Coalition for Adequate School Housing
- CASH Architects Advisory Group, 1990-Present

Council of Educational Facility Planners International

Member 1991-2005
Educational Advisory Committee
Assemblywomen Tricia Hunter (76th District), 1991-1992
LEAD San Diego
Graduate 1993
UCLA Extension Program
Certification of Facility Planners, Guest Speaker, 1992
SDSU Extension Program
Certification of Facility Planners, Guest Speaker, 1995

K-12 Clients

Bonsall Union School District, Bonsall, California
Carlsbad Unified School District, Carlsbad, California
Chula Vista Elementary School District, Chula Vista, California
Del Mar Union School District, Del Mar, California
Elk Grove Unified School District, Elk Grove, California
Escondido High School District, Escondido, California
Escondido Union School District, Escondido, California
Jamul/Dulzura Union School District, Jamul, California
Julian Union School District, Julian, California
Julian High School District, Julian, California
Montebello Unified School District, Montebello, California
Mountain Empire Unified School District, Pine Valley, California
Pauma Union School District, Pauma Valley, California
Poway Unified School District, Poway, California
Rescue Union School District, Rescue, California
Riverside Unified School District, Riverside, California
San Diego County Office of Education, San Diego, California
San Diego Unified School District, San Diego, California
San Dieguito High School District, Encinitas, California
San Marcos Unified School District, San Marcos, California
San Ysidro Elementary School District, San Ysidro, California
Solana Beach School District, Solana Beach, California
Temecula Unified School District, Temecula, California
Vallecitos School District, Rainbow, California
Walnut Valley Unified School District, Walnut, California
William S. Hart Union High School District, Santa Clarita, California

Higher Education Clients

California State University, Fullerton, California
California State University, Northridge, California
Grossmont-Cuyamaca Community College District, El Cajon, California
Southwestern Community College District, Chula Vista, California

Healthcare Clients

Catholic Healthcare West (CHW)
Bakersfield Memorial Hospital, California
Alvarado Convalescent & Rehabilitation Center, San Diego, California
Alvarado Psychiatric Institute, San Diego, California
US Army Corps of Engineers, California
Heart Institute of Nevada, Las Vegas, Nevada
Walsh Medical Arts Building, Murrieta, California
Vista Community Clinic, Vista, California
Loma Linda University Medical Center, Loma Linda, California

Civic/Government Clients
City of Hemet, California
YMCA of San Diego, California
County of San Diego, California
Boys & Girls Club of San Diego County, California
City of Solana Beach, California
San Diego County Librarian, San Diego, California

Office/Commercial Clients
Glendale Financial Square, Glendale, California
Home Federal Savings & Loan, California
Neste Brudine & Stone Corporate Headquarters, Rancho Bernardo, California

Senior Housing & Care Clients
Retirement Inns of America, Los Angeles, California
Forum Group, Indianapolis, Indiana
Retirement Centers of America, Inc., Irvine, California
Radnor Corp., Radnor, Pa.
Starboard Development, San Diego California

MARGO JONES
Architects

INCORPORATED

12 January 2012

To: Member Board members,
Member Board executives,
and officers of the Board,

Re: *Margo for Secretary!*

Dear Colleague,

I am very excited to announce that I am running for Secretary of NCARB, and wish to ask for your support. I am a practicing architect and a founding principal of a small firm established 27 years ago. I have a deep commitment to our profession, and I wish to continue to serve it through a leadership position on the Board of the Council.

It has been a distinct honor to represent Region 1 on the Board – and a very intense two and a half years. The Board has become more focused over this period, more transparent, and more engaged. The Strategic Planning process that we went through, spearheaded by Past President Andy Prescott, and carried forward this year by current President Scott Veazey, has headed NCARB in exciting directions. Certainly Mike Armstrong, our new CEO, is ramping up the level of responsiveness in all of the directorates, and he is getting our message and mission out to the states and the collaterals. I hope you have noticed this increased activity, and have appreciated it as much as I have!

Next year we will be sifting through the results of the 2012 Practice Analysis. Having worked with the 2007 Practice Analysis, linking those knowledge and skills to IDP, I understand the importance of a detailed integration of this survey with our programs, including Continuing Education. This time the collaterals have actively participated, which will be truly helpful as we move forward toward the Accreditation Review Conference in 2013. I am excited and uniquely qualified to be a part of the team that evaluates examination, experience, and licensure requirements on the basis of this new and expanded Practice Analysis. Collaboratively, we can evaluate, invigorate, and reinforce our standards and licensure requirements.

Please find attached my qualifications for this position. My NCARB Board and committee experience has been intensive training for this next role. I want to get to know more of you, and learn about the issues and concerns you have on your state boards. I invite a frank conversation with me about your state and regional successes and challenges. We are in this Council together, and I want to accurately and effectively serve your interests. Over the next few months, please help me understand your issues better so that I can become as well versed and passionate about them as possible.

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Greenfield, MA 01301
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Fax: 413 / 773-5552
office@margojones.com

With all the strategic thinking and blue sky thinking we have been doing on the Board under Scott Veazey's helm, we are looking at many aspects of the NCARB world. We are getting, finally, accurate and comprehensive information about our stakeholders and constituents. Did you take the Perception Survey? I cannot wait to see the results! This new depth of focus will help us serve each of you—Member Boards, candidates, and record holders, better. Another initiative that I applaud is increasing the value of the certificate, in part through a central data base capability. When NCARB is truly the central clearinghouse for the nation's architects, we will increase our market share, our core mission, and add value to our services. I look forward to when the initials NCARB after my name clearly and distinctly express my national architectural expertise as the highest credential attainable.

In addition to the attached resume, if you want to learn more about my professional experience and qualifications, please visit my firm's website at www.margojones.com. Feel free to call or email me with comments, questions or concerns about NCARB, and my potential role as Secretary. I can truly attest that I would make an excellent Secretary – I listen well, record *every* voice, and gratefully work with the capable staff to create a detailed, accurate record of the Board's deliberations. This role will provide a strong basis for further service, should I be granted your trust in this position.

I look forward to seeing you this Spring at the regional meetings, and to reaching out for your kind support.

Respectfully ~

Margo Jones, AIA, NCARB, LEED AP
Region 1 Director and Candidate, Secretary of the Board

MARGO P. JONES, NCARB, AIA

Candidate for SECRETARY
NCARB

Margo Jones, Architects
308 Main Street
Greenfield, MA 01301
413-773-5551
mj@margojones.com

Education

M.I.T. School of Architecture--Master of Architecture, 1976

University of Chicago--Bachelor of Arts, Art History, 1971

Practice

Margo Jones Architects, Inc., Greenfield, MA, President (1984–present)
7 person firm founded in 1984, specializing in educational facilities, historic preservation, and cultural institutions.

Registration

Massachusetts, Vermont, New Hampshire, Connecticut
NCARB Certification 1980

Member Board Service

Massachusetts Board of Registration of Architects	*Secretary*	2008	-	2012
Massachusetts Board of Registration of Architects	*Member*	2005	-	2008

NCARB Service

Committee on Intern Development Program	*Member*	2006	-	2009
EPC/Core Competency Linking Study TF	*Member*	2007	-	2008
NAAB Visiting Team, Morgan State University, Baltimore, MD	*Member*			2011
EPC 2.0/IDP Core Competency Linking Study Task Force	*Member*	2008	-	2009
Board of Directors, Region 1	*Director*	2009	-	2012
IDP Supplemental Experience Task Force	*Member*	2009	-	2010
ARE Subcommittee	*OD Liaison*	2010	-	2011
Continuing Education Committee	*BOD Liaison*	2011	-	2012
Governance Task Force	*Member*	2011	-	2012
Audit Committee	*Member*	2011	-	2012
Long Range Strategic Initiative of “Agility.”	*Board leader*			2012

Professional Service

Board of Trustees, The Bement School	*Vice President*	2004	-	2012
Council, Pocumtuck Valley Memorial Association	*Secretary*	2003	-	2012
Western Massachusetts AIA,	*President*	1994	-	1996
Western Massachusetts AIA	*Member*	1984	-	2012
Board of Directors, Greenfield Community YMCA	*President*	1992	-	2000
Board of Directors, Greenfield Community YMCA	*Trustee*	1995	-	2010
Massachusetts Historical Commission	*Commissioner*	1991	-	1996
Board of Directors, Arts Council of Franklin County	*President*	1986	-	1989
Board of Directors, Greenfield Community College Foundation	*Past Member*	1982	-	1986

Awards:

Three winning school projects, Massachusetts School Building Authority's "School Building Design Awards," 2006. Recognized were Williamstown Elementary School, Crocker Farm School, and New Hingham School.

Honor Award for Sanderson Academy, Western Massachusetts AIA Design Awards Jury, 1998.

Best Accessible Design Award for The Montague Book Mill, Architectural Access Board and Boston Society of Architects, 1994.

Preservation Award for Newton Street School Addition & Renovation, Massachusetts Historical Commission, 1993.

"Fellow", American Association of University Women, Tuition and Stipend, 1976 - 1979.

Alpha Rho Chi Award for Service, M.I.T. Architecture Class of 1976.

Finalist, Rotch Travelling Scholarship, 1980.

FW ARCHITECTS, INC. AIA

ARCHITECTURE ■ PLANNING ■ INTERIORS

February 8, 2012

To: Officers,
Member Board Members,
Member Board Executives,

Re: Candidacy for NCARB Treasurer

Dear friends,

For the past year it has been my honor to serve as Secretary of the NCARB Board of Directors. I thank you for the opportunity to represent each of you and insure that the interests of all of our members have been heard and understood by the Board.

As I begin the second half of my term as Secretary I am proud of our accomplishments to date but realize that this is just the beginning of a process that will continue to refine and define NCARB for years to come. As Secretary I have heard the concerns voiced by many that Board minutes were sometimes long in arriving yet short in content. To that point we have developed a new, more informative minutes format to keep you apprised of the workings of the Board while giving you the information tools necessary to understand the depth of board discussions. Also, we have implemented a new Board policy creating deadlines to achieve a more timely minutes distribution process.

This is truly an exciting time to be a part of NCARB. After much long and hard work by many, the Practice Analysis Survey is ready to be distributed; the results of which will dictate the direction of our education, internship, and examination programs for years to come. Our new CEO has hit the ground running and relationships with our collaterals continue to grow stronger. NCARB is more responsive than ever to our member needs as we begin to realize the benefits of having developed new technologies for our data collection and distribution. We have a consensus regarding Continuing Education and how it should be evaluated. We are on the verge of completing development of the new ARE software, and ARE 4.0 and IDP 2.0 are proving a success. As a direct result of these accomplishments and successes the BOD can devote more time to developing Long Range Strategic Initiatives.

Yet, I feel that my work for the Council and for you is not complete. **Therefore, after careful thought and consideration, it is with great excitement that I announce my candidacy for Treasurer of NCARB.**

I hope that I can count on your support as I seek this office. **It is only with your support and guidance that I will have the honor to continue to represent you and serve the Council.**

With kindest personal regards,

Dennis S. Ward, AIA, NCARB
NCARB Secretary

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E-MAIL: FWA@FW-ARCHITECTS.COM

DENNIS S. WARD, NCARB, AIA

Education

Master of Architecture 1981
Clemson University
Charles E. Daniel Center for Design
Genoa, Italy 1980
Bachelor of Science in Design 1979
Cum laude
Clemson University

Practice

F W Architects, Inc. – Florence, SC
President (1982 – Present)

REGISTRATION

South Carolina, North Carolina
NCARB Certificate

MEMBER BOARD SERVICE

South Carolina State Board of Architectural Examiners		2001-2011
	Vice-Chair	2003
	Chair	2004-2006, 2009

NCARB (National Council of Architectural Registration Boards) SERVICE

NCARB – Board of Directors	National Secretary	2011-Present
NCARB – Board of Directors	Region 3 Director	2009-2011
NCARB ExCom Committee		2011-Present
NCARB Audit Committee		2011-Present
NCARB By-Laws Task Force	Chair	2011-Present
NCARB Procedures and Documents Committee	Board Liaison	2011-Present
SCNCARB - Region 3	Region Director	2009-2011
SCNCARB - Region 3	Vice-Chair	2007-2008
SCNCARB - Region 3	Secretary	2006
SCNCARB – Joint Region Meeting - Savannah	Program Chair	2009

NAAB/NCARB - School of Architecture Accreditation Team
2003-Present

- **Texas A&M –** Prairie View (2006 Visiting Team)
- **Yale University** (2007 Visiting Team)
- **University of South Florida -** (2008 Focused Evaluation)
- **University of Kentucky –** (2010 Focused Evaluation)
- **Rochester Institute of Technology –** (2011 Visiting Team)
- **North Dakota State University –** (2012 Visiting Team - Chair)

NCARB ARE Subcommittee - CD&S	Member	2002
NCARB ARE Subcommittee - CD&S	Coordinator	2003-2004
NCARB ARE Subcommittee	Assistant Chair	2005-2006
NCARB ARE Subcommittee	Chair	2006-2008
NCARB Committee on Examination		2005–2008
NCARB ARE Technology Committee	Chair	2005–2007
NCARB IDPAC	Chair	2009-2011
NCARB Committee on Intern Development	Board Liaison	2009–2011
NCARB IDP Educators Conference		2010
NCARB ARE Cut Score Committee		2008
NCARB ARE Spec. Conversion Task Force		2007
NCARB ARE Item Writing Workshops		2006-2008
NCARB ARE Outreach – Univ. Chicago Illinois		2008
NCARB IDP Outreach – Clemson University		2009
NCARB IDP Outreach – Chicago AIA		2010
NCARB IDP Outreach – Colegio de Arquitectos de Puerto Rico		2010
NCARB IDP Outreach – Austin AIA		2011

PROFESSIONAL SERVICE

AIA South Carolina	Member	1986 – Present
AIA South Carolina	Board of Directors	1999
AIA South Carolina - Florence Chapter	Member	1996 - 2001
	President	1998
AIA South Carolina – Grand Strand Chapter	Member	2002 - Present
South Carolina Office of School Facilities Advisory Committee		2003– Present
Clemson University College of Architecture, Arts, & Humanities		
Chair Search Committee – 2006		
Chair Search Advisor - 2010		
Construction Specifications Institute (CSI) – Grand Strand	Member	1993– Present
International Codes Council (ICC)	Member	1998– Present
Tau Sigma Delta, Architectural Honor Society – Clemson University		
Brick Association of the Carolinas Board	Board Member	1989-1991

COMMUNITY

Dawsey United Methodist Church
Florence Lions Club – Past Board of Directors
First Reliance Bank – Board of Advisors
Pee Dee Speech and Hearing Board – Past Chairman
Florence Symphony Guild
Florence Museum Association
Florence Downtown Development Association
McLeod Regional Medical Center - Fundraising Board
Florence Symphony Orchestra – Past Orchestral Member
Florence Little Theater Orchestra – Past Orchestral Member
Mu Beta Psi - Music Honor Society
Sigma Chi Fraternity

Gregory L. Erny NCARB, AIA
Candidate for Director
Western Conference of
Architectural Registration Boards

February 16, 2012

To: My Fellow Board Chairs, Board Members, and Member Board Executives of the Western Council of Architectural Registration Boards

Re: Candidacy to Serve You As Director of WCARB

It is with both great humility and continued enthusiasm that I ask for your support for another opportunity to serve you as the Director for Region 6 on the National Council of Architectural Registration Boards.

Many of you may recall that I have previously served you as your Region 6 Director from 2008 through 2010. After an unsuccessful run for NCARB Secretary in 2010, I have continued to stay actively involved with the regulation of our profession by again serving as the Chair of my state board and continuing my committee participation with NCARB. It was during the last year while serving on the Procedures and Documents Committee that I realized I still have a strong passion for the work of our Council, and that my work remains unfinished. I have much more energy to give on behalf of Region 6 and hope you will again support my candidacy for Director.

While having the previous honor to serve as your Director, I was enthusiastically involved with development of the strategic plan that was finalized by the Member Boards and is being implemented by the current Board of Directors. I was an advocate for more comprehensive and timely response to Member Boards and certificate holders. I was also a vocal proponent for a more transparent and responsive dialogue between the Member Boards and the Board of NCARB. I will continue to support the continued improvement of these policies and practices, and will diligently pursue the current work of the Council that includes the implementation and integration of the upcoming Practice Analysis into education, internship and examination, the evolution of Council's role in Continuing Education, and the always important and ever ongoing development of the ARE and IDP.

Enclosed is a brief bio and resume outlining my service and experience with NCARB and WCARB, along with my additional past and present professional and community involvements. I look forward to the opportunity to hear about both your professional and regulatory concerns at the upcoming joint meeting with Region 3 in Seattle. Additionally, I hope you will not hesitate to contact me if you have any thoughts or questions regarding my candidacy.

Thank you for your consideration of my request to serve you as your Director from the Western Council of Architectural Registration Boards.

Respectfully,

Gregory L. Erny NCARB, AIA
Candidate for Director - WCARB

Gregory L. Erny NCARB, AIA

Candidate for Director
Western Conference of
Architectural Registration Boards

35 Martin Street
Reno, Nevada 89509
775-329-8001
ernygregory@gmail.com

Greg Erny has been a practicing architect for over thirty years. Greg is the president of Architects + LLC, the firm he established in Reno, Nevada in 1983. He is an NCARB certificate holder and currently registered in Nevada and California. Greg earned both his Bachelor of Architecture and Bachelor of Science in Environmental Design from Ball State University in 1977.

Greg's involvement in the regulation of the profession of architecture began in 1996. After serving on the Board of Directors and as President of both AIA Northern Nevada and AIA Nevada, Greg was appointed to the Nevada State Board of Architecture, Interior Design, and Residential Design. He is the current Chairman, and has previously served as Chairman from 2000 to 2003 and as Secretary/Treasurer from 2004 to 2006. In addition to serving as Chairman, he also currently serves as chairman of a number of its standing committees.

After a few years on the Nevada State Board of Architecture, Interior Design, and Residential Design, Greg further volunteered his service and initiated his involvement in the committees of NCARB. He has been particularly involved in the development of the ARE through his service on the ARE Grading Committee, Test Specifications Task Force, Alternative Item Writing Task Force, and ARE Pre-Design Committees. His other NCARB committee experience includes the Professional Development Committee, Professional Conduct Committee, and his current involvement on the Procedures and Documents Committee.

Greg has previously served as the Director of Region 6 representing our 12 western states and territories of the Western Council of Architectural Registration Boards (WCARB) on the Board of Directors of NCARB. He has also served three terms as Chairman of WCARB in addition to six years as a member of the WCARB Executive Committee.

Greg continues his involvement in both AIA Nevada and AIA Northern Nevada where he serves on the AIA Nevada State Government Affairs Committee and the AIA Northern Nevada Scholarship Committee.

He also remains very involved with the youth of his community through his ongoing participation with the Boy Scouts of America. In addition to his continued participation as an Assistant Scoutmaster for Troop 107, he also currently serves on the Board of Directors of the Nevada Area Council where he serves as the Vice President of Programs and a member of the Properties Committee. He is a recipient of both the Silver Beaver and the Bronze Pelican Awards. He is very proud that both of his sons have followed his footsteps as Eagle Scouts.

Gregory L. Erny NCARB, AIA

Candidate for Director
Western Conference of
Architectural Registration Boards

Professional Practice

Architects + LLC - President	1983 - Present

Registration

Nevada	1981 - Present
California	1990 - Present

Education

Ball State University	
Bachelor of Architecture	1977
Bachelor of Science - Environmental Design	1977

National Council of Architectural Registration Boards

Director of Region 6 - NCARB Board of Directors	2008 - 2010
Procedures and Documents Committee	2011 - 2012
Professional Conduct Committee (Board Liaison)	2009 - 2010
ARE Graphics Grading Committee (Board Liaison)	2008 - 2009
NAAB Accreditation Team	2008
ARE Graphics Grading Committee	2005 - 2008
Regional Chairs Committee	2005 - 2008
ARE Alternative Item Writing Task Force	2004
Chairman of Annual Meeting Credentials Committee	2003
Professional Development Program Committee	2001 - 2003
Test Specifications Task Force	2000 - 2001
ARE Pre-Design Committee	1998 - 2000

Western Council of Architectural Registration Boards - Region 6

Regional Chairman	2004 - 2006
Executive Committee Member	2000 - 2006

Nevada State Board of Architecture, Interior Design, and Residential Design

Chairman	2011 - Present
Secretary Treasurer	2000 - 2003
Chairman	2000 - 2003
Continuing Education Committee - Chairman	2008 - 2009
Broadly Experienced Interior Designer Committee	2007 - Present
Board Member	1996 - Present
Enforcement Advisory Committee	1995 - 1996

Gregory L. Erny NCARB, AIA

Candidate for Director
Western Conference of
Architectural Registration Boards

American Institute of Architects	
AIA Nevada President	1994
AIA Northern Nevada President	1992
AIA Northern Nevada Scholarship Committee	2000 - Present
AIA Nevada State Government Affairs Committee	1996 - Present
AIA Northern Nevada / AIA Nevada Member	1981 - Present
Instructor - University of Nevada, Reno	1980 - 1981
Instructor - Truckee Meadows Community College	1978 - 1991
City of Reno - Historic Resources Commission	
Chairman	2011 - Present
Commissioner	2007 - Present
Boy Scouts of America	
Vice President of Programs	2008 - Present
Nevada Area Council Board of Director	2006 - Present
Properties Committee	2007 - Present
District Chairman “Friends of Scouting”	2008
Eagle Scout Board of Review Committee	2006 - Present
Assistant Scoutmaster Troop 107	1997 - Present
Silver Beaver Recipient	2010
Bronze Pelican Award Recipient	2009
Brotherhood Member of the Order of the Arrow	2006
Reno National Little League	
Board of Directors	1996 - 2007
Treasurer	2004 - 2007
Manager and Coach	1996 - 2007
Reno West Babe Ruth	
Board of Directors	2006 - 2007
Manager and Coach	2006 - 2008
West Truckee Meadows Citizen Advisory Board	
Past Chairman & Board Member	1990 - 1995
Business Leadership Network Board of Directors	2006 - 2009
Catholic Diocese of Reno Building Committee	1999 - Present

Agenda Item I

UPDATE AND POSSIBLE ACTION REGARDING THE RELEASE OF CALIFORNIA SUPPLEMENTAL EXAMINATION RESULTS

At its December 2011 meeting, the Board voted to begin releasing California Supplemental Examination (CSE) results at test sites beginning June 1, 2012. Additionally, the Board voted to require that the Office of Professional Examination Services (OPES) develop a process for future item analysis that does not create an interruption or delay in the release of results to candidates.

Staff has met with OPES to discuss and address both of these items. Work is currently in progress to address the necessary changes and programming for the release of results at test sites, as directed. OPES has also been directed to address ongoing examination development objectives and to provide alternate methods for future item analysis that will ensure the timely release of results to candidates.

News regarding the release of results at test sites will be communicated to candidates via the Board's website and its email subscriber list service, standard and courtesy letters to candidates, and the CSE Handbook.

Agenda Item J

DISCUSS AND POSSIBLE ACTION ON BOARD AND NCARB EXAMINATION SECURITY/CONFIDENTIALITY POLICIES, INCLUDING BUSINESS AND PROFESSIONS CODE SECTION 123

The Board was asked by The American Institute of Architects, California Council (AIACC) to add this item to the meeting agenda in order to address concerns regarding the National Council of Architectural Registration Boards' (NCARB) and California Architects Board's (Board) security and confidentiality policies/requirements with regard to the Architect Registration Examination (ARE) and California Supplemental Examination (CSE).

The following statements were provided to convey AIACC's concerns:

- There is concern that the focus on overly broad security and confidentiality requirements for NCARB's ARE and the Board's CSE are hindering the mentoring efforts of the profession.

- Candidates concerned with sanctions for violating the confidentiality agreement that they are required to sign by the examination vendor are hesitant to share information with their mentor that could be useful in assisting them with their path to licensure.

- Is the focus on security hindering candidates from achieving licensure?

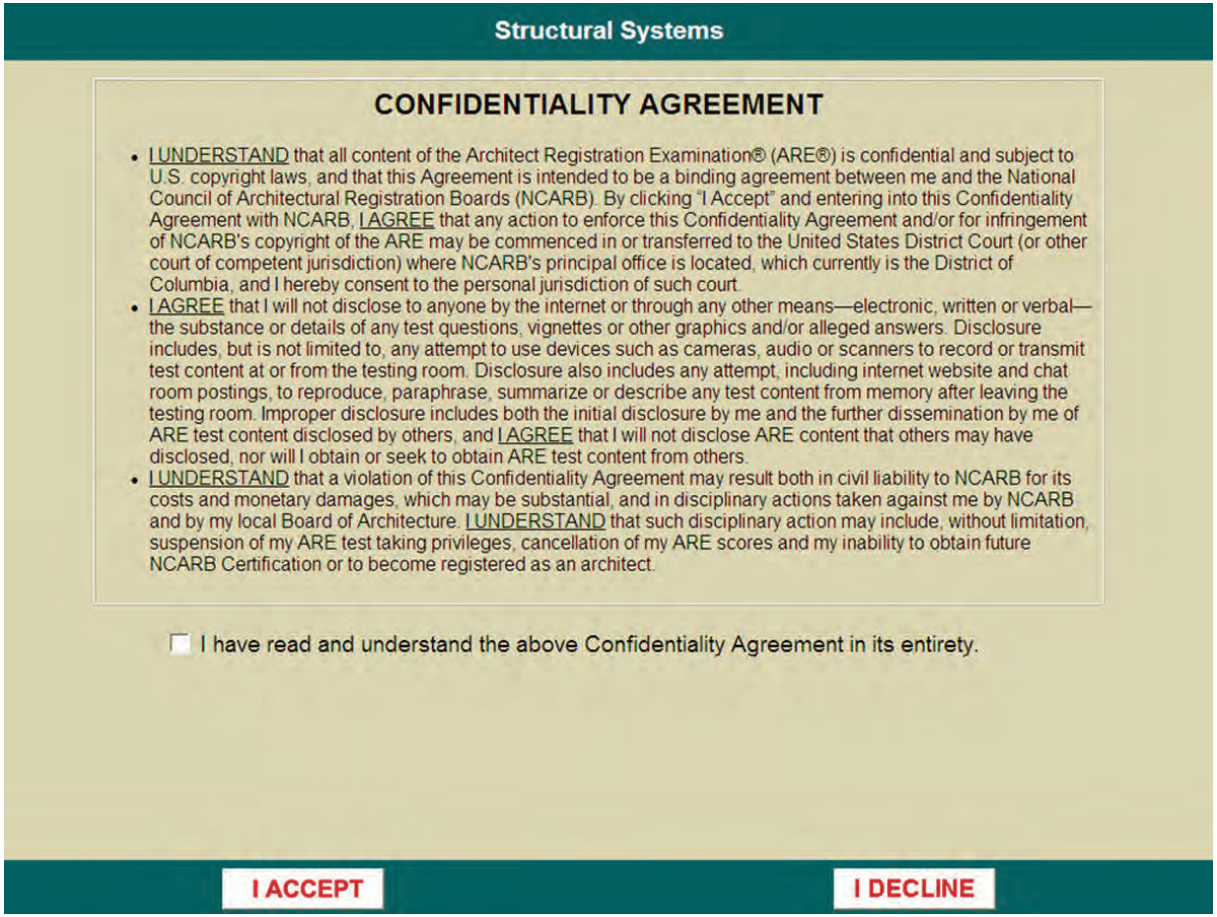
Attached for the Board's review is the applicable ARE and CSE security and confidentiality policy/requirement information.

<u>Attachments</u>
1. ARE Guidelines, July 2011 edition, page 4 – Exam Content Confidentiality
2. ARE Guidelines, July 2011 edition, page 18 – Examination Security
3. NCARB website information regarding exam security, confidentiality agreement, and other applicable policies and procedures
4. Board's Security of Examination Notice (includes General Provisions of the Business and Professions Code pertaining to examination security)
5. Department of Consumer Affairs/Office of Professional Examination Services' (OPES) Departmental Procedures Memorandum on Examination Security, DPM-OPES 10-01
6. OPES Examination Security, Informational Series No. 5
7. PSI & DCA Security Policy/Agreement

ARE® 4.0 Overview

What is the ARE?
Benefits of NCARB Certification
Key Organizations
Exam Content Confidentiality
Using the ARE 4.0 Study Aids
Units, Standards, and Terms
Rolling Clock and Maintaining Eligibility
Scheduled Appointment Times
Six Steps to Completing the ARE
Multiple-Choice Sections
Graphic Vignette Sections

EXAM CONTENT CONFIDENTIALITY



Structural Systems

CONFIDENTIALITY AGREEMENT

- I UNDERSTAND that all content of the Architect Registration Examination® (ARE®) is confidential and subject to U.S. copyright laws, and that this Agreement is intended to be a binding agreement between me and the National Council of Architectural Registration Boards (NCARB). By clicking "I Accept" and entering into this Confidentiality Agreement with NCARB, I AGREE that any action to enforce this Confidentiality Agreement and/or for infringement of NCARB's copyright of the ARE may be commenced in or transferred to the United States District Court (or other court of competent jurisdiction) where NCARB's principal office is located, which currently is the District of Columbia, and I hereby consent to the personal jurisdiction of such court.
- I AGREE that I will not disclose to anyone by the internet or through any other means—electronic, written or verbal—the substance or details of any test questions, vignettes or other graphics and/or alleged answers. Disclosure includes, but is not limited to, any attempt to use devices such as cameras, audio or scanners to record or transmit test content at or from the testing room. Disclosure also includes any attempt, including internet website and chat room postings, to reproduce, paraphrase, summarize or describe any test content from memory after leaving the testing room. Improper disclosure includes both the initial disclosure by me and the further dissemination by me of ARE test content disclosed by others, and I AGREE that I will not disclose ARE content that others may have disclosed, nor will I obtain or seek to obtain ARE test content from others.
- I UNDERSTAND that a violation of this Confidentiality Agreement may result both in civil liability to NCARB for its costs and monetary damages, which may be substantial, and in disciplinary actions taken against me by NCARB and by my local Board of Architecture. I UNDERSTAND that such disciplinary action may include, without limitation, suspension of my ARE test taking privileges, cancellation of my ARE scores and my inability to obtain future NCARB Certification or to become registered as an architect.

☐ I have read and understand the above Confidentiality Agreement in its entirety.

I ACCEPT I DECLINE

All NCARB tests are held in strict security and confidence. Before beginning your test, you will be required to accept a confidentiality statement, which prohibits any disclosure of exam content.

By taking divisions of the ARE, you are personally responsible for maintaining the confidentiality of all information relating to the exam. You may not discuss exam content in any manner with anyone, including but not limited to family, friends, other examinees, and test preparation providers. This agreement also covers Internet chat rooms, mailing list servers, websites, etc. Following completion of your exam, you will also be reminded of your acceptance of the confidentiality statement that you accepted prior to commencing the exam. **Any disclosure of ARE content is strictly prohibited and may result in severe disciplinary action, including the suspension of testing privileges, and/or the cancellation of scores.**

NCARB Board of Directors Policy Regarding Cheating

For further details and to review the Policy and Procedure for testing irregularities visit the NCARB website http://www.ncarb.org/ARE/Taking-the-ARE/Exam-Security/Policy-and-procedures-for-testing-irregularities

1. Verifying Your Information
2. Paying for the ARE
3. Scheduling an Appointment
4. Taking the ARE
5. Receiving Your Score
6. Retaking the ARE
ARE 4.0 Overview
Multiple-Choice Sections
Graphic Vignette Sections

Six Steps to Completing the ARE

STEP 4: TAKING THE ARE

Examination Security

To ensure the integrity of the ARE program, specific security measures are enforced during the administration of your examination.

All NCARB tests are held in strict security and confidence. **Before beginning your test, you will be required to accept a Confidentiality Agreement, which prohibits any disclosure of exam content.** (A copy of the Confidentiality Agreement can be found on **page 4**.)

No test material can be copied or removed from the test center.

You are required to sign the test center registration log each time you enter or leave the testing room. As of June 2011, Prometric requires all candidates to be scanned by a hand-held metal detector prior to each entry into the testing room, including returns from breaks. All candidates will be required to submit to the scans, with few exceptions. Candidates refusing to be scanned may not be permitted to test.

You will not be able to refer to notes, language translation dictionaries, or reference materials during the administration of your exam.

You will be observed at all times while taking the examination. This may include direct observation by test center staff, as well as audio and video recording of your examination session.

You are required to leave all personal belongings outside the testing room. Candidates will not be allowed to take anything into the testing room other than those items given to them by the test center administrator (such as pencils, scratch paper, earplugs), and their identification documents (e.g., driver's license, passport).

Prohibited items will not be allowed into the testing room. They include, but are NOT limited to, the following: weapons, pagers, **cellular telephones**, **personal digital assistants**, recording devices, photographic devices, digital watches, **calculators**, briefcases, laptop computers or computer bags, handbags/purses, wallets, books, outerwear (coats, hats, sweatshirts), food, beverages, personal contents in pockets, pens, and other writing implements not given to the candidate by the test center administrator.

Small lockers are provided for candidate use to secure purses, wallets, keys, cellular telephones, pagers, etc. Lockers will NOT accommodate briefcases, laptop computers, or large purses and bags. Do not bring large items (bags, textbooks, notebooks, etc.) to the testing center. Test center staff will not take responsibility for these items; you will be asked to remove large items from the testing center.

Waiting areas at the test center are for candidates only. Friends or relatives who accompany you to the test center will not be permitted to wait in the test center or contact you while you are taking the examination.

Tips

- Verify that the name printed on your *Authorization to Test* letter is accurate and matches the name printed on your identification. If your name is incorrect, immediately contact your Board of Architecture.
- When you arrive at the test center, you are required to present an approved form of identification.
- The name on the ID must match the name on the *Authorization to Test* letter.
- You will not be admitted to the examination without the proper form of ID, and there will be no refund of your test fee.

ARE 4.0 Divisions

At the Test Center
ARE Exam Fees
EXAM SECURITY

Ready to Take the ARE?
Receiving Your Score
ARE ROLLING CLOCK

Scheduled Appointment Times
Whom Should I Contact If...

EXAM SECURITY

All NCARB tests are held in strict security and confidence and are protected by U.S. copyright laws. Before beginning your test, you will be required to accept NCARB's Confidentiality Agreement, which prohibits any disclosure of exam content.

All candidates will be scanned by a hand-held metal detector prior to each entry into the testing room, including returns from breaks. All candidates will be required to submit to the scans, with few exceptions. Candidates refusing to be scanned may not be permitted to test.

You are not allowed to:

- Copy or remove test materials from the test center.
- Refer to notes, language translation dictionaries, or reference materials during the administration of your exam.
- Bring cell phones, personal digital assistants (PDAs), calculators, weapons, pagers, recording devices, photographic devices, digital watches, briefcases, laptops, purses, wallets, books, outerwear (coats, hats, sweatshirts), food, beverages, and personal contents in pockets into the test center.

Small lockers are provided for candidates use to secure purses, wallets, keys, cell phones, etc. Lockers will not accommodate large items such as laptops, briefcases, etc.

For more information on exam security see the links below and the ***ARE 4.0 Guidelines***.

Confidentiality Agreement

NCARB Board of Directors Policy Regarding Cheating and Disclosure

NCARB Board of Directors Policy and Procedures for Test Irregularities

December 2008 Message to ARE Candidates from Director, ARE Erica Brown

RELATED CONTENT

NCARB Looks at Exam Security
A quiet phenomenon has begun to take shape in computer-based test centers and Internet chat rooms across the United States: A small but growing number of candidates are willfully attempting to circumvent established guidelines surrounding exam security by disseminating test content. Candidates for the Architect Registration Examination (ARE) are no exception.
[more]

Defining Your Moral Compass
For interns approaching the threshold of their career as a licensed architect, staying true to their moral compass is critical to the health, safety, and welfare of the public they serve.
[more]

NCARB BOD Takes Action Against ARE Confidentiality Agreement Violators
Recently, eight ARE candidates had their testing privileges suspended and scores cancelled for posting exam content and/or questions on the internet.
[more]

NCARB Announces ARE Security and Development Fee
NCARB will increase the fees for the Architect Registration Examination® (ARE®) by $40 per division effective 1 October 2009. The increase is due to recent incidents of exam content disclosure by ARE candidates.
[more]

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Exam Security

NCARB Board of Directors
Policy Regarding Cheating and Disclosure
Policy and Procedures for Testing Irregularities
NCARB Confidentiality Agreement
A Message from NCARB to all ARE Candidates

NCARB CONFIDENTIALITY AGREEMENT

You are personally responsible for maintaining the confidentiality of all information relating to the exam. You may not discuss exam content in any manner with anyone, including but not limited to family, friends, other examinees, and test preparation providers. This agreement also covers internet chat rooms, mailing list servers, web sites, etc.

Following completion of your exam, you will also be reminded of your acceptance of the confidentiality statement that you accepted prior to commencing the exam. Any disclosure of ARE content is strictly prohibited and may result in severe disciplinary action, including the suspension of testing privileges, and/or the cancellation of scores.

Candidates found to have violated the Confidentiality Agreement are referred to NCARB's Committee on Professional Conduct. The Committee reviews each case and then recommends a disciplinary action. The cases are then forwarded to the NCARB Board of Directors for review and final disciplinary action. All disciplinary actions taken by the Board of Directors are final and become a part of each individuals permanent NCARB Record. Individual candidates may also be subject to additional disciplinary measures from their state board.

When exam content is disclosed, NCARB works with our test consultant, Prometric, to determine the impact on the exam. If NCARB finds that it is necessary to remove (or turn off) content, the ability to continuously deliver the ARE is seriously jeopardized. There are also significant financial ramifications that will be passed on to all candidates because of the need to replace the exposed content and retain attorneys to defend the exam's copyright and integrity.

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Exam Security

NCARB Board of Directors Policy Regarding Cheating and Disclosure
Policy and Procedures for Testing Irregularities
NCARB Confidentiality Agreement
A Message from NCARB to all ARE Candidates

NCARB BOARD OF DIRECTORS POLICY REGARDING CHEATING AND DISCLOSURE

NCARB staff and legal counsel are authorized to investigate alleged cheating and attempts to disclose the substance of ARE questions and to take appropriate action. Such action may include holding scores and suspension of future ARE testing privileges pending resolution of the matter and, with the approval of the president, commencing legal action against any person threatening the integrity of the ARE.

Further action may include referral of the matter to the Council's Committee on Professional Conduct for its recommendation to the Board of Directors. Such recommendations may include the cancellation of ARE scores and the suspension of future ARE testing for up to three years from NCARB's discovery of the incident, or such longer period as may be warranted in exceptional circumstances; and in appropriate circumstances seeking recovery of costs and civil damages in a court of law.

The Member Board making the individual eligible for the ARE shall be informed of NCARB's action and that such action shall be retained in records maintained by NCARB.

RELATED CONTENT

ARE Guidelines
Updated July 2011! The ARE 4.0 Guidelines is essential reading for anyone preparing for or taking the Architect Registration Examination® (ARE®).
[more]

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Exam Security

NCARB Board of Directors Policy Regarding Cheating and Disclosure
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POLICY AND PROCEDURES FOR TESTING IRREGULARITIES

Per Board of Directors – April 2009

The following policy has been established by NCARB's Board of Directors to provide procedures in the event of Architect Registration Examination® testing irregularities. The Board anticipates that these procedures will be applicable to most of the irregularities described. Nevertheless, the Board reserves the right in particular instances to impose any sanction it believes appropriate for testing irregularities, either more or less than those noted below. Action taken by the NCARB Board of Directors is final. In addition, if the individual subsequently seeks NCARB Certification, the matter will be considered in deciding whether or not to grant NCARB Certification.

The ARE® is copyrighted and at the time each candidate takes the ARE, he or she also enters into a confidentiality agreement pledging, among other things, not to disclose any ARE questions or their content. Disclosure of test questions or content is cheating as well as a violation of NCARB's copyright and the confidentiality agreement. In addition to the sanctions described below, where warranted NCARB will pursue all legal remedies available to recover monetary damages caused by such conduct and to enjoin violations of its rights with respect to the ARE.

Upon discovery of any testing irregularity in any category below, the NCARB staff shall have the authority to place a 'hold' on pending scores and all open exam authorizations to test and cancel any scheduled exam(s) pending further investigation, review by the Professional Conduct Committee, and action by NCARB's Board of Directors (if applicable). In the event that no action is taken or only a warning letter is issued, NCARB will reopen any closed authorizations to test and assist the candidate in rescheduling the canceled exam(s) at no additional cost to the candidate.

If any action results in the dissemination of ARE content, the action will be classified under category four below.

Procedures for Testing Irregularities

Category 1

Unauthorized Access to Devices or Materials Outside Testing Room – Electronic devices and written materials may not be accessed at any time during the examination appointment, except for persons testing under approved special accommodations conditions. Any other personal items (not including electronic devices and written materials) placed in lockers or other storage areas outside the testing room may be accessed by candidates ONLY during a scheduled break. A report will be filed identifying any candidate observed accessing unauthorized electronic devices or written materials during any scheduled or unscheduled break.

The consequences may be any or all of the following:

- Issue warning letter to candidate.
- Cancellation of score for the division.
- Suspension of test taking authorization for all divisions for up to 1 year from date of test administration.

Notification of action taken will be forwarded to the candidate and the candidate's board.

Category 2

Presence of Unauthorized Devices or Materials in Testing Room – No electronic or other devices whatsoever (whether in the "on" or "off" position) and no written materials of any kind are permitted in the testing room, except for persons testing under approved special accommodations conditions. Prohibited devices include, but are not limited to, calculators, cell phones, pagers, personal digital assistants, text messaging devices, audio or video recording devices, scanners, language translators, and other devices. Prohibited written materials include, but are not limited to, any notes, books or written material whatsoever, whether or not related to the ARE. *No devices or written materials should be taken into the testing room, even if they are not used or referred to. If they are observed being used or referred to in the testing room, then such conduct is a more serious matter that is addressed under Category 3*.

The consequences may be any or all of the following:

- Confiscation of unauthorized devices or materials by Test Center Administrator.
- Issue warning letter to candidate.
- Cancellation of score for the division.
- Suspension of test authorization for all divisions for up to **1 year** from date of test administration.

Notification of action taken will be forwarded to the candidate and the candidate's board.

Category 3

Use of Unauthorized Devices or Materials in Testing Room – The use of or reference to any device or any written materials in the testing room is strictly prohibited (other than as authorized for persons testing under approved special accommodations conditions) and will conclusively be presumed to be for purposes of assistance on the ARE.

The consequences may be any or all of the following:

- Confiscation of unauthorized devices or materials by Test Center Administrator.
- Immediate dismissal from the test center.
- Issue warning letter to candidate.
- Cancellation of score for the division.
- Suspension of test taking authorization for all divisions for up to **5 years** from date of test administration, or **such longer period as may be warranted in exceptional circumstances**.
- Prohibit granting of an NCARB Certificate for up to 3 years from date of initial registration, or **such longer period as may be warranted in exceptional circumstances**.

Notification of action taken will be forwarded to the candidate and the candidate's board.

Category 4

Dissemination of ARE Content – Disclosure to anyone by the internet or through any other means—electronic, written or verbal--of the substance or details of any test questions, vignettes or other graphics and/or alleged answers is strictly prohibited. Disclosure includes, but is not limited to, any attempt to use devices such as cameras, audio, or scanning devices to record or transmit test content at or from the testing room. Disclosure also includes any attempt, including internet web site and chat room postings, to reproduce, paraphrase, summarize, or describe any test content from memory after leaving the testing room, whether by means of a recitation or description of the content or details of any test question, the depiction or description of vignettes or other graphic representations of test questions, the description or depiction of alleged answers to written or graphic questions, or other means. Improper disclosure includes both the initial disclosure by a test taker and the further dissemination of ARE content by others. *Simply put: whatever is seen on the ARE should not be repeated, paraphrased, summarized, or described in any manner whatsoever*.

These prohibitions on disclosure also apply to forwarding, re-posting, or other disclosure of ARE content that others have disclosed. *Simply put: if someone else purports to disclose what he or she saw on the ARE, no one else should forward, re-post, or otherwise disclose that information*.

The consequences may be any or all of the following:

- Confiscation of unauthorized devices or materials by Test Center Administrator.
- Immediate dismissal from the test center.
- Issue warning letter to candidate.
- Cancellation of score(s) for the division(s) disseminated and any subsequent division(s) taken prior to the end of any period of test authorization suspension.
- Suspension of test taking authorization for all divisions for up to **5 years** from date of discovery of dissemination or 30-day response letter, or **such longer period as may be warranted in exceptional circumstances**.
- Prohibit granting of an NCARB Certificate for up to **3 years** from date of initial registration, or **such longer period as may be warranted in exceptional circumstances**.

Notification of action taken will be forwarded to the candidate and the candidate's board.

Category 5

Seeking ARE Content – A candidate or anyone else who willfully obtains or seeks to obtain ARE test content disclosed by others is also subject to sanctions. Simply put: candidates should not seek an unfair advantage by seeking or obtaining ARE test content in preparing for their examination or in an attempt to assist other candidates.

The consequences may be any or all of the following:

- Issue warning letter.
- Cancellation of score(s) for the division(s) disseminated and any subsequent division(s) taken prior to the end of any period of test authorization suspension.
- Suspension of test authorization for all divisions for up to **5 years** from date of discovery of dissemination or 30-day response letter, or **such longer period as may be**

warranted in exceptional circumstances.

- Prohibit granting of an NCARB Certificate for up to 3 years from date of initial registration, or **such longer period as may be warranted in exceptional circumstances**.

Notification of action taken will be forwarded to the candidate and the candidate's board.

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Exam Security

NCARB Board of Directors
Policy Regarding Cheating and Disclosure
Policy and Procedures for Testing Irregularities
NCARB Confidentiality Agreement
A Message from NCARB to all ARE Candidates

A MESSAGE FROM NCARB TO ALL ARE CANDIDATES

NCARB's mission is to protect the health, safety, and welfare of the public by assuring that those licensed as architects meet the qualifications to practice independently. The ARE is one tool we utilize to serve our mission.

All NCARB exams are created under strict security and held in confidence. All exam questions and vignettes are also registered under the U.S. Copyright Act. Before beginning any test, you are required to accept a "Confidentiality Agreement," which prohibits any disclosure of exam content.

As you may have heard, several candidates have recently been contacted regarding ARE Forum posts that have crossed the line from "helping" to divulging content from the exam. Some candidates have received a warning letter from me. Others are being referred to the NCARB Committee on Professional Conduct (PCC). This Committee will review each incident and make a disciplinary recommendation to the NCARB Board of Directors. Depending on the severity of the disclosure, these candidates may have their exam score canceled and/or all of their eligibilities suspended for six months to three years or more. In addition, the disciplinary action is reported to the candidate's registration board. In the past three years, there have been eight cases heard by the PCC related to examination discipline. The candidates affected have had testing privileges suspended and scores canceled for dissemination of exam content. **At the next PCC meeting, there will be eight cases being reviewed related to candidates posting inappropriate content on the ARE Forum.**

For the first time in ARE history, we have felt it necessary to "turn off" some of the content that has been disclosed on this web site. The amount of information exposed was so severe that we no longer feel confident that a candidate who receives these questions or vignettes is being accurately evaluated for competency. Where the exposure is substantial, NCARB is now forced to expend significant sums replacing examination questions that can no longer be used because of this exposure; **we can and will exercise all of our legal rights to recover our damages from those who exposed the content.** In addition to violations of their "Confidentiality Agreement," individuals would also be charged with civil violations of the U.S. Copyright Act.

I am sure you are thinking, "Why do I care about this? I just want to get my exams done." Well, here are **four reasons why you should care**:

- The ARE depends on a pool of items from which we create every exam. This pool is limited. Every time we have to remove an item from the pool, it reduces our ability to protect the integrity of the exam. If enough content is divulged by candidates, **we will be forced to stop delivering an entire division for a significant period of time to protect the content and this could, under certain circumstances, delay everyone's ability to complete the ARE.**
- Many candidates have asked why we have a six-month wait to retake a failed division. A waiting period protects the pool of items as you are never allowed to see the same version of a division if you retest. Thanks to your fellow candidates who did not abide by the " "Confidentiality Agreement," we have now been forced to turn content off. If divulging content continues, **we will be forced to lengthen the re-take waiting period.**
- The development and operational costs to deliver the ARE in computer based format are significantly higher than the income we receive from candidates who are testing. A large portion of the development and operational costs of the ARE is actually subsidized by NCARB Record holders. If we need to replace compromised content, **NCARB will consider passing this expense on to our candidate population.**
- The ARE is, likely, the last component needed for you to receive your license to practice. NCARB is not here to keep people out of the profession. However, it is our responsibility to accurately assess the competence of all who attempt to become licensed. If a person passes the ARE due to studying actual exam content on a web site, and not because they are truly competent, we are not providing our mandated responsibility to the public and a needed service to the profession.

ARE candidates utilize various tools to prepare for the examination. The ARE Forum is one of many. It is only human to want to help your fellow interns through the process. Next time you sit down to write a review of your most recent exam division, please remember that there is a fine line between "helping" and "cheating."

"Helping" means:

- Sharing what study guides you used;
- Discussing concepts highlighted in study material;
- Reviewing graphic solutions to the NCARB Practice Program and noting obvious errors;
- Supporting each other and celebrating each other's success.

"Cheating" means, quite simply, discussing with others anything that you saw on your exam. This includes:

- Identifying terms or concepts contained in exam questions;
- Sharing answers to questions you had on your exam;

RELATED CONTENT

NCARB BOD Takes Action Against ARE Confidentiality Agreement Violators
Recently, eight ARE candidates had their testing privileges suspended and scores cancelled for posting exam content and/or questions on the internet.
[more]

NCARB Announces ARE Security and Development Fee
NCARB will increase the fees for the Architect Registration Examination® (ARE®) by $40 per division effective 1 October 2009. The increase is due to recent incidents of exam content disclosure by ARE candidates.
[more]

NCARB Member Boards Approve Four Resolutions at Annual Meeting
All 54 of the NCARB's Member Boards were present in Chicago, IL, for the Council's 90th Annual Meeting and Conference. Attendees heard updates on the Architect Registration Examination® (ARE®) content disclosure issues, changes to the Intern Development Program (IDP), and plans for the new NCARB web site.
[more]

- Referring others to “check out” information you saw on your exam;
- Identifying program elements including building names, building heights, setbacks, parking requirements, etc… and code requirements from your graphic vignettes;
- Asking others to repost content that has been removed from the ARE Forum, or any other web site.

Doing any of the above risks having your exam score(s) canceled, eligibilities suspended and significantly (if not permanently) delaying your architectural registration. **It also could expose you to legal action.** In short, if you follow the guidelines above, you will not hear from me in the future. If you do not abide by the rules set forth in the “Confidentiality Agreement,” you will be hearing from me.

If you have any doubts about what you are posting, don’t post it. If you have any questions about what is acceptable to post, please contact us at **are@ncarb.org**.

Sincerely,
Erica Brown, AIA
Director, Architect Registration Examination
National Council of Architectural Registration Boards

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© National Council of Architectural Registration Boards | 1801 K Street, NW | Suite 700K | Washington, DC 20006 | P: 202/783-6500 | F: 202/783-0290

CALIFORNIA ARCHITECTS BOARD
PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION
2420 Del Paso Road, Suite 105, Sacramento, CA 95834 www.cab.ca.gov
Main (916) 574-7220 Fax (916) 575-7283 cab@dca.ca.gov

Edmund G. Brown Jr.
GOVERNOR

Security of Examination (Confidentiality)

California law authorizes State agencies to maintain the security of their licensing examinations. Section 123 of the Business and Professions Code makes it a misdemeanor for any person to subvert or attempt to subvert any licensing examination or the administration of an examination. A person found guilty of these actions is liable for the actual damages sustained by the agency administering the examination, not to exceed $10,000 and the costs of litigation. Section 123.5 provides that the superior court may issue an injunction restraining such activity, and Section 496 provides that the Board may deny, suspend, revoke or otherwise restrict the license of an applicant or a licensee who has violated this section. The complete provisions of Sections 123, 123.5, and 496 are on the reverse side of this form.

A violation of Section 123 may disqualify the candidate, and the California Architects Board may initiate appropriate administrative action to deny issuance of a license. If you have any questions regarding these or any other provisions of law regarding architectural practice, please contact the Board at 2420 Del Paso Road, Suite 105, Sacramento, CA 95834, (916) 574-7220.

The following sections of the Business and Professions Code were enacted to ensure that state agencies can maintain the security of their exams.

§ 123. Subversion of Licensing Examinations - Misdemeanor

It is a misdemeanor for any person to engage in any conduct which subverts or attempts to subvert any licensing examination or the administration of an examination, including, but not limited to:

(a) Conduct which violates the security of the examination materials; removing from the examination room any examination materials without authorization; the unauthorized reproduction by any means of any portion of the actual licensing examination; aiding by any means the unauthorized reproduction of any portion of the actual licensing examination; paying or using professional or paid examination-takers for the purpose of reconstructing any portion of the licensing examination; obtaining examination questions or other examination material, except by specific authorization either before, during, or after an examination; or using or purporting to use any examination questions or materials which were improperly removed or taken from any examination for the purpose of instructing or preparing any applicant for examination; or selling, distributing, buying, receiving, or having unauthorized possession of any portion of a future, current, or previously administered licensing examination.

(b) Communicating with any other examinee during the administration of a licensing examination; copying answers from another examinee or permitting one's answers to be copied by another examinee; having in one's possession during the administration of the licensing examination any books, equipment, notes, written or printed materials, or data of any kind, other than the examination materials distributed, or otherwise authorized to be in one's possession during the examination; or impersonating any examinee or having an impersonator take the licensing examination on one's behalf.

Nothing in this section shall preclude prosecution under the authority provided for in any other provision of law.

In addition to any other penalties, a person found guilty of violating this section, shall be liable for the actual damages sustained by the agency administering the examination not to exceed ten thousand dollars ($10,000) and the costs of litigation.

(c) If any provision of this section or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the section that can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

§ 123.5 Engagement in Practices Constituting a Violation Under § 123; Injunction or Restraining Order

Whenever any person has engaged, or is about to engage, in any acts or practices which constitute, or will constitute, a violation of Section 123, the superior court in and for the county wherein the acts or practices take place, or are about to take place, may issue an injunction, or other appropriate order, restraining such conduct on application of a board, the Attorney General or the district attorney of the county.

The proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure.

The remedy provided for by this section shall be in addition to, and not a limitation on, the authority provided for in any other provision of law.

§ 496. Denial, Suspension; or Violation of § 123; Revocation of License

A board may deny, suspend, revoke, or otherwise restrict a license on the ground that an applicant or licensee has violated Section 123 pertaining to subversion of licensing examinations.

STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

STATE AND CONSUMER SERVICES AGENCY • ARNOLD SCHWARZENEGGER, GOVERNOR

DEPARTMENTAL PROCEDURES MEMORANDUM

DISCIPLINE	Office of Professional Examination Services
SUBJECT	Examination Security
NUMBER	DPM-OPES 10-01
SUPERCEDES	NEW
ISSUE DATE	April 8, 2010

PURPOSE

This Departmental Procedures Memorandum (DPM) establishes standards and provides guidance for the security of licensing examination programs.

APPLICABILITY

This memorandum applies to all employees, governmental officials, consultants, and temporary staff of the Department of Consumer Affairs (DCA), and any of its divisions, bureaus, boards, programs, and other constituent agencies.

AUTHORITY

Business and Professions (B&P) Code sections 123, 123.5, and 496
Penal Code section 496c

BACKGROUND

It is the policy of DCA that all DCA information shall be protected from unauthorized access, use, modification, disclosure, or destruction. The Office of Professional Examination Services (OPES) recognizes that the security of licensing examinations is critical to the mission of DCA in serving the interests of California consumers. Based on the B&P Code provisions listed above in "Authority," this DPM provides standards and guidelines specific to the development and maintenance of a comprehensive examination security plan.

PROCEDURES

Roles and Responsibilities
Anyone accessing examination material is responsible for protecting that information according to his or her role(s):

- The information **owner** is the designated program executive or manager responsible for making classification and control decisions regarding the examination (e.g. boards, bureaus, DCA employees, etc.)
- The **custodian** is any person or organizational unit acting as a caretaker of an examination (e.g. exam developers, consultants, contractors, vendors, etc.)
- The **user** is anyone with access to examination material (e.g. proctors, candidates, candidate assistants, and subject matter experts, etc.)

Access Control

Every person granted access to examination material shall be provided a copy of this DPM, and shall be required to sign a security agreement, which includes a copy of the relevant B&P Code sections (Appendix A). Access to or transferal of examination material will only be allowed on a need-to-know basis at all access levels—owner, custodian, or user. All access or transferal shall be documented in order to record chain of custody.

Physical Security

- All examination material shall be properly stored in a secure area from the time it is created until the time it is destroyed. All materials not essential for future reference shall be destroyed (e.g. shred paper documents and/or physically destroy electronic media that cannot be securely overwritten).
- Every person handling examination material shall have access to a secure area for storage.
- Access to any area containing examination material shall be physically restricted to only those persons authorized by the owner, or his or her designee.
- Any entity contracted for printing, reproducing, storing, and/or shipping examination material will be instructed to follow protocols for confidential handling, including requiring official signature(s) for inventory control and/or release.
- Certain items—such as electronic devices, calculators, writing instruments, reference materials, purses, clothing, and food and beverage containers—that present a security risk to or can be used to subvert the examination shall be restricted during examination-related workshops or examination administration.
- Subject matter experts shall present valid identification, sign a security/confidentiality agreement, and secure personal belongings during examination workshops.

Electronic Security

- Electronic records containing examination material shall be stored on network file servers. Examination material may not be stored on local workstation hard drives, Web servers, privately owned computer equipment, publicly accessible computers, or portable electronic media (i.e. floppy disks, CD/DVD/USB devices).
- Computer systems storing examination material shall contain controls that protect the security and integrity of the information; including user IDs and passwords; audit controls such as failed login attempts; security monitoring for malware; and physical security that restricts access to computer systems.
- Desktop and laptop computers used to access examination material shall be encrypted using strong cryptography and security protocols that are compliant with the most current Federal Information Processing Standards (FIPS) issued by the National Institute of Standards and Technology (NIST).
- Computer monitors used to display examination material shall be positioned in a manner such that the material is not visible to unauthorized viewers. An active terminal with access to examination material shall be password protected and never left unattended.

Examination Administration

- Facilities selected for test sites shall be inspected for potential security issues and audited as required by OPES.
- Physical and electronic security standards described above shall also be followed in facilities used for examination administration.
- The Department shall take preventative measures to anticipate sophisticated electronic devices used to subvert examinations; i.e. easily concealed cameras, transmitters, recorders, and wireless devices, etc.
- Contracted computer-based testing vendors shall request approval from the owner of the examination material before entering into any agreements or discussion with a third party concerning that material.
- Proctors should be assigned according to the number of candidates:
  - Written paper and pencil exams – ideally a ratio of one for every 20-30 candidates, with a minimum of two proctors.
  - Computer-based testing – sites with eight-seat capacity shall require one proctor; sites with sixteen-seat capacity shall require a minimum of two proctors at all times; sites with thirty-seat capacity or more shall require a minimum of three proctors.
- Candidates and candidate assistants shall present valid identification, sign a security/confidentiality agreement, and secure personal belongings during the examination administration.
- Candidate assistants (readers, markers, and interpreters) shall be requested by the candidates and approved in advance by the owner.

Legal Issues

- Any and all suspected or actual breaches of examination security should be investigated and reported to the appropriate authorities, i.e. owner, custodian, or administrator.
- Persons who subvert or attempt to subvert any licensing examination or the administration of an examination will be prosecuted to the full extent of the law.
- Where appropriate, boards, bureaus, or committees may be able to supplement the civil and criminal actions with administrative sanctions.

Business Continuity

- Data related to breaches of examination security shall be documented and analyzed for trends; including, but not limited to information such as date, location, individuals involved, witnesses, circumstances, and resolution, if any.
- Owners, as defined above, shall produce, maintain, and test business continuity plans to ensure the security and availability of critical examination programs in the event of a major disruption.

RELATED DOCUMENTS

- DCA Policies

ISO 05-01	*Acceptable Use of Information Technology Systems*
ISO 06-01	*Information Security Policy*
ISO 07-01	*Communications Devices*
ADM 99-02	*Incompatible Work Activities*

- DCA DPMs

ISO 04-01	*Firewall Configuration Requirements*
ISO 05-01	*Server Security Standards*
ISO 07-01	*Portable Computing Device Security*
ISO 06-02	*Information Security Incident Reporting Procedures*
ISO 05-03	*Password Standards*
ISO 06-03	*Disposal of Confidential Information*
PERS 02-05	*Examination Proctor Program*

QUESTIONS

If you have any questions regarding this DPM, please contact OPES at (916) 575-7240.

Sonja Merold

Sonja Merold, Chief
Office of Professional Examination Services

Attachment – Examination Security Agreement

Examination Security Agreement

As an employee, governmental official, consultant, subject matter expert, and/or temporary staff of the Department of Consumer Affairs (DCA); and any of its divisions, bureaus, boards, programs, and other constituent agencies, you may have access to confidential licensing examination materials. These materials include any portions of future, current, or previously administered examinations, answer keys, and other confidential materials, the disclosure of which would subvert the examining process.

California law authorizes state agencies to maintain the security of their licensing examinations. The most specific of these laws, section 123 of the Business and Professions (B&P) Code, makes it a misdemeanor for any person to subvert or attempt to subvert any licensing examination or the administration of an examination. A person found guilty of these actions is liable for the actual damages sustained by the agency administering the examination, not to exceed $10,000 and the costs of litigation. The complete provisions of B&P Code sections 123, 123.5, and 496 are attached.

By signing this form, you agree to assume personal responsibility for keeping examination material secure. You also agree to avoid future activities that would compromise security of examination material.

I have read the above statements and understand the law regarding misuse of confidential material. I accept the responsibility for maintaining strict confidentiality of licensing examination material and information to which I have access and agree to keep these materials confidential.

_____
(Printed Name)

_____
(Address)

_____
(City, State, ZIP)

_____
(Signature)

_____
(Date)

_____
(Affiliation)

_____
(Witness Printed Name)

_____
(Witness Signature)

_____
(Date)

- ☐ DCA employee
- ☐ Subject matter expert
- ☐ Consultant/vendor
- ☐ Examination proctor
- ☐ Candidate assistant

Business and Professions Code

Division 1, Chapter 1, Section 123:
It is a misdemeanor for any person to engage in any conduct which subverts or attempts to subvert any licensing examination or the administration of an examination, including, but not limited to:

(a) Conduct which violates the security of the examination materials; removing from the examination room any examination materials without authorization; the unauthorized reproduction by any means of any portion of the actual licensing examination; aiding by any means the unauthorized reproduction of any portion of the actual licensing examination; paying or using professional or paid examination-takers for the purpose of reconstructing any portion of the licensing examination; obtaining examination questions or other examination material, except by specific authorization either before, during, or after an examination; or using or purporting to use any examination questions or materials which were improperly removed or taken from any examination for the purpose of instructing or preparing any applicant for examination; or selling, distributing, buying, receiving, or having unauthorized possession of any portion of a future, current, or previously administered licensing examination.

(b) Communicating with any other candidate during the administration of a licensing examination; copying answers from another examinee or permitting one's answers to be copied by another examinee; having in one's possession during the administration of the licensing examination any books, equipment, notes, written or printed materials, or data of any kind, other than the examination materials distributed, or otherwise authorized to be in one's possession during the examination; or impersonating any examinee or having an impersonator take the licensing examination on one's behalf.

Nothing in this section shall preclude prosecution under the authority provided for in any other provision of law.

In addition to any other penalties, a person found guilty of violating this section, shall be liable for the actual damages sustained by the agency administering the examination not to exceed ten thousand dollars ($10,000) and the costs of litigation.

(c) If any provision of this section or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the section that can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

Division 1, Chapter 1, Section 123.5:
Whenever any person has engaged, or is about to engage, in any acts or practices which constitute, or will constitute, a violation of Section 123, the superior court in and for the county wherein acts or practices takes place, or are about to take place, may issue an injunction, or other appropriate order, restraining such conduct on application of a board, the Attorney General or the district attorney of the county.

The proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure.

The remedy provided for by this section shall be in addition to, and not a limitation on, the authority provided for in any other provision of law.

Division 1.5, Chapter 5, Section 496:
A board may deny, suspend, revoke, or otherwise restrict a license on the ground that an applicant or licensee has violated Section 123 pertaining to subversion of licensing examinations.

EXAMINATION SECURITY

OPES
PROFESSIONAL EXAMINATION SERVICES

Purpose

The Office of Professional Examination Services (OPES) recognizes that the security of licensing examinations is critical to the mission of the Department of Consumer Affairs (DCA) in serving the interests of California consumers. California law authorizes State agencies to maintain the security of their licensing examinations. The most specific of these laws, section 123 of the Business and Professions (B&P) Code, makes it a misdemeanor for any person to subvert or attempt to subvert any licensing examination or the administration of an examination. A person found guilty of these actions is liable for the actual damages sustained by the agency administering the examination, not to exceed $10,000 and the costs of litigation.

Process

As an applicant, licensee, employee, governmental official, contractor, consultant, and/or temporary staff of DCA; and any of its divisions, bureaus, boards, programs, and other constituent agencies, you may have access to confidential licensing examination materials. This may include any portions of future, current, or previously administered examinations, answer keys, and other confidential materials, the disclosure of which would subvert the examination process.

OPES has implemented a variety of controls to ensure the integrity, security and appropriate level of confidentiality of licensure examination programs. These controls vary according to the sensitivity of the information, and will include restricting and/or prohibiting certain items, such as electronic devices, when conducting examination-related workshops or during examination administration. You will be required to sign one or more agreements accepting responsibility for maintaining strict confidentiality of licensing examination material and information to which you have access.

Authority

The following documents address the security of DCA information in general, which includes confidential testing materials:

B&P Code sections 123, 123.5, 496, and 584

DCA Policies:	ISO 05-01	Acceptable Use of Information Technology Systems
	ISO 06-01	Information Security Policy
	ISO 07-01	Communications Devices
	ADM 99-02	Incompatible Work Activities
DCA DPM:	ISO 07-01	Portable Computing Device Security
	ISO 06-02	Information Security Incident Reporting Procedures
	PERS 02-05	Examination Proctor Program

Contact

To learn more about these and other examination-related services, please contact the Office of Professional Examination Services at (916) 575-7240.

Candidate Full Name: _____ SSN (last four digits ONLY) or ID: _____

Exam Name: _____ Telephone Number: _____

For office use only

Identification presented:

1. Driver's License: State _____ Number _____ Exp. Date _____

2. _____ Number _____

Authorization Documents presented:

Type or ID number _____

PSI & DCA Security Policy

I HAVE READ THE FOLLOWING PSI SECURITY AGREEMENT AND CONSENT TO TAKE THE LICENSING EXAMINATION UNDER THE CONDITIONS STATED HEREIN.

- I will not give or receive assistance while taking the test, including the use of unauthorized notes.
- I will maintain the confidentiality of the test.
- I will not have in my possession a cell phone, pager, camera or other unauthorized materials.
- I understand that violating the confidential nature of the licensing test can result in severe civil or criminal penalties, invalidation of the test scores reports to the authorized agency.

Candidate Signature: _____ Date: _____

PSI Proctor Signature: _____ Date: _____

*DCA Security Procedures are posted in the PSI testing lobby.

****

Agenda Item K

REGULATORY AND ENFORCEMENT COMMITTEE REPORT

1. Update and Possible Action on Certified Access Specialist Institute (CASI) Inquiry on Architects Practice Act Issues

2. Update and Possible Action on Informing Planning Departments of Unlicensed Practice Issues Regarding Non-Exempt Projects

UPDATE AND POSSIBLE ACTION ON CERTIFIED ACCESS SPECIALIST INSTITUTE (CASI) INQUIRY ON ARCHITECTS PRACTICE ACT ISSUES

CASI represents approximately 150 certified access specialists (CASp) in California, the majority of which are architects and building officials. It is endeavoring to set professional standards and ethics for CASps. As a result, CASI wants to serve its membership by providing them with answers to key questions that have arisen over the past three years CASp has been in existence.

The American Institute of Architects, California Council (AIACC), in September 2010, posed a question to the Legislative Counsel on CASI's behalf. The question inquired whether CASp services performed by a California licensed architect are considered instruments of architectural services and covered under the requirements of the Architects Practice Act. Following receipt of an opinion from the Legislative Counsel, AIACC suggested to CASI that it ascertain if the opinion differs from the California Architects Board's (Board) opinion.

CASI President Greg Izor, Executive Officer Doug McCauley, and architect consultant Bob Carter met in August 2011 to discuss CASI's questions regarding CASps. Staff for the Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) also attended the meeting. At the meeting, CASI stated they would provide the Board with more information on CASp along with specific questions.

On December 26, 2011, CASI sent the Board and BPELSG letters (Attachments 1 and 2) containing three questions. CASI indicated that this information would be used to better inform its membership, enabling them to perform services with a better understanding of regulations governing their practice.

As an aside, the Board's 2012 Strategic Plan calls for an objective for the Regulatory and Enforcement Committee (REC) to "Define 'Instruments of Service' for a potential regulatory proposal." The REC will meet in the spring to discuss this Strategic Plan objective.

Attached for the Board's review and possible action is the draft response to the questions.

Attachments
1. Letter from CASI dated December 26, 2011 to Doug McCauley
2. Letter from CASI dated December 26, 2011 to Susan Christ
3. Draft response letter to CASI questions

CERTIFIED ACCESS SPECIALIST INSTITUTE

December 26, 2011

Doug McCauley
Executive Director
California Architects Board
2430 Del Paso road
Sacramento, CA 95834

Sent via email: Doug_Mccauley@dca.ca.gov

Ref: California Licensed Architects performing CASp services

Dear Doug,

As you may know our organization, the Certified Access Specialist Institute, not only represents approximately 150 certified access specialists in California but we are also embarking on setting professional standards and ethics for the practice of Certified Access Specialists (CASp) for our membership throughout the state. To that end our organization wants to serve our members and other CASp's by providing them with answers to key questions that have arisen over the 3 years the program has been active in California. Previously we submitted 5 critical questions to the Legislative Council for responses that we have shared with our membership to help clear up any misunderstandings in regards to the intent of SB 1608. Many of our members are licensed architects and we believe they would benefit from having a few of those questions also looked at by the California Architects Board.

Therefore, we request that you provide us with responses to the following questions so that we might use these responses to better inform our membership enabling them to perform the services of a Certified Access Specialist with a better understanding of all regulations governing their practice.

1. Are CASp services performed by a California licensed architect considered instruments of architectural services and covered under the requirements of the Architects Practice Act?
   Background: Some CASp's are licensed as architects. Under the California Architects Practice Act, an architect must affix his or her license stamp and signature to all instruments of service and must also have a written contract for services. Are CASp Inspection Reports and the accompanying services considered instruments of service under the licensing act, therefore requiring a licensed architect that performs them to affix his or her license stamp and signature? The answer to this question is critical for determining professional liability, specifically for architects, providing CASp services.

2. <u>What can a non-licensed CASp (non-architect) provide as mitigation recommendations on a CASp report without those recommendations being considered instruments of architectural services and covered under the requirements of the Architects Practice Act?</u>
   Background: When non-licensed CASp's provide CASp reports, those reports must contain recommendations for mitigating the noncompliance of the facility to ADA requirements. The majority of CASp reports deal with nonresidential facilities. Both the architects and engineers practice act defined clearly what projects are exempt. However, it is unclear how far a non-licensed individual can go in delineating the specific solutions or mitigation measures required for meeting ADA requirements. A specific definition of the content of mitigation measures is important in order for non-licensed CASp's to perform services required of them under SB 1608 without violating any practice act.

3. <u>What is the formal process to file a complaint against a licensed (licensed architect) or non-licensed CASp?</u>
   Background: Our organization has begun receiving inquiries from the public in regards to CASp services that may have not been performed an adequate or proper manner. Whereas our organization does not have a policy at this time for responding to these types of inquiries, it would be of great value to understand what the formal process of filing a complaint against a licensed CASp would be. Would this formal process also be applied to a non-licensed CASp? If so, would filing a complaint with the licensing board be the same process?

Your response to these above questions are very valuable in helping us not only inform our membership but establish professional standards and ethics that will be in agreement with both the architects and engineers practice act. Our organization is available for additional input or clarification that your Board may desire. We will make ourselves available to attend any Board meetings as requested to provide additional input as needed.

Sincerely,

Greg Izor, President
Certified Access Specialist Institute
760-489-5892
gizor@casinstitute.org

December 26, 2011

Susan Christ
Senior Civil Engineer Registrar
Board for Professional Engineers, Land Surveyors, and Geologists
2535 Capitol Oaks Drive, Suite 300
Sacramento, CA 95833

Sent via email: Susan.christ@dca.ca.gov

Ref: California Licensed Engineers performing CASp services

Dear Susan,

As you may know our organization, the Certified Access Specialist Institute, not only represents approximately 150 certified access specialists in California but we are also embarking on setting professional standards and ethics for the practice of Certified Access Specialists (CASp) for our membership throughout the state. To that end our organization wants to serve our members and other CASp's by providing them with answers to key questions that have arisen over the 3 years the program has been active in California. Previously we submitted 5 critical questions to the Legislative Council for responses that we have shared with our membership to help clear up any misunderstandings in regards to the intent of SB 1608. Many of our members are licensed architects and we believe they would benefit from having a few of those questions also looked at by the California Architects Board.

Therefore, we request that you provide us with responses to the following questions so that we might use these responses to better inform our membership enabling them to perform the services of a Certified Access Specialist with a better understanding of all regulations governing their practice.

1. Are CASp services performed by a California licensed engineer considered instruments of professional engineering services and covered under the requirements of the Engineers Practice Act?
   Background: Some CASp's are licensed as engineers. Under the California Engineers Practice Act, an engineer must affix his or her license stamp and signature to all instruments of service and must also have a written contract for services. Are CASp Inspection Reports and the accompanying services considered instruments of service under the licensing act, therefore requiring a licensed engineer that performs them to affix his or her license stamp and signature? The answer to this question is critical for determining professional liability, specifically for engineers, providing CASp services.

2. <u>What can a non-licensed CASp (non-engineer) provide as mitigation recommendations on a CASp report without those recommendations being considered instruments of profession engineering services and covered under the requirements of the Engineers Practice Act?</u>
   Background: When non-licensed CASp's provide CASp reports, those reports must contain recommendations for mitigating the noncompliance of the facility to ADA requirements. The majority of CASp reports deal with nonresidential facilities. Both the architects and engineers practice act defined clearly what projects are exempt. However, it is unclear how far a non-licensed individual can go in delineating the specific solutions or mitigation measures required for meeting ADA requirements. A specific definition of the content of mitigation measures is important in order for non-licensed CASp's to perform services required of them under SB 1608 without violating any practice act.

3. <u>What is the formal process to file a complaint against a licensed (licensed engineer) or non-licensed CASp?</u>
   Background: Our organization has begun receiving inquiries from the public in regards to CASp services that may have not been performed an adequate or proper manner. Whereas our organization does not have a policy at this time for responding to these types of inquiries, it would be of great value to understand what the formal process of filing a complaint against a licensed CASp would be. Would this formal process also be applied to a non-licensed CASp? If so, would filing a complaint with the licensing board be the same process?

Your response to these above questions are very valuable in helping us not only inform our membership but establish professional standards and ethics that will be in agreement with both the architects and engineers practice act. Our organization is available for additional input or clarification that your Board may desire. We will make ourselves available to attend any Board meetings as requested to provide additional input as needed.

Sincerely,

Greg Izor, President
Certified Access Specialist Institute
760-489-5892
gizor@casinstitute.org

Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

DRAFT

March 7, 2012

Mr. Greg Izor, President
Certified Access Specialist Institute
P. O. Box 1071
Fresno, CA 93714

RE: California Licensed Architects Performing CASp Services

Dear Mr. Izor:

Thank you for your December 26, 2011 letter regarding the Certified Access Specialist program. We have discussed the issues you identified with legal counsel and have articulated our responses below.

1. Are CASp services performed by a California licensed architect considered instruments of architectural services and covered under the requirements of the Architects Practice Act?

Background: Some CASps are licensed as architects. Under the California Architects Practice Act, an architect must affix his or her license stamp and signature to all instruments of service and must also have a written contract for services. Are CASp Inspection Reports and the accompanying services considered instruments of service under the licensing act, therefore requiring a licensed architect that performs them to affix his or her license stamp and signature? The answer to this question is critical for determining professional liability, specifically for architects, providing CASp services.

BOARD RESPONSE TO QUESTION #1:
The services provided by licensed architects acting in the capacity of a Certified Access Specialist (CASp) are considered to be professional services that may be included in their practice of architecture. Therefore, CASp architects are required to provide an executed written agreement for these professional services pursuant to the Architects Practice Act. [Business and Professions Code section (BPC) 5536.22]

Any documents, reports, plans and specifications prepared for the use of others by CASp architects in delivering and/or communicating results, findings and recommendations of these professional services are considered to be their instruments of service. Therefore, CASp architects are required to stamp and sign these instruments of service as evidence of their responsibility for them pursuant to the Architects Practice Act. [BPC 5536.1 (a)]

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2. <u>What can a non-licensed CASp (non-architect) provide as mitigation recommendations on a CASp report without those recommendations being considered instruments of architectural services and covered under the requirements of the Architects Practice Act</u>?

Background: When non-licensed CASps provide CASp reports, those reports must contain recommendations for mitigating the noncompliance of the facility to ADA requirements. The majority of CASp reports deal with nonresidential facilities. Both the architects and engineers practice act define clearly what projects are exempt. However, it is unclear how far a non-licensed individual can go in delineating the specific solutions or mitigation measures required for meeting ADA requirements. A specific definition of the content of mitigation measures is important in order for nonlicensed CASps to perform services required of them under SB 1608 without violating any practice act.

BOARD RESPONSE TO QUESTION #2:
The Architects Practice Act and the Professional Engineers Act specifically define "exempt project types" for which "…any person…" is permitted to prepare plans, drawings, or specifications [BPC 5537 and 6737.1 respectively]. Additionally, the Architects Practice Act includes in its "exempt project types" those projects that are generally described as nonstructural or nonseismic interior alterations or additions [BPC 5538]. Therefore, to the extent that the "site"***** being inspected by a CASp falls within the definitions of these "exempt project types," all CASps (licensed/registered design professional or not) could include in their reports design solutions (plans, drawings, or specifications) for their recommended "…correction needed."

However, if the "site"***** does not fall within the definitions for "exempt project types," then only CASps who are licensed or registered design professionals can include design solutions (plans, drawings, or specifications) in their reports for their recommended needed corrections.

*****"site" as used in this response, has the same meaning "…a place of public accommodation…" as provided in the Civil Code for CASp. Generally it means a structure or structures and the associated site [Civil Code Section 55.52 (9)].

3. <u>What is the formal process to file a complaint against a licensed (licensed architect) or non-licensed CASp?</u>

Background: Our organization has begun receiving inquiries from the public in regards to CASp services that may have not been performed in an adequate or proper manner. Whereas our organization does not have a policy at this time for responding to these types of inquiries, it would be of great value to understand what the formal process of filing a complaint against a licensed CASp would be. Would this formal process also be applied to a non-licensed CASp? If so, would filing a complaint with the licensing Board be the same process?

BOARD RESPONSE TO #3:
Any process for receiving, evaluating and resolving consumer complaints filed against Certified Access Specialists (CASp) related to their performance of CASp services should be the same whether the CASp does or does not hold any other state issued license, certification or registration. By statute and regulation, only the State Architect is authorized to *"…suspend certification or deny renewal of certification…"* based on *"…factual complaints or other relevant information…"* regarding the work of a CASp. [Government Code section 4459.8 and California Code of Regulations sections 151 thru 153.]

Therefore, the basic question regarding definition and implementation of enforcement policies and procedures related to performance of CASp services needs to be addressed by the State Architect.

Board licensees often hold additional licenses or registrations such as a contractor's license and/or an engineer's registration. Whenever the Board receives a consumer complaint that primarily concerns issues and activities related to the licensee's other license or registration, the complaint is reviewed and often forwarded to the respective licensing/registration board's enforcement unit for their "lead" in the investigation. If violations of the other license or registration laws are found, the licensee's conduct will be investigated since he/she can be held to the standard of the profession for substantially related violations. The license could potentially be disciplined by the Board also. Any CASp services complaints should go to the State Architect first.

The Board has jointly investigated and prosecuted consumer complaints with both the Contractors State License Board and the Board for Professional Engineers, Land Surveyors and Geologists. Such a working relationship could be established with the State Architect related to CASp enforcement if asked to do so. Additionally, Board enforcement staff could assist the State Architect in developing the consumer complaint processes for CASp related complaints.

I hope this is responsive to your issues. If you have any further questions, please contact the Board's Architect Consultant, Bob Carter, at (916) 575-7210.

Sincerely,

DOUGLAS R. McCAULEY
Executive Officer

UPDATE AND POSSIBLE ACTION ON INFORMING PLANNING DEPARTMENTS OF UNLICENSED PRACTICE ISSUES REGARDING NON-EXEMPT PROJECTS

The California Architects Board's 2011 Strategic Plan directed 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.

One specific enforcement issue the Board wanted to be communicated relates to unlicensed practice. The Board is aware that unlicensed individuals are often hired to design projects that require a licensee. The unlicensed person might provide design services through planning department approvals; however, the plans cannot be permitted because such services were not provided by a licensee. It is only when plans are submitted to the building department that the consumer learns a licensed architect is required.

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 Act, should be included in the letter. Board President Pasqual Gutierrez appointed Jeffrey Heller to work with Board staff to revise the letter for its December 2011 meeting.

A revised letter was presented and approved by the Board at its December 7, 2011 meeting. The Board was advised that California Building Officials (CALBO), during a recent CALBO Licensing Committee meeting, had expressed possible interest in joining the Board in sending this letter to planning departments. However, at its January 2012 meeting, CALBO voted to stay "neutral" on this issue and not co-sign the letter.

Board staff has also contacted the Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) to ascertain its interest in participating in sending this letter to planning departments. This issue is on BPELSG's March 8, 2012 meeting agenda.

The Board is asked to consider and ratify BPELSG's potential participation in co-signing the letter to the planning departments.

<u>Attachments</u>

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 Director:

The California Architects Board (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: Clients/consumers often 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 building 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, as well as, 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,

MARILYN LYON

President

Attachment

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

UPDATE ON JANUARY 23-24, 2012, LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE MEETING

The LATC met on January 23-24, 2012, in Berkeley. Attached is the notice for the meeting. The board will be updated on the meeting.

NOTICE OF MEETING

Landscape Architects Technical Committee
January 23-24, 2012
Moore Iacofano Goltsman, Inc.
800 Hearst Avenue
Berkeley, CA 94710
(510) 845-7549

The Landscape Architects Technical Committee (LATC) will hold a meeting as noted above. The agenda items may not be addressed in the order noted. The meeting is open to the public and held in a barrier free facility according to the Americans with Disabilities Act. Any person requiring a disability-related modification or accommodation 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.

Agenda
January 23, 2012
10:30 a.m. – 5:00 p.m.

A. Call to Order – Roll Call – Establishment of a Quorum
   Chair's Remarks
   Public Comment Session

B. Approve November 16, 2011 LATC Summary Report

C. Program Manager's Report

D. Presentation by Council of Landscape Architectural Registration Boards (CLARB) Representative Including Information on the Determinants of Success, CLARB's Report on the Definition of Welfare, and Landscape Architect Registration Examination Transition

E. Discuss and Appoint Review Development Committee and Review Committee for University of California Extension Programs

F. Annual Enforcement Report

Adjourn

Agenda
January 24, 2012
8:30 a.m. – 4:00 p.m.

A. Call to Order – Roll Call – Establishment of a Quorum
Chair's Remarks
Public Comment Session

B. Strategic and Communications Planning Review Session for Fiscal Year 2012/2013

C. Review Tentative Schedule and Confirm Future LATC Meeting Dates

Adjourn

Please contact Maryann Moya at (916) 575-7230 for additional information related to the meeting. Notices and agendas for LATC meetings can be found at *www.latc.ca.gov*.

Agenda Item M

REVIEW OF SCHEDULE

March 2012		
7	Board Meeting	Burbank
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		
TBD	Professional Qualifications Committee Meeting	TBD
TBD	Regulatory and Enforcement Committee Meeting	TBD
26	Landscape Architects Technical Committee Meeting	Sacramento
May		
17-19	The American Institute of Architects National Convention	Washington, DC
28	*Memorial Day*	*Office Closed*
June		
11-12	LARE Sections C & E Administration	Various
14	Board Meeting	TBD
20-22	National Council of Architectural Registration Boards Annual Meeting and Conference	Minneapolis, MN
July		
4	*Independence Day*	*Office Closed*
August		
September		
3	*Labor Day*	*Office Closed*
13	Board Meeting	TBD
13-15	Council of Landscape Architectural Registration Boards Annual Meeting	San Francisco
28-1	American Society of Landscape Architects (ASLA) Annual Meeting	Phoenix, AZ
October		
1	ASLA Annual Meeting (cont'd)	Phoenix, AZ
November		
12	*Veterans Day Observed*	*Office Closed*
22-23	*Thanksgiving Holiday*	*Office Closed*
December		
5-6	Board Meeting	TBD
25	*Christmas*	*Office Closed*

Agenda Item N

ADJOURNMENT

The Board will adjourn in memory of Norma Sklarek, architect Board member from 2003 to 2007, who passed away February 6, 2012.